

# LEGISLATIVE ASSEMBLY

Thursday 14 March 2002

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

**Mr Speaker** offered the Prayer.

## AUDITOR-GENERAL'S REPORT

**Mr Speaker**, pursuant to Section 52A of the Public Finance and Audit Act 1983, tabled the report entitled "Auditor-General's Report 2002—Volume One", dated March 2002.

**Ordered to be printed.**

## CRIMES (SENTENCING PROCEDURE) AMENDMENT (GENERAL SENTENCING PRINCIPLES) BILL

### Restoration

#### Motion by Mr Torbay agreed to:

That, following the message from the Legislative Council, the second reading of the Crimes (Sentencing Procedure) Amendment (General Sentencing Principles) Bill be restored to the business paper as an order of the day.

### Second Reading

**Mr TORBAY** (Northern Tablelands) [10.02 a.m.]: I move:

That this bill be now read a second time.

There are all sorts of arguments about what is, or seems to be, obscenity and the issue arouses considerable heat and emotion. However, there is a form of obscenity that is much worse than X-rated movies or the use of explicit language in films and television, repellent as those things might be. One of the worst obscenities is a television news picture or newspaper picture of a very old person in a state of shock—blackened eyes, broken nose, pulped mouth, fractured bones and covered in bruises—who has been the helpless victim of a savage and unprovoked attack. Unhappily, this sort of abhorrent crime is on the rise.

An element within the criminal community views old people as fair game. They callously figure out that some old people are feeble, slow moving, confused and frightened, and will offer no resistance to an attacker. They decide, cold-bloodedly and with cruel deliberation, that these people can be attacked and robbed of their possessions and savings, without the slightest risk that the attacker will be injured or fought off in any way. Old bones are brittle and old muscles are weak and injure and bruise easily, which adds to the attraction of this crime for a certain type of gutless creature. Some of the pictures we have seen of seriously injured elderly people suggest, to me at least, that their very helplessness arouses some sort of savage bloodlust in their attackers, who often indulge in a ferocity and duration of attack driven by those feelings.

This type of crime is on the increase. Serious and violent assault against the elderly is common. Whether it is a handbag snatch, a home invasion or a knock down, grab-and-run attack in a shopping centre, often the consequences for the elderly victim are devastating. Apart from any physical injury they may suffer, the loss of a sense of security and confidence, dignity and personal safety is immeasurable. They might have been outgoing, confident, independent members of society before the attack but afterwards they are seldom ever the same. Some might say that in terms of numbers this is not a huge crime. It is not a big statistic in comparison with gun crime, knife crime, general assault, murder or rape. But the incidence of this crime is increasing and its effects are getting worse.

Figures from the New South Wales Bureau of Crime Statistics and Research show that between 1995 and 1999 the incidence of attacks on elderly people almost doubled. For example, in 1995 there were 794 offences, that is, attacks against people aged 65 and over. In 1999 that figure rose to 1,502—almost double.

Every day in New South Wales, on average, four elderly people are attacked, bashed, robbed and subjected to hurt and fright from which they never recover. The number of deaths of elderly people resulting from these attacks rose from 15 in 1995 to 20 in 1999. Some may say the numbers are not big in the overall picture of crime and murder. But it is a big increase in incidence, which we must address by increasing penalties that show the community's abhorrence of crime of this type. The genesis of the bill lies in the facts and figures I have presented to the House. The Hon. John Tingle introduced the bill in the Legislative Council. I have pleasure in introducing the bill in this House. It will address an important social and judicial problem, especially in its amended form in which it comes to us from the other place.

Originally this bill proposed a graduated series of penalties rising by a fixed percentage in line with the age of the victim. But in negotiations with the Government it became apparent that it would be possible to apply the bill to crime not just against the elderly but also against the very young, children and babies, those with disabilities and others who are vulnerable to attack and more defenceless against it. By adopting the principles of the Commonwealth sentencing guidelines in an amendment to the bill in the other place, the bill has made exactly that provision. Schedule 1 of the proposed section 21A provides that the severity of the sentence imposed by the court takes into account factors that, amongst other things, include the personal circumstances of the victim, the age of the victim, particularly if very old or very young; any physical or mental disability of the victim; and any vulnerability of the victim arising from the nature of the victim's occupation.

These provisions will make it clear that where a would-be offender deliberately chooses a victim who is vulnerable and defenceless, the court will take that fact into consideration and adjust the sentence upwards accordingly. Surely the very vulnerability of the victims pleads the case for special consideration and a specific approach to deter these crimes. It would be wonderful if we could create some ring of protection around the old, the young and the vulnerable in our midst, and make them safe from attack, but we cannot. I proffer this bill as one small step to deter the potential attacker, to make attacks on vulnerable people less attractive by attaching seriously increased penalties and spelling out the message loud and clear that we, as a community, do not take these crimes lightly. We want them punished adequately.

It has been suggested in discussions about the bill that an offender cannot necessarily be expected to inquire about the age of potential victims or assess their apparent vulnerability before attacking. The bill will provide some deterrent to any attack on any obviously vulnerable person. I stress that the bill does not introduce mandatory sentencing. It does not take away the other discretion of the court in regard to the final head sentence, nor does it set down sentences in terms of the specific periods of years, months or weeks. As I said, the bill is not complex. But I hope it results in courts taking this type of offence very seriously and, by imposing heavier sentences, at least trying to make these assaults less attractive.

Bleeding hearts who think we ought to be kind to criminals, particularly repeat offenders, will oppose the bill as unnecessary because not many of these types of crimes are committed. However, the majority of the community is not concerned with the welfare of gutless criminals. The bill seeks to protect the vulnerable, the weak and the frightened. That is where our emphasis must remain. The bill is simple, caring and necessary. It is worth a try. The communities in and around the Northern Tablelands have provided enormous feedback that assisted in the development of the bill. I place on record my thanks to the Hon. John Tingle for his leadership in this regard and for the opportunity not only for me but for other members, including the honourable member for Dubbo through his crime prevention committee, to have input into the bill. I commend the bill to the House.

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

## **LOCAL COMMUNITIES (BROTHELS—FLEXIBLE ZONING) BILL**

### **Second Reading**

**Debate resumed from 15 November 2001.**

**Mr TORBAY** (Northern Tablelands) [10.10 a.m.]: When I introduced the bill I gave a brief background to it. Various communities expressed numerous concerns about the lack of control of brothels and the lack of flexibility of local government authorities to implement brothel-free zones. Local councils asked me, as the representative of local communities: If it is good enough for local councils to make decisions about what is appropriate in zoning and development, why is it not appropriate for councils to determine whether brothels should be allowed in their areas?

Local councils should have, on behalf of the communities they are elected to represent, the power to introduce a brothel-free zone. This bill is designed to give councils that power. I look forward to hearing first-

hand the debate on this bill so that I will know the views of the Government and Opposition. I often hear in this Chamber a whole range of members of various political persuasions expressing their views on the important role of local government. They speak of the importance of the role of the arm of government that is closest to the community and its ability to take on board community views and provide leadership to ensure that the local community's concerns are heard. Current legislation does not allow that process to occur.

I will go through some of the clauses of the bill, which in essence allow local government, without fear of litigation, to introduce a brothel-free zone. I think communities will be happy with that because it will enable councils to act on their behalf without the councils being in fear of constant litigation. The current process that must be followed is incredibly flawed in every sense of the word. Councils are becoming bogged down in litigation and police who are called upon to act in these matters find that their powers are limited by various pieces of legislation.

Further, the bill seeks to amend the Planning Act to ensure that councils that take action to declare a brothel-free zone are not subject to litigation. Clause 4 enables a council to prepare a proposal for the establishment of a brothel-free zone on either its own motion or on the application of a specified person or persons. The brothel-free zone may comprise the whole or any part of the area of the council. The council has the authority to determine, on behalf of its community, what it believes the community is telling the council. That is a fundamental principle of the democratic process.

Clause 5 requires a council to give public notice of the proposal to establish a brothel-free zone and to consider any representations and submissions made in relation to the proposal. Community feedback, I would have thought, is very important, but having authority to act on that feedback is equally important, otherwise we would have consultation merely for the sake of consultation without powers to implement proposals. That lack of power is tying councils' hands behind their backs. Clause 6 allows a council to adopt a proposal to establish a brothel-free zone after complying with the procedure set out in clauses 4 and 5. The council is required to give public notice of the declaration of a brothel-free zone. Clause 7 provides that a brothel-free zone operates from the date specified by the council, but no earlier than 30 days after the date that public notice is given of the establishment of a brothel-free zone.

Clause 8 allows a council to cancel the operation of a brothel-free zone. To put it simply, the council will have authority to react to the concerns, feedback and contributions of local communities. Clause 9 requires a council to undertake public consultation before changing the boundaries of a brothel-free zone. Again, the community obviously will be heavily involved in any proposed amendments regarding a brothel-free zone. Clause 10 makes it an offence for an occupier of premises in a brothel-free zone to use the premises or allow the premises to be used for the purpose of a brothel. The penalty provided for that offence is currently 100 penalty units, the value of which will change over time.

Clause 11 is very important. It allows a police officer to obtain a search warrant in respect of premises in a brothel-free zone if he or she has reasonable grounds for believing that those premises are being used for the purposes of a brothel. Under current law people can advertise brothels. I have had considerable feedback from the community about the present system. For instance, if a copy of a newspaper advertisement is given to police as the basis of a complaint, the local council must give notice to the owner of the premises that the council intends to do an inspection of those premises. Guess what? Councils do not find anything illegal happening at those premises. Those sorts of silly processes are in place today. People seem to be able to operate these facilities but appropriate mechanisms are not in place to protect the community.

The honourable member for Pittwater has introduced a bill in respect of illegal brothels. I place on record my support for that bill, because I believe the process for dealing with illegal brothels also bogs down councils and communities in the costly processes of litigation. As a former mayor of Armidale, I recall being approached by community members complaining about an illegal brothel. My powers at that time were very limited. Little could be done because of the planning laws in operation in New South Wales, which are still in place, although the Government has moved to make certain amendments to existing legislation. Those amendments are welcome, but they do not go far enough.

In response to the representations from the community I instructed council officers to investigate the matter. Those officers had to follow certain procedures, including giving notice that they were coming to inspect the premises. Of course, they found nothing untoward. As mayor, I then had to instruct council officers to hire a private detective to undertake research. Consequently, I received a detailed report. It was so detailed that it was impossible for me to table it at the council. Nonetheless, the report proved to be effective in assisting to close down that illegal facility. That action, of course, was consistent with the community's views.

At what cost did that occur? I assure honourable members that the local media was interested in where council got the money to employ a private detective to undertake that type of research! All of a sudden it became an issue, not about protection of the community but about how much it had cost the community to undertake the action. Why, in taking the action on behalf of the community, did council put these substantial financial resources into doing so? We then had to litigate against the person who operated the brothel. That took a substantial period of time and even more money. We went through a whole process that cost substantial sums of money to protect the community in circumstances where a brothel was operating illegally.

That is unsatisfactory and, I believe, unnecessary. This bill will take the appropriate corrective action and allow local councils to determine these issues on behalf of their communities. Indeed, if the bill introduced by the shadow Minister, the honourable member for Pittwater, were also passed, it would be an enormous step forward by the New South Wales Parliament. I am disappointed that there has not been more interaction by members of this House in respect of this bill, but the interaction I have seen on behalf of communities throughout New South Wales has been very substantial. It has been the subject of numerous petitions to this Parliament, not only by me but also by the former member for Tamworth. I know that the community in that area has been very active in this regard.

I hope that the new member for Tamworth will also take up this matter on behalf of his local community, because the communities of Tamworth and the Northern Tablelands have been very active, given the local issues that have necessitated the introduction of this bill. I want to place on record my thanks to the former member for Tamworth, Tony Windsor—now the Federal member for New England—who originally had carriage of this bill. The communities in the Northern Tablelands had contributed input and when he departed this place to successfully contest the seat of New England I was able to undertake carriage of this bill on his behalf. It is important that Government and Opposition members provide information on their views to the communities that have given feedback on this process. I will be pleased to receive any amendments or suggestions. I am open to constructive feedback and I am hopeful that the process will deliver something that reflects the wishes of the community.

My feedback is that communities would like local government to have the authority, which it has in almost every other case, to determine these outcomes on behalf of the community. Communities would like councils to have authority to implement a brothel-free zone within and around a local government area, consistent with the wishes of the community and without having to face costly setbacks and lengthy litigation, which obviously comes at a cost to the local community. I commend the bill to the House

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

#### **LOCAL GOVERNMENT AMENDMENT (ETHICS REVIEW PANEL) BILL**

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

#### **Second Reading**

**Mr BARR** (Manly) [10.23 a.m.]: I move:

That this bill be now read a second time.

Honourable members will be aware that we have problems in local government and that the powers of the Minister are limited in that regard. At the end of the day the Minister has power to appoint an administrator, after having gone through due process of an investigation and public inquiry. But, short of that, the Minister's powers are limited and he also suffers the problem of limited resources in dealing with so many councils. The Local Government Act requires a high standard of behaviour of councillors. They are called upon to act honestly, and to exercise care and diligence in carrying out their functions. The community also expects a high standard of behaviour because councillors are routinely dealing with matters relating to people's personal property, their community land and many other assets.

In these dealings there is huge scope for direct and indirect benefits to councillors, for cronyism, impartial dealings, and outright fraud. Problems often occur when developers and real estate agents are involved with council. Members of this House have told me of the problems they have experienced with their local councils in respect of this issue. It is a *prima facie* conflict when real estate agents and developers actively work in commercial dealings in their own council area. We cannot exclude people from various professions from seeking election to council. Nevertheless, we have a *prima facie* problem that we have to deal with.

This problem has arisen in a local council area within my electorate, that is, Warringah Council. Warringah Council has been the subject of ongoing controversy about councillor behaviour. Complaints have included cronyism, bullying, secret dealings, favours given and patronage dispensed. The very culture of this council is tainted by the inextricable links between the real estate and development interests of councillors. The dissatisfaction of the community and a vast number of complaints about Warringah Council—the largest number of complaints about any council in New South Wales—have culminated in an investigation by the Department of Local Government, which is occurring at the moment.

It is this pattern of behaviour that brings our system of local government into disrepute. Honourable members will have seen in recent months newspaper headlines such as, "Squabbling Councils out of Order" and "Our Most Despised Councils". Those headlines are mild compared with the comments one gets from people in the street about their local council and about local government in general. The confidence of residents in their elected representatives is a fundamental underpinning of democracy. The public is disgruntled with a system that seems to reward councillors who have the skills or legal advice to sail close to the wind without quite crossing the line. The extent of cynicism and distrust felt in the community towards local government appears to threaten the credibility of councils as a whole. This situation has to be improved. That is what this bill seeks to do by the establishment of an ethics review panel.

To give honourable members a backdrop, in 1992, in the lead-up to the introduction of the current Local Government Act, ICAC conducted an investigation into local government, public duties and conflicting interests. ICAC's report recommended that New South Wales move from the previous system of self-regulation of pecuniary interest matters to the current system of regulation by independent bodies. That recommendation followed the recognition of widespread abuse under self-regulation, highlighted by some major scandals. The independent regulation of pecuniary interest has been with us for nearly nine years now. It is fair to say that it has had limited success. The regulatory bodies are deluged by a flood of complaints. Many of the complaints may be quite serious and all are heartfelt, but most do not meet the high standards of evidence or clear wrongdoing required for them to take action. I have discussed this matter with the Minister and I understand his reluctance to pursue cases that are anything other than open and shut. However, many cases that may be borderline in terms of the legislation are clearly unacceptable by general community standards.

I have previously brought to the attention of the House several examples of borderline behaviour. In one matter a councillor supported a development application by another councillor for a development that exceeded the local environment plan [LEP] guidelines in several respects. The next day that councillor used it as a precedent in his own case in a matter before the Land and Environment Court. His argument was that because the council had allowed other developments to exceed the guidelines, his own development should be allowed to exceed the guidelines as well, and that included the application he had moved in council. The Department of Local Government reviewed this complaint and found that it was not serious enough to warrant prosecution. I argue that, despite the legal niceties, there would be very few people who would consider that to be appropriate conduct for a councillor. A person involved in the interests of the public, both present and future, should not play the rules for his or her own benefit in such an expedient way.

**Pursuant to sessional orders business interrupted.**

## **FREEDOM OF INFORMATION AMENDMENT (OPEN AND ACCOUNTABLE GOVERNMENT) BILL**

### **Second Reading**

**Debate resumed from 15 November 2001.**

**Mr BARR** (Manly) [10.30 a.m.]: I said previously that I will support the bill, but I foreshadow that I will move amendments to clarify the powers of the commissioner, because the bill does not clarify them. I will speak to that in more detail at a later stage. As Privacy Commissioner Chris Puplick has pointed out, freedom of information is an orphan: it has no ownership, and no leadership. Freedom of information is treated by some departments as something of a burden and it is treated politically by political minders who micro-manage the flow of information to the public to make sure that a department or a government looks good, or at least does not look bad. Cost may be used as an excuse in that circumstance.

One of the big bugbears at the moment is the commercial-in-confidence issue, which is used to block access to information. Increasingly governments are contracting out and are then arguing that because of the

need for commercial confidentiality, matters cannot be revealed. This is what happened when information was sought under freedom of information legislation on the agreements release for the quarantine station. The National Parks and Wildlife Service claimed that the document was unsuitable for release because of commercial confidentiality. I think there has been an overuse and abuse of commercial confidentiality, and that is one of the most concerning features of freedom of information legislation. A Victorian parliamentary committee recently examined the issue and concluded:

The impetus for classifying information about commercial dealings as commercial in confidence has come from within government rather than from the private sector. The committee is of the opinion that this practice is totally unacceptable and contrary to the spirit of the Westminster system of governance.

The committee then went on to state:

Refusing disclosure ... should not be justified solely on the basis that the profitability of a government enterprise will be adversely affected. Rather, it must be established that disclosure will interfere with the proper and efficient performance of government functions to such an extent as to outweigh the benefits that would flow from public release of information and improving accountability.

The 1993 Western Australia Inc. royal commission stated that "agencies are clothed with a public interest", and we must not lose sight of that. This is not the same interest as the interests of shareholders. There exists a basic public right to know, and that should be the presumption underlying open and accountable government. I draw the Government's attention to the need for great care to be exercised in focusing on documents, as is now the case, rather than on information. People in New South Wales do not ask for information; they ask only for documents. The documents can include audio and video information but they do not include what is in a person's mind. Parliamentarians must ensure that public servants—that is, servants of the public—respect the fact that their duty, their obligation, is not to their political masters but to the public of New South Wales. The public must be told that they have a right to know what is going on in government departments.

One of my concerns is that we are dealing with freedom of information on a piecemeal basis, department by department. New South Wales needs a commissioner that has an overview of the entire workings of government so that it is possible to pinpoint which departments are a problem in relation to freedom of information and which departments are operating well. At the moment we do not have that type of yardstick or benchmark. We need to establish benchmarks in the way that departments operate to give the public what they deserve.

The fundamental principles as far as access to information is concerned are, first, human rights and privacy; second, accountability; and, third, democratic participation in the policy process. It is a fundamental tenet of democracy that there must be a marketplace flow of information. As soon as that dries up or is inhibited, or as soon as there is obfuscation, there will be a concomitant decline in this State's standard of democracy. Parliamentarians must not allow unelected bureaucrats and elected politicians to inhibit the process of dialogue and inhibit the free flow of information.

For those reasons, I wholeheartedly support the bill, which proposes to create a commissioner. As I said earlier, the position should be adequately funded. I do not think honourable members of this House should be inhibited by the notion that the appointment of the commissioner will cost something, because this is a fundamental democratic issue. The position should be funded and, as I also said previously, the commissioner should exercise the powers of the Ombudsman. My amendments will clarify clause 12C of the bill and I will speak to the amendments when the bill is considered in Committee. The Opposition has indicated that it will accept the amendments.

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

## **CRIMES (SENTENCING PROCEDURE) AMENDMENT (LIFE SENTENCE CONFIRMATION) BILL**

### **Second Reading**

**Debate resumed from 5 April 2001.**

**Mr STEWART** (Bankstown—Parliamentary Secretary) [10.37 a.m.]: The Government opposes the bill. Last year the Government's Crimes Legislation Amendment (Existing Life Sentences) Act was passed. That legislation was introduced after the Supreme Court delivered its judgment in a case involving Allan Baker. The Government's legislation provides that if an offender is the subject of a non-release recommendation by the

sentencing court, the offender is not eligible to make an application for redetermination unless the offender has served at least 30 years of the sentence concerned. Prior to the amendment, such an offender could not make a redetermination application until he or she had served at least 20 years of the sentence. The Government opposed the Leader of the Opposition's bill on a number of bases. Primarily, the Government believes that the bill amounts to the Parliament exercising the role of the judiciary and effectively resents offenders. In effect this leaves those offenders in the category of people who have been sentenced for a term that is longer than could have been expected at the time they were sentenced. The legislation passed by the Government in 2001 has made the Leader of the Opposition's bill redundant and irrelevant.

**Mrs CHIKAROVSKI** (Lane Cove—Leader of the Opposition) [10.38 a.m.], in reply: The point that the Government has missed in all of this is that, as I understand it, Allan Baker still has another application before the court. I have been informed that in spite of the legislation passed by the Government, Baker persists with his attempts to get a redetermination of his sentence. That means that the Morse family continue to go through the toil, trauma and indeed despair that they have had to go through on a number of previous occasions. The Government's legislation may have made matters more difficult for Baker, but the Opposition's bill will make matters impossible. For that reason, the Government should be supporting this legislation and should have supported it last year. The Government is taking the coward's way out by not supporting this bill, which I commend to the House.

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

**The House divided.**

[*In division*]

**Mr SPEAKER:** I have been informed that a number of members have been delayed waiting for the lifts. I order that the doors be unlocked to allow those members to be admitted to the Chamber to vote in the division.

**Ayes, 36**

Mr Armstrong	Dr Kernohan	Mr Slack-Smith
Mr Barr	Mr Kerr	Mr Souris
Mr Brogden	Mr Maguire	Mr Stoner
Mrs Chikarovski	Mr McGrane	Mr Tink
Mr Collins	Mr Merton	Mr Torbay
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>
Mrs Hopwood	Ms Seaton	Mr Fraser
Mr Humpherson	Mrs Skinner	Mr R. H. L. Smith

**Noes, 50**

Ms Allan	Mrs Grusovin	Ms Nori
Mr Amery	Ms Harrison	Mr Orkopoulos
Ms Andrews	Mr Hickey	Mr E. T. Page
Mr Aquilina	Mr Hunter	Mrs Perry
Mr Ashton	Mr Iemma	Mr Price
Mr Bartlett	Mr Knowles	Ms Saliba
Ms Beamer	Mr Lynch	Mr W. D. Smith
Mr Black	Mr Markham	Mr Stewart
Mr Brown	Mr Martin	Mr Tripodi
Miss Burton	Mr McBride	Mr Watkins
Mr Campbell	Mr McManus	Mr West
Mr Collier	Ms Meagher	Mr Whelan
Mr Crittenden	Ms Megarrity	Mr Woods
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Ms Moore	<i>Tellers</i>
Mr Gibson	Mr Moss	Mr Anderson
Mr Greene	Mr Newell	Mr Thompson

**Pair**

Mr Cull

Mrs Lo Po'

**Question resolved in the negative.****Motion negatived.****BAIL AMENDMENT (CONFISCATION OF PASSPORTS) BILL****Second Reading****Debate resumed from 17 August 2000.**

**Mr STEWART** (Bankstown—Parliamentary Secretary) [10.51 a.m.]: The Government supports the Bail Amendment (Confiscation of Passports) Bill, which tightens the requirements in the Bail Act in relation to the granting of bail to accused persons in two ways. First, it sets down in legislation the option for judicial officers and the police to require an accused person to surrender to an authorised officer or court any passport held by the person as a condition of bail. The reference to "any passport held by the person" would, of course, include all passports held by the person. Second, the amendment inserts a new provision in the Bail Act 1978 to provide that any person who commits an offence which results in the death of another person must surrender any passports to an authorised officer of the court.

If the accused person satisfies the court that in the circumstances of the case bail should be granted without such a condition, the court may direct that bail be granted without the surrender of a passport. This provision will affect persons charged with the offence of murder, manslaughter, dangerous driving occasioning death, aggravated dangerous driving occasioning death, dangerous navigation causing death, aggravated dangerous navigation causing death and negligent driving occasioning death. It will also affect any persons charged with aiding and abetting, conspiracy and accessory after the fact for any of these offences. Currently, the courts and the police are able to direct accused persons applying for bail to surrender their passports as a condition of bail.

Section 36 (2) (a) of the Bail Act 1978 provides that bail may be granted subject to an accused person entering into an agreement to observe specified requirements as to his or her conduct while at liberty on bail. This includes, for example, assessment for drug or alcohol treatment or rehabilitation, and it encompasses the surrendering of passports. To a certain extent these proposals are a reflection of the current practice. However, the enshrinement of this requirement in legislation will focus the issue of passports in the minds of judicial officers and police officers granting bail. It would seem to be a sensible amendment to the Bail Act to ensure that persons at risk of fleeing the jurisdiction are thwarted in their attempt.

**Mr TINK** (Epping) [10.54 a.m.], in reply: I thank the Government and the Parliamentary Secretary for their support for the bill. The need for this bill arose from the tragic circumstances relating to a fatal motor vehicle accident in the northern beaches area some time ago. Those specific circumstances highlighted the problem of people reoffending while on bail. I hope that the views of all honourable members on this important issue are beyond any doubt. I am inclined to agree with the Parliamentary Secretary about one issue: the courts have probably had this power in the past in an informal way. I am not sure whether that is necessarily clear, but I suspect they have. There should never again be any doubt about this issue. That is why I believe this bill is important.

The Government must be specific about its will and its wish in relation to these sorts of issues. The public demand complete clarity in relation to many decisions made by the courts. I am aware from public meetings I have attended that members of the community have strong feelings about a range of matters, including sentencing and bail. There is a lot of slippage between the courts and the Parliament about requirements, rules and standards. In this case there can be no doubt. People accused of offences occasioning death must, as a general rule, be prepared to give up their passports. However, this bill provides for special circumstances. The court must now focus on special circumstances as an exemption rather than have any loose sense of a right or a normal entitlement. In the normal course of events in offences of this nature, people's passports are covered by the bill. The focus should be on why there should be any exception to the rule. I again thank the Government for its support for the bill.

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



**PAY-ROLL TAX AMENDMENT (COUNTRY EMPLOYMENT) BILL****Second Reading****Debate resumed from 5 April 2001.**

**Mr FRASER** (Coffs Harbour) [10.58 a.m.]: I support the Pay-roll Tax Amendment (Country Employment) Bill, which was introduced in this House by the honourable member for Lachlan. Payroll tax is a pre-eminent issue in regional and rural New South Wales. This legislation proposes to grant country businesses exemption from the payment of payroll tax. Payroll tax is one of the worst taxes that we have in this country. Unfortunately, it is a tax that is needed by the Government but it creates unemployment in regional areas.

This legislation will ensure that country businesses that are paying payroll tax and are value-adding to primary industries—such as mining, forestry, agriculture, aquaculture, commercial fishing, horticulture, permaculture, viticulture, biotechnology, environmental engineering, and waste and effluent processing technologies—will be exempt from this tax. The legislation will enable country businesses to reinvest in their businesses. Country businesses are already suffering from the tyranny of distance. They have to get their products to market. Manufacturing, employment and general business costs are far higher in regional New South Wales than they are in the major cities.

We have an obligation to ensure that those businesses are on a competitive footing. We must do everything we can to assist country businesses to employ more people and thus bring investment back into regional and rural New South Wales. The parameters in the bill are fair; they do not ask for blanket exemption of payroll tax for country businesses. The bill provides exemption for businesses that value add primary produce. It defines those primary industries, the wages that would be entitled to exemption and what the companies would have to do to qualify for the exemption. The overview of the bill states:

The object of this Bill is to provide an exemption from pay-roll tax for businesses located in country areas of New South Wales (as defined in the Bill):

- (a) that comprise value adding ...
- (b) that employ additional workers aged 25 or under.

The bill gives employers in regional areas an opportunity to provide jobs for young people through exemptions. The Government, which espouses that it is looking after regional and rural New South Wales—and the Coalition knows that it is not—should accept this bill because it will not involve a great cost to the Government but will greatly benefit businesses and young people in regional and rural New South Wales and provide an opportunity for people to invest in value-added primary industries. I commend the bill to the House.

**Mr TORBAY** (Northern Tablelands) [11.02 a.m.]: I support the Pay-Roll Tax Amendment (Country Employment) Bill 2000 and congratulate the honourable member for Lachlan on introducing it. During his time as Leader of the National Party no doubt he would have heard at first hand the whole range of concerns, particularly from inland New South Wales, about employment creation and returning inland areas to prosperity. One important way that a government can achieve that goal is by incentives, through good tax policy. Payroll tax is an insidious tax; it is a tax on growth, particularly in rural and regional Australia.

Having regard to figures that are published regularly relating to population drift, in particular in inland areas, there is no doubt that governments would be smart to attribute good tax policy that discriminates positively to inland regional areas. That would attract new industries to the areas and help existing industries to grow. Government should not put a block in the way of increasing employment opportunities, and that is what payroll tax does. To be fair to all sides, it is important to remember that the former member for Tamworth introduced bills in this place under both Labor and Coalition governments, but they did not get the attention that the honourable member for Lachlan intends his bill to receive.

I fully support this bill and would like to see it extended, but it is pointless to move amendments that the Government will oppose. The Government is opposing the opportunity for country areas to help existing industries to grow or attract new industries through positive discrimination. That is why the spirit of this legislation strikes at the very heart of returning jobs and prosperity to inland areas. With that in mind I raise the issue of tax incentives generally. Previous debates in this place and in the Federal Parliament indicate that incumbent governments, regardless of their political persuasion, have baulked at zonal taxation, taxation incentives, in particular differential taxation to regional and rural areas.

A whole range of publications are available on this issue. Incumbent governments have not been quick to respond to the principle of positive discrimination to regional areas, using taxation incentives as a driver for prosperity. I include the Commonwealth Government when I refer to zonal taxation. The honourable member for Lachlan and I attended a meeting of the Institute of Chartered Accountants, at which a number of positive initiatives were proposed. In my view they would have supported prosperity and growth in regional areas in a very substantial way, including not only payroll tax from a State perspective but also zonal taxation incentives and the creation of enterprise zones to balance the population drift.

The reports published in support of that proposal include those of the Institute of Chartered Accountants, the National Farmers Federation and the Local Government and Shires Associations. All those organisations have been positive; they researched and documented their findings and indicated quite clearly that creating enterprise zones and the process of zonal taxation would stimulate growth. The Federal Government rejected that proposal, saying that it is unworkable. According to the research that I have read, the Federal Government is wrong, and the New South Wales Government is wrong to reject this bill.

It is important that we continue to put pressure on the Government on this issue, because taxation incentives are a key ingredient to restoring prosperity to regional areas. I can quote numerous reports by almost every organisation that has looked at prosperity and population drift. The former human rights commissioner, Chris Sidoti, detailed quite clearly in his report some of the social flow-on effects that occur in inland and remote parts of Australia. It would be good policy for governments to adopt positive discrimination through taxation incentives, and get rid of the blockages so that inland regional and rural Australia particularly can return to prosperity. I commend the honourable member for Lachlan and indicate my support for his bill.

**Mr ARMSTRONG** (Lachlan) [11.08 a.m.], in reply: The process of this bill through the House has taken longer than the gestation period of an elephant. It was first introduced on 17 August 2000. That is democracy at work! Therefore, I remind the House of the essential ingredients of this bill for the benefit of new members, new staff and people in the gallery. The bill seeks to exempt from payroll tax employees of country business. "Country" is defined as that part of New South Wales that is not within the Country of Cumberland or the cities of Liverpool, Newcastle, Penrith and Wollongong. Value-adding primary industries are defined as:

- (a) mining, forestry, agriculture, aquaculture, commercial fishing, horticulture, permaculture, viticulture, biotechnology, environmental engineering, waste and effluent processing technologies, and any other industries that may be prescribed by the regulations, and
- (b) such processes, prescribed by the regulations, as are applied to primary produce in order to bring it, or products derived from it, to the point of retail sale.

The wages liable to payroll tax under this bill do not include wages paid or payable by an employer who conducts a value-adding primary industry that is located solely or principally in country New South Wales to any employee in that industry of the employer; who enters the employment of the employer on or after the commencement of new section 10B; who, at the time of entering into that employment, is 25 years of age or less; and whose employment increases the number of employees employed by the employer above the maximum number of employees employed by the employer at any one time during the period of 12 months immediately preceding the employment.

The exemption granted by subsection (3) of new section 10B ceases in relation to wages paid or payable by an employer to an employee when the employee ceases to be an employee of the employer, or on the expiration of five years after the date on which the employee entered into the employment of the employer. The legislation is simple and is designed to give young people under the age of 25 years at the date this bill passes through the parliamentary process the opportunity for five-year employment with an employer in country areas that are processing, developing and value adding to primary industry. Also, it would be a major fillip to many country towns. When this bill was first introduced in 2000 I referred to a number of statistics regarding the drift of young people from country towns to the major population centres of Newcastle, Sydney and Wollongong principally.

It is inarguable that the drift has not stopped. Country areas are enjoying considerable prosperity at the moment and have done so for the past six months, thanks to the Federal Government, low interest rates, the value of the Australian dollar and the fact that in most cases primary products are achieving world record prices. Nevertheless, people in those areas often express concern at the drift of young people away from country areas. At every meeting of the Country Women's Association, the New South Wales Farmers Association and National Party branches people talk about the future direction of country areas and ways in which country towns can retain young people who were educated in country schools. Previously, banks provided excellent employment

opportunities for kids leaving school in towns such as Young, Moree and Deniliquin. Of course, banks have dramatically cut back those employment opportunities, and that is the case with many businesses in main streets in country towns.

This bill seeks to give country towns a fillip, to assist them to retain their young people. Often they were born and bred in country towns, they are comfortable with and enjoy that lifestyle, and this bill will enable them to be a productive participant in industries in those towns. Also, I draw attention to the fact that although we are a primary-producing nation—and we are dependent on primary industry—we do not sufficiently value add to our export products. For instance, wool, grains and meat products are largely exported in a raw state. Unfortunately, as most of the value adding is done overseas in the destination countries we are missing many opportunities.

As the shadow Minister for Regional Planning and Decentralisation I frequently travel around the country. I regularly hear it suggested that if some relief from payroll tax could be given, employers could afford to employ more people in value-adding industries. For instance, Austops at Parkes in the Central West processes wool to a secondary stage, and if that company received some relief from the iniquitous payroll tax it could employ more people. The honourable member for Northern Tablelands agrees. It is a stupid tax, but governments of all persuasions have supported it over the years because it fills the coffers. However, it does not encourage employment. What a contradiction in terms!

I suspect that the Carr Labor Government, including its so-called Country Labor members, will vote against the bill. Indeed, on 17 August 2000 the Government spokesman, the Minister for Forestry, said that the Government opposed the bill. He went on to give a resume of the Government's Regional Beyond 2000 Post-Olympics Jobs Plan and said that the plan includes 78 public and private sector job creation projects worth over \$10 billion. Since then I have asked a number of questions on notice but I cannot find out the location of the jobs or projects or evidence of tax relief being given to these people. There may be 100 or 150 positions, but when the Government talks about positions these are not filled positions. It is one of the oldest tricks in the book, and every Treasurer fights this one.

The Minister or the director-general might suggest that there are 1,000 positions, but in order to keep the budget intact only about 800 or 900 are filled while the remaining positions remain unfilled for three or four months. It is one thing to have positions but it is another to have people filling those positions, earning money and maturing within their profession. This bill seeks to have those positions filled and to give payroll tax relief to country towns by acknowledging young people who are seeking to fulfil their ambition to be part of the community. This bill seeks to grant a payroll tax exemption for five years provided those young people remain within that employment.

When I introduced the bill I thought the Government would have some difficulty in persuading some members to vote against it. It would appear that the so-called Country Labor members, who claim they come from country areas of the State, will once again show that they are no more Country Labor than an inner-city member. They have no consideration for country towns. I give them credit for being totally consistent and always voting with the Government on these issues. They have always voted against country New South Wales. I challenge those members of the Australian Labor Party in this place who claim they are members of Country Labor to cross the floor and vote for this bill, which will provide jobs and encourage future growth. To do so would give some credibility to the claim that the Government acts for all people of this State.

I am prepared to state that that will not happen. Once again this will clearly demonstrate that the Carr Government is not a country government, a whole-of-State government, but a Sydney-centric government. The Minister said that the Aboriginal Business Link Program is assisting Aboriginal businesses to qualify for the small business support programs of the Department of State and Regional Development. Not much has been done to assist those people living near Murrin Bridge, just outside Lake Cargelligo, coming into Condobolin or any other Aboriginal community throughout New South Wales. It is all smoke and mirrors. Think what could happen if businesses received tax relief for five years for their male and female employees—of any race—aged under 25. That would be positive assistance and it is the decent thing to do. There is community interest in value adding. The quality of life in most country towns these days is certainly equal to that in the average Sydney suburb. Many young people want to live in country areas and businesses are prepared to relocate and expand.

Despite the fact that the Government has put cement boots on those employers, many businesses are growing. Look at the successful wine industries in Mudgee, Cowra and the Hill Top region to Canberra. Look at what is happening in Bourke and Menindee Lakes, and at the diversity of agriculture in the north-west of the State around Moree, Narrabri and Wee Waa. Think what those businesses could do if they received tax relief for five years for young employees. Think of the newly trained people who could help the future expansion of

country businesses. Who knows: there may be young people in our rural communities today who, with a bit of a leg up, could become future leaders and members of this Parliament. Of course, the sensible ones would join the National Party—who knows where the others would drift!

It is a crying shame that this bill will be defeated by party politics. It is a crying shame that in this place we cannot take a bipartisan approach to these types of positive initiatives that enjoy enormous community backing. When I introduced this bill I was quietly confident that it might achieve bipartisan support. However, as we put the matter to the vote, I plead with Labor members—particularly Country Labor members—to put their politics aside and think of our young people and of a way to derive more profits from our primary industries throughout New South Wales. Think about how we can give our young people greater maturity and expertise and how we can better utilise the established infrastructure in rural New South Wales by not only retaining the existing population but enhancing it. We must retain sons and daughters in our country towns by giving them local employment opportunities.

This legislation offers a one-off opportunity to do something positive. I suspect that the cost involved will be relatively insignificant compared with the productivity return that will be achieved by giving this concession to employers who are prepared to take on young people under the age of 25. It will help industries—particularly export industries—across the State of New South Wales and give our young people a future. This is a test of whether the Government, and particularly Country Labor, is genuine about helping young people and sincere in claiming to represent country New South Wales.

**Mr Martin:** You were in government for years.

**Mr ARMSTRONG:** If the honourable member for Bathurst decides to cross the floor and support the legislation, I will ensure that he receives public recognition for his actions. If he does not do so he will stand condemned by his inaction. I will happily name and say "Well done" to any members opposite who support the legislation. This is the test.

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

**The House divided.**

**Ayes, 36**

Mr Armstrong  
Mr Barr  
Mr Brogden  
Mr Collins  
Mr Cull  
Mr Debnam  
Mr George  
Mr Glachan  
Mr Hartcher  
Mr Hazzard  
Ms Hodgkinson  
Mrs Hopwood  
Mr Humpherson

Dr Kernohan  
Mr Kerr  
Mr Maguire  
Mr McGrane  
Mr Merton  
Ms Moore  
Mr O'Farrell  
Mr Oakeshott  
Mr D. L. Page  
Mr Piccoli  
Mr Richardson  
Mr Rozzoli  
Ms Seaton

Mr Slack-Smith  
Mr Souris  
Mr Stoner  
Mr Tink  
Mr Torbay  
Mr J. H. Turner  
Mr R. W. Turner  
Mr Webb

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

**Noes, 52**

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

Mrs Grusovin  
Ms Harrison  
Mr Hickey  
Mr Hunter  
Mr Iemma  
Mr Knowles  
Mr Lynch  
Mr Markham  
Mr Martin  
Mr McBride  
Mr McManus  
Ms Meagher  
Ms Megarrity  
Mr Mills  
Mr Moss  
Mr Newell  
Ms Nori  
Mr Orkopoulos

Mr E. T. Page  
Mrs Perry  
Mr Price  
Dr Refshauge  
Ms Saliba  
Mr Scully  
Mr W. D. Smith  
Mr Stewart  
Mr Tripodi  
Mr Watkins  
Mr West  
Mr Whelan  
Mr Woods  
Mr Yeadon

*Tellers,*  
Mr Anderson  
Mr Thompson

**Pair**

Mrs Chikarovski

Mrs Lo Po'

**Question resolved in the negative.****Motion negatived.****COMMUNITY HOSPITAL BOARDS BUDGETARY POWERS****Mr TORBAY** (Northern Tablelands) [11.30 a.m.]: I move:

That this House call on the Government to reintroduce community hospital boards with budgetary powers.

The administration of health services has long been the subject of debate in this House. Successive governments, whether they be Coalition or Labor, have been heavily involved in the reorganisation of community hospital boards and budgetary powers. At times of reorganising the administration of rural health services, the words of the Ministers of the day are similar in nature. When I read through the debates in *Hansard* about such reorganisations, I have had to keep checking to see who was in office at the time. Both Coalition and Labor oppositions have condemned moves by governments of the day to take away budgetary powers. I acknowledge the work of the Minister for Health in this area. Some of his recent announcements, particularly in my electorate, have been very welcome. However, the ongoing issue of attracting doctors and nurses to regional and remote parts of New South Wales and Australia is a substantial one.

I was pleased to hear the Government's announcement about medical indemnity insurance for public patients. Such a measure will form one of the central planks in attracting more doctors to rural areas. I know the Federal Government has also initiated a number of measures. I am hopeful that the Federal Government will take corrective action in relation to medical indemnity insurance for private patients. Such action would remove that obstacle. Although the most recent announcement from the New South Wales Government is welcome, it will place more pressure on the public health system. In my view, with the coverage of public patients by the Government, doctors will be reluctant to accept private patients. Some members of the medical profession have openly said that will happen; some have been less open.

The central theme of the various health administration reorganisations has been getting away from administration and putting more money into clinical services. That is a good objective and is worthy of our support. But there has been little support for such measures. There has been little scrutiny of the clinical benefits that will be achieved. For example, I have called on the New England Area Health Service to publish in detail the critical benefits to each and every hospital of the proposed cluster arrangement. I am pleased to say that I have been advised I will be given that information by next Monday. I will provide that information to all of the communities in my electorate for their scrutiny. That should be the first step in a process of reorganisation: community organisations should be given detailed information about the benefits that will be achieved.

The Government has set up health service advisory committees in every electorate. I commend the Government for that genuine attempt to work with the community. The Minister for Health is a genuine person and is on top of his portfolio. I appreciate his visits to my electorate. He is a solution-focused Minister, which is a good characteristic in any Minister. The health service advisory committees are keen to make objective and appropriate representations and to provide feedback to their area health services. All those years ago when budgetary powers were taken away, the communities felt that their input had been taken away.

As my motion states, I ask the Government—and the Opposition, given that neither side can hold its head up high on the issue of budgetary powers—to return that clout and to give back budgetary powers to community boards so that they can work with their health services in the best interests of their local communities and their local hospitals. Members of many communities have said to me that when they raise money for a piece of hospital equipment, they want to be sure that the equipment stays in their hospital and in their community. The best way to reintroduce that sort of clout is to return budgetary powers to hospital boards, as they were once known. When going back through *Hansard* I found that the Greiner-Fahey Government, in an attempt to reorganise health administration, said that it would put more money into clinical services.

At that time, as *Hansard* records, Mr Phillips was the Minister for Health. It sounds similar to what the present Minister for Health has been saying. At least they are consistent. When the Opposition, through the now Deputy Premier, moved a motion for urgent consideration dealing with returning budgetary powers to boards,

Mr Phillips questioned whether the motion was urgent at all. *Hansard* is clear about that. *Hansard* of 28 April 1993 shows that the Deputy Premier, who was then the Deputy Leader of the Opposition and the Opposition spokesperson for health, violently opposed the shake-up of health administration. I will quote selectively, but I would urge honourable members to read *Hansard* in detail to get an overview of how the government of the day and the Opposition have done a complete backflip. They do exactly the same thing in government and in Opposition, which is different to the positions they adopt when they occupied those respective roles. The Deputy Leader of the Opposition, as he then was, Dr Refshauge, said:

The Government's announced shake-up of regional health administration has sent shock waves throughout rural New South Wales. Its plan to abolish regional health offices, which currently run health services in rural and provincial New South Wales, has at the same time stripped many hospital boards of their powers ...

Those people [volunteers who raise funds and look after local hospitals] have done an enormous amount of voluntary work and have been involved in fund raising...

The fund raising activities of these hospitals will cease. In one major country town the provision of voluntary activities was estimated to be an amount of \$500,000.

Obviously, he is indicating that those fundraising activities would cease. Community boards with budgetary powers would work alongside hospitals and their area health services, as they have done for many years. People feel disempowered by constant reviews of the administration of health services. People from rural and remote parts of New South Wales ask how many fewer staff they can operate with. What benefits are being referred to? Why will they not be specified? They are important questions. If the New South Wales Government can answer those questions it will provide communities with objective information to make an informed decision. There is no point in saying to a community, "She'll be right, we are going to cut down on the administration and give you more clinical services." What does that mean? For many years country people have constantly faced battles over the withdrawal of services. It is important that budgetary powers be returned to community committees and hospital boards for the betterment of health services in New South Wales.

**Mr McMANUS** (Heathcote—Parliamentary Secretary) [11.40 a.m.]: The New South Wales Government is committed to improving health services in rural communities. The honourable member for Northern Tablelands is an excellent advocate for health services in his electorate, but this issue has been discussed with members of Parliament for the past decade. The reintroduction of hospital boards as governing bodies with budgetary powers would not result in improved health services for their communities. In fact, it would fragment services. The Rt Hon. Ian Sinclair examined this matter when he chaired the New South Wales Ministerial Advisory Committee on Health Services in Smaller Towns. In preparing its report to the Minister the committee visited and consulted with 41 rural communities across the State. The committee did not support the reintroduction of hospital boards.

One of the issues discussed by Mr Sinclair was how best to deliver health services locally to rural people, given the tyranny of distance, technology and the availability of health professionals to rural communities. Mr Sinclair highlighted the importance of linking larger hospitals where complex surgery can be undertaken with smaller hospitals that also provide aged-care services. That view was backed up by the Health Council, which included some of the leading clinicians in the State. It recommended much greater networking of metropolitan and rural health services so that everyone in New South Wales has equity of access to affordable and appropriate care. Hospital boards, by their definition, focus on hospitals and the services they provide, yet each year the great majority of people, 90 per cent, use the community health care system.

The reintroduction of hospital boards would lead to difficulties in planning and providing a comprehensive range of health services that benefits the whole community. It is appropriate that certain services be planned and delivered at the local level. They include community-based services such as child and family health nurses, counselling services, mental health community nurses, alcohol and other drug services, community nursing to support people with conditions such as diabetes, respiratory disease and cardiovascular disease, women's health, physiotherapy and sexual assault services. As well as centres of expertise we need to locate more services closer to where people live—services such as kidney dialysis, cardiac rehabilitation, and eye and coronary care. The honourable member for Northern Tablelands was instrumental in establishing a dialysis service at Inverell.

There are excellent examples of area health services creating specialised roles for their hospitals. That improves the quality of patient care and avoids the costly duplication of resources. Greater networking will ensure that everyone in New South Wales has equity of access to affordable and appropriate care. Networking co-ordinates and links health services across a number of sites and a range of settings to provide comprehensive

and appropriate health care. Listening to the community is a priority for the Government. As Mr Sinclair said, mechanisms for effective consultation between area health services and the public are essential to ensure an understanding of community health issues, available funds and the changing methods of service delivery. The communities in which we are building 36 small hospitals are involved in planning services. They are participating in the multipurpose service advisory committees.

At a local level, health councils, or their equivalent, already perform a valuable role in informing the community about health service issues, identifying and providing advice on local needs, and providing community input into health service planning and delivery. Through health councils the local community has the opportunity to have input into a broad range of health services. That participation is being expanded under the Government's action plan for health. Dedicated full-time staff are being appointed in each area and at State level to facilitate community participation. Joint training and education opportunities are being provided for community members and health professionals to build working relationships and to ensure that knowledge is shared.

Recently, we advertised for members of the community to fill vacancies on area health service boards. The response has been overwhelming: there have been about 2,000 applications for 107 vacancies. Two years ago there were only 550. We have announced the establishment of a Health Participation Council to provide consumer and community input into decisions made at a State level about the health system. We are building a comprehensive two-way communication system between health services, the community and health professionals. That is a significant expansion of the role of former hospital boards, which focused on hospital services. The Government is well aware that rural communities in New South Wales, rightly, have a strong sense of ownership of their health services. We are committed to involving patients, community members and leaders, and health workers in the planning and development of rural health services.

**Mr SOURIS** (Upper Hunter—Leader of the National Party) [11.48 a.m.]: I support the motion and indicate that health care in rural and regional New South Wales is one of the highest priorities for rural communities. Prior to the 1995 election New South Wales had 22 district health boards, which had a considerable degree of autonomy and budgetary authority. In 1995 the Carr Government abolished those boards and, in essence, recentralised the management of health services in rural areas into a regional bureaucratic structure and, to some extent, an area board structure based predominantly on that regional bureaucratic structure. That was essentially a centralisation and a re-empowerment of the public service. It left people with a feeling of alienation because of the loss of health services. Plans are afoot, but have yet to be completely fulfilled, for something entitled "better health plans". There are clustering plans and attempts to shift services out of smaller hospitals and into regional or base hospitals. That has been going on for the past seven years. More and more services and equipment, and more surgery and specialisation are being directed to the larger hospitals at the expense of smaller hospitals.

As a result of that, we are experiencing increasing problems in attracting general practitioners and specialists to undertake surgery at district hospital level. Surgery time has been cut back and there are problems with waiting lists. People find themselves on waiting lists that are a long way from home. They can be on waiting lists in the metropolitan areas or at a distant base hospital. That means a lower level of health outcomes, because patients are not surrounded by their immediate family and friends on a regular basis. Visits to specialists before the operation and a number of follow-up visits may involve considerable travel.

Added to that are aspects of dislocation and trauma. I am talking about equity of access. We believe we are suffering from a lack of equity of access to health services in rural and regional New South Wales under the Carr administration. The National Party and the New South Wales National-Liberal Coalition has always given priority to the reintroduction of hospital boards as a policy item. It was included in writing in the 1999 policy booklet, which stated that we would restore local community district hospital boards. On a number of occasions I have reaffirmed that commitment in speeches or media releases. At the Albury conference in 1999 I said:

Now we are solidly at work shaping relevant policies for rural education, sensible firearms laws, a reinvigoration of our railways, a commitment to road funding, health priorities, which include a return to local district health boards, and a commitment to bursting ...

It has certainly been on our agenda, and it was flagged in writing at that time. In June 2001 I again made the same commitment. I stated:

I was pleased to announce over the weekend that the State Coalition intends to reintroduce local district hospital boards as was the case prior to 1995.

The centralisation of the New South Wales health system and the abolition of local district boards took away valuable local autonomy and community representation, not to mention local authority.

In September 2001 I again referred to the reintroduction of these boards, *inter alia*:

A return to local district hospital boards would put an end to the philosophy of centralisation that has taken over proper health services.

Today in this House I reaffirm the commitment of the New South Wales National-Liberal Coalition to the reinstatement of local hospital boards.

**Mr McGRANE** (Dubbo) [11.53 a.m.]: I support the motion and wish to add a few sentiments of my own to the debate. When the present policy came into effect, I was appointed acting chairman of the Macquarie health region. I occupied that position in an interim capacity. In that capacity I took the place of 19 hospital boards and two health councils. It was a fairly onerous job. We did not have a board and, as interim chairman, I was the only person available to deal with issues in the health system. I took the place of approximately 200 people who had served in a voluntary capacity on 19 hospital boards and two health councils. When the area advisory health council was set up and board members appointed, I made the decision to step aside.

As has been pointed out by the honourable member for Northern Tablelands, at one time or another the reinstatement of local hospital boards has been the policy of all major political parties. In my view the legislation that was introduced was overkill. Although the health advisory committees were set up in lieu of the district health boards, they have not worked as they were intended to work. The fact that they were only advisory committees meant that they had no teeth. The advice of the members of those committees went to the boards of the area health services and, in most cases, was simply noted. The capacity of local communities to provide input into hospitals has been taken away. That is a great shame, because in the past many people have done a great deal of voluntary work to raise money for hospitals in their local areas. As I said, in my council area there were 19 hospital boards, and all the members worked in a voluntary capacity.

People used to give up their time to help administer health services in their area. Now we have area health services and the community does not know the members of the boards because they are appointed by the Government. They are not open to any scrutiny at all from those in any given council area. People do not generally have a problem with hospitals until they are admitted and something goes wrong. In the past they could go to their district hospital board and say, "There is a problem in the hospital, can you do something to improve it?" Now they do not know where to go if they have a problem with the health system. Whilst the health system in general is improving, there has been a centralising of equipment in the larger hospitals because of the economics of health and the high cost of equipment. That is unfortunate for smaller areas. However, because of the cost of good-quality medical equipment, that is often the case these days.

A great deal of equipment is also needed in smaller hospitals. In the past local communities raised money to purchase equipment that was necessary for their local hospitals to operate. Although those continue to raise money and purchase equipment, sometimes it is not given to their hospitals. It is not mandatory that the equipment should be given to those hospitals, and it may be moved to another hospital after a short time. I believe that more power should be given to the area health advisory committees and that money raised locally should be spent locally. Even if the money raised locally is matched by funds from the Government it should be spent in the relevant council area. The problem is that because the advisory committees are just that—advisory committees—they do not have the power to dictate how that money will be spent.

**Mr TORBAY** (Northern Tablelands) [11.59 a.m.], in reply: I thank the honourable member for Heathcote, the Parliamentary Secretary Assisting the Minister for Health, for his contribution, and express my disappointment that the Government opposes the motion. I had hoped that at least some modelling could be done to determine how these committees could be empowered and to what extent autonomy and budgetary powers could be returned to them. I acknowledge the contribution by the Leader of the National Party and his support for the reintroduction of autonomy to local health boards. I am open-minded about how it is done, in what areas, and how it is configured. The communities are also open-minded and they would work alongside the Government of the day on how best to empower those communities.

The motion is not designed to cause any embarrassment; it is designed constructively to put the communities' views forward about how they can best serve the local people and the hospital, working alongside their local area health service and the Government of the day in achieving the best possible outcome. Some communities are amazing. The Emmaville community is a good example. People in Emmaville are very excited about the Minister for Health and his family coming to open the multipurpose service. That community of 470 people recently raised almost \$15,000 at a fete—an incredible per capita contribution—to purchase equipment and to keep their hospital going in every sense of the word. Empowering that sort of effort through the reintroduction of autonomy and budgetary powers can only be of benefit to the community, the Government and the State of New South Wales. I commend the motion.



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

**The House divided.**

**Ayes, 35**

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

**Noes, 50**

Ms Allan	Mrs Grusovin	Mr Orkopoulos
Mr Amery	Ms Harrison	Mr E. T. Page
Ms Andrews	Mr Hickey	Mrs Perry
Mr Ashton	Mr Hunter	Mr Price
Mr Bartlett	Mr Iemma	Dr Refshauge
Ms Beamer	Mr Knowles	Ms Saliba
Mr Black	Mr Lynch	Mr W. D. Smith
Mr Brown	Mr Markham	Mr Stewart
Miss Burton	Mr Martin	Mr Tripodi
Mr Campbell	Mr McBride	Mr Watkins
Mr Collier	Mr McManus	Mr West
Mr Crittenden	Ms Meagher	Mr Whelan
Mr Debus	Ms Megarrity	Mr Woods
Mr Face	Mr Mills	Mr Yeadon
Mr Gaudry	Mr Moss	<i>Tellers,</i>
Mr Gibson	Mr Newell	Mr Anderson
Mr Greene	Ms Nori	Mr Thompson

**Pair**

Mrs Chikarovski

Mrs Lo Po'

**Question resolved in the negative.**

**Motion negatived.**

**NATIVE VEGETATION CONSERVATION ACT**

**Mr SOURIS** (Upper Hunter—Leader of the National Party) [12.10 p.m.]: I move:

That this House:

- (1) notes with concern that an analysis of the New South Wales Native Vegetation Conservation Act by Associate Professor Jack Sinden of the University of New England revealed that the Act:
  - (a) reduced land values and farm incomes in north-west New South Wales; and
  - (b) burdens farm families with a mandatory payment for conservation of native vegetation.
- (2) calls on the Government to review and amend the Act to ease the financial burden the Act places on rural and regional New South Wales.

Associate Professor Jack Sinden of the University of New England presented a paper entitled "Who pays to protect native vegetation? Costs to farmers in Moree Plains Shire, New South Wales", to the 46<sup>th</sup> Annual Conference of the Australian Agricultural and Resource Economics Society in February 2002. The analysis contained in the paper quantified what farmers in New South Wales have known since the Native Vegetation Conservation Act was introduced in January 1998: that the Act was severely affecting their livelihoods. Even a cursory examination of Professor Sinden's paper reveals that the answer to the question "Who pays to protect native vegetation?" is farmers and rural communities. I note that the Deputy Prime Minister and Leader of the National Party, John Anderson, said last week that natural resource management is the most important environmental issue facing our country, and the most important long-term economic issue facing rural Australia.

The Deputy Prime Minister also confirmed his support for the concepts of property rights and incentives. The New South Wales National Party has long supported those principles and it is imperative that they are adopted in New South Wales as a matter of urgency. New South Wales farmers are suffering as a result of the Carr Government's oppressive natural resource management policies, and yet the Government, in all its wisdom, continues to ignore pleas for help. Rural land-holders are given little or no recognition by the State for the compromises their businesses face and the cost of forced compliance with the ever increasing list of environmental limitations placed upon them. It is time some equity was introduced into sharing the cost of conservation. Associate Professor Sinden's study shows that much of the cost of conservation is imposed on land-holders in the pursuit of the public good.

The State's farmers have been engulfed by environmental legislation which has penalised them to the point of bankruptcy. They now struggle under the cumulative weight of the Native Vegetation Conservation Act, the Threatened Species Act and the Water Management Act. They also have to contend with regional forest assessments and the expansion of national parks without adequate funding and without impact statements. Now, thanks to Professor Sinden, we have some quantifiable data that clearly demonstrates the financial impact of just one of these environmental restrictions. The analysis found that the Native Vegetation Act has reduced prices paid for land in the Moree Plains shire by 21 per cent. I ask the House to imagine the reaction of metropolitan New South Wales if legislation were introduced which reduced the value of city businesses and homes by over 20 per cent in four years.

I am sure members would agree that no Government would attempt to introduce such legislation, as there would be a public outcry. The Carr Government, however, treats rural and regional New South Wales with contempt and has steadfastly refused to acknowledge that its legislation is causing very large financial losses to businesses and communities in country New South Wales. Associate Professor Sinden demonstrated that the Native Vegetation Conservation Act has already reduced annual incomes by 10 per cent across the Moree shire and that this reduction may well reach 18 per cent by 2005. This piece of legislation is therefore reducing the income of people living in rural and regional New South Wales at a time when the average income of the wider community is steadily increasing.

A further demonstration of the inequity of the Act is the finding that farm households in the Moree shire give up a mandatory 15.6 per cent of their household income because they must protect native vegetation on their farms. In contrast, urban households must give up only 0.5 per cent of their income through taxes for the same purpose. I believe that it is unacceptable that the people of rural and regional New South Wales are forced to bear the burden of the community's environmental expectations to such an extent. If city-based green groups wish to lock up land and render it unproductive for farmers, they should be willing to pay more than 0.5 per cent of their income to achieve this goal. Surely the Carr Government must take notice of these figures and amend the Native Vegetation Conservation Act to ease the burden on land-holders, as the National Party has been advocating from the beginning.

The failure of the Native Vegetation Conservation Act is not restricted to the inequity in the costs borne by residents of rural and regional New South Wales. Associate Professor Sinden found that the Act is failing to address difficulties created by the current distribution of native vegetation. The distribution of remaining vegetation is not consistent between farm types, so the impact of the Act is spread unevenly. Most remaining native vegetation is associated with livestock farming. This results in the opportunity cost of the Act for livestock farmers, measured as foregone income, being more than double that for grain or cotton farmers. Livestock producers are the most affected but they are the least able to bear the cost as the study found that livestock producers typically have the poorest income of the types of farmers affected by the Act.

Put simply, the Act impacts more heavily on the poorest farmers. Can we therefore assume that it is Labor Party policy to impose the greatest taxes on lower income earners? When questioned about the results of

the study, the Chairman of the New South Wales Farmers' Association's conservation and resource management committee, Rob Anderson, said, "The study could be replicated in most shires across the State and achieve the same result, meaning the New South Wales Government has cost farmers and rural communities billions of dollars." I agree with Mr Anderson. The National Party has always been opposed to the operation of the Native Vegetation Conservation Act and has raised concerns in this House on many occasions. The National Party has consistently maintained that the Act is imposing an inequitable financial burden on farmers, and Associate Professor Sinden's findings and Mr Anderson's statements serve to confirm our views.

In order to move forward in the management of natural resources in New South Wales, the Carr Government must cease its big stick, regulatory approach and instead work with land-holders to ensure workable outcomes. It is very important to note that Associate Professor Sinden found that there remains a substantial willingness among farmers to protect native vegetation. Farmers are fully aware that they need to operate their farms sustainably or they will soon be out of business. The expertise of farmers must be harnessed rather than shunned. They have an innate duty of care and they have recognised their responsibility to protecting their landholdings. The Native Vegetation Conservation Act is simply not delivering positive outcomes on native vegetation management; it is imposing a substantial cost on farmers and land-holders. The Act must be amended to protect the future viability of farmers throughout New South Wales. Meaningful incentives must be introduced to promote native vegetation, including stewardship payments for protecting native vegetation as well as compensation where farmers act in the public interest, but at a private cost.

The composition of regional vegetation management committees and the voting powers of agency and green representatives must be reviewed. People with no financial investment in a region have too much influence on these committees and they are imposing conditions on farmers which are financially unsustainable. New South Wales faces a significant challenge to make our use of land and water sustainable. It is a challenge, but it is achievable with leadership and the willingness of the community to share the burden and work together as partners. The existing Native Vegetation Conservation Act is imposing the burden of conservation almost exclusively on farmers and is clearly inequitable. The results of Associate Professor Sinden's study should be a catalyst for the Carr Government to reassess its approach to natural resource management. The Act is demonstrably affecting many farm businesses and the communities that depend on them. I call on the Carr Government to admit its mistakes and amend the Act before it is too late.

**Mr MARTIN** (Bathurst) [12.17 p.m.]: The Leader of the National Party delivered the same old rhetoric; I was hoping to hear something a bit more specific. The mould of the National Party still exists, and we heard it last night in the inaugural speech of the member for Tamworth. Some of us had hoped that that mould had been thrown away, but unfortunately it has not. The Government is serious about protecting native vegetation. Land clearing, as raised in the report of Associate Professor Sinden, is continually under discussion, and is not a matter from which the Government will shy away.

The Government has proved that it has the leadership and commitment to tackle these issues head on, something the Coalition would never do. The Coalition, having had ample opportunity when last in power, failed to lift a finger or even acknowledge that there was a land-clearing problem. However, the Labor Government has shown that it is prepared not only to seek solutions to the problem of land clearing and declining native vegetation, but to do so in a manner that achieves the right balance between sustainable productivity and environmental wellbeing.

It is interesting to hear the dialogue of the Federal Government with the Queensland Government concerning land clearing; it was not in accord with some of the comments of the Leader of the National Party. Australia's land-clearing record on the world stage is, unfortunately, not good. That would be acknowledged by most thinking people. The policies of past decades supported and encouraged clearing to expand agricultural production and other forms of development. It must be agreed that New South Wales benefited immensely from that clearing. However, in recent years it has become progressively more obvious that the price of that benefit is increasing degradation of what was once good agricultural land.

We need only to look at the loss of soil and salinisation of once productive areas of land, coupled with loss of biodiversity, to see the results of past practices. Unless action is taken it is estimated that by 2050, 1.3 million hectares, which is seven times the size of the Australian Capital Territory, could be affected by dry land salinity and the number of towns and cities affected will increase to 125. This will affect the livelihoods of people, their homes, roads and towns. As members of the Select Committee on Salinity would know, one need only look at places such as Wagga Wagga to realise the impact of salinity on local government infrastructure. Honourable members are aware of this but they choose to ignore it. If nothing is done about this problem, by 2050 it is estimated that 4,850 kilometres of New South Wales roadways—the distance from Sydney to Darwin—will be affected by dry land salinity.

Unfortunately, the Sinden report does not appear to have taken account of the costs associated with land degradation, including salinity, which will in turn affect asset value. In particular, dry land salinity, to which excessive land clearing is a major contributor, poses an enormous threat to the productive viability of our agricultural lands. Most thinking people on the land realise this. Dr Sinden's report includes the results of interviews with 51 farm families who have purchased land in Moree since the introduction of State environmental planning policy No. 41 in August 1995. The study makes little attempt to identify or quantify the environmental and production benefits of retaining native vegetation. They can include protective cover for cropped areas, and shade and shelter for stock, to name just a few.

The report acknowledges that the balance between protection and clearing will be determined by regional vegetation committees. The Moree Plains Regional Vegetation Committee considered the report at its meeting on Monday 18 February. The author of the report, Dr Sinden, also attended the meeting. An early draft of a socioeconomic study of the draft Moree regional vegetation management plan undertaken by Constable Consulting and commissioned by the committee was also considered at the meeting. The information included in the Sinden report will provide input for the finalisation of the draft regional vegetation management plan for Moree. That draft plan is due to be placed on public exhibition in June. A lie commonly perpetrated by honourable members opposite—and we heard it in the inaugural speech last night—is that this Government is not into public consultation. Nothing could be further from the truth, and they have nothing to back up those claims.

**Mr Slack-Smith:** What a joke!

**Mr MARTIN:** A person who has halved the popularity of his party since he stabbed the honourable member for Lachlan in the back should not talk about credibility, and I remind honourables member opposite of the member for Port Macquarie, who is now sitting on the crossbench. Social and economic impacts are a key consideration in the planning process and must be taken into account before a plan is finalised. However, they must be balanced with the need to conserve native vegetation and to reduce levels of land degradation, including dry land salinity.

The regional vegetation committee is the appropriate vehicle to take account of all the information and provide recommendations on the way forward. Honourable members opposite seem to think this is set in stone. It is not. The Government is deliberately taking its time to ensure that the process is done correctly. The Native Vegetation and Conservation Act is all about partnerships, and regional vegetation and planning is one of the prime means of delivering the objects of the Act in a true partnership fashion. To date a total of 22 native vegetation regions have been designated across New South Wales, and regional vegetation committees are in place and working on regional vegetation management plans for 20 of these regions.

**Mr Souris:** That is for Sydney.

**Mr MARTIN:** The member for Darling Point interrupts. Late last year at Humula near Wagga Wagga the Minister for Land and Water Conservation launched the draft Riverina highlands vegetation management plan for public comment. This followed the completion of the mid-Lachlan regional vegetation management plan, the first of its kind in New South Wales. The mid-Lachlan plan was gazetted last year and as of 3 December 2001 has formed the statutory management regime for native vegetation in that region. The finalisation of this plan involved a lot of hard work, community consultation, careful thinking and commitment.

The Moree Regional Vegetation Committee is one of a number of other committees that are well advanced with their plans. The task of preparing a comprehensive environmental planning instrument, such as a regional vegetation management plan, is challenging—no-one denies that—and the process can be quite lengthy. Recognising this, the Government appointed a community reference panel, comprising key interest groups from both sides of the land-clearing debate, to examine ways to expedite the development of plans. The panel concluded that this would not be beneficial and their view was accepted, particularly in light of the enormous task confronting communities and the need for the support of affected parties and the broader community. We cannot afford to compromise the quality and effectiveness of plans for the sake of faster time frames.

However, the panel made some recommendations which are being fast-tracked, particularly the development of a revised, clearer system of exemptions that will be implemented through regulations under the Native Vegetation Conservation Act. There are no easy solutions for managing our scarce natural resources. However, the Native Vegetation Conservation Act provides the appropriate framework for balancing

environmental, social and economic impacts in consultation with the community. The Government will continue to meet with all parties and interest groups to ensure that they are kept informed of relevant issues as the legislation is implemented. Consultation is an ongoing process and the number one priority for this Government.

In fact, the Minister for Land and Water Conservation met with representatives of New South Wales Farmers and the Nature Conservation Council on 18 February to discuss Associate Professor Sinden's report. The meeting provided an opportunity to explore a range of issues relating to the implementation of the Native Vegetation Conservation Act. Both the Nature Conservation Council and New South Wales Farmers were encouraged by the Minister to continue dialogue with the Government on the importance of conserving native vegetation while supporting sustainable rural production. The Government will not shy away from this issue; it will act responsibly. Honourable members opposite, who claim to be true representatives of country and regional New South Wales, even as their support plummets, should come on board and act responsibly because this is an important matter that should receive their support.

**Mr D. L. PAGE** (Ballina) [12.27 p.m.]: In supporting the motion moved by the Leader of the National Party I will concentrate on paragraph (2), because the Leader of the National Party extensively addressed issues relating to paragraph (1). Paragraph (2) deals with amendments and possible review of the Act in relation to their impact on rural and regional New South Wales. I commence by reminding the House that the Opposition opposed the legislation, and not because it is opposed to the sensible management of native vegetation. To the contrary. Indeed, I urge honourable members to read my contribution to the second reading debate. We opposed it because the framework and model the Government had chosen to implement the native vegetation regime was too regulatory and too reliant on regulation and prescription, and because insufficient emphasis was placed on education and incentives. That remains the case.

The Government should be ashamed that despite the importance of native vegetation it has only allocated \$5 million per annum to the Native Vegetation Management Fund to promote incentives, provide partnership arrangements and property agreements across New South Wales. That is a pathetic amount. Opposition members were always of the view that the Act would not work because it did not establish the right framework. With the passage of time we have been proved right. Another important aspect of the Act not properly addressed was the section dealing with socioeconomic impact. The legislation refers to a statewide impact despite our knowledge that there is an impact at the farm, local, regional and State levels. Recognition should be given to the impact that the legislation has at the local level.

The problem is the way in which the Act has been implemented: it has destroyed the once trusting relationship between the land-holder and the government agency. Despite the claims of the honourable member for Bathurst, there is no partnership arrangement. That is a big problem in the area of native vegetation management because 87 per cent of native vegetation in New South Wales is found on either privately owned or leasehold land. It is a well-accepted principle in natural resource management that we must bring the people with us if we are to see results on the ground. They must feel they own the initiatives. The farmers should be enthusiastic about new plans, but they are only resentful.

I contrast what is happening in New South Wales with what is happening in Western Australia, where native vegetation management is driven by the farmers. Many exciting things are happening in Western Australia, including market-driven mechanisms designed to improve native vegetation management. It is a great shame that we do not have the same arrangement in this State. The motion calls for some changes to the current arrangements. The composition of committees must be examined. I believe representation is unbalanced at present and that more rural committee members would introduce a sense of ownership to the process. I believe the current voting rights are not appropriate.

Bureaucracy should be on tap, not on top—but that is where it is at the moment. We should take advantage of bureaucrats' advice but they should not run the show—community representatives should have more say. I agree that a greater distinction should be drawn between the selective clearing of land—one tree here or there—and the wholesale clearing of land. At present that distinction is not made in relation to native vegetation management. Another important issue is the inclusion of sustainable forestry operations on privately owned land. When SEPP 46 was introduced sustainable forestry operations on privately owned land were exempted. It was recognised that it was not appropriate to include those operations within the general administration of native vegetation. However, when the Native Vegetation Conservation Act came into force that exemption disappeared.

As a consequence, vegetation committee members who have no background in silviculture and who know nothing about running privately managed forestry operations draw lines on maps and exclude large areas

containing productive resources that can, and should, be managed on a sustainable basis, thus locking them away from future use. This issue is important, firstly, because the Government has taken away half the Crown resources that were available to the timber industry and converted that land to national parks. Secondly, the resources associated with the plantation program, which is slowly coming along, will not be available for many years. Therefore, forestry resources on privately owned land are critical to the future of the timber industry. I urge the Government to introduce a separate code of practice, similar to that which exists in Tasmania, for forestry on privately owned land.

**Mr BLACK** (Murray-Darling) [12.32 p.m.]: Having listened to the speech by the Leader of the National Party, we must ask: Is it any wonder that so many people are following the example of the honourable member for Port Macquarie and leaving the National Party? I noticed on Tuesday that the honourable member for Oxley has been appointed to the Opposition shadow ministry. I understand that the honourable member for Port Macquarie beat the honourable member for Oxley in a National Party preselection contest some years ago. I also note that following the debacle when the honourable member for Murrumbidgee decided to take on the New South Wales farmers—

**Ms Hodgkinson:** Point of order: I raise the issue of relevance. We are discussing the important issue of native vegetation management in New South Wales and the harmful effect that it is having on farmers across the State. I ask that you draw the honourable member for Murray-Darling back to the substance of the motion.

**Mr DEPUTY-SPEAKER:** Order! I uphold the point of order. I am sure the honourable member for Murray-Darling will return to the leave of the motion.

**Mr BLACK:** The issues raised in the Sinden report are not new. For instance, the "Commonwealth Inquiry into Public Good Conservation—Impact of Environmental Measures Imposed on Landholders" report was released last year, and New South Wales is reviewing its recommendations. These issues were also highlighted during consultation on the draft native vegetation conservation strategy last year. In fact, one of the background papers released with the draft strategy in order to stimulate discussion of these issues was entitled "Economic Values of the Native Vegetation of New South Wales". The Native Vegetation Advisory Council's final strategy is now with the Government for consideration. It contains a number of recommendations regarding these matters, which the Government will evaluate.

In order to make informed decisions on such issues it is essential to consider all impacting factors. In this regard, I must make several observations about Dr Sinden's flawed report. The calculations of financial impact used by Dr Sinden are based on farmer interviews. Estimates of crucial variables such as vegetation cover at the time of property purchase, preferred enterprise mix, crop prices and yields, and other variable costs were not obtained from independent sources. Furthermore, in drawing conclusions on farm business profits, Dr Sinden included an owner salary of \$80,000. This is inconsistent with the accepted practices of agencies such as the Australian Bureau of Statistics and the Australian Bureau of Agricultural and Resource Economics, whose profit and loss calculations do not include findings such as owners' salaries. Consequently, the inclusion of the owner salary throughout the report underestimates the net farm income.

A significant omission from the report is the cost of clearing land for cropping under steady State conditions. These costs can be substantial and have a significant impact on the profitability and future viability of the land. Equally important is the fact that indirect expenditure associated with land clearing, such as salinity and erosion costs, have been excluded from the analysis. Such costs would also reduce significantly the long-term profitability of cropping cleared land. These are real issues that are sometimes overlooked when offering opinions on the value of native vegetation retention and its impact on farm businesses and property values. The Government will take on board and consider the findings of Dr Sinden's report, as will the Moree Plains Regional Vegetation Committee when it develops its regional vegetation management plan.

However, it is worth reminding honourable members of the importance and value that this Government and Country Labor ascribe to the rural sector. I refer honourable members to the range of government farm assistance programs and packages designed to assist the rural community that are additional to those introduced as a direct consequence of the native vegetation reforms. New South Wales FarmBis offers financial incentives for farm business enterprises to access management training, including benchmarking and best practice, financial management, climate risk management, natural resource management and succession planning. The Special Conservation Scheme provides concessional interest loans for a range of soil conservation, farmer water supply and land management works.

The Water Reform Structural Adjustment Program includes a New South Wales Government contribution of \$25 million towards the five-year Irrigated Agriculture Water Use Efficiency Incentive Scheme. West 2000 Plus aims to improve the profitability and viability of properties within the Western Division of New South Wales. The \$15 million Namoi Groundwater Use Efficiency Scheme will provide irrigation planning and investment assistance to Namoi groundwater irrigators. Those are just a few of the Government's initiatives. I believe this Government's record in natural resource management is a proud one, and Country Labor will continue to work co-operatively with the community to cement our achievements of the past seven years. I must also comment on the difference between this side of the border and the west, where people are paid to burn native vegetation.

**Mr SLACK-SMITH** (Barwon) [12.37 p.m.]: I support the motion moved by the Leader of the National Party. The Native Vegetation Conservation Act and its predecessor, State environmental planning policy 46, have been total disasters in regional New South Wales. Income of \$20 million has been lost to the Moree Plains Shire Council. However, spread over my electorate—which contains 12 other councils—the figure is closer to \$80 billion. That is the annual income lost to our communities by this draconian legislation.

I wish that the honourable member for Bathurst had been more specific in his contribution. He rabbited on about salinity. The CSIRO has identified a small area in the Moree Plains Shire Council area with a salinity problem, which could be solved in three years. The honourable member does not know what he is talking about. Let us consider the great inequity of the current situation. New South Wales land-holders bear 15.6 per cent of environmental costs. Compare that with the burden on our counterparts in Sydney, Newcastle and Wollongong, whose incomes are affected by only 0.05 per cent. I have listened to the speeches of so-called Country Labor members. I want to know how they will vote on this motion.

The catchment management committees and other "committees" are controlled and supported by bureaucrats and extreme greens in Sydney. If these are such magnificent institutions, why are they all falling over? There have been withdrawals and resignations from the committees. There have been arguments with land-holders and people in the regional and rural communities of New South Wales who are frustrated with these totally unworkable management committees. The honourable member for Bathurst spoke about the consultation process. I remind the honourable member of the community process undertaken by the Walgett Native Vegetation Committee. The committee put forward a sensible and responsible application, but it was totally ignored. It is difficult for me to understand where the Government is coming from.

Officers of the Department of Land and Water Conservation, the Department of Agriculture and even the Environment Protection Authority used to be our friends in regional and rural New South Wales. They used to be our advisers and give us a hand in managing sustainable agriculture. Those people are now policemen, they are not our friends. They do not like that situation any more than we do. They do not like coming onto our properties and being treated with suspicion. They do not like the fact that they are not even offered a cup of tea. Previously they would get not only a cup of tea but maybe a feed as well. It was not a problem; it was a pleasure to have them at our place. Today those same poor cows, who have to try to justify their jobs, have become policemen. The Carr Labor Government calls itself a caring government. It only cares about Sydney, Newcastle and Wollongong. The Governor's Speech did not refer to any projects west of Lithgow. The Government is out of touch and totally irresponsible. The communities in rural and regional New South Wales are suffering under this draconian legislation. I fully support the motion moved by the Leader of the National Party.

**Mr TORBAY** (Northern Tablelands) [12.42 p.m.]: I support the motion. As I indicated to the House on 28 February, the Native Vegetation Conservation Act, which came into force in 1998, is flawed. As previous speakers have said, its predecessor, SEPP 46, was also flawed. The concerns that have been raised were succinctly put by the honourable member for Ballina. The honourable member has made constructive and appropriate contributions on this issue. Sometimes issues are polarised in debate. Some members have tried to present the view that the majority of farmers are opposed to responsible practices or working towards sustainable management. That is not the case. I agree with the honourable member for Ballina, the shadow Minister for Land and Water Conservation, when he said that people are looking to work constructively towards a sustainable position. That is why a review of this Act should be undertaken. I repeat the call I made earlier for a review of this legislation.

As I have said previously, the Native Vegetation Conservation Act has a number of flaws that should be remedied. A review would highlight these flaws and would provide an opportunity to consider many of the issues raised in Dr Jack Sinden's report. It is unfair for some honourable members to speak of omissions in Dr Sinden's report when those issues were not part of his brief. I know Jack Sinden personally; I have known him

for years. Dr Sinden clearly told the community what his brief was and outlined the matters that he would not take into consideration. For members to refer to issues that were outside his brief is grossly unfair. It is an attempt by the Government to defend its position for not supporting a review.

I was encouraged to hear that the Government will consider the recommendations of Dr Sinden. The Government should confirm that statement because of the serious concerns in the community about the legislation. One of the worst features of the Native Vegetation Conservation Act that has been reported to me has to do with the definition of "clearing". Generally, when people refer to land clearing they mean wholesale permanent clearing, not the management clearing that is commonplace throughout New South Wales. A clear distinction between large-scale developmental clearing and management clearing would be of benefit to farmers and to the environment. An amendment of the definition should be considered in a review of the Act.

The funds that are now being spent on policing farmers should be diverted to extension work and farmer education in sustainable management practices. The farming community would support such action. To polarise the debate in an attempt to present a false view of the farmers' position is wrong. Some speakers have commented on feedback from the community about the catchment committees and water-sharing policies. One of the great flaws in the process is that there is a reluctance to consider the economic impact of decisions. The economic and environmental impacts should be noted and corrective action taken. It is ludicrous to implement legislation without measuring the economic and social impacts and getting some feedback. Amendments based on such information could then be made to improve the process.

I support the motion. It is important to recognise that the majority of the farming community are responsible people who want to work constructively with government authorities and departments and to take corrective action to reach a sustainable and workable position. Any suggestions to the contrary are false. The Government should undertake a review of the legislation and engage in constructive debate on the economic and social impacts. Such a process would be beneficial to the whole of New South Wales and to Australia.

**Mr McGRANE** (Dubbo) [12.47 p.m.], by leave: I support this motion. The implementation of the Native Conservation Vegetation Act has been an absolute disaster. Farmers are frustrated because of the bureaucratic control in the hands of the committee under the Act. Farmers are the best environmentalists in Australia. The land is their asset, and it is logical that they would look after their asset. They want to do the right thing but they are restricted by this legislation. Amendments need to be made to the legislation and we must have a better working relationship between government departments and farmers. As previous speakers have said, government bureaucrats are now policemen. They police this legislation, which farmers and, in a sense, the bureaucrats do not want. Commonsense must prevail. The Government should make the appropriate amendments. The people in regional New South Wales want to protect their assets, of which the environment is part, for the betterment of New South Wales.

**Mr SOURIS** (Upper Hunter—Leader of the National Party) [12.49 p.m.], in reply: I thank all honourable members who contributed to the debate: the shadow Minister for Land and Water Conservation and honourable members representing the electorates of Ballina, Barwon, Northern Tablelands, Dubbo and Murray-Darling. I commend Professor Jack Sinden for igniting this much-needed debate. I am very proud to say that, when we had time, both the shadow Minister and I benefited greatly from lectures by Jack Sinden at the University of New England.

We have not reviewed the impact of the Act and/or its benefits since it was introduced. If we are to be sensible, what could be better than an independent, academic person auditing the benefits and costs of the Act? Rural communities have endured the cumulative effects of a number of environmental related Acts. I understand that the terms of reference of the study undertaken by Professor Sinden were limited, but let us not say that is all that is needed. I repeat, we need an audit of this Act and a study of the cumulative impacts and benefits of the environmental Acts that are overlaid on rural communities. We need a shire-by-shire audit. This need is highlighted by the level of concern expressed by native vegetation committees.

If the Act is to have any future we must re-establish the consultation, communication and co-operation that characterised the establishment of native vegetation committees. Members of some committees have resigned because of lack of involvement and co-operation by the Government and the way in which the Government has stacked the committees to skew the environmental outcomes. There is no doubt that this matter is of great concern to rural communities. Enough time has elapsed since the introduction of the Act to assess its impact. It is now time for a review. Professor Sinden's work has served the community greatly in pointing out the urgent need for an independent audit of the operation of the Act and a consideration of a study of the cumulative impact of this and like Acts.



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

**The House divided.**

**Ayes, 33**

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

**Noes, 50**

Ms Allan	Mr Greene	Ms Nori
Mr Amery	Mrs Grusovin	Mr Orkopoulos
Ms Andrews	Ms Harrison	Mr E. T. Page
Mr Aquilina	Mr Hickey	Mrs Perry
Mr Ashton	Mr Hunter	Dr Refshauge
Mr Barr	Mr Iemma	Ms Saliba
Mr Bartlett	Mr Lynch	Mr Scully
Ms Beamer	Mr Markham	Mr W. D. Smith
Mr Black	Mr Martin	Mr Tripodi
Mr Brown	Mr McBride	Mr Watkins
Miss Burton	Mr McManus	Mr West
Mr Campbell	Ms Meagher	Mr Whelan
Mr Collier	Ms Megarrity	Mr Woods
Mr Crittenden	Mr Mills	Mr Yeadon
Mr Debus	Ms Moore	<i>Tellers,</i>
Mr Face	Mr Moss	Mr Anderson
Mr Gaudry	Mr Newell	Mr Thompson

**Pairs**

Mr Collins	Mrs Lo Po'
Mr Hartcher	Mr Stewart

**Question resolved in the negative.**

**Motion negatived.**

*[Mr Deputy-Speaker left the chair at 1.01 p.m. The House resumed at 2.15 p.m.]*

**ABORIGINAL LAND COUNCIL OPERATIONS**

**Ministerial Statement**

**Dr REFSHAUGE** (Marrickville—Deputy Premier, Minister for Planning, Minister for Aboriginal Affairs, and Minister for Housing) [2.15 p.m.]: In light of the Auditor General's report which was tabled today I should like to take the opportunity to inform the House of some of the actions being taken by the New South Wales Aboriginal Land Council [NSWALC] and the Department of Aboriginal Affairs to improve administration and financial operations. While I acknowledge the work that NSWALC has initiated over the past 18 months, there is more to be done. Over that period, a structural and staffing review has been undertaken and more comprehensive internal control systems have been put in place for both staff and councillors. The

amendments to the Aboriginal Land Rights Act will be significant in resolving the financial difficulties that the land council system has faced over the years. Last year the Carr Government undertook a major overhaul of the 18-year-old New South Wales Aboriginal Land Rights Act that was aimed at making the State's land council system more effective and accountable.

**Mr SPEAKER:** Order! The shadow Minister for Aboriginal Affairs will want to reply to the ministerial statement being made by the Deputy Premier. The House should extend the courtesy to the shadow Minister of allowing him to hear the Deputy Premier.

**Dr REFSHAUGE:** The focus of those amendments was an Independent Commission Against Corruption investigation. The amendments include a change in the financial year from 1 October to 31 September, to 1 July to 30 June, to bring it into line with the financial sector, the preservation of the amount of the statutory fund as at 31 December 1998, improving the capacity of the New South Wales Aboriginal Land Council to control the funding made available to local and regional Aboriginal land councils through the use of contractual agreements, the disclosure in the annual report of the New South Wales Aboriginal Land Council of information relating to the remuneration of councillors, including travel expenses, and the funding provided to local Aboriginal land councils, the creation of the position of chief executive officer to manage the day-to-day running of the New South Wales Aboriginal Land Council and its staff, and the disclosure by NSWALC councillors of any financial interests they may have in a particular matter under consideration by the council.

In addition, we have been working closely with NSWALC on a number of initiatives to resolve the concerns of the Auditor-General. The land council has worked with the Department of Aboriginal Affairs and PricewaterhouseCoopers to develop a uniform system of accounting for land councils. That project has resulted in the development of budget templates to be used by Aboriginal land councils for more streamlined financial accountability. I should also like to report to the House that the annual reports for the New South Wales Aboriginal Land Council are currently being finalised and will be tabled with the 2000-2001 annual report in April-May 2002.

**Mr HAZZARD** (Wakehurst) [2.19 p.m.]: The Auditor-General's report into the activities of the New South Wales Aboriginal Land Council is a source of concern to all members of the New South Wales community. There are 118 local Aboriginal land councils and the umbrella organisation is the New South Wales Aboriginal Land Council. Whilst I acknowledge that individuals in many of the land councils are well-intentioned and that great efforts are being made to try to address Aboriginal disadvantage in New South Wales, unfortunately, as the Auditor-General's report indicates, land councils do not have a particularly good record in respect of financial management.

The Auditor-General's report is yet more testimony to the fact that the land councils have some serious problems to deal with. In fact, the report notes that in one particular case, the Mungindi Aboriginal Land Council, substantial advances were made for a project without appropriate security and without any proper assessment of the prospects of success of the venture. That goes back to May 2000 when the council approved a loan of \$350,000 to Mungindi Aboriginal Land Council. It was subject to a feasibility study. The first payment was made in November 2000. It was not until May 2001 that the council actually obtained a management and viability review of the project, and by September 2001 the advances totalled \$1.2 million.

Unfortunately, that scenario is repeated across land councils throughout New South Wales. There are other examples in the report of funds being advanced on properties without appropriate valuations. That is a grave danger for anyone advancing mortgage moneys. Some of the issues are simple, but the Opposition encourages the Government to take the matter seriously and to ensure that the training of those making these financial decisions within the individual councils and the NSWALC is augmented so that they have the necessary expertise to carry out the task. It is to be hoped that that will result in a reversal of the trend in the reports over the past few years.

## PAP SMEAR TESTING

### Ministerial Statement

**Mr KNOWLES** (Macquarie Fields—Minister for Health) [2.22 p.m.]: Honourable members will recall my remarks on Tuesday afternoon following the statements in the Commonwealth Parliament by my Federal counterpart, Senator Patterson, regarding two Sydney pathology laboratories. Senator Patterson raised particular concerns about the quality of Medtest, a small commercial laboratory operating at Fairfield and Westmead. The

Minister asked New South Wales to co-operate with efforts to contact doctors and women who may have had Pap smear tests analysed by this laboratory in recent years, with the clear implication that there may be doubts as to the reliability of those results.

Naturally, we readily acceded to this request, immediately communicating with the New South Wales Cancer Council, which maintains the New South Wales Pap test register, to contact all the women on the register whose tests were performed by Medtest. Like all the national media outlets, and presumably many thousands of women across Australia, we were particularly concerned about any possibility that women may have been wrongly advised about test results, whether positive or negative. We will be preparing letters to all these women as soon as possible with advice on the appropriate action for them to take.

It is now Thursday afternoon, and in the intervening period New South Wales Health officials, including our State's Chief Health Officer, have sought hard information from the Commonwealth to include in our letter to New South Wales women regarding their Pap smear tests. There is increasing concern that no information is forthcoming. On Monday the senator quoted from a National Association of Testing Authorities [NATA] report in extremely strong terms about this laboratory. To date we have been unable to obtain a copy of the NATA report from the Commonwealth, NATA or Medtest. Today the *Sydney Morning Herald* quotes a spokesperson for the Health Insurance Commission as saying that the laboratory had retained its Medicare accreditation "because their testing process was not under question". Somewhat amazingly, what we still do not know is the answer to a quite simple question we have been asking since Monday: What precisely is the problem with this laboratory and/or the test results?

Earlier today the New South Wales Chief Health Officer wrote to the Commonwealth expressing these concerns and requesting in part "sufficient written evidence of the deficiencies of both Medtest and Weilebinski to allow us to undertake an appropriate and targeted mail-out that does not unduly distress thousands of women in New South Wales". Naturally, this is necessary to provide appropriate and accurate information in the mail-out. I join the Chief Health Officer of New South Wales in calling on the Commonwealth Government to make the NATA report public or, if there are genuine issues of confidentiality, at least to provide it to health authorities to allow us to comply with the original Commonwealth request.

**Mrs SKINNER** (North Shore) [2.25 p.m.]: As I said on Tuesday, the Coalition has a great deal of sympathy for the women who have doubts about the results of Pap tests. We will await the information provided by the Commonwealth Government in relation to the problems with the laboratories. I note that the Minister has complained about lack of information and difficulty getting information. I find that really extraordinary. He is the Minister who absolutely refuses to provide information about anything. While we are talking about accreditation, the Minister might like to provide the results of the accreditation review of Royal North Shore Hospital. Perhaps I should contact the Federal Minister and ask her to say, *quid pro quo*, "You provide me with the results of the accreditation review of Royal North Shore Hospital and we will provide you with the accreditation results in relation to the pathology laboratories."

**Mr Knowles:** You are not relevant, Jillian.

**Mrs SKINNER:** I believe this is very relevant to the provision of health care and the confidence of the people of New South Wales in the quality of the care they will receive. The Minister is not happy about this. He is very uncomfortable. In this Chamber he makes his sound as though he is worried about patient outcomes and care. If he is really worried he will provide the accreditation results for Royal North Shore Hospital so that the thousands of patients who are waiting for treatment there will feel confident that they can get good quality treatment. In the meantime I await with a great deal of interest the results of the accreditation tests from these pathology laboratories. I congratulate again the Federal Minister on doing the right thing. The State Minister is a clever Minister but he is not a caring one. The Federal Minister has indicated that she has real concerns about the quality of the Pap smear tests. I believe that she will provide the advice to the Minister in New South Wales. I wish I could feel so confident that he would make publicly available the results of accreditation tests for our major hospital.

## **VOLUNTEER EMERGENCY SERVICE WORKERS EX GRATIA PAYMENTS**

### **Ministerial Statement**

**Mr DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [2.28 p.m.]: Honourable members of this

House are only too well aware of the selfless manner in which volunteer emergency service workers provide the community with protection and assistance from fires, floods and storms. The recent bushfire emergency illustrated yet again the way in which the men and women of the Rural Fire Service [RFS], the State Emergency Service [SES], the Volunteer Rescue Association [VRA] and other community groups are prepared to drop everything and put their lives on the line to protect lives and property. Honourable members would also be aware that the recent bushfire emergency was the most fierce and protracted in recorded history—running as it did for 23 days without let-up and keeping our volunteers from Christmas and New Year with their families, to say nothing of their annual holidays.

As a result of an initiative taken by the Premier, the Prime Minister agreed to assist volunteers who had been significantly financially disadvantaged as a result of the protracted nature of the emergency. The Prime Minister subsequently announced that he would extend, in relation to the recent fires, the scheme initiated by Prime Minister Keating with Premier Fahey following the 1994 fires. Under that scheme volunteer firefighters received ex gratia payments covering income loss. Unfortunately, Mr Howard's response to the Premier's recent request excluded the many thousands of volunteers who served selflessly for weeks on end in logistic and other support roles. That has occasioned outrage amongst other volunteer organisations, especially members of the SES, which provided extraordinary support to the RFS and other firefighters during the crisis. Indeed, the association representing SES volunteers complained vociferously to both me and the Premier and requested that the Government take up their case with the Prime Minister.

On 12 February the Premier wrote on behalf of those disadvantaged volunteers requesting that the Federal scheme be extended to cover the SES and similar organisations such as the VRA.. I am sorry to report to the House that the Prime Minister has now rejected that request. I am appalled by that decision, which financially disadvantages thousands of volunteers who have lost income while helping communities to save their homes and businesses. I am afraid that this decision reflects a mean-minded approach by the Federal Government, and a double standard in relation to volunteers. Coming so soon after the International Year of Volunteers, it shows that the Federal Coalition is significantly out of touch with ordinary Australians.

**Mr STONER** (Oxley) [2.31 p.m.]: The SES and other emergency service volunteers, including the VRA, perform an absolutely crucial role in our communities in responding to various disasters and incidents which, unfortunately, befall us all. During the recent bushfire crisis the SES and other volunteers once again responded magnificently and supported their colleagues in the RFS and other firefighting agencies. Their collective efforts averted a potentially major disaster. The Opposition joins with the Government in expressing its sincere appreciation to all volunteers, including the SES and VRA, for their herculean efforts in fighting and limiting the effects of the severe bushfire crisis over the last Christmas and New Year period. We welcome the Federal Government's financial assistance to RFS volunteers. I would be pleased if the Minister would make available a copy of the Prime Minister's response in relation to SES volunteers.

## PETITIONS

### North Head Quarantine Station

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

### Mona Vale Hospital

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

### Hazardous Material Burning

Petition asking the House to amend legislation in relation to the regulations governing the burning off of hazardous material, received from **Dr Kernohan**.

### Freedom of Religion

Petitions praying that the House reject legislative proposals that would detract from the exercise of freedom of religion, and retain the existing exemptions in the Anti-Discrimination Act applying to religious bodies, received from **Dr Kernohan**, **Mr Stewart** and **Mr Stoner**.

### **Wilderness Access**

Petition praying that the Government allow continued access to public lands, abandon plans to declare the south-east wilderness study area wilderness, and repeal the Wilderness Act 1987, received from **Mr Webb**.

### **Manly JetCat Services**

Petition seeking reversal of the decision by Sydney Ferries to stop JetCat services to Manly at 7.00 p.m., received from **Mr Barr**.

### **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**.

### **Lane Cove Tunnel Works**

Petition praying that the House initiate a review of Lane Cove tunnel works, received from **Mr Collins**.

### **Manly Lagoon Remediation**

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

### **John Fisher Park**

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

### **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**.

### **Queenscliff Geographical Names Board Classification**

Petition praying that the House reinstate Queenscliff as a suburb with the Geographical Names Board, received from **Mr Barr**.

### **Shoalhaven Heads Primary School**

Petition requesting that Shoalhaven Heads Primary School be rebuilt, received from **Mr Brown**.

### **Northbridge Primary School**

Petition seeking permanent classrooms to replace temporary demountable classrooms at Northbridge Primary School, received from **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**.

### **Department of Mineral Resources Relocation**

Petition praying that the Department of Mineral Resources head office not be relocated from St Leonards to Maitland, received from **Mr O'Farrell**.

### **Recreational Saltwater Fishing Licences**

Petition requesting that saltwater recreational fishing licences be abolished, received from **Mr Richardson**.

### **Beat Policing**

Petition calling on the Government to focus policing strategies and resources on beat policing, received from **Mr Debnam**.

### **Malabar Policing**

Petition praying that the House note 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**.

## **DISTINGUISHED VISITORS**

**Mr SPEAKER:** I draw the attention of members to the presence in the gallery of the Ambassador for Turkey and his wife, Mr Tansu and Mrs Lemis Okandan. They are accompanied by the Turkish Consul-General and the Education Attaché. I welcome them to the New South Wales Parliament. I also welcome members of the Cambodian Buddhist Society.

## **QUESTIONS WITHOUT NOTICE**

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### **TEACHER SHORTAGE**

**Mrs CHIKAROVSKI:** My question is directed to the Minister for Education and Training. Why has the Minister failed to deal with the teacher shortage crisis? His failure is illustrated by the fact that more than half the 250 schools which responded to a Public Schools Principals Forum staffing survey indicated they have an immediate teacher crisis, with one school in south-western Sydney already cancelling 41 classes this year. When will he respond to the urgent request made by the principals when they met him five weeks ago and immediately employ additional permanent mobile teachers?

**Mr WATKINS:** Ensuring the future supply of quality teachers is one of the key challenges facing the New South Wales Government and governments across Australia and, in fact, right across the developed world. At the end of last year most people who are concerned about this were pleased by the 14 per cent increase in the number of Higher School Certificate [HSC] graduates deciding to choose teaching as a profession.

**Mrs Chikarovski:** Point of order: My point of order is relevance. The question is about an immediate crisis and the fact that 50 per cent of schools responded that they were in an immediate crisis. There is no point in the Minister talking about what will happen in four years time. What is he going to do about the immediate shortages and the cancelling of classes—

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

**Mr WATKINS:** Last year there was a 14 per cent increase in the numbers of HSC graduates choosing teaching as a profession. It is important that we ensure that teachers go into the public education system and go to work in fine schools such as Hurstville Public School. That is why the Government is implementing a series of measures to address potential teacher shortages before they occur. Today I am pleased to advise about the next part of that plan. Today I have offered scholarships to 134 of the best and brightest teaching students for their teaching degree. This is part of a \$3 million pilot program that opened at the end of last year.

There are benefits in this plan for both the students involved and the public education system across this State. Once these 134 students graduate, they will work for three years in western and south-western Sydney and also country areas of New South Wales—areas that have traditionally been difficult to staff. Apart from covering areas of geographical need, the scholarships will also target subject areas that are difficult to staff. In particular, technical and applied studies, maths, science and English will be targeted in the first round of offers. The Government's plan means that teaching students with enormous potential will be recruited for public education before they have even finished university.

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

**Mr WATKINS:** They will get substantial help with the cost of their teaching degree and they will be guaranteed a job in the public system when they finish.

**Mr O'Farrell:** Point of order: My point of order relates to relevance. I think the Minister must have missed the point that these teacher shortages are being experienced now in 2002, not potential teacher shortages in 2006.

**Mr SPEAKER:** Order! The Minister is explaining how he has taken the opportunity to employ additional staff to fill those vacancies.

**Mr WATKINS:** Honourable members opposite do not like the answer because it is addressing teacher shortages in New South Wales. The Government will get a commitment from the 134 students who are being offered scholarships that when they finish they will teach in the public education system in these difficult to staff areas and difficult to staff subjects. I can also announce today—and I thank the Leader of the Opposition for her question—that the next round of applications will open next week to fill a further 170 places, on top of the 134. These will primarily target third-year students. Once these are offered and accepted, it will mean that 300 extra teachers will enter into the public education system, in schools that are difficult to staff and in subject areas that are difficult to staff.

The scholarships provide a substantial boost for university students. Not only will it pay a student's Higher Education Contribution Scheme [HECs] contribution, but a further \$1,500 per year will be provided to the student. The total maximum benefit per student is \$6,625 per year. Also, a specific mentoring program will be provided by the Department of Education and Training to provide support throughout the course of their study and later when they join their school. Earlier today I had the great pleasure to meet two of the scholarship holders, who are in the gallery—Ben North and Alice Leung.

Last year Ben North finished his HSC at the Sydney Technical High School and achieved a university admission index [UAI] of 95.95. He is studying teaching at the University of Sydney and wants to become an English and history teacher. Ben is a boy from the city but he has indicated that he would be very happy to teach in the bush. With Ben is Alice Leung. Last year Alice finished at Randwick Girls High School. She achieved a UAI of 94.90. Alice has a strong commitment to public education and is training to be a science teacher. She says she would like to teach in Western Sydney when she graduates.

Alice and Ben are two outstanding students, who will make fine teachers. Originally, there were 399 applicants but that came down to 160 and, after interview, 134. The criteria are based on academic achievement, appropriateness of subjects and a commitment to teaching. This announcement today is the Government's next step in its commitment to ensure that our schools have staff into the future. What the New South Wales people want is an Opposition in this State that has some policies. We have policies. We have the students to prove it. All we hear from those opposite is carping criticism and dislike of the public education system.

### TAREE POLICING

**Mr J. H. TURNER:** My question is directed to the Premier. Can he explain why Taree police were unable to respond to a call for help from an aged pensioner who discovered that her car had been stolen outside a shopping centre in Taree on 13 February because they did not have a car in which to attend the scene? Is this the level of policing that country people must now tolerate?

**Mr CARR:** I will seek a report on the matter.

### RURAL HEALTH SERVICES

**Mr BLACK:** My question is directed to the Minister for Health. How is the Government assisting communities to attract doctors to work in rural and regional areas?

**Mr KNOWLES:** Everyone understands that attracting health workers to rural communities is a national issue. Governments of all persuasions around the country are working hard to attract rural health workers. This Government has a number of initiatives.

*[Interruption]*

Those opposite are getting excited. The only move against attracting rural health workers came in the form of the nonsense that we saw from Michael Wooldridge the other day. I will return to my list of initiatives; I have plenty of time. It is fair to say that State and Territory governments are working hard to attract rural health workers. For example, in New South Wales our changes to the Medical Board's rules have seen that board approve the employment of 249 overseas-trained doctors, who are working in areas of need around the State—including some towns that had not seen a doctor for years. The rural obstetric and anaesthetic incentive grants, worth just under \$3 million, have targeted 56 rural hospitals, 195 general practice obstetricians and 115 general practice anaesthetists in order to supplement their incomes in an effort to attract and retain those important services.

We are funding 23 rural medical specialist training positions, with more to follow. We are providing scholarships for 282 allied health professionals—physiotherapists, podiatrists and occupational therapists. Our Nurse Re-connect program, scholarship programs and rural placement program have targeted more than 650 nurses directly at rural communities. The list of initiatives goes on and on. It is important to note the decision made before Christmas to pick up all public indemnity costs for doctors working in the public system. That removes a major burden from doctors.

**Mrs Skinner:** When did that policy change from bad to good?

**Mr KNOWLES:** The honourable member for North Shore is very negative.

**Mrs Skinner:** You were very negative about Coalition policy.

**Mr KNOWLES:** It is awful that we must put up with this. No-one could have predicted that a plane would fly into a building in New York on September 11 and change insurance considerations around the world. My point is that all doctoring communities have picked up our offer.

**Mrs Skinner:** You've changed your tune; you've adopted Coalition policy.

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

**Mr KNOWLES:** Michael Williamson, the boss of a union with 35,000 members got it right when he described the shadow Minister for Health as "constantly carping and negative" and "truly a policy-free zone". She has no policy; she just whinges.

**Mrs Skinner:** Point of order: There are protocols in this place about identifying one's sources. The author of the report to which the Minister for Health referred is a member of the Premier's branch of the Labor Party. Members of the union executive are in that branch but the rank and file come to me.

**Mr KNOWLES:** Does membership of a political party bar one from holding public office in this State? No, it does not. Mr Williamson is a senior member of a union comprising 35,000 people—many of whom, I assure the Opposition, are not members of the Labor Party. However, most of them would acknowledge that those opposite have nothing to offer when it comes to policy development. We hear only carping, whining and whingeing from Opposition members.

On the positive side of the equation, today I can announce another initiative for rural communities. We are addressing one of the important issues dealt with by Ian Sinclair that has also been raised by mayors of country towns, the chairs of medical staff councils and most professional medical colleges around the State. That issue is the provision of suitable accommodation for health professionals in rural areas. This is sometimes a real impediment to attracting doctors to country towns, to nursing training and to arranging rural placements for health professionals. Today we are addressing that problem seriously. The Rural Accommodation Capital program, which will be worth \$4 million over three years, will either provide new accommodation or upgrade existing facilities for health professionals in rural New South Wales. This is terrific news for the State's rural and regional areas.

**Mrs Skinner:** Too little, too late.

**Mr KNOWLES:** Even the negative, whingeing, and whining member for North Shore must concede that this is a great initiative. I urge honourable members, particularly Country Labor members, to note where these opportunities are being offered—although I do not think those opposite care about rural health. Under the



program, Lightning Ridge hospital will get three brand-new residences at a cost of \$419,000. Some \$403,000 will be spent on two two-bedroom homes and one three-bedroom home at Bourke. There will be single-bedroom units at Moruya, Braidwood, Bateman's Bay and Delegate hospitals at a cost of \$70,500 and a \$50,000 refurbishment of the Bega Hospital Nurses Home.

**Mr Fraser:** What about Dorrigo?

**Mrs Skinner:** What about Dubbo? I have photographs.

**Mr KNOWLES:** I will get to it. Corowa will get \$270,000 and a new four-bedroom home. We will purchase a block of home units at Lismore at a cost of \$374,500. This will supplement efforts to establish the rural health school at Lismore hospital by giving students somewhere to stay. In the mid west \$160,000 will be spent refurbishing the two existing nursing homes at Bathurst—the local member will appreciate that—and we will develop two single-bedroom units at Tullamore and Trundle at a cost of \$60,000 each.

The list continues. Some \$93,000 will go to Dubbo Base Hospital to construct four single units. Wellington Hospital will receive \$40,000 to construct a two-bedroom unit. The Narromine Hospital nurses home will be refurbished at a cost of \$50,000 and at Gulargambone we will build a brand new two-bedroom home at a cost of \$100,000. On the mid North Coast a four-bedroom home will be built in Kempsey and staff accommodation at Dorrigo will be refurbished. The nurses home at Macksville will be upgraded at a cost of \$365,000. This program is additional to the other health accommodation announcements that I made recently at Glen Innes, while in the company of the honourable member for Northern Tablelands, and the new multi-purpose accommodation that we are building at Emmaville, much to the delight of residents of those two towns.

These initiatives—the provision of \$4 million for housing and upgrading nurses quarters—underpin our commitment to rural New South Wales and the health of those communities. They underscore the extraordinary lengths to which governments of all persuasions must go to secure health professionals in country towns. They will provide more local jobs and boost local economies. Local tradesmen and tradeswomen will benefit from the big dollars and capital expenditure on construction work. Many small towns will appreciate that work when it comes their way. They will be revitalised.

When visiting medical officers or locums arrive or nurses or physiotherapists turn up for their clinical placement, they can now be confident of having good quality accommodation. The provision of accommodation is not a panacea; it is one part of a broader strategy, which I spoke about earlier. It is one of the practical solutions. Many country towns, through their community leadership, medical staff and councils, have said it is one commonsense initiative that we can implement for rural communities in creating opportunities for the benefit of their constituents. We do it with pleasure because it is a commonsense, practical solution for rural New South Wales.

*[Questions without notice interrupted.]*

#### **DISTINGUISHED VISITORS**

**Mr SPEAKER:** I draw to the attention of the House the presence in the gallery of Vice-Governor Zhong and a delegation of senior Government officials from Guangdong province. Your Excellency, many members of this House have had the valued experience of visiting your Province. We welcome you and the delegation to our Parliament.

#### **QUESTIONS WITHOUT NOTICE**

*[Questions without notice resumed.]*

#### **SYDNEY HARBOUR BRIDGE TOLL**

**Mr PRICE:** My question without notice is to the Minister for Roads. What is the Government's response to community concerns about Opposition commitments on the Sydney Harbour Bridge toll?

**Mr SCULLY:** On 18 December the Leader of the Opposition said in a press conference that she would review the Sydney Harbour Bridge toll increase. Under pressure and after sustained questioning during that press conference, the Leader of the Opposition reversed her decision and said that she would abolish it. She

went from reviewing it to, three questions later, abolishing it. Three questions, that is how much pressure she is able to stand. The Government has made a \$112 million commitment to country, regional and northern New South Wales to upgrade and maintain roads. What is the commitment of the Leader of the Opposition? She wants to cancel it.

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

**Mr SCULLY:** What voice of reason did the Leader of the Opposition use to give that message to New South Wales? In an article in the *North Shore Times* she said:

The toll increase is also discriminatory as it will force motorists in northern and north-western Sydney ... to pay extra to subsidise the funding of work in other parts of the State.

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

**Mr SCULLY:** We finally have a policy from the Opposition. If the Coalition is elected—those people on the north side of the harbour are champing at the bit, they want to get elected—it has a policy for country New South Wales. Country Labor members should listen to this. This is the country commitment from a Sydneycentric Leader of the Opposition: If the Coalition is elected the \$112 million commitment will be cancelled.

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

**Mr SCULLY:** It is appropriate that we ask questions of the local newspapers that represent National Party electorates because, obviously, the Leader of the Opposition and the Leader of the National Party got together and made these country commitments. For example, we are entitled to ask the editor of the *Moree Champion*: What does his local member of Parliament say about that? I would ask the editor of the *Moree Champion* to ask the honourable member for Barwon: What is your position on the upgrade to the Gwydir Highway? Why do you not support this project? The National Party members have to answer these questions. Why has there been a deafening silence from them about a country commitment from a north shore Sydneycentric Leader of the Opposition?

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

**Mr SCULLY:** The honourable member for Burrinjuck should be asked by the *Yass Tribune* and *Boorowa News*: Why do you support the cancellation of a \$9 million upgrade on the Yass to Forbes road?

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

**Mr SCULLY:** The honourable member for Hawkesbury will be asked by his local newspaper: One, why do you live in Bowral and not in your local electorate? Two, do you know where Cattai Road is? Three, why do you support the cancellation of work on that particular road?

**Mr SPEAKER:** Order! I place the Deputy Leader of the Opposition on three calls to order.

**Mr SCULLY:** We will make sure that these National Party members of Parliament are called to account. The *Summit Sun* will ask the honourable member for Monaro: Why do you support the cancellation of the Cooma to Jindabyne road? Why does he? The *Cowra Guardian* will ask the honourable member for Orange: Why do you support the cancellation of the Yass to Forbes road? The Leader of the National Party will cop it from the *Gulgong Advertiser*. He will be asked: Why do you support the cancellation of the \$11 million upgrade of the Castlereagh Highway? The Country Labor members of Parliament welcome this initiative. The honourable member for Cessnock supports the \$12 million commitment to his electorate. I know that the honourable member for Murray-Darling supports the \$3 million upgrade of the Cobb Highway. The honourable member for Bathurst supports the \$5 million upgrade of the Mitchell Highway. Honourable members might want to know what the honourable member for The Hills had to say about this initiative. The honourable member for The Hills summed up the Liberals' disregard and contempt for country New South Wales.

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

**Mr SCULLY:** The honourable member for The Hills said in the *Hills News* on 22 January:

The toll money will be spent mainly on maintenance work in country New South Wales, including the Mitchell Highway west of Bathurst, the road to Jindabyne and the Gwydir Highway west of Inverell.

Further, he said:

Not all of these works are urgent.

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

**Mr SCULLY:** I want Country Labor members on their next trip around country New South Wales to take the honourable member for The Hills with them, show him these road works and get him to justify that position. This week has been Opposition hypocrisy week. The Minister for Corrective Services revealed acts of hypocrisy on the part of the Leader of the Opposition.

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

**Mr SCULLY:** I am shocked to inform the House that there have been other acts of hypocrisy on the part of the Leader of the Opposition. It is important that the House hears this. There she was in December-January expressing shock, horror and abomination at the thought that a toll would be imposed on a completed section of road. She said, as did the Deputy Leader of the Opposition, that never ever should a toll be imposed on a completed section of road. That is Liberal Party policy. One got the impression that had always been the case. If you put your position robustly that you do not believe a toll should be applied to a completed section of roadway, you should be consistent. I did some research.

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

**Mr SCULLY:** Bruce Baird wrote a letter to Nick Greiner.

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

**Mr SCULLY:** The chief of staff of a Minister usually reads correspondence. The Deputy Leader of the Opposition, as chief of staff to Bruce Baird, read this letter about the location of the F4 tollway.

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

**Mr SCULLY:** This Barry O'Farrell-approved letter from Bruce Baird to Nick Greiner states:

There is one particular aspect of the F4 proposal which I wish to draw to your attention. It is proposed to locate the toll barriers east of the James Ruse Drive Interchange, some seven kilometres east of where construction will commence.

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

**Mr SCULLY:** This is Barry's letter. He goes on to say:

This might be criticised as contravening the stated intention of tolls being imposed only in areas of new construction.

That was the position of Barry O'Farrell before he was Deputy Leader of the Opposition. Then he wrote back:

Dear Mr Baird—

[*Interruption*]

The Deputy Leader of the Opposition read this. He was there. He wrote:

Your proposal to locate the toll barriers for the M4 Tollway to the east of the James Ruse Drive Interchange has been noted and has my support. I feel the reasons advanced in your letter of 21 February amply justify the decision.

There is more. Here we go, subject minute to the Minister.

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

**Mr SCULLY:** The note on the minute to the Minister states:

Attached as requested is a briefing paper for the Premier on the F4 tollroad project.

It is signed by Bernard Fisk, Chief Executive to the Minister. Obviously, the honourable member got it on his desk before he showed Bruce Baird. It is interesting reading.

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

**Mr SCULLY:** Then we have the minute, which states:

Following representations by local Members of electorates along the proposed route, particularly the Members for Penrith and Minchinbury, ... it was determined both on political and financial grounds that the preferred location for the toll barriers was on the section between James Ruse Drive and Silverwater Road.

Your credibility is shattered. Your credibility is in tatters.

**Mr Hazzard:** Point of order—

**Mr SCULLY:** I have finished my answer.

**Mr Hazzard:** Point of order: The point must be made, in case we have to go through this again, that that was boring, tedious and inane.

**Mr SPEAKER:** Order! The honourable member for Wakehurst will resume his seat. The Minister has finished his answer.

#### **RAIL AGENCIES COMMUNICATIONS PROTOCOLS**

**Mr O'FARRELL:** My question without notice is to the Minister for Transport. Despite the findings of Justice McInerney and his subsequent commitments, how is it that two years later rail agencies are still not communicating effectively with each other, as revealed in a memorandum dated yesterday, putting at risk the safety of workers and passengers, and delaying millions of dollars worth of vital repair work?

**Mr SCULLY:** Following the McInerney report, 95 recommendations—an enormous number—were made in relation to structure of communication and safe working. A huge effort has been put in following the—

**Mr SPEAKER:** Order! I remind members that a number of them are on three calls to order.

**Mr SCULLY:** A lot of work has been done, and most of the recommendations have been implemented. Some are being implemented. The Government rejected two out of the 95 recommendations. The Rail Infrastructure Corporation, the State Rail Authority and the Department of Transport have gone to an enormous effort to put communications protocols in place. The honourable member seems to think these things are very simple and easy to implement, but they involve a fair degree of complexity. An enormous amount of work has been put into safe working rules. Last year the Government made a commitment to spend \$1 billion more on our rail network. A lot of that money will go towards making the system safer. We are spending a heck of a lot more than the Coalition ever dreamed of spending, on maintaining carriages and track, upgrading signal boxes, improving driver training and safe working, and giving the system a greater degree of robustness and reliability.

#### **TUMBARUMBA HIGH SCHOOL TEACHERS SHORTAGE**

**Mr MAGUIRE:** I direct my question without notice to the Minister for Education and Training. What does the Minister say to parents and children at Tumbarumba High School, who, this week, were told that up to 14 classes would have no teachers because no casuals were available to fill in for four staff who were absent on in-service commitments?

**Mr WATKINS:** This Government is implementing a whole range of measures to address the real challenge for teachers in our schools. It is geographical and it affects areas west of Sydney, south-western Sydney and certain parts of this State. It is a challenge faced by every department in every State of Australia. A number of measures have been put in place.

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

**Mr WATKINS:** Earlier in question time I spoke quite extensively about what we were doing to address this problem. For completeness I will give more detail. We are streamlining departmental staffing. Only three weeks ago a critical staffing agreement was reached between the Department of Education and Training and the Teachers Federation. That put in place measures that will make it easier and more appropriate to staff schools in New South Wales. The department is also seeking to ensure that we cut red tape and enhance customer service to teachers and people seeking employment as teachers in our schools. I will list just some of the current initiatives in our schools, because the whole list is too long. We are contacting teachers who are accredited in a subject but who have not included the relevant school on their preference list.

We are advertising widely in the press and on the Internet. We are liaising closely with universities about teacher supply, offering early appointments for up to 1,000 of the best and brightest graduate recruits across the State. Last week in remote areas of the State we paid \$5,000 to about 80 teachers to remain in those areas for two or three years. For example, 20 teachers in Cobar's primary and high schools received that bonus. The second component of the strategy includes a broad range of government initiatives aimed at attracting and retaining quality teachers in the public school system. The Department of Education and Training and the Government recognise that ensuring quality trained teachers for our students is the most important responsibility we have. Teachers are the most important people in the lives of school students. We are addressing these needs in detail. But we are not getting the Opposition's support for the public education system. It is about time that stopped.

**Mr Maguire:** Point of order. My point of order is relevance. I asked about the lack of teachers at Tumbarumba. Today 14 classes are unattended.

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

**Mr Maguire:** He is not answering it.

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

#### **SURF BREAKS NAMING**

**Mr E. T. PAGE:** My question without notice is to the Minister for Information Technology. How is the Government working with surfing organisations to identify surf breaks and improve beach safety?

**Mr YEADON:** I thank the honourable member for Coogee for his second question this week about our wonderful beaches. Anyone who is such an advocate of our wonderful beaches must be anything other than grumpy. Surfing is a major cultural activity in Australia, and a passion for millions of people. Anyone who is familiar with surfing would know that surfers and surf lifesavers have local names for breaks. I am sure the honourable member for Wollongong will be aware of Red Sands in his area, and Sutherland has Voodoo.

I am sure the honourable member for South Coast is familiar with the Australian Pipe at Jervis Bay and no doubt the Premier would be aware of the Alley at Cronulla. By definition a surf break is a permanent obstruction such as a reef, headland, bombora, rock or sandbar that causes waves to break and thereby makes conditions conducive to surfing. The names for these features have evolved from the local surf culture, and some of them are well known by surfers all over the world. However, other surf breaks have multiple names and there can be some confusion about where they are located.

Most of these local names have been documented in surfing publications, such as Mark Warren's *Atlas of Australian Surfing* and other books. No-one would argue with the fact that surfing has played a major role in putting New South Wales on the international and domestic tourist map. Today I am pleased to be able to inform the House that the New South Wales Government, with the support of Surf Life Saving New South Wales and Surfing New South Wales, is calling on surfers, surfing organisation, beach users and councils to help us officially name these surf breaks and literally put them on maps.

The New South Wales Geographical Names Board will name surf breaks based on community nominations, enabling these features to be formally recognised on the Geographical Names Register. Not only will officially naming these physically and culturally significant features be great news for surfers and tourists, it also has the potential to have a very positive impact on beach safety. People will eventually be able to travel up and down the coast surfing the breaks marked on New South Wales maps—possibly with an associated safety rating system.

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

**Mr YEADON:** It is clear that the honourable member for Wakehurst must have been dropped on his head by a dumper in the surf when he was young! Official names will help to avoid confusion during search and rescue operations because emergency services will be able to pinpoint particular breaks and move more swiftly in their rescue efforts. A named surf break could also provide a reference point for gathering statistics and information about that particular break. For example, by working out how many accidents or fatalities happen at a certain break, one could readily identify surfing black spots. I reiterate that official names for our surf breaks will not be imposed, but will evolve through community consultation and nomination. The organisations I previously mentioned will be consulted before the names are officially registered. Importantly, this process gives the New South Wales Government an opportunity to recognise the cultural importance of the surf and surfing in Australian society.

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

### **TAMWORTH WATER SUPPLY PLAN**

**Mr CULL:** My question is directed to the Minister for Land and Water Conservation. Will the Minister agree to Tamworth City Council's request that he defer issuing the Draft Namoi Water Sharing plan for public comment until the Peel Valley is included in the plan and the issues surrounding Tamworth City Council water rights and effluent returns to the Peel River are finalised?

**Mr AQUILINA:** I congratulate the honourable member for Tamworth on his election. Late last year I made a number of statements in this House in relation to the water-sharing plan in the Namoi area, how water will be distributed to the city of Tamworth, and, of course, the distribution of water to the Namoi ground-water irrigators. The future of the Namoi district and all who depend on water in that valley is a priority for this Government. Already this year I have spoken to hundreds of irrigators, farmers and other affected persons and I understand their anxiety about the implementation of the Water Management Act and the water plans that are currently being developed across the State. I have given an undertaking to all the irrigators to ensure that these plans take account of their concerns.

As recently as yesterday I issued an invitation to the Mayor of Tamworth City Council to see me next week so that we can talk through these issues further. In fact, I had discussions with a senior engineer on the council who saw me about another matter. Although he did not raise that matter with me, I raised it with him because I want to ensure that we are able to go through the detail and resolve council's concerns. We are looking to ensure security for everyone—security for the townspeople, the irrigators and the farmers—for at least the next 10 years. We must do the same for the environment. Water must be shared, which may mean some cuts, but not at the expense of people's livelihood, and certainly not at the expense of the future growth of Tamworth.

I have undertaken to be transparent and accessible as we bed down the water-sharing process, and the Namoi is no exception. It is in one of 37 water-sharing plans currently being prepared around the State. In fact, I have already placed three of the plans on public exhibition and one is due to be placed on public exhibition next week. I have met key people in the Namoi area on several occasions and have made the resolution of problems in the valley a priority. Next week senior managers of the Department of Land and Water Conservation will also be visiting the area to walk through a revised proposal with the irrigators and the local people. As I said, I have already issued an invitation to Tamworth City Council to come and talk to me about these matters. I want to ensure that our solution is sympathetic to those who have been regular users and have made investments to match, and also looks at future investment, particularly in relation to the city of Tamworth.

There have been considerable overallocations of water in the Namoi area which have produced a major challenge for water management within the valley. The average reduction in the licence entitlement is around 60 per cent. However, the key issue is not the change in licence entitlement but the change in actual use. This is where the detail becomes very important because at the moment a number of users are concerned that they may be subject to substantial change because of the way in which the plan has been evolved. But when you look at the detail, in actual fact it ends up being considerably less. In conclusion, I once again congratulate the honourable member for Tamworth and give him an undertaking that I will continue to liaise closely with Tamworth City Council, and indeed with the irrigators and farmers in that area, so that we arrive at an equitable water-sharing plan for the Namoi Valley.

**Mr CULL:** I ask a supplementary question. The Minister mentioned possible cuts to water licences. Will the Minister indicate their magnitude?

**Mr AQUILINA:** I have already indicated that this will be a matter of detail that will need to be worked out. I have already said that the average reduction in licence entitlement may be around 60 per cent. However, the key issue is not the change in licence entitlement but the change in actual use. That is, of course, where the detail becomes very important, and where it becomes important to have an opportunity to sit down and work through the detail.

**Mr Armstrong:** On a point of clarification—

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

### CHINESE TOURISM

**Miss BURTON:** My question without notice is to the Minister for Tourism. What is the latest information on the expanding Chinese inbound tourist sector?

**Ms NORI:** The honourable member's question presents me with an opportunity to quickly update the House on what is a very rapidly growing market, that is, Chinese tourism from the People's Republic of China. The latest figures from the Tourism Forecasting Council show that the number of visitors to Australia from China will grow on average by 23.7 per cent a year between now and 2010. To put the issue in context, at present Australia gets 380,000 visitors annually from Japan and 355,000 from the United Kingdom, but by 2010 we can expect about a million visitors annually from the People's Republic of China, the vast majority coming to New South Wales. So we can see how important that market will be. It is very pleasing that the overwhelming majority of those people want to spend considerable time here in New South Wales. They tend to spend more time in this State than in the rest of Australia. That is certainly a trend we want to promote. It is a very large market but it is also growing very rapidly.

While we do not have State-by-State breakdowns, we can say that we expect that at least 35 per cent of the visitors who came in 2001 spent the majority of their time in New South Wales, and there has been a 35 per cent increase in the level of visitation to this State from the People's Republic of China. Chinese visitors are quite big spenders, spending an average of \$4,000 on each trip, which is ahead of other international visitors. I will quickly outline a few of our strategies. Of course, we will continue to work with the Australian Tourist Commission. We have gone back into Singapore and Hong Kong with the Feel Free campaign, including television advertisements, and we will be participating in various trade missions. We will also bring out a number of journalists on familiarisation visits to make sure that we get as much free advertising as possible in the popular Chinese press.

**Questions without notice concluded.**

### MACQUARIE UNIVERSITY COUNCIL

#### Appointment of Member

**Motion, by leave, by Mr Whelan agreed to:**

That Pamela Diane Allan be appointed to serve as a member of the Macquarie University Council in place of John Arthur Watkins.

### COMMITTEE ON CHILDREN AND YOUNG PEOPLE

#### Membership

**Motion, by leave, by Mr Whelan agreed to:**

- (1) That:
  - (a) Judith Hopwood be appointed to serve on the Committee on Children and Young People in place of Stephen Mark O'Doherty, resigned; and
  - (b) John Douglas Cull be appointed to serve on the Committee in place of Peter William Webb, discharged.
- (2) That a message be sent acquainting the Legislative Council of the resolution.

## SYDNEY HARBOUR BRIDGE TOLL

### Personal Explanation

**Ms HODGKINSON** (Burrinjuck) [3.33 p.m.]: During question time today the Minister for Transport, and Minister for Roads implied that I do not care about the upgrade of country roads, when in fact the opposite is true. I have made numerous representations about road funding to Minister Scully by way of private member's statements. I have also written personal letters to him. I have lodged hundreds of petitions on the subject. I have made representations and lodged petitions or written to the Minister about the Lachlan Valley Way, the Gocup Road, the Snowy Mountains Highway, Main Road 92, Grabine Park Road, the Visy intersection, Batlow Road, Crookwell Road, Harden Road, Main Road 241 and many others over the past three years.

Every time, the Minister responds by saying that the Federal Roads to Recovery money has been given to councils and councils may distribute the funding as they see fit. He always avoids the fact that country roads are in devastatingly bad condition. When they were built in the 1960s they were given a 30-year life expectancy, which is now 12 years overdue. Semitrailers and B-doubles are rife on regional roads—

**Mr SPEAKER:** Order! The honourable member is straying a little from the leave of a personal explanation.

**Ms HODGKINSON:** I merely wish to state that the comments by the Minister for Transport were totally out of line with my efforts in this place. I give high priority to country roads and to travel for country people and he should apologise for his words today.

## CONSIDERATION OF URGENT MOTIONS

### Upper Hunter Agriculture Industry

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [3.35 p.m.]: Crops for Hunter is a very innovative project and that is what makes it important that we debate the subject today. It affects the local government areas of Merriwa, Murrurundi, Muswellbrook, Scone and Singleton. It is very much about the long-term security of job opportunities in the Upper Hunter and therefore I believe it should be debated here today as a matter of urgency.

### Brigalow Belt South Bioregion

**Mr SOURIS** (Upper Hunter—Leader of the National Party) [3.35 p.m.]: The matter I have given notice of in relation to the Brigalow belt south bioregion is urgent because the area encompasses 52,000 square kilometres of New South Wales, and local people fear for their futures. It is an urgent matter because, although this matter has been under assessment for sometime, it has arisen again this week. Today's edition of *The Land* has a very thoughtful letter written by Mr Rod Young of Coonabarabran, and there is also an editorial on the subject in that paper. The fact is that there is growing concern over the future of both farming and businesses in community areas in local towns in the vast bioregion, which also includes the Goonoo and Pilliga State forests.

Only recently, and not surprisingly, the Goonoo Action Group and the Pilliga Push were formed. The reason for the urgency is that it is unfair on people who live and work in that area to remain in limbo for such a long time, not knowing what the future holds for them. The Carr Government is obsessed with implementing layer upon layer, one upon the other, of environmental restrictions, environmental legislation, assessments, bioregions, reserves and national parks. The latest push also seems to include the creation of corridors—in this case a vast series of corridors from the Queensland border through to the middle of the State. That will have the effect of devastating farming production, the timber industry and the apiary industry.

The local timber industry generates 200 jobs and is worth \$15 million per annum. Apiary has 630 employees and is worth many millions of dollars as well. Farming generally is worth many multiples of that in the various forms it takes. The problem that has arisen recently—which creates additional emergency—is that the National Parks and Wildlife Service is planning to allow only 30 per cent of the area of each vegetation group or type to be used for agriculture. Therefore, 70 per cent of land involved with each particular vegetation type could be lost to agriculture. That is a very severe restriction that would cause a considerable loss of jobs and income to the region's economy. And there would be a considerable impact through the multiplier effect on the businesses and contractors involved in various rural agricultural industries.



All this environmental legislation, the Native Vegetation Act, the Murray-Darling Basin Commission, water caps, salinity regulations and policies, the water reforms themselves and the loss of water rights, and the loss of the right to farm are impacting cumulatively on the farming community and urban populations in rural areas that depend on it. Debating my motion would allow the Government to explain the process by which it will undertake the assessment of the south Brigalow biodiversity region and to indicate the extent to which the Government intends to lock up this land, to create these corridors and cause the misery that it is intending to cause. The urgency of debating this issue is encapsulated in the second paragraph of the editorial of today's *The Land* newspaper:

Put simply, the present State Government has set out to lock up as much of the New South Wales landscape as possible through a land grab for more national parks and reserves and through tougher restrictions on what activities can be done on private land.

That encapsulates the philosophy and the way in which the Carr Government is operating in rural areas. This south Brigalow area is no exception, and the urgency of debating the issue could not be clearer.

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

## UPPER HUNTER AGRICULTURE INDUSTRY

### Urgent Motion

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [3.40 p.m.]: I move:

That this House:

- (1) supports the 9,000 people involved in primary production in the Upper Hunter and the injection of nearly \$400 million into the State economy that their work provides;
- (2) supports the innovative State-local government-private sector supported Crops for Hunter Project; and
- (3) applauds the efforts to establish non-traditional agriculture in the region, recognising the potential for this project to increase exports, diversify the region's economic base and provide a sustainable future for Upper Hunter farming communities.

Crops for Hunter is an innovative project conducted in the upper Hunter with the combined support of the Department of State and Regional Development, the Coal and Allied Community Trust and five local councils. The councils involved are Merriwa, Murrurundi, Muswellbrook, Scone and Singleton and they all support and take an active part in the project. Some time ago I set up the Upper Hunter Beyond 2000 Committee, which has been much more successful than was anticipated by those who were critical of it. That committee has been supportive of the Crops for Hunter project since the then General Manager of Merriwa Shire Council, Cheryl Wood, brought to the committee's attention information that she had on a similar exercise that was conducted in the South Island of New Zealand.

The Upper Hunter Beyond 2000 Committee was given a presentation of the outstanding results achieved in the New Zealand project. A co-ordinator, Mr John Small, has been appointed to administer the Crops for Hunter project. He is a resident of Merriwa, which is in the upper Hunter, and has undertaken this task with a great deal of vigour and enthusiasm. He is well respected, having been a production agronomist and farm manager as well as being involved in a family-owned farming enterprise. John has a Bachelor of Applied Science (Agriculture) from Hawkesbury Agricultural College. The mission of the Crops for Hunter project is to strengthen the economic base of the upper Hunter by improving farmers' abilities to produce profitable, sustainable crops.

There is much evidence that farmers in the upper Hunter, as in other parts of the State, have traditionally sown the various crops previously sown by their fathers and grandfathers. They often grow crops in seasons which produce little return; sometimes they grow crops that, frankly, would be better grown in other areas or not grown at all. The farmers should grow alternative sustainable crops that would yield a better financial return. In short, this is a comprehensive, methodical approach to the science of agriculture. It draws on decades of research and experience, adding a new layer of climatic and soil data along the way. That is an important aspect of my motion.

That data is derived through extensive, long-term testing and the end result is a complete biophysical land map at farm level, similar to that carried out in New Zealand. Along with the direct benefits of more jobs—

and that is what this is all about—the project brings wealth and exports of crops that traditionally have not been grown in this country. Along with this comes a valuable addition to the knowledge base of the Hunter and, indeed, the whole State. This data could be used and applied anywhere in Australia. We will have a knowledge base that we never thought we would have regarding climatic and soil conditions.

Currently the project is using four trial sites on which climate data-loggers have been placed and soil analyses will be conducted. At the conclusion of the trial each farmer will be supplied with maps showing the biophysical characteristics of that property. That will enable farmers to make informed decisions on whether to grow specific crops in appropriate areas to suit their optimal growing needs. This, of course, is only the first stage of the project. The co-ordinator will be looking at crops that have market potential. In the New Zealand case a small portion of a marginal farm, from memory a dairy farm, was used to grow peony roses. That one crop of peony roses was so valuable that its return far outstripped the return from the rest of the farm for the whole year.

It could be of assistance to people on the land to have access to better information, and that is one of the things that most farmers have not had. They could use that information to make much better informed decisions in the long term not only for themselves but also for their families. This again shows that the people of the upper Hunter are working together to find solutions and to increase the economy in the region. The Department of State and Regional Development, the Coal and Allied Community Trust and the five upper Hunter councils have received support from the University of Newcastle. One great thing about the Upper Hunter Beyond 2000 Committee is that it has the continued support of the university and the people of the Hunter.

The university will assist by having undergraduates working on the project; another important point. The undergraduates will receive very valuable on-the-job training. Without the support of people like the Coal and Allied Community Trust and the Department of State and Regional Development innovative projects like Crops for Hunter would find it hard to overcome the need for initial funding to trial a concept. In February, at the meeting of the Upper Hunter Beyond 2000 Committee at Murrurundi, I launched a new web site dedicated to enhancing the agricultural base and business potential in the upper Hunter. The Crops for Hunter web site, which was supported by the organisations I have mentioned, details the vision and activities of the project. I recommend that people access that web site.

The web site allows any business involved in a potential or existing supply chain or agricultural produce to make contact with the Crops for Hunter project and help shape its future direction. The site contains very important and regular updates from the microclimate assessments on the demonstration farms as well as Crops for Hunter newsletters and links to the project's sponsors. The introduction of the Crops for Hunter web site was applauded by the committee as another innovative approach to land diversification.

Farmers, produce processors and, most importantly, marketers require quality information on diversification with minimal risk. In this modern age we can no longer afford to take risks on crops that may have a low yield or not be grown in ideal conditions. The web site offers research and development, the keys to regenerating small towns in the upper Hunter which have had their fair share of unemployment and undergone dramatic changes in the past 20-30 years. The web site has been developed to provide information in a timely and interactive way. I congratulate the project co-ordinator, John Small, on his contribution to that web site.

The whole of the upper Hunter has experienced a degree of change, as has the lower Hunter in recent years. A large proportion of its population has been put out of work in the mining industry, traditional industries and the Muswellbrook brickworks. A major objective of the Upper Hunter Beyond 2000 Committee is to address unemployment. The Aberdeen meatworks stood down its workers because of stock shortages, but the carpet was pulled from under those workers—one of the most disgusting things that I and the Leader of the National Party have ever seen. The Upper Hunter has experienced a dramatic change. These rational measures provide hope for the long-term viability of crops and employment in the Hunter, an area that has diversified into the equine industry and other industries. This could be the key to regeneration of the Hunter in the long term.

**Mr SOURIS** (Upper Hunter—Leader of the National Party) [3.50 p.m.]: I have pleasure in supporting the motion moved by the Minister Assisting the Premier on Hunter Development. The motion encapsulates the overall contribution that agriculture makes to the economy of the Upper Hunter. During debates such as these we can contemplate with pleasure the great diversity already existing in the Hunter Valley and the riches we have had bestowed upon us. We are indeed fortunate to be living in an area with such a diversified economy. It goes without saying that all the Hunter Valley industries highlighted by the Minister coexist happily with strong industrial, mining and power generation industries. This coexistence is a microcosm in which the industries work together, share together and are mindful of the environmental impacts on each other.

I thank the Minister for including me and others from the Hunter Valley on the Upper Hunter Beyond 2001 Committee and for the excellent work undertaken by the participants. We are always searching for innovation, and the Crops for Hunter project is one example referred to in the motion. I am delighted to note that for once agricultural industries in the Hunter Valley are experiencing good conditions—with the exception of the dairy industry. It is rare for industries such as beef, wool, wheat, grapes, sheep meat, olives and the thoroughbred industries to all experience excellent climatic and seasonal conditions and markets. Unfortunately, the dairy industry is suffering greatly, not because this is an off season or because of the market, but because of legislation passed by this House to deregulate the dairy industry.

I commend the Crops for Hunter project and the work that started life in the Merriwa district; John Small has already been mentioned. I also commend the Mayor of Merriwa, Martin Nixon, and the other mayors associated with the Upper Hunter Beyond 2001 Committee. I note with great pleasure the establishment of the herb farm industry in the Merriwa area. Many herbs are grown in the Upper Hunter and are marketed very successfully. Recently I spoke to members of the industry and was pleasantly surprised to learn that there is such a great demand for everything they produce but, as they cannot keep up with the demand, some herbs are now imported. That is a significant boost to a new industry that is now proliferating.

I support the motion and the Crops for Hunter project. Nothing could be more important than research and businesses that spend money on research, do the scientific work and eliminate the risks and guesswork from production. The process involved in establishing the optimum agricultural regime for the Upper Hunter is to be commended as an excellent concept that I hope will prove to be a model for other areas throughout the State. Nothing could be more important than value adding agricultural industries in rural areas. Adding further processes to raw materials is necessary. Initially, the exportation of raw materials may have given Australia its wealth but now the key to Australia's future is through value adding—adding more wealth to the raw materials that are produced.

If we rely merely on raw material export we will surrender to other countries the value that is capable of being added domestically through our own expertise. It would be a tragedy to contemplate only 1 per cent or 2 per cent of the final product being the raw material because this will deprive us of the potential for further wealth. I support the concept of Crops for Hunter and the establishment of non-traditional agriculture in the region. The path to be taken is yet unknown; that is the case with science. I support the motion and offer every encouragement to the many public servants from the Department of Land and Water Conservation, the Department of Agriculture, the Department of State and Regional Development, the Environment Protection Authority and others involved in the process. I commend the role of the University of Newcastle and was pleased that Dr Bernie Curran was able to attend various committee meetings. Also, I commend the businesses involved in the contracting sector and the tertiary sector, which have the potential for growth in reprocessing.

Previously olives were not grown anywhere in Australia, but many thousands of hectares of olives are now under cultivation in the Upper Hunter. I commend Macquarie Generation for its co-operation in using land in the Bayswater-Liddell industrial area to cultivate and process olives. A co-operative has now been created and Mr Ian Wolfgang is heavily involved in that project. The olive industry has great potential. Finally, I refer to the viticulture industry. Grape growing and wine production in the Hunter is foremost in the world. The value of the word "Hunter" on a bottle of wine goes without saying. Viticulture in the Hunter has shown leadership in diversification and coexistence, which is a cause of great pride to me and, I am sure, all members of this House. I offer support for the motion and have great pleasure in participating in the various programs and processes referred to in the motion.

**Mr HICKEY** (Cessnock) [3.59 p.m.]: My electorate encompasses the majority of the Singleton local government area and I am most proud of the fact that Singleton shire is among the Hunter councils participating in the Crops for Hunter project. The Minister Assisting the Premier on Hunter Development, the Leader of the National Party and I have supported this important rural project since its inception. The Minister has a proven commitment to ensuring that the Upper Hunter can access assistance to arrest the cause of rural decline and develop strategies to promote sustainable economic development. We recently attended the Muswellbrook Shire Council meeting at which Cheryl Wood presented the Crops for Hunter project, which was immediately embraced and championed by the Minister.

Crops for Hunter will provide the impetus to allow communities to be proactive in moving to diversify their agricultural base to suit the changing needs of the twenty-first century. Farmers and their communities in the Upper Hunter will benefit significantly from diversifying their agricultural base through this project. It will now be possible for rural towns in decline to find a path to economic sustainability. New agricultural ventures such as this require government support as the move to create new crops in the region is a long-term process that must survive early setbacks if it is to have a sound future.

In the past 10 years or so technology has provided agriculture business planners and farmers with unprecedented amounts of information about the role of the climate and soil conditions. This biophysical mapping information relating to cropping areas in the Hunter will assist and support farmers in both my electorate and that of the Leader of the National Party. The mapping process under the Crops for Hunter project will permit the planting and harvesting of crops that are considered to be alternative in the region. These crops will be matched scientifically to prevalent germination and growing periods and the process will also match this quantifiable information to soil capacity and type. This project will provide resources for controlled experimentation in crop development and will offer a practical approach to measuring productivity data. Such information will allow farmers to investigate real cropping alternatives.

Crops for Hunter is an example of how the New South Wales Department of State and Regional Development is working with the Coal and Allied Community Trust to provide practical, cutting-edge assistance to rural communities. It is well known that many rural towns in the Upper Hunter have been declining, both economically and demographically. It is also acknowledged that many of these communities are suffering from rural decline because the traditional agricultural base on which they were founded is diminishing or has disappeared altogether. Crops for Hunter will allow land-holders in these areas to investigate profitable and cost-efficient crop options that are most suited to the locations in which they will be planted.

I am proud to be a member of the Country Labor team and the Hunter Task Force, which are driving this important initiative. This scheme will provide the information and the data needed by farmers to capture markets that have not been viable because of the capital required to produce the information and technology necessary. It will assist Hunter communities to offset the impact of dairy deregulation that was thrust upon them by the Federal Coalition—it was also thrust upon the State Government. It will also help farmers to tackle salinity issues using the latest information that has been matched with local conditions. This is a step in the right direction towards developing sustainable rural communities in the Hunter.

We may well see a turnaround in many areas where populations will stabilise, and possibly grow. I support the motion promoting this proactive project that aims to secure a sustainable future for Upper Hunter farming communities. Research undertaken at the University of Newcastle will extend and apply this information across the State. I congratulate this wonderful, hard-working Minister, who is always striving for the betterment of the Hunter region. He is a proactive forward thinker, and we are all the better for it.

**Mr CULL** (Tamworth) [4.04 p.m.]: I am pleased to speak in support of the motion moved by the Minister Assisting the Premier on Hunter Development. The lower part of my electorate encompasses part of the Upper Hunter, and towns such as Gunnedah and Tamworth are vital service centres for that region. We are always interested in creating further employment and investment opportunities in my electorate from which we will all ultimately benefit. Primary industries and primary production are vital in creating not only employment opportunities but wealth in our district. We are always seeking new options. Tamworth is lucky in many ways as it is a diverse electorate that supports much alternative agriculture.

During question time I asked about the draft Namoi water sharing plan. Water is the key to extending agriculture production. In many areas agricultural diversity is limited by the amount of water available. It is important that the Government acknowledges this fact and, when framing the new water management Act, considers the effects on the biodiversity of our region of removing 60 per cent of our water entitlements. We can also encourage agricultural production by providing the infrastructure that the industry needs to survive. The tunnel through the Murrurundi range is vital infrastructure that will open up not only the Upper Hunter but the entire north-west region, to which the benefits will then flow. If the tunnel does not go ahead it will also stifle the development of agricultural pursuits in many surrounding areas. Many farmers are seeking agriculture alternatives. Many local farms are small operations that do not benefit from the economies of scale of larger farms.

Farmers are looking to grow grapes or move into hydroponics and aquaculture. I am interested in this concept not only because it can be applied in the Upper Hunter but because it can be extended into the lower part of my electorate. We have the facilities and the rich agricultural valleys needed to create alternative agricultural products, which will introduce the diversity that people in my electorate are seeking. This will bring more jobs to the area and secure the valuable export income that these areas need to grow. The Government must consider the effects on the Upper Hunter and the lower part of my electorate of any decisions it takes regarding the water management Act. Water is vital for agriculture in Australia, the driest continent in the world. Many of our agricultural industries are facing the loss of a large percentage of their water allocations and are in desperate straits. However, we must remember that alternative agriculture pursuits also rely on access to a plentiful water supply. I am pleased to support the motion.

**Mr PRICE** (Maitland) [4.08 p.m.]: I join the Minister Assisting the Premier on Hunter Development and the honourable member for Cessnock in applauding the Crops for Hunter project. The Hunter region is bigger than the five council areas mentioned, and the project will also impact on my electorate. I commend the Coal and Allied Community Trust, which has given financial support to the establishment of the centre that initiated this project. The annual breakdown of income for the Hunter region as undertaken by the Hunter Valley Research Foundation shows that 74,400 tonnes of hay are produced, 45,300 tonnes of wheat, 99,500 tonnes of sorghum, 9,900 tonnes of barley, 29,600 tonnes of grapes for wine production and 13,500 tonnes of sunflower seed. That is only a few of the grain and fruit products that are produced annually within the Hunter region, and the range of products is increasing.

My electorate of Maitland adjoins Singleton and incorporates Dungog. We have to look at how the land in those areas will be utilised as farmers retire from the industry and sell their properties. Sometimes they are sold for Pitt Street farming-type operations or small acreage development. Significant tracts of river flats and river frontage land are being lost to these operations, which are not agriculturally viable. The Crops for the Hunter program will make a difference to some of the farming families who are at the crossroads and have to decide whether to diversify or to sell up and get out while they can. The nearest university for young people in the Dungog shire is in Newcastle. They go to Newcastle university if they want to train in the agricultural sciences, but if they do not they move on. The families are then left with the decision—it is a dilemma in many cases—as to what to do with their properties. The Crops for Hunter program will provide opportunities that may attract those young people back to the farm. It will also provide opportunities for diversification into other products and to undertake marketing exercises that could improve farming income. All of those initiatives can be fostered through this program.

Recently the Maitland City Council, through its Chinese sister city arrangement, investigated the possibility of growing products that were China export oriented. That type of initiative will impact on the whole program. I am a member of the C. B. Alexander Foundation, which administers the Tocal Agricultural College property. Tocal, through its Homestead Visitors Centre, is committed to assisting this program, particularly in the promotion of agri-tourism and farmgate product visits. I compliment the Department of Land and Water Conservation on its mapping program of the biophysical diversities of the Hunter. The department has completed a map of the lower Hunter and has also completed a map for my electorate. The maps give instant information about the agricultural value of the land and recommend the types of products that are best grown in an area. As we have heard, there has been an increase in the production of grapes and olives in the area. The maps give specific advice on where particular crops should be grown and the expected marketing returns.

The Crops for Hunter initiative has taken off. It is a program that we must foster and actively promote. I am sure that not only the Upper Hunter but the whole of the valley will reap great benefits. The program will improve and promote agricultural production and export within New South Wales. We cannot afford to miss this opportunity. I am pleased that the Government supports the program so strongly. The product opportunities, information, education programs and expertise that are involved in the program, at virtually no cost to the interested parties, will make a tremendous difference to agriculture within my electorate.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [4.13 p.m.], in reply: I thank all honourable members who spoke to this motion. It is not often that an urgent motion is supported by both sides of the House. The bipartisan support for the motion indicated that on matters of development and job creation in the Hunter region we are as one. I want to place on record my appreciation of those five councils, particularly Martin Nixon of Merriwa and Cheryl Wood, who indicated their total support and involvement in this exciting project. Barry Rose, the Mayor of Scone and a close friend of mine, has also been supportive. He has assisted in providing Murray Armstrong, the Hunter development officer, a home to work from. He has also assisted financially by the provision of work. I also mention John Colvin from Muswellbrook, Mayor Daniel Golenia from Singleton and Earl Kellahe from Murrumbidgee. They, along with their council officers, have all been strongly supportive of this important project.

**Motion agreed to.**

**Pursuant to sessional orders business interrupted.**

## PRIVATE MEMBERS' STATEMENTS

### TWEED HEADS PONY CLUB SITE

**Mr NEWELL** (Tweed) [4.15 p.m.]: I bring to the attention of the House the result of a freedom of information application by a constituent of mine in the Tweed electorate. Ms Lindy Smith is a life member, senior instructor and agistment officer of Tweed Heads Pony Club. She is also a member of the executive of that club. Ms Smith, with the permission of the pony club executive, but largely on her own initiative and certainly by her own tenacity, has fought to protect the land of the Tweed Heads Pony Club from encroachment or occupation from a number of sources. The threats to the pony club lands come from the extension of the Gold Coast airport and the Tugun bypass proposal in Queensland.

The pony club and the New South Wales Government have co-operated closely with the Queensland Government in relation to a proposal to bypass an apparent black spot at Tugun. The favoured option is to locate the bypass to the west of the airport and thus pass through New South Wales land. That option requires the consent of New South Wales and assistance in the formulation of the environmental impact statement. Information on that process has at all times been shared openly and honestly. That openness, particularly from some agencies in the New South Wales Government, has led to one regrettable incident in which an endangered plant was accidentally destroyed in New South Wales. The airport master plan for the Gold Coast airport, which was signed off by Mr Anderson only last year, has provoked the application by Ms Smith for documents under the freedom for information legislation to deal with that airport master plan. Those documents were:

... the written certificates (public comment) and statements (consultations) signed on behalf of the company—

that is, Gold Coast Airport Ltd—

that was accompanied with fresh Master Plan dated 4 September 2000 and revised fresh Master Plan dated 13 May 2001 and any other submissions or amendments relevant to these two documents.

The reply received by Ms Smith to her request from the Department of Transport and Regional Services, a Federal Government department, indicated a cost of \$3,155 and that a deposit of \$788.75 would be required to comply with her request. That is a ridiculous situation for a community to be placed in. The details of the \$3,155 were assessed as six hours search and retrieval time at \$15 per hour, 6.5 hours of decision-making time at \$20 per hour, a further 145 hours of decision-making time—that is about four weeks or, to put it in terms of making a decision every five minutes, about 3,000 decisions—and 3,500 pages of photocopying of documents at 10 cents per copy. The total charge was \$3,155. There are also details of the contact person, who, for this request, is Mr Kim Foster, the Acting Assistant Secretary, Airport Planning and Regulations. The sad fact is that Mr Foster has a conflict of interest and it would be in his interest not to accede to the freedom of information request. Mr Foster was working with the Department of Transport on the master plan process. Should the airports legislation be contravened, as is likely, it would be in his best interests to ensure that the information is impossible for community groups like the Tweed Heads Pony Club to access.

### PENNANT HILLS PUBLIC SCHOOL PEDESTRIAN ARRANGEMENTS

**Mr TINK** (Epping) [4.20 p.m.]: On 27 February Janelle Simpson, the parent representative on the Pennant Hills Primary School council, wrote to me about a pedestrian crossing at the intersection of Greycliffe Avenue and Weemala Road, Pennant Hills for Pennant Hills Public School students. Ms Simpson wrote, amongst other things:

Since July 2001 we have been negotiating with Hornsby Council Traffic Division to have a raised pedestrian crossing installed across Greycliffe Ave where it intersects with Weemala Rd. Recently Mr Garry Kennedy (Manager, Traffic and Road Safety, Hornsby Council) was unsuccessful in obtaining joint funding from the RTA for this crossing.

This morning, with Ms Simpson, I went to the school to look at the site. It is a large school of nearly 500 students on a split infants and primary site. Students have to travel along Weemala Road and cross it where it intersects with Greycliffe Avenue, which is a through avenue that carries quite a bit of heavy traffic from the Hills area. There is a real safety concern for a significant number of students who travel to and from the two school campuses from the before-and-after school centre, which is located on one campus, and for general school purposes during the day. The school council is greatly concerned that the Roads and Traffic Authority has chosen not to provide funding for the crossing, which was recommended by the council and is considered necessary to significantly increase the safety of the nearly 500 students on the split site.

I understand the matter has been raised with Hornsby council on numerous occasions. Originally, the council opposed such a crossing, but I understand that at a meeting of 15 February the council traffic engineer, Garry Kennedy, in the presence of the school principal, the president of the school council and Ms Simpson agreed that the facility could be upgraded from a pedestrian refuge only to a flagged children's crossing with a pedestrian refuge. After continued discussion, in which school representatives stressed the need for a raised pedestrian crossing, Mr Kennedy agreed. He approached the RTA to fund half the cost and agreed to look again at his budget to find the funds for the remainder of the cost. I understand he has now been advised that the RTA will not provide the money.

I am the first to accept that the demands on road safety budgets are enormous. All I can say, as the local member and as someone who has looked at the site, is that real safety issues and concerns arise because the school is on a split site. In addition to asking the Minister for Roads to consider this matter—and I know he looks carefully at all private members' statements and follows them up—I ask the Minister for Education and Training to consider the matter, particularly in view of the split site, which is part of the problem. The safety issues arise from the interplay of large numbers of students moving from one side to the other at all times of the day and significant traffic movements down Greycliffe Avenue. That interplay creates a significant potential conflict.

The intersection of Pennant Hills Road and major roads leading from The Hills, including Boundary Road, together with the rat runs used to get away from those two locations, make this a heavy traffic area. The area is also a significant education precinct with Pennant Hills High School and St Agatha's, a significant Catholic primary school, in the immediate vicinity. In those circumstances the safety concerns and issues are acute. I respectfully request the Minister for Roads to reconsider a decision that appears to have been made as a result of an approach by Hornsby council. I also ask the Minister for Education and Training to become involved to see whether a children's crossing with a pedestrian refuge can be put in place.

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [4.25 p.m.]: I commend the honourable member for Epping for bringing this matter before the House. As many local members would know, in many areas around schools safety is the principal issue. Obviously, Greycliffe Avenue and Weemala Road are busy roads on which a split primary and infants school is situated. The honourable member has set out the history of the involvement of Hornsby council and the RTA in the matter. I am sure that both the Minister for Transport and the Minister for Education and Training will take account of the matters he has put before the House.

### GEORGES RIVER ELECTORATE SCHOOLS

**Mr GREENE** (Georges River) [4.27 p.m.]: One of the great pleasures of being a member of Parliament is the opportunities it offers to visit various schools within one's electorate. In the last month or so, since the beginning of the school year in February, I have had the privilege of visiting a number of schools in my electorate. I was impressed by the quality of work undertaken not only by students but, most importantly, by teachers, who are entrusted with the care and education of students in our schools. At the beginning of February, with the Minister for Education and Training, I was fortunate enough to be among those who toured the Georges River College campus.

I thank the Minister, John Watkins, for attending the Peakhurst High School campus, which is now a middle school for years 7 to 10, where he sat down with parents, students and teachers to discuss education in general and the college format. He was well received by everyone who attended. I particularly note the work of the principal of Peakhurst High School, Mia Kumar, who is about to complete her term. She has spent 14 years there. I congratulate her on her work, particularly the leadership she displayed as her school became a middle school. We also attended the Oatley campus, whose principal is Mrs Terry O'Brien. This is the first year that Oatley campus has been a complete year 11 and 12 campus. The Minister was most impressed, as one must be, with the standard of the facilities provided at the Oatley campus and the work undertaken by its teachers and students.

I was also fortunate to visit Beverly Hills Girls High School, where I attended a photo exhibition that depicted the involvement of the school for the past eight years in an exchange program with a school in Italy. Next week the Italian girls will visit Sydney. It has been a magnificent exchange program. I commend not only the principal, Mrs Barbara Bober, but also the teacher responsible for putting the whole program together and making sure it works each year, Mr Marco Mann. I congratulate Mr Denis McKenzie, the district superintendent for Bankstown, on his involvement and thank him for it. I should also congratulate Mr McKenzie on being awarded an OAM in the recent honours List. I look forward to seeing the Beverly Hills girls and the Italian students in Parliament next week.

I also visited the new Principal of Penshurst West Public School, Marilyn Jenkins. I thank her for the opportunity to drop in and see some of the things that are happening at the school. There are a couple of projects that I am keen to be involved in at the school and I am certain that the Minister will be able to address some of them. I also visited Beverly Hills Public School and I congratulate the principal, Debbie Sutton, on the work she is doing there. She and her staff are working in difficult circumstances because a complete redevelopment of the school is under way at a cost of more than \$3 million. While that will produce magnificent improvements for teaching and learning at that school, there are certainly pressures involved as the work is taking place.

I also welcome to my area the Principal of Peakhurst West school, Suzanne Gorman. I dropped in on that school only last week to introduce myself and was warmly received. Suzanne takes the place of Mr Alan Day, who was Principal of that school for 14 years. He is, indeed, a legend in the Peakhurst west community. I am sure Suzanne will be warmly welcomed and will do a great job in continuing the work that is being done by the staff and the Peakhurst West school community to educate the students in their care. I also attended St Ursula's College, Kingsgrove, early this term for that school's beginning of year mass.

My daughter attends that school and I compliment the efforts of the students, particularly the contribution to the mass by the incoming school captain, Gemma Harper, who gave a poignant address. She certainly showed that she has outstanding leadership qualities. She will undoubtedly do a great job in her role as school captain. I congratulate the principal, Sister Mary O'Neill, and the teachers for their work in building up such a strong student body. I look forward to tomorrow night when I will attend the Oatley West Public School annual art display, which is a great tradition within the Georges River community.

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [4.32 p.m.]: One of the advantages of private members' statements is that it gives members of this House the opportunity to put before the House the positive things that are happening in their electorates. Honourable members will have appreciated today's contribution by the honourable member for Georges River and his positive affirmation of the work being done by principals and teachers in both public and private schools in his electorate. He has taken us across the Georges River electorate to the Georges River College, Beverly Hills Girls High School, Penshurst West Primary School, Beverly Hills Public School, Peakhurst West Public School and St Ursula's College. He has mentioned his proposed visit to Oatley West Public School tomorrow for the annual art display. In each case the honourable member paid tribute not only to the leadership of the principals of those schools, but also to the excellent work of the teachers and students. I am sure honourable members will have found his contribution valuable.

### WORKERS COMPENSATION CLAIMS

**Mr ARMSTRONG** (Lachlan) [4.34 p.m.]: Insurance is a hot topic in the community at present and today I want to refer to workers compensation. I have been asked to keep confidential the names referred to in a letter addressed to me, and I will certainly respect that request. The matter relates to a cervical spinal injury that occurred in July 1999. On 21 July 1999 the worker suffered pain to his shoulders and neck, blurred vision and a shortage of breath, allegedly due to working conditions. The last medical information on file stated that the worker was fit for suitable duties up until 1 October 1999. A professor of medicine examined the worker on 13 September 1999. His report stated that it was difficult to give a consistent opinion, but recommended that the worker return to work, first on light duties under a rehabilitation officer.

The report stated that the condition was not consistent, motivation was uncertain and no prognosis could be given until more information became available, and the worker entered a graded return to work. In September 1999 a decision was due on liability, as the 42-day period had been reached. As a decision could not be made until a report from the professor of medicine, weekly benefits had to commence although the claim had not been determined. A letter was written to the professor asking him to expand on his examination and relate it directly to whether the injury of 21 July was work related. The report received from the eminent professor stated that he could find no relationship between the injury and the worker's employment. He said the injury did not appear to be directly related to the worker's employment.

Liability was declined on 5 November 1999, based on the further information from the professor. In July 2000 an application for determination was received from the worker's solicitors for wages from 21 July 1999 and section 60 expenses. That was amended on 10 October 2001 to include a section 66 claim for 25 per cent loss of the left arm at or above the elbow, 25 per cent impairment of the neck and pain and suffering under section 67. The file was referred to the solicitors for the employer and the workers compensation company for a response. They advised that, given the current evidence, if they let the case run it was likely that the worker would receive lump sum compensation and ongoing weekly benefits. The other option was to commute the claim for up to \$110,000. Instructions were given to commute the claim on that basis.



The claim was settled for \$105,000 and approved by the court on 6 February this year. That was done without any reference to the employer, who was paying a premium to the company. This is a clear case in which an eminent medical practitioner, highly respected in the profession, had indicated that in his opinion there could be no relationship between the injury and the worker's employment. The case had been ongoing for two years and the insurance company decided that it would settle for the sum of \$105,000. As I said that was without reference to the employer and apparently without taking into consideration the findings of an eminent medical practitioner. I know that honourable members on both sides of this House—indeed, it is not unique to this place; it is commonplace across the country—are concerned about what is happening in the insurance industry about the cost of indemnity.

Many employers will endeavour to not employ staff because of the difficulties they experience with workers compensation. I believe in the principle of workers compensation, but I also believe that we have to put the management and the practicalities of it on a far more professional basis than it is on now. I believe it is unsatisfactory that up to 80 per cent of claims similar to this—that is, on the cusp of a court hearing—are being settled out of court by insurance companies. I ask the Government whether, in the current climate of addressing insurance matters and public liability, it would extend its consideration to a better process of management of workers compensation that will be satisfactory to workers and encourage employers to employ people without fear that in the process they will have to deal with rapidly escalating insurance premiums and anomalies.

### **FAIRFIELD TOWN CENTRE**

#### **EVA WESLEY STONE PEDESTRIAN BRIDGE**

**Mr TRIPODI** (Fairfield) [4.39 p.m.]: Fairfield Council, active members of the Fairfield Chamber of Commerce, Councillor Mooshi and I have spent many hours carefully working on the revitalisation of the Fairfield town centre. The Fairfield Town Centre Management Committee has been meeting regularly over the years. Its focus has been to improve the city centre for residents and businesses. Maria Tamburri, council's place manager, has organised a series of events and celebrations to attract people to our centre. The committee has been trying to attract businesses to Fairfield because more business means more people, a safe environment and a better quality of life for residents. The effort has been focused and innovative; it has not taken short cuts. However, the same cannot be said for our competitors in neighbouring shopping centres because the city centre continues to be plundered by what I would call business pirates.

It should concern all of us who rely on the success of the Fairfield central business district for our quality of life that neighbouring shopping centres, both inside and outside our local government area, send scouts to scour the Fairfield central business district, disparaging the centre and pirating businesses for themselves. Many of the neighbouring centres have received assistance from Fairfield council in expanding their commercial space. However, some have failed to apply imagination in the way they fill that space. While each of those centres provides a great quality of service to their shoppers, their sense of community can be open to question. Good corporate citizens should not be advancing themselves while they beggar their neighbour. I have consistently expressed the view that while commercial space remains vacant in parts of our city such as the Fairfield central business district, council should be careful about permitting more of it. We would like to see the neighbouring centres being more innovative in the way they attract businesses to their centres, and leave the Fairfield central business district alone rather than try to attract businesses from it.

I also draw the attention of the House to a celebration that will occur tomorrow in Fairfield when we open a new pedestrian bridge over The Horsley Drive at Fairfield to be known as the Eva Wesley Stone Pedestrian Bridge. The Minister for Roads, Mr Scully, and I will be joined in the official opening by Mrs Stone's son, Gordon, and students from the two Fairfield schools connected by the bridge. The State Government has provided \$2 million for the bridge to provide a safer environment around the two schools. This new bridge will bring major road safety benefits for pedestrians wanting to cross The Horsley Drive, particularly during the hours before and after school. While the old signalised crossing has served the area and the community well, it became clear in recent years that we need to further improve safety there. The bridge has been constructed under the Government's Schools Pedestrian Bridge Program.

Features of the 40-metre-long bridge include concrete and steel access stairs and ramps on both sides of The Horsley Drive, and lighting within handrails to illuminate the bridge for users at night. The walkway will be enclosed by a metal safety screen to provide protection for pedestrians as they cross and for motorists from objects possibly falling onto the road. Both the Fairfield High School and Fairfield Public School communities will welcome this project as they have lobbied hard to ensure it became a reality. Many of the parents who have

been concerned about the dangers posed by The Horsley Drive have been very active in pursuing my attention and the attention of the Minister for Roads to increase safety. I am very happy that tomorrow we will be able to deliver that increased safety for these people. With the completion of the bridge, the existing traffic signals will be removed.

The bridge has been named after Eva Wesley Stone. Mrs Stone was born on 8 November, 1894 and passed away on 25 July 2001, at the age of 106. Her son Gordon said that his mother was Fairfield's oldest resident and lived in Fairfield all her life. He said the family would be honoured to have her recognised. At the time of her death last year she was the oldest living person in Fairfield. She was educated at Fairfield Public School, one of the schools to benefit from the bridge. She was born in 61 Smart Street, Fairfield, in the building that is now the Fairfield Museum, on The Horsley Drive, in Smithfield. Eva Wesley Stone lived all of her 106 years in the Fairfield area, so it is appropriate that we commemorate her long life by naming the bridge in her honour.

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [4.44 p.m.]: I congratulate the honourable member for Fairfield on telling the House about two matters of great importance: the revitalisation and maintenance of the Fairfield town centre and difficulties with surrounding centres, and the new pedestrian bridge. School safety has been improved by co-operation between the community and the Government. The bridge will provide safe crossing for primary and high school children and local residents. It is appropriate that the bridge been named in honour of Mrs Eva Wesley Stone, a long-term resident of Fairfield who passed away at the age of 106 but will be remembered by her community.

### PRESCHOOLS FUNDING

**Mr MAGUIRE** (Wagga Wagga) [4.45 p.m.]: I wish to refer to a problem in my community regarding preschools, a matter I have raised before. The matter really does need addressing. Community organisations have provided preschool services for many years. Young mothers and families can meet at preschools, where children receive some education before they reach school age. Other organisations also provide such services. Recently preschools have been struggling. That is certainly the case within my area. I held a public meeting with all the preschools from the Southwest Slopes and Riverina region. I asked them to give me details of their financial status, and they have done so. The preschools pointed out to me that in their new contracting they have been required to put a \$6 cap on places for which they would normally charge \$13.50.

In schedule A, point 2 of the contract states that "the fee for families on incomes under \$20,355 is to be no more than \$6 a day (negotiable) where service is defined as a 'registered service' under the Commonwealth Children's Benefits Scheme". If the preschools comply with the requirement of the new contracts they will go broke. I will read some of the details from the financial documents the preschools have given to me. When funding applications were made to the Department of Community Services they were rejected because they showed a deficit, because a government department cannot grant an application for funding from an unviable organisation.

The Government has to ask the question: Why are these organisations unviable? The answer is that they are restricted to charging \$6 per child and do not receive extra funding to cover the gap. One organisation will lose \$27,617. Riverina campus preschools will have a deficit in 2001 of \$8,385. Uranquinty preschool says, "There is no way the Preschool can continue running like this, especially after our huge deficit for 2002... Although there is demand again for the 2 days for 2003, it looks like the Preschool will only operate for one-day next year due to financial reasons." Lockhart and Kapooka preschools forecast a loss of \$10,227 in 2002. Families with children at the preschools are cleaning the schools, mowing lawns and doing everything possible so that the preschools can survive and provide community services that we all acknowledge benefit young children in their early years. The Ashmont preschool wrote to say that this year 23 children had to leave preschool because the parents were unable to pay fees. Ashmont is one of the more challenged suburbs in my electorate, and it is important that those young children have access to those services.

Some of the preschools in my area received, out of the blue, funding to supplement the \$6 fee. They did not apply for it. When I asked whom they applied to, whom they talked to, et cetera, I was told they did not have a clue how they got it; they were just informed that they had received funding. If some of those preschools qualified for funding without applying for it, why did not the others? All the other preschools are challenged with regard to their budgets, and some have been singled out. This is unfair. Whilst the money is indeed welcome, I would like to see the same system applied across all my preschools so that they can all qualify for the funding that fell out of the sky on The Rock preschool and Forest Hill preschool. I acknowledge that it has helped with their budget deficit but I want a fair and equal application of funding subsidies so that all these preschools can survive and give the services that the communities have relied upon for years. [*Time expired.*]

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [4.50 p.m.]: I cannot answer the question that the honourable member for Wagga Wagga has posed as to why some preschools have received funding and others have not. I suggest he bring all those matters to the attention of the responsible Minister.

### **JACOB RAY FUNDRAISING SWIM**

**Mr W. D. SMITH** (South Coast) [4.51 p.m.]: I wish to tell the House about the brave and courageous feat performed by a young disabled boy who lives in my electorate to raise money and awareness for the John Maclean Foundation and Camp Quality, as well as to achieve a life's milestone. Jacob Ray is paralysed from the waist down. He was born with a large tumour around the base of his spine and had chemotherapy treatment as a baby as the doctors were unable to remove the tumour. Jacob is 11 and wheelchair-bound. He is always searching for challenges. Being a good swimmer, on a suggestion from his coach, he decided to swim across the Shoalhaven River. In fact, he did not even hesitate to say yes when it was suggested to him.

Jacob is a doer, and he wanted to make all children with different types of disabilities aware that nothing is impossible. He did not ask for a hand-out; rather, he chose to raise money and awareness through positive action. He asked for sponsorship for the 800-metre swim and local businesses and individuals were very supportive of Jacob's cause. I first met Jacob at the West Street Sports Club Christmas Party. That club does a great job in providing sporting and social activities for those with physical and intellectual disabilities. About 60 disabled persons were at the party, and when I heard of Jacob's plan to swim across the river, I decided to sponsor him and also asked if I could join him in the swim—with some trepidation, I admit. So I went into training, left my lungs at the bottom of the local swimming pool, and decided to give up cigarettes shortly after.

On Sunday 17 February, a crowd of more than 200 people watched from the banks of the Shoalhaven River as Jacob, his coach Jason Batson, and I, entered the somewhat murky waters on an overcast and drizzly day. I was pleased to note there were a number of rescue boats on hand as I thought I may end up drowning, not waving. The cheers were loud and inspiring as Jacob neared the southern bank of the river. There was much tooting of horns as cars crossed the Shoalhaven River bridge in acknowledgement of Jacob's magnificent effort. Crossing the river in about 20 minutes, Jacob was met by his parents and brother on the other side. He was as calm leaving the water as he was entering it, and he described his swim as comfortable, which is more than I can say for my own efforts.

Jacob Ray is a credit to his parents, Harry and Julie, his brother, Luke, and grandmother, Peggy. They support and nurture him, recognising the "ability" part of "disability". They are fine people who make up part of my community. On completion of the swim, Jacob made a very good speech thanking all those who supported him. He did this with the same ease and confidence that saw him swim the river. John Maclean is the man whom Jacob described as his inspiration. John is a Paralympian, whose many feats include swimming across the English Channel. John first met Jacob at Culburra Primary School when touring the region for Spinesafe. It is through his foundation that John raises money to support children in wheelchairs. Jacob's contribution to the foundation helps provide other kids with racing chairs, improved equipment, education and coaching for children in wheelchairs. I believe that Jacob raised close to \$10,000 from the swim.

In June this year, John Maclean plans to ride 2002 kilometres from Brisbane to Melbourne in an event that will be known as K4K 2002—Kilometres for Wheelchair Kids. Each kilometre of the journey will be dedicated to an Australian wheelchair kid. After Jacob completed his swim, John announced that the first kilometre of the ride will be dedicated to him. Since making the swim across the Shoalhaven River, Jacob's passion for swimming has not subsided. He competed for his school in the Catholic Diocesan swimming carnival, and came third overall. That is quite an exceptional result, especially when we consider that Jacob was competing against children who have developmental disabilities rather than physical ones, as Jacob has.

Jacob will now represent the district in the State championships to be held later this month. It was a great swim and a great day. Jacob demonstrated to everyone that there is no obstacle that cannot be overcome if you have the drive, passion and determination to do so. Jacob is an inspiration to us all. I wish Jacob and his family all the best and I have no doubt that he will accomplish any task he sets himself in the future.

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [4.56 p.m.]: I congratulate the honourable member for South Coast on telling the House the inspirational story of a young, wheelchair-bound man who had the determination and courage to swim the Shoalhaven River. I congratulate Jacob Ray on inspiring a member of this House to re-enter swimming as an enthusiast. Jacob's determination demonstrates that really anything is possible. The task that Paralympian John Maclean has set for himself should inspire not only the general community but also those who are wheelchair-bound or suffering an illness that generally prevents them from being fully involved in community activities. That was an inspirational story.

## MYALL LAKES NATIONAL PARK

**Mr J. H. TURNER** (Myall Lakes—Deputy Leader of the National Party) [4.56 p.m.]: I raise matters concerning the Myall Lakes National Park and the activities of the National Parks and Wildlife Service in its administration of the park. The principal areas I will cover are the activities of the service's personnel, the draft plan of management, camp sites and tree problems, blue-green algae, and the effects of the actions of the National Parks and Wildlife Service on the towns of Hawks Nest and Tea Gardens in my electorate. Many people have expressed concern about the activities of the National Parks and Wildlife Service in this park.

It is clear that the philosophy of that service is to narrow access to the camp sites and to the park generally. If the draft plan of management is implemented there will be a reduction in camp sites from 750 to 420 and there will be a continual herding of people into centralised camping areas—and that is not why people go to that park. I have received correspondence from people across the State detailing their experiences. Mr Rodgers of Dudley, wrote:

Last year we camped at Shelley Beach, well away from the "No Camping" signs. A National Parks & Wildlife Service (NPWS) Ranger promptly arrived and told us to move to Violet Hill.

This year we camped at Neranie Sands after two of our campers contacted the NPWS to get information on camping there.

Within hours of setting up tents, four NPWS officers in four separate four-wheel drives arrived and ordered us to move our tents to an unsuitable area for camping.

Mr Dodds, from Nerong, which is in the park's confines, wrote:

My family and I are boating people, our boat is completely self contained so we don't need a camp site, which we knew were limited because of the so-called tree danger ...

Xmas Eve 2001 we anchored off the camp area known as Tickerabit. The small bay had no signs on shore warning people off, as did dozens of other places within the area. Boxing day and the rangers arrived and told us we had to move further offshore. We complied because we thought we would be left in peace. Not so. On the next 2 days 27-28 Dec. twice a day 3 rangers in a power boat continued to harass our group and many others anchored in the area. We, on the 27th had 2 sailboats on shore, we were told to move the boats because we were in breach of their signs. We pointed out to the rangers that no signs were erected in the area. They lifted a sign out of their boat, erected it on shore and again told us to move.

That is totally unsatisfactory. It is clear that the service has a philosophy of driving people from the area. An Aboriginal lady wrote to me in the following terms:

My children learnt all about the bush from camping in it. They have a deep love and great understanding of the land due to their staying in it.

She experienced similar problems with the National Parks and Wildlife Service because she was not permitted to camp in traditional areas. The Myall Waterways Chambers of Commerce and Tourism Inc. wrote to me and to the Minister for the Environment. The letter stated:

In the 1996-97 holiday period 863 camp sites were available within the park. This has now been reduced to around 320 sites. Given that most of the campers were families you could say that this is a reduction of approximately 2064 people per day within the camp. This then represents a loss of 14448 people per week. To townships of around 2,000 this is a huge loss.

The letter referred to Tea Gardens and Hawks Nest. I refer now to the blue-green algae problem. The National Parks and Wildlife Service continually close the lake and send out bulletins about the blue-green algae. Obviously we have to understand the dangers of blue-green algae, but the service is creating a situation in which people who have used the park, or might use the park, are becoming very concerned. There is a better way to handle the blue-green algae problem; that is certainly not by scaring people off. A committee has been set up, but more work is needed. The National Parks and Wildlife Service needs to look in its own backyard because the problem is often caused by nutrients.

The minutes of a meeting of the Great Lakes Council on 12 March say that unsatisfactory on-site effluent disposal is pushing nutrients into the water from the Myall Shores Ecotourism Resort. That matter must be addressed. I refer now to the draft plan of management that clearly demonstrates the philosophy of the National Parks and Wildlife Service to slowly and surely strangle the park. Eventually it will be a park not for all people but for a few chosen people. Myall Lakes National Park must be opened up and there must be a full review of the activities of the National Parks and Wildlife Service concerning the park.

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [5.01 p.m.]: I hope the honourable member for Myall Lakes has raised all these matters with the appropriate Minister. I speak now as a member of the Coastal

Council of New South Wales as well as a member of Parliament. The honourable member for Myall Lakes referred to the pressures placed on our recreational and coastal resources by vast numbers of people recreating up and down the coast, and the management problems that ensue. The Myall Lakes area north of Hawks Nest is a magnificent coastal estuarine and freshwater area, linked by a chain of lakes and surrounded by bush and heath land. It has always been a special area for campers, but over the past few years bushfires have ravaged the area and conservation issues have emerged. The draft plan of management will involve a comprehensive process and will take into account the matters raised by the honourable member. There are similar constraints up and down our coastline, where popular recreational areas can be enjoyed provided the environment is protected.

### INTERNATIONAL WOMEN'S DAY

**Mrs PERRY** (Auburn) [5.03 p.m.]: Following the celebrations of International Women's Day 2002 I wish to honour some local pioneers, outstanding women active in the history of the Auburn and Bankstown communities. On 8 March I joined local women from Auburn in celebrating International Women's Day. We enjoyed a very positive celebration of "Women Active in the Community" and reflected on the local history of women's achievements. A few names that we hear little of these days are those of Miss Agnew, teacher at the school established in the 1870s on the corner of Parramatta and St Hilliers roads; Mrs Kirkness, who in 1954 helped found Auburn girl guide troops; Mrs Schindler, the first president of the Auburn Women's Bowling Club, in 1954; and Kate Maher, who co-founded the Auburn District Historical Society in 1970. Today some of our daughters and nieces might consider the activities of these women as ordinary or small contributions. However, these women were pioneers of their time and we owe them much for their service.

I would like to speak in more detail about several women from the Auburn and Bankstown local government areas, including Dr Frances McKay, Miss Ruby Coulson, Mrs Shirley Kathleen Haslam and Ms Tess Linda Goodstate so that today we may all celebrate their courage, energy, determination and service, from which we have a lasting legacy. Dr McKay was appointed as the first resident medical officer at Auburn District Hospital, in 1924. She was an honorary medical officer at the hospital for 40 years. Dr McKay also became the chief superintendent of the St John's Ambulance Nursing Division in Australia. Her years of dedication to the medical field and her service to St John's Ambulance were recognised before her death with the award of the Order of the British Empire in 1968.

Miss Ruby Coulson is remembered for her tireless voluntary service early last century. As secretary of the Auburn Ladies Patriotic League she was renowned for her organisational skills and determination to see that soldiers leaving Auburn were correctly and adequately kitted out. She was also influential in obtaining permission to establish a hostel in Auburn during the influenza epidemic. Ruby Coulson's legacy lives on in many energetic women in Auburn today, who see a need and act immediately upon it. Mrs Shirley Kathleen Haslam was a member of Auburn Council from 1981 to 1995, the longest serving woman to serve on that council. During her service she became known for her active interest in the state of the environment and for her activities in encouraging the provision of services for the disabled at both local and State levels. We in the Auburn local government area owe much to Mrs Haslam for raising our awareness of these issues.

For over 50 years Tess Goodstate has been voluntarily assisting the community in the Bankstown area. From her service with the Australian Women's Army Service commencing in 1943 to her current status as the longest serving home tutor in New South Wales, she has demonstrated an energetic, sensitive and proactive commitment to her community in many different roles. Since 1978 Tess Goodstate has attended all but three of Bankstown City Council's citizenship ceremonies. She has held positions of responsibility in the Bankstown branch of the New South Wales Justice Association, has served as public officer and vice-president of the Bankstown Bicentenary Youth Foundation, and was a founding member of the Bankstown Child Protection and Resource Centre.

We are fortunate today to have dedicated women in the Auburn and Bankstown communities, carrying on the work of these pioneers with a sense of pride in women's accomplishments, a sense of responsibility to the community, and the confidence to take action. Some of these women are still volunteers and some are active in employment roles that recognise their talents, skills and leadership abilities. We have celebrated the International Year of Volunteers but we should also celebrate the dedication, talents and commitments of women who are now able to be active in the community in publicly recognised positions by which they earn their living.

For example, Mrs Barbara Curtin has worked for 18 years at Auburn hospital as a midwife. She is currently employed as a community services settlement worker by the Australian Islamic Cultural Centre and

also participates in a volunteer capacity on the Auburn District Consumer Health Advisory Council. She is held in high esteem by both professionals and volunteers in the health field in the Auburn local government area. Previously, Miss Coulson gave aid and comfort to those leaving the Auburn community. Today it is the newly arrived who are in urgent need of assistance, and we have a number of talented women in this area.

Rana Dabliz of the Bhanin Association provides early settlement services for newly arrived migrants and refugees. Meanwhile, Rana Al Hinti is invaluable to the community as the ethnic community liaison officer with Auburn police. Rana does a wonderful job in enhancing the relationship between police and ethnic communities in our area and creating positive environments for communication. Mrs Kathleen Bowman, also a former alderman and councillor of Bankstown City Council, served for a time as deputy mayor. She has been actively involved with a number of community organisations and committees, including the Handicap Children's Association and the Chester Hill Senior Citizens Centre Management Committee. Kathleen is also a member of the Labor Party. She has been a director of the Bankstown Frail Aged Trust, patron of Birrong Women's Bowling Club, and a torch bearer for the 2000 Paralympics.

The Bankstown community were delighted to have Denise Beckwith as Bankstown's 2001 Australia Day ambassador. Denise Beckwith won four gold medals during the Cerebral Palsy Games at Nottingham in 1997. She has generously shared her experiences with fellow Bankstown residents since becoming a paralympian. In the areas of education, youth support, literature, health, sport, heritage preservation, general community service and public office, Auburn and Bankstown local government areas have in their history distinguished, motivated women whose service to the growing community has been invaluable and far too little recognised.

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [5.08 p.m.]: International Women's Day is a wonderful celebration, as clearly outlined in the contribution of the member for Auburn, who referred to local women of outstanding credit in the past and their sisters today who are contributing across the Auburn and Bankstown communities in all endeavours of community and government. A stronger stand on behalf of women and their importance in the community could not have been made. I congratulate her and the sisters she has referred to today.

#### **DEPARTMENT OF HOUSING TENANTS PAY TELEVISION ACCESS**

**Dr KERNOHAN** (Camden) [5.10 p.m.]: I do not expect that my parliamentary colleagues have much time to enjoy pay television. I do not have time to watch free-to-air television, but I am sure that the families of honourable members enjoy the wide range of programs available through Foxtel. Honourable members may not be aware that a number of their constituents are being discriminated against by not being permitted this little luxury. I refer to the old and infirm who live in units belonging to the Department of Housing. Because they are frail and ill they are often housebound and their only form of entertainment is television. Even if they are not housebound, surely the elderly should have the same rights to watch a variety of television programs as other people if they are prepared to pay for it.

On 30 October I was approached by Nancy Aitken, who lives in Unit 18, 22-26 Macarthur Road, Elderslie. There are 20 units in this two-storey complex and Nancy approached me on behalf of herself and five other unit occupiers who wanted to subscribe to Foxtel television programs. One of these is a young couple. Husband Don Johnson is a full-time carer for his wheelchair-bound wife, Sue, and pay television would be one of the few entertainment opportunities they could afford and have easy access to. I made representations to the Department of Housing and received the following advice with respect to access to Foxtel. If the residents reside in a detached, single level, stand-alone villa within the complex they may subscribe and be responsible for all costs and ongoing subscription, which is what one would expect and what they expected. It was noted that reception has to be via a satellite dish as there is no cable television in Camden.

Attached units within the complex cannot have pay television as it is necessary to cable all units centrally and have just one satellite dish on the roof. Foxtel advised that this would cost between \$150 and \$350 per unit and residents would have to agree unanimously to subscribe. Telstra sometimes centrally cables a building free of charge but only in a cable roll-out area—and Camden is not such an area. Another constituent, June Nelson, lives with her husband in unit 4, 78 Old Hume Highway, Camden, which is a freestanding single-storey unit joined to only one other unit by a mutual wall. Departmental policy EST0033A states:

... only one satellite dish can be installed on your building.

In this case the occupant of the neighbouring unit does not want Foxtel so only one dish belonging to the Nelsons would be on the roof. However, the department has refused Mrs Nelson's request. I wrote to the Minister about this matter and his reply to my representations states:

... there is currently no agreement between Foxtel and the Department in relation to installation of cabling to our properties. Steps have been taken to negotiate an agreement but to date the matter has not been finalised.

I had been dealing with this issue for eight months so decided to inquire about the hold-up and discover why the matter had stalled. My inquiries indicated that negotiations had been going on for 18 months. The current hold-up is due to the department's requirement that its heritage-listed properties not be damaged. That is a fair and reasonable request. However, the department will not give Foxtel the addresses of its heritage-listed properties and it could cost Foxtel up to \$10,000 to search for this information. Is this bureaucracy gone mad? I cannot believe it. Does the department want all its residents to die waiting for pay television? It seems that no-one in the department cares about the quality of life and wellbeing of its tenants.

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [5.15 p.m.]: I am sure that the honourable member for Camden will continue to pursue this matter on behalf of her constituents. I have had similar problems in my electorate, and I trust that the matter will be processed and will hopefully move forward more quickly.

### YEAR OF THE OUTBACK

**Mr BLACK** (Murray-Darling) [5.16 p.m.]: Two weeks ago I gave my first report on the progress of Year of the Outback celebrations in western New South Wales. This is my second report in which I shall relate what has occurred in the past fortnight.

**Mr R. W. Turner:** How many more?

**Mr BLACK:** I will give these reports for the rest of the year. The honourable member for Orange loves the outback because he has been there. The best ever St Patrick's race meeting was held last Saturday week. The weather was tremendous and the event attracted between 7,000 and 7,500 people. It was the first TAB St Pat's race meeting held in Broken Hill and it was great to see a local horse win the first race. The success of the day can be measured by the fact that the bars ran out of champagne halfway through the afternoon even though they had ordered 20 per cent more champagne than in the previous year.

**Mr R. H. L. Smith:** You were there, Blackie.

**Mr BLACK:** I was in the West End tent; I draw the line at champagne. The event's success was undoubtedly due to the tremendous organisation of St Pat's Race Club under the presidency of Margaret Corradini. It was a great celebration of the Year of the Outback. On the following Wednesday a Cobb and Co. coach arrived in Sydney carrying an invitation for the people of Sydney to visit the outback this year. It was met by the Premier and the Lord Mayor of Sydney, Frank Sartor, on the steps of Sydney Town Hall. Wally Mitchell was there reciting his poetry, as only he can. Wally, who hails from the great village of Louth, is a former president of the Shires Association of New South Wales and an illustrious former mayor of Bourke.

Last weekend I journeyed to Bourke, where I had a great time. Two Cobb and Co. coaches arrived in Bourke on Saturday afternoon and were the subject of a 20 or 25 minute radio story following Macca on Sunday. It was a great summation of our celebrations in the outback. That night we enjoyed Opera in the Outback on the banks of the Darling River. The performance of *Così Fan Tutti* by a South Australian company—which we do not sponsor—was well attended and the people of Bourke loved it. The following day we went to the wharf to greet the regatta, which had left Moama 11 days before, sailed down the Murray River and then up the Darling River as far as Bourke.

That evening there was a James Blundell concert at which Mayor Wayne O'Mally spoke about the dedication of the Back O' Bourke project, which is a major feature of celebrations for the Year of the Outback and represents an investment in Bourke by the New South Wales Government of more than \$300 for every man, woman and child. The exhibition centre will be a major asset to the outback and, together with Hay Shears at Hay on Australia Day and the Line of Lode project in Broken Hill, will form a triangle of attractions—we will progress to quadrangles and other shapes later.

Yesterday I had the good fortune of being invited to represent the Premier once again at an event on the front steps of Sydney Town Hall when the Lord Mayor received Bruce Campbell—he is from Queensland but I am assured that is okay as Queenslanders are now using Australian currency—the Mayor of Alice Springs and

three youngsters from that town. Amidst the whip cracking an invitation was extended to the people of Sydney to visit the best part of the State: western New South Wales. In conclusion, I congratulate the Minister for Agriculture, and Minister for Corrective Services on making available two \$10,000 grants to allow the women of the west—I make this point for the benefit of the honourable member for Auburn—to travel overseas to gather ideas that will make western New South Wales even better.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.21 p.m.]: I congratulate the honourable member for Murray-Darling and all of those involved with St Pat's Race Club. The race meeting is a wonderful event, which for the first time this year was a TAB meeting. It proved a huge success. The TAB cops some flak from time to time but I congratulate Warren Wilson, who has won our confidence through his actions. We approached him and said, "You want to promote racing so why can't they have a TAB meeting at Broken Hill?", and he agreed. I also congratulate the President of St Pat's Race Club, Marg Corradini. People must see this meeting to believe it. The event brings marvellous benefits to the town in terms of tourism and raises good money for Catholic schools in Broken Hill.

Some years ago I legalised the games night through an innovative application of the Lotteries and Art Unions Act. It was a different story in 1988, when the authorities took a spiteful approach—they sent around the paddy wagons and locked everyone up. Now two-up has been set up in the Musos Club—something that a few years ago my director-general made available to the club after it had been involved in an unsuccessful operation. The race club spent \$5,000 on advertising on Sky Channel and installed a big screen, which brought the outback to the rest of Australia. I congratulate Marg Corradini and the hard-working committee, whose hospitality I have enjoyed on many occasions. I missed the barbecue at Blackie's this year. I am usually the cook. This year I attended the Newcastle show in my electorate. I will do a MacArthur though: I shall return.

### MOTORCYCLE RACING FACILITIES

**Mr R. W. TURNER** (Orange) [5.22 p.m.]: Broken Hill is a great town. The National Party has acknowledged that by holding its annual conference there this year. Unfortunately, my speech is about a tragic loss of life. It is not in the light-hearted vein of the previous speaker. Bev and John Allen, some friends of mine from Orange, tragically lost their son Tim, who was 33 years of age, when he crashed his motor cycle south of the Hawkesbury Bridge just prior to Christmas. It was a total waste of life. I do not make excuses for Tim's actions. Tim, with some friends, was in the habit of going to the old section of the Pacific Highway north of the Hawkesbury Bridge to ride his motorbike. Any honourable member who has travelled on that old road would know that it is a winding road and a challenge for motor cyclists.

On this particular afternoon Tim was riding his Yamaha 1000. His mother cannot understand why the motor cycle catalogue states that the bike is so powerful it is capable of achieving wheel stands. Honourable members who have an old ag-bike on the farm would know that just about any motorbike can achieve a wheel stand if the rider is capable of doing it. Tim and his mates were in the habit of going on a Sunday afternoon to the old Pacific Highway to do wheel stands and ride around corners at excessive speed. But he was not satisfied that with that. On his way back, coming across the Hawkesbury Bridge, Tim was travelling well in excess of the speed limit. It was about 4.00 p.m. on a Sunday with six lanes full of traffic. Tim and another fellow decided to do a wheel stand. When the front wheel touched back onto the road it was not quite straight and he and his bike were catapulted onto one of the sandstone cuttings. Tim was killed instantly.

I raise this matter on behalf of Tim's mother and father, who do not excuse what he did. His father is extremely angry about the irresponsible behaviour of his son, especially as Tim had become recently engaged and had a new job with great prospects. This tragic waste of life should not have happened. His parents have asked me to raise this matter with the Minister for Roads—and I will also raise the matter in a letter to the Minister. Unlike people who have a passion for football, surfing, abseiling or cricket, young people like Tim who have a passion for motorcycles cannot expend their energy at an oval, in the surf or on a cliff. People who have a passion for motorcycles and cars and excessive speed have limited opportunities to expend their energy. Professional drivers and riders have ample outlets, such as at Mt Panorama and Oran Park.

I understand that Eastern Creek has some capacity for amateur bike riders, but I am told it costs about \$160 for an hour or half a day—I am not sure which. The cost is a disincentive for people who have a passion for motorcycles to go to Eastern Creek and do wheel stands or ride at excessive speed. We need to give consideration to providing a venue for these young people. Obviously, we cannot endorse their activities on the old Pacific Highway because it is a public road. We would have all sorts of problems officially allowing people to drive at excessive speed on a public road. With some thought and a small investment we could provide a



venue or an area for these people to drive with reasonable safety. They would be able to get rid of some of their energy and try out some of their talents, rather than doing it on public highways. This young fellow tragically lost his life and his mother and father are heartbroken. By providing a venue with appropriate safety measures, we may be able to prevent more deaths.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.27 p.m.]: The issue that the honourable member for Orange raises is a vexed one. It has been a problem for at least 35 years, to my knowledge. I was tussling with this issue when I was a member of the New South Wales Police Force. The issue of drag racing or other types of racing is fraught with regulatory difficulties and insurance. I would assume that if there was a problem with insurance 35 years ago there would certainly be a problem with it today. Unfortunately, it is difficult to legislate or regulate against stupid actions. I do not wish to detract from the heartbreak of the family when I say that.

As a police officer and as a member of Parliament I have always considered that we should allow these people to let off some steam and at the same time provide a degree of protection. However, I do not like the chances of that when one considers the present insurance situation. Speed kills and it has no mercy, especially for motorbike riders. I know that from experience. I will refer this matter to the Minister for Transport and ask him whether some consideration could be given to allocating an area for this type of activity.

### CENTRAL COAST MENTAL HEALTH FACILITIES

**Mr HARTCHER** (Gosford) [5.28 p.m.]: Mental illness affects at least one in five Australians today. Not only does it impact on quality of life, it often also dampens people's desire to live. If left untreated, depression and other problems, such as drug and alcohol addiction, can lead to family breakdown and suicide attempts. Treatment is available, but it must be available for the long haul. Short-term emergency clinics for mental health can assist people through their immediate crisis, but often their desperation increases after they have been dismissed. Nowhere is this more apparent than at Mandala Clinic at Gosford Hospital in my electorate. Mandala Clinic has beds and treatment plans for short-term crisis situations. There is little, if any, provision for any sort of medium or lengthy stay to treat life-threatening mental illness.

Yesterday a local member of the community put a human face to the crisis in mental health care on the Central Coast. He told me the story of an 18-year-old girl who has a long history of mental illness. She also has a long-time fascination with railway lines, telling those who will listen that a train accident would be the best way to die. Only two weeks ago she was found on the rail tracks at Gosford. I am told that police officers escorted her to Mandala Clinic, where she was admitted as a voluntary patient. Shortly thereafter she left the clinic, only to be found again—back on the railway tracks.

Taken again by police to the clinic, she was admitted as an involuntary patient, but was again found after being allowed three hours leave with her boyfriend—back on the railway lines. She was escorted to Mandala. This time she escaped, and was found, again, down on the tracks. It would seem that the only way to keep her away from injury or death would be to charge her with a criminal offence and detain her for her own personal safety. But mental illness is not a criminal offence and must never be even remotely assumed to be one. Unless appropriate facilities are provided for treating long-term crisis patients on the Central Coast, police who wish to protect the lives of individuals—this girl, the train driver, and even hundreds of passengers—may have no other option than to detain her, and many others like her, at least on a temporary basis.

I have raised this problem in the House previously and I will continue to bring it to the attention of honourable members until proper action is taken. We need more than walk-in, walk-out clinics. We need provision for proper, medium-term treatment on the Central Coast before a public tragedy occurs. But for this to happen the Government of the day must listen. It has been my experience and, unfortunately, that of at least one of my constituents that this Carr Labor Government does not listen, or, if it does, it listens too late. In July last year I received a letter from a young woman whose husband struggled with depression and drug and alcohol addiction. She pointed out the problems with available treatment at Kullaroo and Mandala clinics, and asked if I would bring this matter to the attention of the Minister to see what could be done. She said:

I will not rest unless some positive action has been implemented. I am not simply going to put it in the too hard basket or worse, just sit here and groan about it and expect someone else to do it.

In early August last year I wrote to the Minister for Health and I was assured that I would receive a response as soon as possible. It is now almost the middle of March. Despite countless telephone calls from my electorate office to the Minister's office and the Department of Health I am still awaiting the Minister's reply. In the

meantime the woman's husband has died. He was unable to cope any longer with the burden of living. His wife waited, and is still waiting today, for a reply. It is too late for her husband, but if the Minister finally chooses to listen and do something it may not be too late for others: the 18-year-old girl I spoke of earlier and the homeless people living on the streets of Gosford, many of whom suffer from mental illness but for whom no treatment beds are available. In the words of my constituent:

Why do we have these services? What is the point if they do not do what they are meant to do? We have to do something about it NOW. If I have given you some food for thought and maybe inspired you a little to address this issue further up the political ladder, then my letter has been of some benefit, and maybe some change will come about because of it.

Maybe. I would ask the Minister to please act in the interests of those on the Central Coast with mental health problems.

### DUDLEY AGED CARE FACILITY SITE

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.32 p.m.]: I wish I did not have to raise this issue, but I have no alternative. I draw the attention of honourable members to the Dudley Aged Care Facility land at Dudley. The Dudley Old Men's Home was set up during World War II as a repatriation and convalescent home. The land and initial buildings were gifted to the Red Cross by a local Dudley resident. The Red Cross then sold the home to the former Western Suburbs Hospital, which continued its former use as an aged-care facility. When the Hunter Area Health Service [HAHS] was formed in 1986 the Western Suburbs Hospital and its associated assets came under the umbrella of area health. The aged-care facility was downgraded and ceased operation in the late 1990s, and the site has lain dormant ever since. In response to community concerns and pressure exerted by me in my capacity as State member, the Hunter Area Health Service set up a consultative committee to determine the future of the site. I seek leave to have the terms of reference incorporated in *Hansard*.

#### Leave granted.

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#### Terms of Reference

1. Produce an outcome that meets the expectations of the Dudley residents.
  2. Restrict development on the site to Health Care or similar community services.
  3. Any monetary return from the sale of the site to be used by HAH for health care facilities in the vicinity.
  4. Ensure that any future developments will only be along the lines of (2) above.
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**Mr FACE:** Ideally, the community would have liked the aged-care facility to continue to operate as an aged-care facility, and the vacant portion of land to be protected by an acquisition by the National Parks and Wildlife Service. This is where I am at variance with the Hunter Area Health Service. At a recent meeting the chairperson, Hunter Area Health Service Chief Executive Officer Katherine McGrath, presented an alternative, which left the progress association with three options: first, that the National Parks and Wildlife Service purchase the entire site; second, that the entire site—a buffer zone being excluded as shown on the company map, which I have in my possession and which I will present to the Minister—be offered for sale to an aged-care provider for hostel-style care units; or third, that the site be offered for sale to the market.

In the time I have left in this Chamber I will fight as vigorously as possible to ensure that the land is included in the nearby Awabakal Nature Reserve and the nearby Glenrock State Recreation Area. My 30-odd years in this place have been about ensuring coastal protection. We must save the knoll and continue the legacy I set up, preserving the remaining prestige regions of the coastline that lie conveniently on this land. But the area health service wants to flog the lot of it for its own reasons. Mysteriously, the land has now increased in value from \$1 million to \$4 million. I can only conclude that is based on its being subdivided for residential use. I am on the record as saying that the area health service can get rid of the land that housed the aged-care facility, use it for an aged-care facility, sell it off for housing, or do whatever it likes with it. The damage is done.

But the open space about which I am speaking, known as the knoll, conveniently lies between the Awabakal Nature Reserve and the Glenrock State Recreation Area, which took me some 20-odd years to have

established with all of its various land tenures. The area health service is arguing over this prized piece of land in the middle, the sale of which would provide money to the Hunter Area Health Service. I hope to see the Minister for the Environment to ascertain whether we can reach a compromise. Obviously, Hunter Area Health Service is charged with getting as much as it can for the land, but locals believe the best option is to require the Hunter Area Health Service to honour its commitment to assist the Dudley residents by ensuring that proceeds of the sale are redeployed to any genuine aged-care supplier willing to build an acceptable aged-care centre, or get the National Parks and Wildlife Service to take over the entire site. I believe I have put forward the desirable outcome. The land on which the hospital stands has not been degraded, but obviously it has been used by the hospital.

By all means dispose of it, but do so at a realistic market price. It seems that the Hunter Area Health Service is adopting a stubborn attitude by saying that all the land has to go. But that would go against the wishes of local residents. I have continued to say that there will be no deals. My position is quite clear. I have told the area health service not to keep coming back to me, trying to foist it on me in another way. In the interests of what I have undertaken in the past 30 years, including the recent monumental and historic decision on Belmont wetlands and with all the open spaces in that area, it is essential that we acquire this land for coastal protection. I am not the only one in the area who is of that view. A number of people, including the honourable member for Newcastle, would hold similar views to mine. We must reach a compromise and stop this bullying. I do not suggest that Katherine McGrath is bullying, but HAHS is very determined to get its way. It is unusual for Ministers to speak about such matters in private members' statements but I feel very strongly about this issue. I will not allow pigheadedness to destroy a lifetime of my work.

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [5.37 p.m.]: I understand the Minister's passion for this issue. As he has recounted, there has been an acceptance and understanding in Newcastle and Lake Macquarie communities of the value of coastal land for its environmental and recreational purposes. We have a great asset in the city of Newcastle with the 500 hectares of the Glenrock State Recreation Area joined to the Awabakal Nature Reserve. Both those projects were heavily supported and advocated for by the Minister. We now have the Belmont wetlands as a result of the disposition of BHP land, which is a great win for the community. The section of land the Minister speaks about is integral to that area. It is right on the coast, it adjoins the Awabakal Nature Reserve, it is sensitive land. As the Minister said, it is an asset to the area health service, but it is an asset that should be developed in a sensitive way, taking into account the need for coastal protection and coastal lands and the capacity to develop those parts of the land, as the Minister said, as they have been developed over a long time. I am sure that will be taken to the relevant Ministers and given due consideration.

#### UNIVERSITY OF WOLLONGONG INNOVATION PARK

**Mr CAMPBELL** (Keira) [5.39 p.m.]: I draw the attention of honourable members to the development of an innovation park to be established as part of the broader University of Wollongong campus east. The park has been on the agenda for a couple of years. It is an initiative of the University of Wollongong, but one that was strongly picked up by the New South Wales Government. Yesterday I visited the site with the Premier, the Treasurer and my colleagues the honourable member for Kiama, the honourable member for Wollongong and the honourable member for Illawarra. An announcement was made that in addition to the \$6 million that has already been allocated to the project another \$18 million will be allocated to ensure that this innovation park, designed to promote high-technology education, research and related business development, is part of the University of Wollongong.

Over the past couple of years many people have worked hard to ensure that this project will stack up, not the least being a number of people from the University of Wollongong led by Vice-Chancellor Gerard Sutton. Yesterday he described the Wollongong Innovation Campus as the most significant development to be undertaken in the Illawarra in decades. He went on to say that the confidence the State Government has shown in having the university lead this project for the region is a clear acknowledgment of the university's outstanding reputation and performance. I concur with that statement. The University of Wollongong has been University of the Year on two occasions. It plays a significant role in the education and social life of young people, and it is clearly a driver of our economy.

Earlier in the week I spoke in debate on an urgent motion. I talked about the way our economy has changed and about how employment has moved from blue-collar industries as the steel industry has declined and the coal industry has mined out its resource. I also spoke about the role of the university. I am particularly delighted that I have been able to be part of a committee that sought alternative locations for the current users of

this 17-hectare Brandon Park site. The Wollongong Wolves, National Soccer League champions for the past two years, have been based there. We have come to an arrangement with the Wollongong City Council and the Wollongong Wolves under which they will be relocated. Similarly, the Wollongong Olympic Soccer Team, which plays in the domestic Illawarra league, will relocate to another site, with the support of Wollongong City Council.

There is a great deal of excitement about the future of our region and the fact that it has been wrapped up in this way with strong support from the Premier and the Treasurer and a number of government agencies. The Department of Sport and Recreation has been involved, as has the Department of Land and Water Conservation, the Premier's Department and Treasury. These people and agencies have come together to establish this vision. The allocation of those funds, making it a \$24 million project, is particularly important, and it is certainly pleasing. When I was at the site yesterday I said that it is another way of exploding the myth that is around in Wollongong and the Illawarra that the Labor Government does not support members in safe Labor seats. This is another example of the way the Government, through the efforts of a team of local members, is supporting the development of the economy.

It is a long-term project. However, when it is completed we would expect 3,000 people to be employed within this precinct at Brandon Park. I believe that is something we should all rejoice in. Some of the fields we expect to be developed in the precinct are information technology, communications, film, television and multimedia. Film and multimedia industries are strongly supported by the Government through Film Illawarra. It is a great initiative to have all the local government authorities working together. Information technology and communications have been the hallmarks of research and development at the University of Wollongong in recent times. The Illawarra information technology and telecommunications task force has supported this project and will continue to do so. The announcement yesterday was certainly good news for the economy and good news for the future of the region I represent.

#### **PAMBULA RIVER BRIDGE**

**Mr R. H. L. SMITH** (Bega) [5.44 p.m.]: Once again I draw to the attention of the House the Pambula River Bridge on the Princes Highway. It is a low-level bridge and when the river floods the highway is cut off, usually for several days. The bridge is to be replaced. It is a timber structure and has seen better days, being continually affected by floods. The Minister and the Roads and Traffic Authority [RTA] have made a great play of public consultation on the design of a new bridge by calling for public submissions, which closed on 22 February. However, I received a letter from the Minister's office dated 20 February, two days before the closing date, stating that the Government's intention is to construct a new concrete bridge at the same level as the existing one at a cost of \$3 million.

The staff of Bega Valley Shire Council, the combined Chambers of Commerce, the Merimbula Area Committee, the Pambula Area Committee and Progress Association, thousands of residents, my colleague the honourable member for Monaro, Peter Webb, and I have appealed to the Government to replace the existing timber bridge with a flood-free construction. Local newspapers have featured articles on their front pages and have written scathing attacks on the Carr Government regarding the bridge. We do not want a bridge that will not fix the problem. The problem is not only that the existing bridge is old and at the end of its life, but that it is subject to flooding. A new concrete bridge at the same level and alignment will continue to be subject to flooding.

The community of the far South Coast does not want taxpayers' money wasted on a new bridge that will not give flood-free access. There are floods at this location every 15 months or so which close the Princes Highway, usually for at least 24 hours at a time, causing chaos. Lives are placed in danger when access from the south to the local hospitals at Pambula and Bega is cut off. Children from Merimbula are prevented from attending their high school at Eden, and the lifeblood of the area, commerce and tourists, which this highway supports, comes to a stop. I know that at least 400 individual letters from constituents have been sent to the Minister. Almost 200 letters have been sent to the RTA and another petition with 4,000 signatures is presently in the hands of the General Manager of Bega Valley Shire Council. This is the second petition on this same issue. I presented the last petition to this House in May 2000 and it contained thousands of signatures.

I ask the Minister whether he intends to give consideration to these submissions. When will the Minister for Transport stop paying lip-service to the people and actually listen to their needs? The cheap solution he has in mind will not solve the problem, and the people of the eastern seaboard have the right to travel on this highway without fear of not reaching their destination as planned. Industries such as Bega Cheese,

tourism, the proposed multipurpose wharf and the proposed munitions depot at Eden will all be affected when the highway floods. Why has the Minister spent \$7 million upgrading the Princes Highway at Yellow Pinch near Merimbula and why does he support such developments as the multipurpose wharf at Eden if he will not ensure that access through the shire is available in times of heavy rain?

The Federal Government has money on offer for a timber bridge replacement program across Australia. I am advised that the Carr Government has not taken up the offer of these funds. Why not? Perhaps the Premier's estimate of \$25 million to \$35 million for the replacement of the bridge at Pambula would not be so high if he were to do so. Once again I urge the Government to listen to the needs of the people and consider all submissions and letters of protest that have been sent in good faith. The Government's arrogance so far on this issue is not going down well with my constituents, nor will wasting \$3 million of taxpayers' funds on a construction that will not ease the ongoing problem of a major highway being cut by flood water every time there is heavy rain.

### **RURAL SCHOOLS STAFFING LEVELS**

**Mr TORBAY** (Northern Tablelands) [5.49 p.m.]: Today I call for a review of the formula that determines the staffing levels at country schools, both primary and secondary. I make it my business to visit as many schools in my electorate as possible, and wherever I go I hear concerns about the way staffing levels fluctuate too dramatically with the smallest movements in student numbers. It is disruptive, it is arbitrary, and it is counterproductive in most cases. For instance, a three-teacher school in a country area can move from 55 enrolled students to 54 and the school consequently loses a teacher. That means that, regardless of increased enrolments during the year, the number of teachers would not be changed until the following year. I have been told that in some areas the fluctuation in enrolments throughout any one year can vary as much as 40 per cent both upwards and downwards. At country high schools the numbers of students enrolled in the first three weeks of the first term determines the outcome for the year.

If the numbers are down, teachers are automatically lost, the subjects offered are reduced and students miss out on courses they had planned to study. If, however, enrolments have increased in the first three weeks of the first term and extra teachers are appointed, students who have already made their choices are precluded from taking extra subjects. Clearly there needs to be some guarantee at the end of each school year in relation to what the staffing levels will be in the following year and what courses will be offered. Schools can then ensure the best programs for students and prevent the current destabilisation when teachers are lost, leading to the dissatisfaction of staff, students and parents. In country areas it is not as simple for teachers to relocate as it is in metropolitan centres. If they own houses it is usually more difficult to sell them; if they belong to community organisations they are difficult to replace. Six weeks into the term their loss is felt keenly at the schools, and the curriculum changes that have to be made as a consequence are disruptive and unsettling for students.

People have become quite cynical about what they call the magic formula, which sets a magic number to reach by a magic date. They describe to me the scramble to try to pick up just one more student and the despair if a family with school-age children leaves the district. It is well known that some country schools are more disadvantaged than others. Sudden downturns in commodity prices, the closure of a mine, or the shutdown of a major business all impact immediately on the local school. At present the population in many communities is decreasing, government and private sector services are being withdrawn and yet there has been no change in the staffing formula to acknowledge the changing circumstances and to assist those communities. Today I call for a change, for more flexibility, and for the special circumstances of rural primary, central and secondary schools to be recognised through more effective staffing arrangements. That should be based on assessing the circumstances of the schools and offering flexible arrangements so they can offer the best possible educational opportunities for students. The so-called annual magic numbers formula should be taken away and replaced with a longer term strategy.

For rural high schools and central schools with larger student numbers, flexibility is also called for. Schools with enrolments that vary by 10 to 50 students would like to have a staffing guarantee for three to five years. That affects teaching and ancillary staffing levels based on enrolments in the 200, 500, 700 and 1,000 enrolment brackets. Such a policy would allow schools to maintain a curriculum pattern and thus prevent the loss of further enrolments because of a failure to offer and maintain electives and senior courses. Such a staffing formula could be reviewed at three-year to five-year periods, and adjusted to accommodate the next five years' enrolments as indicated by student numbers in feeder schools. Further, schools should be able to increase staffing if significant increases above the critical points occur during the three-year to five-year period.

Part of the review should look into the development and implementation of a policy that provides staffing and funding support for schools with falling or fluctuating enrolments that would allow them to develop

co-operative models with schools in the same town or area. For example, they could provide a co-operative curriculum through on-line access, video conferencing and other new technology. That would assist to preserve the integrity and viability of the schools with falling enrolments and create co-operation rather than competition between schools that have falling enrolments. The one-size-fits-all attitude of central bureaucracies is under challenge throughout the State. The school staffing formula is another example of how it does not work to the benefit of country people and their communities. Access to a good education has always been the right of every child in Australia, and our excellent public education system must be maintained and reviewed from time to time to ensure that it is meeting the needs of students in the country as well as the city. That is why I call today for a review of rural public school staffing formulas.

**Private members' statements noted.**

**The House adjourned at 5.54 p.m.**

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