

# LEGISLATIVE ASSEMBLY

Wednesday 19 June 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.

## AUDIT OFFICE

**Mr Speaker** tabled, pursuant to section 38E of the Public Finance and Audit Act 1983, the Performance Audit Report entitled, "Audit Office—Managing Risk in the NSW Public Sector", dated June 2002.

**Ordered to be printed.**

## GREYHOUND RACING BILL

## HARNESS RACING BILL

### In Committee

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

*Schedule of the amendment to the Greyhound Racing Bill referred to in message of 11 June*

Page 4, clause 8 (1) (c), lines 26-29. Omit all words on those lines. Insert instead:

- (c) two persons nominated by greyhound racing clubs (other than those referred to in paragraphs (a) and (b)), with one of those nominees being nominated as a representative of TAB clubs and the other being nominated as a representative of country tracing.

*Schedule of the amendment to the Harness Racing Bill referred to in message of 11 June*

Page 4, clause 8 (1) (b), lines 26-29. Omit all words on those lines. Insert instead:

- (c) two persons nominated by harness racing clubs (other than New South Wales Harness Racing Club Ltd), with one of those nominees being nominated as a representative of TAB clubs and the other being nominated as a representative of country racing.

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

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

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

## LOCAL GOVERNMENT AMENDMENT (MISCELLANEOUS) BILL

### In Committee

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

*Schedule of the amendment referred to in message of 13 June*

Pages 11 and 12, Schedule 1, line 19 on page 11 to line 34 on page 12. Omit all words on those lines.

**Legislative Council's amendment agreed to on motion by Mr Face.**

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

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

**CRIMES (ADMINISTRATION OF SENTENCES) AMENDMENT BILL**  
**SUMMARY OFFENCES AMENDMENT (PLACES OF DETENTION) BILL**

**In Committee**

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

**The TEMPORARY CHAIRMAN (Mr Price):** Order! The Committee will deal first with the amendment to the Crimes (Administration of Sentences) Amendment Bill.

*Schedule of the amendment referred to in message of 12 June*

Page 2. Insert after line 10:

**4 Monitoring of amendments by Ombudsman**

(1) In this section:

*the relevant provisions* means:

- (a) the provisions of the *Crimes (Administration of Sentences) Act 1999* amended by this Act, and
  - (b) the provisions of the *Summary Offences Act 1988* amended or inserted by the *Summary Offences Amendment (Places of Detention) Act 2002*.
- (2) For the period of 2 years after the commencement of this section, the Ombudsman is to keep under scrutiny the operation of the relevant provisions.
- (3) For that purpose, the Ombudsman may require the Department of Corrective Services or the Attorney General's Department to provide information concerning the Department's participation in the operation of the relevant provisions.
- (4) The Ombudsman must, as soon as practicable after the expiration of that 2 year period, prepare a report as to the operation and effect of the relevant provisions and furnish a copy of the report to the Minister for Corrective Services and the Attorney General.
- (5) The Ombudsman may identify, and include recommendations in the report to be considered by the Minister for Corrective Services and the Attorney General about, amendments that might appropriately be made to the relevant provisions with respect to the operation of those provisions.
- (6) The Minister for Corrective Services is to lay (or cause to be laid) a copy of any report made or furnished to the Minister under this section before both Houses of Parliament as soon as practicable after the Minister receives the report.
- (7) If a House of Parliament is not sitting when the Minister for Corrective Services seeks to furnish a report to it, the Minister may present copies of the report to the Clerk of the House concerned.
- (8) The report:
- (a) on presentation and for all purposes is taken to have been laid before the House, and
  - (b) may be printed by authority of the Clerk of the House, and
  - (c) if printed by authority of the Clerk is for all purposes taken to be a document published by or under the authority of the House, and
  - (d) is to be recorded:
    - (i) in the case of the Legislative Council, in the Minutes of the Proceedings of the Legislative Council, and
    - (ii) in the case of the Legislative Assembly, in the Votes and Proceedings of the Legislative Assembly,
- on the first sitting day of the House after receipt of the report by the Clerk.

**Mr RICHARDSON (The Hills) [10.07 a.m.]:** The Opposition will support these amendments because we believe that the monitoring of the Government's proposal by the Ombudsman is entirely appropriate. We have some concerns about certain provisions in the legislation, in particular, the right of Corrective Services officers to search people and vehicles in the immediate vicinity of a gaol. I raised that issue in my contribution

to the second reading debate and wrote to the Minister for Corrective Services but have not received a response. Clearly, members of the Legislative Council felt that it needed to be addressed. The appropriate way for that to occur is for the Ombudsman to report to the Minister for Correctives Services, who will then provide a copy of that report to the Parliament two years after the new law is proclaimed. It is noteworthy that it took the Legislative Council to force this degree of transparency on the Government. This Government is not known for welcoming transparency or oversight of its actions and operations; it is known for its secretiveness and furtiveness. The Opposition will not oppose the other amendment, which allows the powers contained in the bill to be exercised by a correctional officer.

**Motion agreed to.**

**Legislative Council's amendment agreed to.**

**The TEMPORARY CHAIRMAN (Mr Price):** Order! The Committee will now deal with the amendment to the Summary Offences Amendment (Places of Detention) Bill.

*Schedule of the amendment referred to in message of 12 June*

Page 5, Schedule 1 [7], proposed section 27F. Insert after line 19:

- (8) Nothing in this section prevents the powers that may be exercised in relation to a person from being exercised in relation to a correctional officer.

**Legislative Council's amendment agreed to on motion by Mr Face.**

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

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

**YOUNG OFFENDERS AMENDMENT BILL**

**Second Reading**

**Debate resumed from 18 June.**

**Mr GEORGE (Lismore)** [10.11 a.m.]: I support the amendments foreshadowed by the Coalition, and I highlight my concerns in relation to the Young Offenders Amendment Bill. The Government's legislation does not do anything to help the community. The issue of crime, especially juvenile crime, is a huge one in rural New South Wales and indeed throughout the State. Time and again I have been approached in my electorate of Lismore by residents, businesspeople, victims of crime, community groups, and even police officers concerned about seemingly unabated juvenile crime. I am sure honourable members of Parliament would share the same experience. The message I am consistently getting as a representative is that the core group of young offenders is repeatedly committing crimes with no fear of the consequences.

In this State repeat offenders know very well their rights, which they can use to manipulate the system without even being forced to acknowledge their responsibilities to the community. I highlight that point because last week in Lismore four youths drove around Lismore in a vehicle—the oldest youth was aged 17—and they damaged 19 vehicles. The youths were first-time offenders so they will probably get only a caution. However, their actions resulted in \$2,000 of damage to the vehicle owned by a young person aged 17. The vehicle was uninsured. Consequently the young person will have to pay off a loan of \$2,000 for the next two to three years, which he cannot afford.

Yet, the people who committed the crime just walk away from the offence with a caution. That is not the right way to be handling this system. These juveniles have to be made accountable in some way or another; we have to make them accountable at least for their actions. For these young offenders to receive only a caution and walk away without taking responsibility for their crime is totally unacceptable. In the country communities people have had a gutful of the lawlessness that causes senior citizens to live in fear, afraid to leave their houses or leave their vehicles unless they lock them up like Fort Knox. They are totally frightened and live in fear of becoming the victim of a break and enter or assault. People are disgusted with the system that has allowed young criminals to wreak havoc and walk away with nothing more than a weak slap on the wrist. I support the Coalition's amendments.

**Mr CRITTENDEN** (Wyang—Parliamentary Secretary), on behalf of Mr Debus [10.15 a.m.], in reply: I thank honourable members for their contribution to the debate. The Government introduced the Young Offenders Act in 1997. As the honourable member for East Hills noted, by introducing the Act, the Government showed leadership and innovation in its approach to dealing with juvenile offending. During the debate the Opposition members tried to convey the impression that the Act is a failure, which they well know is incorrect. Independent studies have shown that the Act is successful and effective. A report released last month by the Bureau of Crime Statistics and Research [BOCSAR] found that juveniles who had participated in a conferencing system were much less likely to re-offend than juveniles who were dealt with by the court. An earlier report released by BOCSAR in 2000 found high levels of satisfaction among juveniles and victims who had participated in a youth justice conference.

The Young Offenders Amendment Bill aims to build upon the good results achieved so far under the Act by improving and enhancing aspects of the Act and addressing concerns that have been raised in relation to the Act. First, the bill takes a fair and sensible approach to juveniles who repeatedly offend by limiting the number of cautions they can receive and ensuring that a more appropriate form of intervention is used. Second, it ensures that investigating officers who have first-hand knowledge of the facts of the case are consulted on decisions to deal with the young offender by way of a youth justice conference. Third, it allows representatives of the young offender's school to attend a youth justice conference, if appropriate. Fourth, it ensures that young offenders who are dealt with by way of a youth justice conference are able to access programs that will help them overcome their offending behaviour. Finally, the bill gives each and every victim who attends a youth justice conference the right to veto any proposed outcome plan.

Unlike the private members' bill introduced by the honourable member for Oxley, the reforms in the Government's bill are measured and sensible, and consistent with the fundamental principles underlying the Young Offenders Act. The Young Offenders Amendment (Reform of Cautioning and Warning) Bill is a simplistic, ill-conceived and crude attempt to amend the Act. The provisions of that bill run contrary to the fundamental principles of the Act and will undermine much of the success that has been achieved under the Act so far. Many of its provisions are unnecessary, while other provisions will, paradoxically, have the intended effect. However, it will create more problems than it solves. For example, the bill of the honourable member for Oxley will require police to give cautions to young offenders within seven days of giving the offender a written notice of caution.

Currently the Act allows police up to 21 days to give cautions. The private member's bill would have the effect of making the job of police even harder. Police need adequate time to book in a caution, having regard to their rosters and other work priorities. Reducing the time frame for cautions will reduce the capacity for police to properly manage their caseload. It also has the potential to change rostering and work arrangements around cautioning, to the detriment of other important police work. Another example of the ill-conceived nature of the bill of the honourable member for Oxley is the mandatory requirement for police to notify the parents of children who receive warnings and cautions. While the Government strongly supports the notion of parental responsibility, it is obvious the Opposition has not thought through all the consequences of this amendment. Under the bill of the honourable member for Oxley, police would be required to notify the child's parents in all cases, even when there is a history of neglect or abuse of the child. This is clearly inappropriate.

**Mr Hartcher:** Point of order: In reply, the Parliamentary Secretary may not introduce new matter. He may reply to points made by honourable members at the second reading of the bill. The Parliamentary Secretary is speaking about the private member's bill on the notice paper in the name of the honourable member for Oxley. That is a separate matter to be debated by the Parliament. Though the second reading debate may range widely, comments made in reply should be limited to responding to matters raised in the second reading debate. Therefore reference to a private member's bill listed on the notice paper is irrelevant to debate on the bill now before the House. I ask the Parliamentary Secretary to comply with the standing orders and confine his comments to issues raised in the debate on this bill.

**Mr SPEAKER:** Order! The difficulty the Chair faces in ruling on the point of order is that the Chair is not privy to the whole of the second reading debate and would need to refer to the *Hansard* record to determine whether any member made reference to the private member's bill.

**Mr CRITTENDEN:** To the point of order: I have been referring to amendments that have the same import as the provisions in the private member's bill of the honourable member for Oxley. I was referring also to amendments that will be moved in Committee. I submit it is totally appropriate for me to address those amendments.

**Mr SPEAKER:** Order! I do not uphold the point of order.

**Mr CRITTENDEN:** Mr Speaker, I thank you for your wise decision. I would point out that the honourable member for Oxley made a number of references to his private member's bill during what passed for his contribution to the second reading debate on the bill before the House. I repeat that an example of the ill-perceived nature of the honourable member for Oxley's bill and the amendments to be moved is the mandatory requirement for police to notify the parents of children who received warnings and cautions.

**Mr Stoner:** Point of order: The Opposition's amendments do not deal with a mandatory requirement for police to notify the parents of children who received warnings and cautions. Nor did my contribution to the debate touch on that issue. My contribution—as did the Opposition's entire contribution to the debate—related to the Government's bill, and specifically to the number of cautions that young offenders ought to receive. It did not refer to notifications to parents or many issues that are being dealt with by the Parliamentary Secretary.

**Mr CRITTENDEN:** To the point of order: The honourable member for Oxley indicated that he made several references to his private member's bill in his contribution to the debate.

**Mr SPEAKER:** Order! I now have the *Hansard* record of the speech made by the honourable member for Oxley. In it the honourable member made reference to his private member's bill and read its objects. One of those was to provide a more expeditious application of the scheme established by the Act by depriving the child, or a person responsible for the child, of the opportunity to delay the matter by refusing to choose an adult to be present at the time of admission, caution, giving of explanation or conference. The objects of the private member's bill were referred to in detail. The Parliamentary Secretary is in order.

**Mr CRITTENDEN:** I can appreciate the Deputy Leader of the Opposition being sensitive on this issue. I would be too if I were in his position. Under the honourable member for Oxley's bill, police would be required to notify the child's parents in all cases, even where there is a history of neglect or abuse of the child. This is clearly inappropriate. It is a sad fact of our society that not all children enjoy a supportive and functional relationship with their parents. The Opposition has failed to recognise this reality and to recognise that there may be people, other than a child's parents, who may be responsible for the child and are in a better position to provide supervision and support. The Deputy Leader of the Opposition would be well aware that a number of children on the Central Coast are under the care of their grandparents, who fulfil the role of parents, and do so very well, in circumstances where the parents have totally neglected their responsibilities in this regard. The Attorney General's Department is currently finalising a review of the Young Offenders Act. The review is considering, among other things, how to increase the involvement of parents under the Act in ways that are appropriate.

The third example of the ill-conceived nature of the private member's bill are the provisions allowing police to choose the adult to be present when explanations are given to children under the Act and when children make admissions for the purposes of the Act. The honourable member for Oxley has failed to understand the role of the adults in these circumstances. An adult is present to support the child, make the child aware of his or her rights, and ensure that the child is not coerced by police into making admissions. The adult must have the best interests of the child in mind at all times. An adult chosen by police may lack independence from the police and therefore not act in the best interests of the child. Additionally, an adult chosen by police may lack knowledge of the child's situation and therefore not be able to properly support the child or assist the process. Those are just three of many examples of the problems littering the Opposition's private member's bill.

During the debate the Opposition suggested there should be a limit on the number of warnings a young offender may be given. Under the Act, warnings are given by police at their absolute discretion. The Opposition is implicitly attacking the judgment of police in their criticism of this legislation. It would be inappropriate, as the Opposition suggests, to limit the number of warnings a juvenile may be given. Warnings are considered less serious intervention than cautions. In order for a caution to be given, a juvenile must admit that he or she has committed the offence. By contrast, a warning may be given even where a juvenile has not admitted the offence. Warnings are generally given only for trivial matters, and under the Act the police decide whether it is in the interests of justice to give a warning. The Young Offenders Act recognises that many children who commit a trivial offence do not go on to commit further offences. Contrary to the allegation made by the Deputy Leader of the Opposition, warnings are not repeatedly given for burglary offences.

I would like to acknowledge the contribution of the Youth Justice Advisory Committee, which was established under the Young Offenders Act to provide advice on the Act. The committee has an independent

chair and comprises representatives of the Attorney General's Department, the Department of Juvenile Justice, NSW Police, and the Cabinet Office; representatives nominated by the Juvenile Justice Advisory Council and the Juvenile Crime Prevention Advisory Committee; and representatives of the interests of victims and the interests of children and young people. The Youth Justice Advisory Committee gave the Attorney General much better advice than he got from the Opposition before and during this debate. I commend the bill to the House.

**Motion agreed to.**

**Bill read a second time.**

### **In Committee**

**Clauses 1 to 3 agreed to.**

#### **Schedule 1**

**Mr STONER** (Oxley) [10.31 a.m.], by leave: I move Opposition amendments Nos 1 to 7 in globo:

No. 1 Page 3, schedule 1, lines 5 to 12. Omit all words on those lines. Insert instead:

- (7) Despite any other provision of this section, a child is not entitled to be dealt with by caution in relation to an offence if the child:
  - (a) has at any time been dealt with under this Part or under Part 5 in relation to some other offence, or
  - (b) has at any time been convicted or found guilty of some other offence by a court.

No. 2 Page 3, schedule 1, lines 15 to 22. Omit all words on those lines. Insert instead:

- (5) Despite any other provision of this section, the Director of Public Prosecutions may not refer a child for caution in relation to an offence if the child:
  - (a) has at any time been dealt with under this Part or under Part 5 in relation to some other offence, or
  - (b) has at any time been convicted or found guilty of some other offence by a court.

No. 3 Page 3, schedule 1, lines 25 to 31. Omit all words on those lines. Insert instead:

- (5) Despite any other provision of this section, a court may not give a caution to a child in relation to an offence if the child:
  - (a) has at any time been dealt with under this Part or under Part 5 in relation to some other offence, or
  - (b) has at any time been convicted or found guilty of some other offence by a court.

No. 4 Page 4, schedule 1, lines 3 to 10. Omit all words on those lines. Insert instead:

- (6) Despite any other provision of this section, it is not appropriate for a child to be dealt with by caution in relation to an offence if the child:
  - (a) has at any time been dealt with under this Part or under Part 4 in relation to some other offence, or
  - (b) has at any time been convicted or found guilty of some other offence by a court.

No. 5 Page 4, schedule 1, lines 16 to 23. Omit all words on those lines. Insert instead:

- (5) Despite any other provision of this section, a specialist youth officer may not refer a child for a caution in relation to an offence if the child:
  - (a) has at any time been dealt with under this Part or under Part 4 in relation to some other offence, or
  - (b) has at any time been convicted or found guilty of some other offence by a court.

No. 6 Page 5, schedule 1, lines 14 to 20. Omit all words on those lines. Insert instead:

- (9) Despite any other provision of this section, a child may not be referred for a caution in relation to an offence if the child:
  - (a) has at any time been dealt with under this Part or under Part 4 in relation to some other offence, or
  - (b) has at any time been convicted or found guilty of some other offence by a court.

No. 7 Page 5, schedule 1, lines 23 to 29. Omit all words on those lines. Insert instead:

- (5) Despite any other provision of this section, a child may not be referred for a caution in relation to an offence if the child:
  - (a) has at any time been dealt with under this Part or under Part 4 in relation to some other offence, or
  - (b) has at any time been convicted or found guilty of some other offence by a court.

The intention of the Opposition amendments is to reduce the number of cautions that a young offender is entitled to be given under the Young Offenders Act prior to being dealt with in a more serious way. The problem with the bill as it stands is that young offenders will still have the opportunity to be cautioned up to three times. A number of speakers have said that repeat young offenders are a problem throughout New South Wales. The same kids are committing crime time and again. We need to get serious about repeat offenders. Make no mistake: the Opposition does support youth justice conferences, but the current regime of an unlimited number of warnings or cautions prior to young offenders being dealt with more seriously is simply unsatisfactory, particularly for victims but also for police officers, who do a magnificent job in trying to uphold law and order.

The amendments provide for one caution, warning, or youth justice conference prior to the young offender being dealt with by way of a youth justice conference or in the courts. Young people who make a mistake deserve a chance. But if they have received one warning or caution by police or attended a youth justice conference, on the second occasion they ought to be dealt with more seriously. Youth justice conferences, by allowing the attendance of victims and providing for an outcome plan for the young offender, are far more effective in changing the behaviour of repeat young offenders. Surely that should be our objective in the case of young people who have strayed from acceptable behaviour on more than one occasion.

In my consultations with victims groups, police officers, local government and small business, people have been saying that the Government has been far too lax in its treatment of young offenders. A high percentage—in the order of 90 per cent—of crimes committed by young people are committed by a core of young people. It may be for a host of reasons—dysfunctional families and all the rest—but we ought to be steering such young people into programs which are more likely to result in a change of attitude and behaviour. That is why we would like to see young offenders who have been apprehended by the police channelled into youth justice conferences in particular more quickly than the Government is proposing.

The bill provides that an offender who commits a crime serious enough to warrant an official caution by police can receive similar treatment for a further offence. If there is a change of the police roster, a different attitude, or a loss of continuity in the investigating officers, that could be the result for young offenders who commit quite serious offences. Many of the Christmas-New Year bushfires were lit by people under the age of 18. Such crimes may be dealt with under the Young Offenders Act. Following the fires the Premier stated that youth justice conferences for such offences ought to include visits to burns units and so on. However, there is no requirement under the Act for the offenders to be dealt with by a youth justice conference. They could have been warned or cautioned.

So even with the passage of this bill a young person who lit three separate fires causing damage could be cautioned on three separate occasions before receiving more serious treatment by way of youth justice conferencing. The Opposition believes that we should heed community concerns, standards and views in relation to repeat young offenders. They commit a high proportion of nuisance crimes. The laws relating to such young people have been far too lax. It has been perceived that the consequences of committing crimes are minimal. Young people have been aware of their rights under the Young Offenders Act. They do not care about getting warnings or cautions because they can be warned or cautioned an unlimited number of times.

The Government now intends to put a cap on the number. That is simply not enough. At what point does a young person think, "Whoops! I'd better think about doing this crime. I might get into trouble here"? The Government is saying that the young offender can commit crimes on four occasions before being dealt with in a serious way. That is simply not good enough. I commend the Opposition amendments. They address community concerns and expectations and will send a message to repeat young offenders that there are consequences for the offending behaviour and that we would like to help them through behaviour changing programs such as youth justice conferences.

**Mr HARTCHER** (Gosford—Deputy Leader of the Opposition) [10.39 a.m.]: The Coalition supported the original bill and supports the idea of an emphasis on rehabilitation for young offenders, but it also supports

the principle of community protection, which must be paramount. By these amendments, the Coalition seeks to ensure that young offenders do not build up a system of multiple cautions. The Government's legislation acknowledges that that was happening, and that is why the Government has restricted the maximum number of cautions to three. The Government's legislation is an implied admission that its original legislation, the 1997 bill, has been rorted by some young offenders who were getting away with repeat offences without being properly dealt with by the criminal justice system.

The Government's position is that the only way to handle that is by reducing the number of cautions that can be given to an offender—but the number of cautions has been reduced to three. The Government is still telling young offenders in our community—the hoodlums, the vandals, the car thieves and the drug pushers—that they can get away with three cautions. That is what happens, and that is what the Government's legislation will allow to continue. One of the principal instances of abuse of the cautioning system is when a young offender gets, for example, a caution for stealing a car, a caution for a drug offence, a caution for a break and enter offence, and then a caution for vandalism.

All those offences are from different categories, so the offender is not receiving multiple cautions for a single line of offences; he is committing across-the-board offences and is just getting caution after caution. That is why the Government has introduced the legislation and has limited the number of cautions to three, but the legislation will continue the cycle. It will allow offenders to have three free goes. At the end of the day, under this Government the hoodlums of our society still have a licence to rampage because they know they can argue that only one caution is used for each offence and not all the cautions are exhausted at once. That practice will become established, because if there is one thing that young hoodlums are aware of, it is the legal frame work in which they operate. They tend to be more aware of that than even the police. They will say, "I have only had one caution," or "I have only had two cautions, so I am still entitled to another go."

The Government may write out lines for the Parliamentary Secretary stating that what I have just said represents a misunderstanding of the system, but it is not a misunderstanding at all. That is how young offenders will argue and that is how the system will operate. Irrespective of the words put on paper in the bill and the practice notes that are issued by the department, that is how the legislation will be interpreted during the day-to-day operation of the criminal justice system from the point of view of police officers across the State, and that is why it will result in a higher number of offences. Offenders will say they have not exceeded their allowed maximum of three cautions.

Either the Government has been foolishly pretending that that is not the case or it is simply being disingenuous with the community when it claims to be taking action to restrict the activities of hoodlums in our society. This measure was announced at Port Macquarie, not by the Attorney General but by the Minister for Police, as part of his crackdown on young criminals. The Attorney's advisers wrote out the lines for the honourable member for Wyong to assert that the scenario I have put to the Committee does not happen, but their assertion is simply not true. During the second reading stage I gave an example, which has not been refuted, of a hoodlum who killed a young doctor and his partner in Maitland.

The offender was at large, having been given multiple cautions, and he had received innumerable cautions and warnings from the police prior to stealing a BMW, driving down the road and killing that couple. He then received a derisory sentence in the juvenile detention system and is once more circulating in the community. At the Mount Penang Juvenile Detention Centre in the Peats electorate, which is near my electorate of Gosford, one can meet many young offenders who received numerous cautions before they were finally put behind bars for murder, armed robbery or rape. Under this Government, that is the only way for young offenders to be committed to a detention centre.

The Coalition's proposal is for a cautioning system to operate when it is appropriate, such as in circumstances in which young offenders have committed a very minor offence—for example, a minor property offence—when they have been high-spirited or silly, and when no great danger is posed to others in society. Certainly, when appropriate, those young offenders should be cautioned and thereafter appropriately inducted into the youth conferencing system. I urge the Government not to build up a credit system, which this legislation will impliedly do—there is no point in members opposite suggesting that the legislation does not do that, because it certainly impliedly does—by creating a maximum number of cautions. I urge the Government not to build up a credit system whereby young offenders will simply be able to say, "I have used up only one of my nine lives"—or, in this case, "one of my three lives".

The honourable member for Wyong can tell the people who live on the Central Coast that young hoodlums on the Central Coast are entitled to commit offences and nothing will happen to them unless they

have used up three cautions, that is, until they have stolen a car for the third time, vandalised property for the third time, or smashed up council park benches for the third time. Is that what the honourable member for Wyong is saying? Yes, it is, because he is supporting the introduction into this Parliament of legislation which will ensure the continued operation of the cautioning system, but with a maximum of three cautions. The Coalition has moved a series of amendments, Nos 1 to 7 as previously circulated, that are designed to ensure that young offenders will not be given the benefit of the cautioning system when they have been found guilty of some other offence or have been previously dealt with under part 5 for an offence.

The Coalition is simply saying that young offenders will be given one chance only with a caution and thereafter will be brought before the justice system, either through youth conferencing or through some other procedure. The amendments do not necessarily mean that young offenders will be put into detention even after the first offence, but they do mean that after the first offence they will certainly be called to account. The Coalition's proposal is that if a young offender commits a first offence, he or she might get away with a caution, but after that there will be no more chances; the offender will have to face a conference or the Children's Court. The Coalition stands by that, and stands by the private member's bill introduced by the honourable member for Oxley.

But to improve the Government's legislation the Coalition has moved the amendments to which I have referred. If the Government is serious it will support the amendments. If it is not serious and if it wants to allow the hoodlums of this State to continue to operate in a framework that cushions offenders in the legal system and enables them to get away with multiple cautions, then its members will support the bill. The Coalition is happy to contest electorates across New South Wales, including the Wyong electorate, on the basis of who stands up for the community and who stands up for the hoodlums. The title of the leaflet that the Coalition will circulate in the Wyong electorate will be, "How did your member vote when the issue of hoodlums came before the Parliament? Did he vote to give them three free goes, or did he vote to curb the activities of hoodlums?"

The Coalition will have the *Hansard* record of this debate and among the list of Government names, the name of the honourable member for Wyong, Mr Paul Crittenden, will be highlighted in bold type, sending a message to the electorate: "I, Paul Crittenden, voted for three goes. I voted for every hoodlum in the Wyong electorate and on the Central Coast to have three goes." I am sure that the people of the Wyong electorate will really appreciate that. I am sure they will think, "You young offenders out there can kick anyone you like three times and nothing will happen because Paul Crittenden says you should have three goes." The people of the Wyong electorate will judge, and the Coalition looks forward to their judgment.

As the honourable member for Blacktown stated so eloquently in the *Sunday Telegraph* just three weeks ago in Nathan Vass' column, "There are five issues facing this electorate: law and order, law and order, law and order, law and order, law and order." There can be no better authority on such matters than the honourable member for Blacktown, and I thank him for his contribution through the *Sunday Telegraph*. People who live in the Wyong electorate will be informed of the way in which their parliamentary representative voted, and I am sure they will be impressed!

**Mr CRITTENDEN** (Wyong—Parliamentary Secretary) [10.49 a.m.]: That diatribe by the Deputy Leader of the Opposition was a classic case of what Gareth Evans referred to as relevance deprivation syndrome. He is doing his best to ensconce himself as a Minister, but unfortunately that will not happen during the course of his natural life. He managed to stab the former Deputy Leader of the Opposition, the honourable member for Ku-ring-gai, in the back and took his position. He now has the white car and trots home up the F3 on weekends and runs around feeling important in his new, exalted position as Deputy Leader of the Liberal Party.

However, it is very sad that he cannot raise himself above minor political squabbling in his gross attempt to ensconce himself on the government benches. I am sure that the people of this State will see through that attempt. Essentially the Government has a consistent and rational approach to this important matter and has complete confidence in the police service and in the police of this State. The Deputy Leader of the Opposition and the honourable member for Oxley, in speaking to these amendments, have said that they do not have confidence in the New South Wales police service; and that is a real tragedy. The shadow Minister for Police, the honourable member for Epping, is nowhere to be seen; he is not in the Chamber. The Deputy Leader of the Opposition referred to the Minister for Police—

**Mr Rozzoli:** The Minister is not here.

**Mr CRITTENDEN:** The Minister for Police is in the other Chamber; it would be most inappropriate if he were in this place.

**Mr Rozzoli:** I was talking about the Attorney General.

**Mr CRITTENDEN:** The Attorney is in the Chamber and is providing a great oversight role. The essential element in this debate is the Opposition's lack of confidence in the police service. On the one hand the honourable member for Epping and the so-called Leader of the Opposition in the upper House, the Hon. Michael Gallacher, are supposedly supporting police, and on the other hand we have the crass politics of these amendments and the way in which they are proffered by the Opposition. This is petty squabbling on the part of the Opposition, which cannot stick to the essential elements required of an Opposition—policy, policy, policy.

The Opposition cannot develop policies, so it tinkers at the edges with trifling amendments in which it castigates New South Wales police by saying it has no confidence in our police. It is an absolute tragedy that the Opposition would stoop so low and not address the rational approach taken by the Government in this bill, which allows for a sensible approach. The honourable member for Oxley said—in what passed for his contribution to the amendments—that a juvenile who commits three acts of arson must be given three cautions. That is absolute rubbish.

**Mr Stoner:** I did not say that; I said "could".

**Mr CRITTENDEN:** He is now saying that the juvenile could be given three cautions; he is clarifying what he said earlier. For a major crime such as arson—especially with the problems experienced from last Christmas well into January, for which I suspect someone will be charged—a caution will be most unlikely, even on the first occasion, let alone the third. The honourable member for Oxley has no confidence in New South Wales police. He said "could" rather than "would", so we have a vague generality creeping in and the Opposition is offering opinions, which are nothing more than flexible prejudices.

The Deputy Leader of the Opposition spoke about people from the Central Coast and tried to whip up some sort of scare campaign in his usual fashion. He then said that nothing will necessarily happen to the juvenile offenders. The critical word was "necessarily". The Deputy Leader of the Opposition is saying that the bill is a political stunt. He is saying that the Government does not care what it comes up with because it is not genuine or sincere, that all it wants to do is get on the record as saying we have a hairy chest, but that we do not care about police in this State, and we do not believe they are competent to provide a sensible approach to this problem.

That is a real tragedy. I hope that the Deputy Leader of the Opposition will come up to the Tuggerah Lakes command and tell Superintendent Allan Clarke and all the excellent officers in that command that he has no confidence in them. Essentially that is what he has said during his contribution. I have always had a great deal of respect for the honourable member for Hawkesbury. I thought that he—being a person with a social conscience and a great believer in the power of redemption of humanity, especially of young people—would have jumped to his feet and contributed to debate on the amendments. Statistics provided by NSW Police show that less than 3 per cent of juveniles have been cautioned on more than three occasions. The statistics also show that 96 per cent of young offenders whose first intervention is a caution do not go on to reoffend. The Government, the Attorney and I are confident that police in this State will use this bill in a proper and careful manner and will use their discretion. The Opposition will vote on no confidence in our police.

**The CHAIRMAN:** Order! The honourable member for Oxley will cease interjecting. We are in the Committee stage, and he will have an opportunity to make a further contribution.

**Mr CRITTENDEN:** The honourable member for Oxley and all members of the Opposition are saying that they have no confidence in New South Wales police, and that is the real tragedy in the amendment that it has moved today.

**Mr STONER (Oxley) [10.57 a.m.]:** The honourable member for Wyong, the Parliamentary Secretary, said some things that need clarification. He attempted to put words into my mouth and the Deputy Leader of the Opposition's mouth about policing. I assure the Committee that our consultation with local police has been close, ongoing and thorough. Police have said that the Young Offenders Act was the bane of their lives and they have sought amendments to it for some time. For five years the Government has sat on its hands while the police have tried to deal with a rapidly escalating juvenile crime problem.

Police have sought the support of the Government, and that was not forthcoming until the Opposition acted, on behalf of police, to support them by introducing a private member's bill. Lo and behold, when the story

hit the airwaves and newspapers, the Government suddenly introduced its legislation. What the honourable member for Wyong said about the Opposition not having confidence in police is absolute rubbish; nothing could be further from the truth. He tried to put words into my mouth about cautions. I said that cautions could be given up to three times under the Government's bill, and that is an indisputable fact.

The honourable member for Wyong referred to a number of statistics. I will refer also to statistics. A large proportion of crime in this State is committed by recidivist offenders. The group of people that we are attempting to deal with through these amendments are repeat offenders, not those who take heed of a caution the first time. What about the group of people who do not take heed of a caution? What about the group of people who know that they will be given an unlimited number of warnings? Under the Government's bill they can be cautioned up to three times before they are dealt with seriously. Those people are committing the vast number of crimes in this State. I do not have the statistics with me but, from memory, about 80 to 90 per cent of crimes are committed by recidivist offenders—the group of people that the Government has been so strong on in its rhetoric about changes to the bail laws. Why are Government members not consistent? Why do they not support the Opposition's amendments relating to recidivist young offenders?

**Mr CRITTENDEN** (Wyong—Parliamentary Secretary) [11.01 a.m.]: That apology from the honourable member was most enlightening, but all he did was explain the machinations within the Coalition. The Deputy Leader of the Opposition started off life in the Left of the Liberal Party and has gradually moved to the extreme Right. The honourable member for Oxley told us that there have been major negotiations with the police service, with individual police officers and so forth. I again make the point that the honourable member for Epping is not in the Chamber. He is the shadow Minister for Police but he is nowhere to be seen. The honourable member for Epping, a well-known supporter of the honourable member for Lane Cove, the Hon. Kerry Chikarovski, must be on the outer. The push by the Hon. Michael Gallacher and the Deputy Leader of the Opposition must be encapsulating the extreme elements in the National Party in some sort of takeover bid.

The honourable member for Oxley referred earlier to the fact that young offenders could be charged. However, the Deputy Leader of the Opposition referred to the fact that they might not necessarily be charged. An inescapable fact in relation to this issue is that all those relative terms leave discretion in the perfectly competent hands of the New South Wales police. In appropriate cases the police will obviously initially go through the court process without issuing any cautions. In cases where police believe that a young person will benefit from a second caution, they will exercise their discretion in that regard. They will issue a third caution in cases where they believe it is appropriate. The amendments moved by the Coalition will tie the hands of the New South Wales police and ensure that that discretion is taken away from them. That is the tragedy of this whole matter and that is why the honourable member for Oxley is so sensitive about this issue.

**Mr DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [11.03 a.m.]: I acknowledge the conduct of this debate by my Parliamentary Secretary during my unavoidable absence from the Chamber. I thoroughly endorse and reinforce the remarks he just made. It is extraordinary that Opposition members should continue with this deliberate confusion. On the one hand they are saying, in effect, that the police will be forced to issue three cautions to an offender, and on the other hand they are claiming that they are here to support the police when, in fact, the police have now—as they have had in the past—an absolute discretion whether to issue a caution or a warning to go to conference or, indeed, to charge a young offender.

It is extraordinary that a continuing attack on New South Wales police is being conducted by members of the Opposition as they continue implicitly to suggest that the police do not have the capacity to make these decisions on the ground. As a matter of fact, the Government's amendments are based precisely on the advice of a wide range of people, including the police, who I am sure will be content that we have been able to make these small changes to refine the effect of a highly successful Act.

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

**The Committee divided.**

**Ayes, 33**

Mr Armstrong	Mr Maguire	Mr Souris
Mr Collins	Mr McGrane	Mr Stoner
Mr Cull	Mr Merton	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
Mr Hazzard	Mr Piccoli	Mr Webb
Ms Hodgkinson	Mr Richardson	
Mrs Hopwood	Mr Rozzoli	
Mr Humpherson	Ms Seaton	<i>Tellers,</i>
Dr Kernohan	Mrs Skinner	Mr Fraser
Mr Kerr	Mr Slack-Smith	Mr R. H. L. Smith

**Noes, 50**

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

**Pair**

Mr Brogden

Ms Allan

**Question resolved in the negative.****Amendments negatived.****Schedule 1 agreed to.****Bill reported from Committee without amendment and passed through remaining stages.****INDUSTRIAL RELATIONS AMENDMENT (UNFAIR CONTRACTS) BILL****Second Reading****Mr WHELAN** (Strathfield—Parliamentary Secretary) [11.17 a.m.]: I move:

That this bill be now read a second time.

The original intention of the unfair contract provisions of the Industrial Relations Act was to protect award terms and conditions from being undermined by artificial contract arrangements. However, because of amendments to the provisions and the way in which the provisions have been interpreted, the operation of the unfair contracts jurisdiction has moved away from that original intention. In recent times the unfair contracts jurisdiction has been used by highly paid employees as a way to hit the jackpot and obtain compensation after the termination of their employment. The Industrial Relations Commission of New South Wales has awarded benefits on termination to these former highly paid executives which are much more than what an ordinary worker can expect to achieve in the unfair dismissal jurisdiction.

A number of recent cases have shown that the commission may find unfairness in a contract notwithstanding lavish remuneration packages during employment and generous payouts on termination. The most notorious example is probably *Canizales v Microsoft Corporation*, in which a human resources director was awarded access to share options valued at \$12 million to \$14 million in a decision arising from his redundancy, even after evidence that between the ages of 21 and 31 the earnings of the applicant were more than \$10 million. In that case Justice Peterson said:

It seems to follow necessarily that a contract may be exceedingly generous in an objective sense, such that an employee may earn over ten years more than most will earn in a lifetime (or, what would take more than 66 years to earn at the rate of \$150,000 per annum) yet the contract may be unfair in the statutory sense because of the manner of its termination.

This bill will ensure that the commission is not compelled to award such generous payouts to highly paid executives. The expansion of this jurisdiction to enable highly paid executives to achieve large compensation payments has coincided with significant increases in the number of claims being made. Almost twice as many unfair contracts applications were lodged in 2001 as compared to 2000—that is, 956 claims in 2001 compared with 552 claims in 2000. This was after a 76 per cent increase from 1999 to 2000. One firm conclusion can be stated: The unfair contracts provisions are being regularly invoked by people who are neither being exploited nor treated ungenerously. The consequences of this situation are both negative and serious. Similar provisions existing in other Australian jurisdictions are of much narrower application than the New South Wales provisions, and overseas centres with which New South Wales is competing for business and investment have no comparable provisions. This bill will limit these extravagant and speculative claims, and bring the provisions back in line with their original intention of protecting award terms and conditions. I commend the bill to the House.

[Debate interrupted.]

## BUSINESS OF THE HOUSE

### Bill: Suspension of Standing and Sessional Orders

#### Motion by Mr Whelan agreed to:

That standing and sessional orders be suspended to allow the Industrial Relations Amendment (Unfair Contracts) Bill to pass through all stages at this sitting.

## INDUSTRIAL RELATIONS AMENDMENT (UNFAIR CONTRACTS) BILL

### Second Reading

[Debate resumed.]

**Mr HARTCHER** (Gosford) [11.20 a.m.]: The Coalition does not oppose this bill. It is an attempt to curb high-value compensation payments awarded by the Industrial Relations Commission following the termination of employment of highly paid executives. For example, highly paid executives have been awarded large share options following redundancy as a result of court proceedings, despite evidence in court that they had received very large salaries during their employment. In one case a person who had received some \$10 million in earnings used this legislation to receive further stock options. The Government has stated that the bill will deal with the phenomenon of highly paid employees who would not be able to make an unfair dismissal claim using the unfair contract provisions as an avenue to excessive enrichment when their relationship with their employers comes to an end. The bill prevents employees earning a remuneration package in excess of \$200,000 from making such an application. They would still have the option to pursue in the common law courts any contractual claims they have against their employers.

The legislation was mooted last year when two draft bills were circulated. After receiving further comment from stakeholders, the Government introduced this bill on 11 April. Therefore, the Government has effectively closed a loophole used by a number of people. It was the law and they were entitled to use it, but the unfair contracts provision was never intended to be used in this way. That provision, which relates to the old section 88F of the Industrial Arbitration Act, was designed to prevent the exploitation of certain categories of workers, such as truck drivers, who were put on contracts so that employers could avoid paying award entitlements. The Industrial Relations Commission had the power to void those arrangements. The contracts review was introduced in the 1970s. It was wider than the Industrial Arbitration Act amendments to section 88F. It reviewed harsh, unfair and unconscionable contracts, and section 88F was abolished.

As a result, individual workers who had been put on contract by their employers as a way of avoiding payment of award entitlements were found to be using the unfair contracts legislation; however, executives who had generous contracts were also using the law as a means to take their employers to court when their employment contracts were terminated. There is nothing exceptional about people using their legal remedies, but it is a question of whether those legal remedies were used for the purpose for which they were enacted and whether that continues to be appropriate. The Coalition indicated in the Legislative Council, through the Leader of the Opposition in that place, that it would not oppose the legislation. The principle of termination of employment needs to be properly addressed by Parliament. The Government has been unwilling or unable to address unfair dismissals primarily because of the pressure imposed upon it by the trade union movement. The present legislation relating to unfair dismissals is unsatisfactory and needs to be revised.

It is appropriate that the Minister for Small Business is present in the Chamber. The Government has made some token efforts by imposing a filing fee, but small business needs to be protected from the impact of unfair dismissal legislation. It can be a cost imposition on small business. The Government is not addressing this issue. This issue will not go away. Small businesses across New South Wales are crying out for relief from the unfair dismissal legislation. The issue is raised in every electorate and with the Minister, but she is not addressing it. The Minister is prepared to answer pre-arranged questions about the wonderful job her department is doing for small business, but we never hear a word from her on the real issue: how she is protecting small business from the impact of the unfair dismissal legislation. She is a sad disappointment to small business, and until she is prepared to introduce legislation to protect small business from the impact of unfair dismissal legislation she will have failed in her position. That is a sad commentary on a person who is anxious to do the right thing by small business but who is constrained by the trade union movement in this State.

This bill is a clear indication that the Government is prepared to take action where highly paid people are affected. Will it take action when not so highly paid people are affected, and where the viability of small business is involved? That is what the Government must face up to. The challenge is there for the Government. It can look at the Federal legislation that has been introduced a number of times to try to exempt small business from the impact of unfair dismissal legislation. It can try to ensure that there is a restructuring of the unfair dismissal legislation. Or it can do nothing, as it is doing at present. The Coalition will announce its policy with respect to this issue in time for the 2003 State election, and it will be a significant boost to small business and employment in this State. We are determined to help small business operators face the costs of false unfair dismissal applications. Nobody questions genuine cases. However, a huge number of unfair dismissal applications are used as a device to get money from employers—everyone objects to that practice. People are using the existing legislation as a device to get money from their employers when they have no entitlement to it and when they have been well remunerated during their employment. We do not oppose this bill, but we invite the Minister for Small Business to look at protecting small business from the impact of unfair dismissals.

**Mr WHELAN** (Strathfield—Parliamentary Secretary) [11.28 a.m.], in reply: I thank the honourable member for Gosford for his deliberative remarks. He pointed out the facts. I shall put the historical nature of this legislation on the record. As honourable members will be aware, the Industrial Relations Amendment (Unfair Contracts) Bill makes a number of changes to the unfair contract provisions of the Industrial Relations Act. As they stand, these provisions give the Industrial Relations Commission wide powers to overturn and vary contracts for the performance of work and to issue orders for the payment of money. Unfair contract provisions were first introduced in New South Wales industrial relations legislation in 1959. The intention behind those provisions was to protect award terms and conditions from being undermined by artificial contract arrangements.

However, due to amendments to the provisions and the manner in which they have been interpreted the operation of the unfair contracts provisions has changed from its original intention. In recent years the unfair contracts jurisdiction has been used overwhelmingly as a means of obtaining compensation in connection with the termination of employment of highly paid executives. The commission has awarded former highly paid executives far greater benefits for termination of employment than other workers can expect to receive. In particular, the restrictions on the compensation that can be awarded to employees with more limited bargaining power under the unfair dismissal provisions of the Industrial Relations Act do not apply when unfair contract claims from highly paid executives are being considered.

Furthermore, the compensation orders which are awarded in executive employee termination cases are being based on the higher remuneration paid to executive level employees, which was in part meant to compensate such employees for having less job security. By narrowing the application of the unfair contract provisions of the Industrial Relations Act 1996, greater certainty will be introduced into their operation, and the more extravagant and speculative claims will be prevented. The Industrial Relations (Unfair Contracts)

Amendment Bill will introduce the following limitations on the operation of the existing unfair contract provisions. An employee earning an annual remuneration package in excess of \$200,000 will not be able to make an application under the unfair contracts provisions. "Remuneration package" will be defined to mean the total monetary value of the employee's salary and employment benefits that are payable or receivable under a contract of employment.

Bonuses and other performance-related or incentive payments will be included in the meaning of "monetary remuneration". "Employment benefits" will mean all those benefits of a private nature that are provided to employees at the cost of their employers. The bill spells out that this includes superannuation contributions and motor vehicles, but makes it clear that this is not an exhaustive list. It would cover other types of fringe benefits the employee receives. The bill also empowers the making of regulations to prescribe any new types of employment benefits that might emerge. The \$200,000 cap on applicants will be annually indexed by reference to the percentage increase from year to year of the cap on access to the unfair dismissal provisions. The unfair dismissal cap will increase on an annual basis by reference to the increase in the Federal unfair dismissal cap. That increase is worked out on the basis of increases in weekly earnings, as published by the Australian Statistician.

The bill will also exclude some partnership contracts from challenge under the unfair contract provisions. Most people in partnerships are generally business people. They can be assumed to have sufficient skills, resources and capabilities to protect their own interests when negotiating their partnership contracts and in the ongoing management and conduct of their business operations. Partnerships are created and exist against the legal framework of the Partnership Act 1892, the partnership deed or agreement, and the law of equity. This framework is adequately enforced by recourse to the Supreme Court or the District Court when necessary. However, in the spirit of fairness and equity that is the hallmark of the Industrial Relations Act 1996, and on the basis of consultation which is characteristic of this Government's approach to the development of the industrial relations jurisdiction, the Government recognises that not all people in partnerships are as well advised about their situation as they could or should be. Not all of them are sufficiently well resourced to pursue claims in the Supreme Court or the District Court.

Therefore, a Government amendment to the bill was passed in the other place that puts people in partnerships on the same footing as people in employment relationships. Under that amendment, people deriving less than \$200,000 from their partnership arrangement will still be able to pursue an unfair contract claim in respect of that arrangement. It is to be noted that it is not the intention of the bill to exclude people in partnerships from being able to challenge other contracts to which the partnership is a party. So, for example, even when partners are earning in excess of \$200,000 from their partnership arrangement they will still be able to challenge the fairness of a contract that the partnership has entered into with a third party such as a supplier. There will be a new requirement that, in deciding whether any orders are to be made for the payment of money in respect of an unfair contract, the commission must take into account whether the applicant has made any effort to mitigate their loss.

It is also intended that a time limit be imposed on the making of applications under the unfair contract provisions. That time limit will operate only in respect of contracts which have been terminated. Given the complexity often attached to cases of this nature, it has been decided that a period of 12 months is appropriate. No discretion will be provided to the Industrial Relations Commission to extend this period. This bill deals in a simple and direct way with the phenomenon of highly paid employees, who would not be able to make an unfair dismissal claim, using the unfair contract provisions as an avenue to excessive enrichment when their relationship with their employer comes to an end. Those highly paid employees will be excluded from this jurisdiction. Any contractual claims they have will still be able to be pursued at common law. Once again I thank the Opposition for its contribution to the debate. I commend the bill to the House.

**Motion agreed to.**

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

## **PROPERTY, STOCK AND BUSINESS AGENTS BILL**

**Bill read a third time.**

## BAIL AMENDMENT (REPEAT OFFENDERS) BILL

### In Committee

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

#### *Schedule of amendments referred to in message of 9 May*

No. 1 Page 3, Schedule 1. Insert after line 25:

Omit section 32 (1) (a) (i). Insert instead:

- (i) the person's background and community ties, as indicated (in the case of a person other than an Aboriginal person or a Torres Strait Islander) by the history and details of the person's residence, employment and family situations and the person's prior criminal record (if known),
- (ia) the person's background and community ties, as indicated (in the case of an Aboriginal person or a Torres Strait Islander) by the person's ties to extended family and kinship and other traditional ties to place and the person's prior criminal record (if known),

[5] **Section 32 (1) (b) (v) and (vi)**

No. 2 Page 3, Schedule 1. Insert "or is an Aboriginal person or a Torres Strait Islander," after "years," in line 27.

No. 3 Page 3, Schedule 1 [4], line 28. Insert "or is mentally ill" after "disability".

No. 4 Page 4, Schedule 1 [7]. Insert after line 24:

- (2B) The Minister for Corrective Services is to ensure that adequate and appropriate accommodation for persons on bail is available for the purposes of the placement of persons on bail.

**Ms NORI** (Port Jackson—Minister for Small Business, and Minister for Tourism) [11.37 a.m.]: I move:

That the Legislative Council's amendments be agreed to.

**Mr HAZZARD** (Wakehurst) [11.37 a.m.]: Consideration of these amendments, which were moved in the upper House, offer the opportunity to reflect briefly on a number of issues relating to the Bail Amendment (Repeat Offenders) Bill. The Opposition did not oppose this bill when it first came before the Legislative Assembly, nor did it oppose the bill in the Legislative Council. However, the Opposition had some concerns about various aspects of the bill. In particular, in my capacity as shadow Minister for Aboriginal Affairs I had a number of concerns about how this legislation might impact on Aboriginal people. However, in terms of the need to ensure that repeat offenders are dealt with appropriately under the bail provisions, there is no doubt that this legislation offers the potential to minimise the waste of court and police resources by effectively targeting those who often cause a great deal of problems for the community, that is, multiple offenders.

While the examples used by the Government and the Minister for Police to justify this legislation were somewhat dramatic—indeed, they erred almost on the fictional end of the spectrum—nevertheless there are some serious issues of which I am aware, having spent many years making court appearances and having spent 11 years in Parliament. The Coalition knows that these issues need to be resolved so that the community does not believe that the courts are simply revolving doors for criminals. The Bureau of Crime Statistics and Research has revealed that defendants failed to appear and warrants were issued in 14.6 per cent of Local Court finalisations during 2000. That figure provides a basis for looking closely at amendments to the Act. Clearly, the failure of 15 in every 100 people to appear off bail is a major problem, particularly if those people commit further offences. The more offences a person commits, the more likely he is to abscond on bail. In 2000, 12 per cent of people charged with one offence absconded while on bail, 15 per cent of people charged with two offences absconded, 19 per cent of people charged with three offences absconded and 20 per cent of people charged with four or more offences absconded.

There is no question that the law and order policy of the Liberal-National party Coalition takes serious steps to address crime in New South Wales. The policy gets tough on multiple offenders who are likely to cause grief to the community. The bill certainly goes part of the way down that track. Unfortunately the current Labor Government has been negligent in dealing with a host of other serious criminal offences. In the decade the Labor Government has been in office it has failed to take serious action against offenders who commit violence against women, including rape. The Government has done little to prevent the commission of more violent

major crimes, including murder. Yesterday the Premier thought he was amusing when he discussed some of the issues on which the Opposition is focusing attention. The community is fed up with violent crime and will back 100 per cent any action taken by the Opposition to prevent it. The Opposition is focusing on the spectrum of crime that causes the community a great deal of concern.

Fundamentally, we should all be protected from people who are prepared to act violently. An act of rape is far more than a simple assault: it is a total intrusion of a woman's being. A civilised society like New South Wales should not accept such behaviour. The Liberal-National party Coalition has made it clear that it will impose penalties that will act as real deterrents to offenders. The Premier cannot resile from the fact. Those who would commit violent criminal offences know that if a Coalition Government is elected in March they will do serious time. Equally, the Opposition is comfortable with this legislation because it will save the police from having to chase around after minor offenders who have already been before the courts but have not bothered to appear. The legislation is quite a good package. It is part of an overall approach to law and order that is being adopted by the Coalition.

However, unfortunately, the bill has a few problems. A hallmark of the Labor Government is a lack of intelligence and a lack of finessing the way repeat offenders are dealt with. The Government is incapable of thinking through the issues. That is indicated by the way it dealt with bail hostels. An amendment to this bill was moved in the upper House by the Hon. Richard Jones. That amendment was discussed with the Coalition. It followed a number of presentations and submissions from a diverse range of groups who pointed out that when considering a bail application a court had to consider whether a bail house was available. At this point I will not involve the Committee with a range of other considerations under the Bail Act and under these amendments, some of which were discussed when the bill was introduced. It is appalling that the Government has failed to address the social justice disadvantages suffered by Aboriginal people. I cannot understand how a Labor Government with one semblance of decency about social justice would not make sure that one of its bills at least shows some honesty and integrity to the most disadvantaged group in our community.

The bill was dishonest and was designed specifically to make it look as though the Government was doing something when it was doing nothing. A number of groups have pointed out that the Government has been prepared to put words on paper to suggest that a court can consider a bail house as an option for not putting someone in prison. They also claim that the Government, which has destroyed New South Wales in its 11 years in office, has not provided a single, solitary bail house anywhere for adults. It is profoundly dishonest to include that option in a bill when there is only one bail house for youths, but none for any adult inmates. We know—and members on the other side of the House regularly acknowledge this—that Aboriginal people make up 1.7 per cent of the population of New South Wales but are gaoled at a rate 16 times that of non-Aboriginal people. That in itself should be sufficient reason to make sure that this bill will not unfairly, unreasonably and unsustainably impact on the most disadvantaged in the community.

The Royal Commission into Aboriginal Deaths in Custody took place 11 years ago. For eight of those years this lazy Labor Government that wears social justice as a dispensable badge has been in office. The Government has done absolutely nothing to address the recommendations of the royal commission in relation to making New South Wales a more equal and reasonable environment for Aboriginal Australians. For a long time Mr Ray Jackson, President of the Indigenous Social Justice Association Inc. [ISJA], has fought for the right of Aboriginal people. Recently he wrote:

It is well known, and I believe the Government recognises this fact as well, that there is current NO adult accommodation and only 1 juvenile bail accommodation that holds 6 beds only!

The association calls for an appropriate amendment to the bill. I wish to put on record some of Mr Jackson's remarks about the bill because he gives well-thought-out and reasoned justification for the amendment moved in the upper House. He said:

The provisions in proposed section 36 (2A) simply allow the court to consider the appropriateness of bailing accused persons, particularly those of Aboriginal or Torres Strait Islander backgrounds, to supervised bail accommodation if they are suitable and a place is available. This is in line with the recommendations made by the Royal Commission into Aboriginal Deaths in Custody in relation to gaol as a last resort and the overrepresentation of Aboriginal persons in custody.

He then makes this comment:

As explained, there are not enough bail rehabilitation places available now. Whether appropriate or otherwise. Inmates wait weeks in gaol awaiting accommodation in a bail rehabilitation centre.

I repeat that for the benefit of honourable members who are in the Chamber and in their rooms, particularly those interested in providing fairness and a level playing field for Aboriginal people:

Inmates wait weeks in gaol awaiting accommodation in a bail rehabilitation centre.

That is the reality of what the Premier and State Labor have given us after almost a decade in office. I quote further what Mr Jackson said:

ISJA has on many occasions attempted to assist Aborigines into appropriate places, but generally to no avail.

The Royal Commission Recommendations were handed down in June 1991. One of the most important Recommendations spoke of "gaol as a last resort". It was pointed out to Government then, that to be serious about this Recommendation, it would take both a large amount of money and commitment.

Tragically nearly 11 years later still nothing positive in this field has happened. People with drug addiction should not be bailed to the streets from whence they come. They should be bailed to drug rehabilitation centres.

Unfortunately we have nowhere near enough.

The legislation of this Bill will not address the real problems that it attempts to make some changes to. More people will remain in gaol because there is nowhere to be bailed to.

That position was confirmed by the Law Society of New South Wales in a somewhat briefer statement on the bill. In a letter dated 3 May, Mr Mark Richardson, Chief Executive Officer of the Law Society, said:

The *Bail Amendment (Repeat Offenders) Bill 2002* will amend section 36 of the *Bail Act* to enable the court, if it does grant bail, to require the accused to reside in a bail hostel if such accommodation is available and suitable for the accused person.

There is no such accommodation available in New South Wales for adult offenders, and only one bail hostel—Ja-Biah—for juvenile offenders. The Department of Corrective Services gave evidence to the Increase in Prisoner Population Inquiry that it does not support the establishment of bail hostels. Only a couple of days ago our affable, but nevertheless not particularly competent, Minister for Corrective Services commented in this place that he would do whatever the Coalition thought was necessary to fix up the correctional system. The Minister may not have spoken to Aboriginal people about this issue, but he should take note of what the Coalition is telling him today.

That is that the Minister needs to take cognisance of what was said by the inquiry into the increase in the prisoner population on this issue. The Minister may not agree with the inquiry's position on other issues, but he must, if he has any semblance of decency, say to the Premier—who I do not think knows anything about this issue—that it is time to look at this issue and acknowledge that people such as the Indigenous Social Justice Association and the Law Society of New South Wales think New South Wales should have bail hostels and that the Government should get on with the task of establishing them.

The reality is that day after day various Aboriginal legal representative groups are trying to bring some degree of reasonableness into the lives of Aboriginal Australians. They try to present Aboriginal Australians with a more even playing field. The Sydney Regional Aboriginal Corporation Legal Service wrote on this issue:

According to the Human Rights and Equal Opportunity Commission, at the present time there are no existing bail hostel accommodation facilities available in New South Wales for adult offenders, and the New South Wales government has not taken up recommendations to fund two bail hostels for women.

The proposed legislation is silent on what occurs to a person refused bail if accommodation is not available but the judicial officer considers the individual suitable for such placement. The reality must simply be, in such circumstances, that bail would be refused. As the situation currently stands, the New South Wales government is not offering an option because no facilities are available. The inference that can be drawn is that the proposal has been developed to placate groups that otherwise might oppose the introduction of the amendments.

The time is right for the amendment to establish bail hostels. The Coalition joined the Hon. Richard Jones of the upper House on this amendment. Government representatives—I do not think it appropriate to identify them—indicated to me they would like this amendment recast or withdrawn. I made it clear that the Liberal-National party Coalition would not do deals on this amendment because we regard it as addressing a crucial social justice issue. We can get tough on the crime spectrum that needs to be dealt with in that way—the Coalition is doing that—but there are some people in respect of whom we must have compassion, understanding and humanity. This Government is not doing that.

I remind the House that as shadow Minister for Community Services I regularly receive reports from places around the State like Orange and the Manning River. In the past few weeks I have had reports of juveniles being placed in juvenile justice facilities for the simple reason that there is no equivalent of bail hostels for them. Magistrates in a number of jurisdictions, but particularly in Orange and the Manning River area, have said that it is about time this Government did something about providing bail hostel facilities because the young and vulnerable should not be incarcerated. The Department of Community Services says, "It is not our job, go to Juvenile Justice." Juvenile Justice says, "Well, we haven't got the facilities, so we can't help." Premier Bob Carr says, "What? What did you say? I don't know anything about that issue. And I am doing nothing about it because it doesn't win votes." Unfortunately the Premier is motivated only by votes.

While I am talking about Aboriginal issues it is appropriate to acknowledge that about a week ago Mr Bruce Miles, a solicitor with the Aboriginal Legal Service, was awarded the Order of Australia. I can think of no greater campaigner for social justice for the Aboriginal people than Bruce Miles. He has been at the forefront of the battle for nearly 30 years. He was a pilot during the war, flying something in the order of 25 missions when most flew only five. Bruce was and is an icon for those interested in social justice issues. He is not well. On behalf of members on both sides of politics, many of whom know Bruce Miles, we wish him well in his current illness. We congratulate him on receiving the Order of Australia. It is an award of which he is worthy both as an individual and as an advocate and campaigner for Aboriginal people. I know that Aboriginal people right across this State join me and the House in congratulating Mr Bruce Miles on his receipt of the Order of Australia.

**Motion agreed to.**

**Legislative Council's amendments agreed to.**

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

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

## **STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL**

### **Second Reading**

**Ms NORI** (Port Jackson—Minister for Small Business, and Minister for Tourism), on behalf of Mr Whelan [11.58 a.m.]: I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill continues the well-established statute law revision program that is recognised by all members as a cost-effective and efficient method of dealing with amendments of the kind included in the bill. The form of the bill is similar to that of previous bills in the statute law revision program. Schedule 1 contains amendments arising from policy changes of a minor and non-controversial nature that the Minister responsible for the legislation to be amended considers to be too inconsequential to warrant the introduction of a separate amending bill. The schedule contains amendments to 28 Acts. I will mention some of them to give honourable members an indication of the kinds of amendments that are included in the schedule.

Schedule 1 amends the Children and Young Persons (Care and Protection) Act 1998 in a number of respects. Many of the amendments are made to ensure consistency of terminology or consistency with other provisions of the Act, or to clarify the meaning of a term. Another amendment to that Act relates to the grounds on which the Children's Court may take a care order in respect of a child or young person. That amendment makes it clear that the court may do so, if the child or young person is deemed, under section 171 of the Act, to be in need of care and protection. This can occur if the child or young person is still living in unauthorised out-of-home care despite a request from the Director-General of the Department of Community Services that the child or young person be removed from that care.

Schedule 1 also amends the Conveyancing Act 1919 in relation to distress for rent—that is, the practice of a landlord seizing the goods of a tenant whose rent is in arrears. That practice was abolished by the Landlord and Tenant Amendment (Distress Abolition) Act 1930, which also preserved the general right of a person to whom rent is owed to recover the rent by court action. The amendments to the Conveyancing Act preserve the effect of the Landlord and Tenant Amendment (Distress Abolition) Act 1930 and so permit the repeal of that Act by schedule 3. Schedule 1 also amends the Dental Practice Act 2001. The amendment provides that persons

elected as members of the Dental Board constituted by the Dentists Act 1989 at the election that is required to be held in July 2002 under that Act are to serve the balance of their terms, unless sooner removed by the Governor, as members of the Dental Board constituted by the Dental Practice Act 2001.

That Act is proposed to commence some time after July this year. The amendment will remove the necessity to conduct another election—an election under the 2001 Act—shortly after the July election. Schedule 1 also amends the Mines Inspection Act 1901 to permit the Chief Inspector of Mines to delegate his or her functions under the Act to any inspector of mines. At present, the delegation can be made only to the Deputy Chief Inspector of Mines or senior inspectors of mines. Schedule 1 also amends the Pesticides Act 1999 to repeal a provision that provides that it is a defence to a prosecution for the alleged offence of using a pesticide in contravention of an approved label for the pesticide if the accused establishes that he or she did not contravene the relevant instructions on any other approved label for the pesticide.

The amendments will ensure that any more stringent requirements imposed by a second or subsequent approved label for a pesticide can be enforced. However, they do not affect the defence afforded to an accused who establishes that he or she complied with the requirements of the approved label appearing on the pesticide container that was actually used in the commission of the alleged offence. Schedule 1 also amends the Public Authority (Financial Arrangements) Act 1987 so as to ensure that statutory State-owned corporations may obtain the benefit of a statutory guarantee under section 22A of the Act. The amendment provides consistency with the position of company State-owned corporations in relation to the statutory guarantee.

The last schedule 1 amendments that I will mention are to the Sydney Water Catchment Management Act 1998. They provide for an additional member of the Sydney Water Catchment Authority Board, to be an elected councillor, selected by the Minister, of a local government area within the catchment area. The amendments will also make it clear that the requirement that the Minister advertise publicly for nominations for appointment to the board extends to apply in respect of the appointment of a person, such as the additional member, who is not required to be the nominee of any specific body.

Schedule 2 deals with matters of pure statute law revision consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill. Examples of amendments in schedule 2 are those arising out of the enactment of other legislation, those updating references to the names of bodies and offices and those correcting numbering. Schedule 3 repeals a number of Acts and statutory rules. The schedule repeals amending Acts enacted in 2000 or earlier that contain no substantive provisions that need to be retained. The schedule also repeals amending Acts when the reprints of relevant principal Acts incorporate the amendments made by those Acts.

The Acts that were amended by the Acts being repealed are up to date on the legislation database that is maintained by the Parliamentary Counsel's office and are available electronically. The schedule also repeals Acts that are no longer of practical utility. A special mention might be made of one such Act. The Women's Legal Status Act 1918 was introduced at the end of the first World War to provide, in the words of its long title, "that women shall not by reason of sex be deemed to be under any disqualification to hold certain positions or to practise certain professions". It is notable that, while both the long and the short titles of the Act refer to "women", the substantive provisions of the Act refer to "a person". The section as currently in force states:

A person shall not by reason of sex be deemed to be under any disability or subject to any disqualification:

- (a) to be elected and to act as a member of the Legislative Assembly,
- (b) to be elected and to act as lord mayor or councillor of the City of Sydney or mayor or councillor of any other area within the meaning of the Local Government Act 1993,
- (c) to be appointed a judge of the Supreme Court of New South Wales, or of a district court of New South Wales, or chairman of quarter sessions, or a stipendiary or police magistrate, or a justice of the peace,
- (d) to be admitted and to practise as a barrister or solicitor of the Supreme Court of New South Wales or to practise as a conveyancer,

any law or usage to the contrary notwithstanding.

The Act has been amended only twice since its enactment. The first amendment was made in consequence of the enactment of the Local Government Act 1993. The second amendment has not yet commenced—it is part of a general housekeeping exercise that will remove obsolete references to stipendiary magistrates from the statute book. While the Women's Legal Status Act was a landmark in its time, it has been superseded by subsequent

legislation and is now of no practical utility. Schedule 4 contains provisions dealing with the effect of amendments on amending provisions, savings clauses for the repealed Acts and a power to make regulations for savings and transitional matters, if necessary. I commend the bill to the House.

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

**APPROPRIATION BILL**

**APPROPRIATION (PARLIAMENT) BILL**

**APPROPRIATION (SPECIAL OFFICES) BILL**

**GENERAL GOVERNMENT LIABILITY MANAGEMENT FUND BILL**

**PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT (TRADEABLE EMISSION SCHEMES FUND) BILL**

**PUBLIC FINANCE AND AUDIT AMENDMENT (BUDGETING AND FINANCIAL REPORTING) BILL**

**STATE REVENUE LEGISLATION AMENDMENT (BUDGET) BILL**

**Second Reading**

**GOVERNOR'S SPEECH: ADDRESS-IN-REPLY**

**Take-note Debate**

**Debate resumed from 7 June.**

**Mr GLACHAN** (Albury) [12.07 p.m.]: There has been a lot of song and dance about this budget. Some people think it is just fantastic, but I have to say that from my point of view and that of the people of my electorate, it is pretty disappointing because there is not much in it for the electorate of Albury. There is no doubt that it is a big-spending budget, but most of the money that has been spent has been gained as a result of the Sydney property boom. One wonders how long the boom will continue: I am certain that the property market is greatly overheated. The New South Wales Government cannot claim any credit for the gains because it has not had much to do with creating the property boom. It occurred simply as a result of the conditions created by the Federal Coalition's policies. Australia has record low interest rates and low inflation rates, which, together with the Federal Government's First Home Buyers grant, have made a huge difference to the building industry in this State and throughout Australia.

There has been a great rush in home purchasing and home construction, and the boom in the housing industry has been reflected right throughout this State's economy. The taxes derived by this Government as a result of the stamp duty windfall have greatly benefited it. I wish that a greater share had been allocated to my electorate. New South Wales, the highest taxing State in Australia, will benefit from \$3.5 billion in stamp duty—all courtesy of the building boom provided by the Federal Government. Increased taxes are also being raised through a tax on insurance policy premiums. Those taxes apply not only to premiums but also to the GST component of those premiums. So it is really a form of double taxation, which I do not particularly like.

One aspect of the budget that I applaud and support is the abolition of payroll tax on apprentices' wages. We must encourage businesses in every possible way to take on apprentices. It is difficult enough these days to convince employers to offer apprenticeships, so we welcome any moves that will encourage them to do so. If we want our economy to continue to expand we desperately need tradesmen and apprentice tradesmen. As a former apprentice I strongly support the training of young people in apprenticeships. The abolition of payroll tax on apprentices' wages is a good thing for this State and for our economy. In general, payroll tax in New South Wales is still higher than it is in other States, although it has been reduced by 0.2 per cent to 6 per cent—a very minor adjustment.

The Government should not worry about that loss of 0.2 per cent. The inevitable general increase in wages will ensure that more businesses will be caught in the payroll tax net and the Government's income from

payroll tax will hardly be affected. As wages rise the Government's income from payroll tax will actually increase. As my electorate of Albury is on the border of another State in which payroll tax is lower it makes it difficult to attract industry to Albury and to electorates along the Murray River.

The budget allocation of \$1.9 million this year for a multipurpose health centre at Henty is excellent news for my electorate. The whole of the Henty district and surrounding areas have been waiting for many years for this project to commence. The people in my electorate, who know that a multipurpose health centre will guarantee the retention of local health services well into the future, are strong supporters of the concept of this centre. The budget papers reveal that this project will cost in excess of \$5 million—a great boost to the district in its construction phase and in the provision of health services well into the future. Only \$1 million in Federal funding has been allocated for planning for the Albury bypass. Every budget in living memory has allocated something for planning for the Albury bypass. Over the past 35 years this bypass project, which has been planned and replanned, is no closer to commencing now than it was 35 years ago.

The first Minister to announce the commencement of the project—a commencement that never occurred—was Mr Laurie Brereton when he was Minister in a State Labor Government many years ago. A lot has been said, and a lot of changes have been made to the project, but it has never actually commenced. That \$1 million in Federal funding will not go very far if we take into account the cost of a multimillion dollar road project in the Albury area. I accept that that project was always to be federally funded. The present Federal Minister turned around all previous plans and he is proposing to build two roads when one would have done the job quite satisfactorily. He decided to do that because there was some community concern about the proposed route of the Albury bypass.

His plan depends on New South Wales and Victoria each making a contribution of \$35 million to this project—something that the States had not been called on to do before because it was always to be a federally funded project. One of the problems faced by the Federal Minister is that he committed the States to a contribution of \$35 million each without asking them about it or talking to them about it. The States were quite outraged, and rightly so, at having been committed to such an expense when they had not been consulted. I do not really blame them for that. The States know as well as everyone else that the \$35 million that the Federal Minister has asked for will not do the job that he expects it to do.

Both the Federal Government and the States will have to commit more money to the project. Each of the States will have to put in about \$70 million rather than \$35 million. I am sure that everyone understands the reluctance of the States to get involved in that project. The Federal Minister said that Victoria had committed to the project, but that is not altogether correct as there are qualifications to its commitment. Victoria did not actually say that it will contribute the money; it qualified its commitment. Some of those qualifications mean that it is unlikely that Victoria will ever have to find that money. That leaves in the lurch everyone in the Albury-Wodonga area and all those who live in southern New South Wales and north-eastern Victoria.

While governments cannot make up their minds about what they will do in relation to this project, traffic volumes keep increasing day by day. Close to 50,000 vehicles a day cross between Albury and Wodonga and that number increases each week, each month and each year. While I am referring to bridges and road projects, I note that there is a \$7.3 million allocation in the budget—part Federal and part State money—for a new bridge at Corowa. That bridge will be on a route that is quite separate from the bridge that already exists—the old bridge that has been in existence for many years and that is now close to the end of its useful life.

The new project, which will cost about \$90 million, will be a great boost to Corowa, a town that has been waiting for a new bridge for many years. It will also be a great boost to the whole district on both the Victorian and the New South Wales sides of the border. As there are large industrial complexes in the area, for example, Bunge Feeds Pty Ltd, Uncle Ben's at Wodonga and the Uncle Tobys factory at Wahgunyah, this new bridge will ease traffic flow and make it simpler for trucks to carry large amounts of freight between those businesses. So that \$90 million project is a big win for the Corowa area. I am delighted that \$7.3 million has been allocated in this budget for that project.

I welcome the Government's \$4.9 million allocation for engineering and child study projects at Albury TAFE campus. TAFE is an important provider of education in our community. My wife and I are both products of the TAFE system. My daughters attended TAFE as well as university. At some time or another a large percentage of the population would have taken advantage of TAFE courses. The TAFE system, which provides a wide range of educational opportunities for our community, definitely deserves our support. I am a strong supporter of the TAFE system.

It is difficult to find anything in the budget papers that relates directly to the Albury electorate. I am disappointed about that because many services are needed in the Albury electorate. I would like to have had a budgetary allocation for the bypass project, and I would like to have seen money for the upgrading of the Riverina highway east of Albury—an important road in the Albury electorate that has claimed many lives. Over the years some work has been done on that road. When the former Coalition Government was in office it did quite a bit of work on that road. There were plans to complete it out to the Murray River with a deviation to Heywoods Bridge. Since this Government has been in office work on that road has not been proceeded with—an issue about which people are becoming quite impatient.

Hume Shire Council is very keen to see this work done. Given that the road crosses the Murray River, it is a very important road artery in the Albury electorate. In Albury there are only two crossings of the Murray River, one being Heywoods Bridge, near the base of the Hume Weir, and the other being Lincoln Causeway, which carries traffic between Albury and Wodonga. If anything happens to Lincoln Causeway the only way to cross the river is via Heywoods Bridge. The road therefore needs to be upgraded, and it would not cost a lot of money. A few years ago the estimated cost was between \$8 million and \$10 million. In today's dollars, about \$15 million would do the job; it would certainly be money well spent.

I could list many other projects that are needed in the Albury electorate, but one that I particularly mention is a new ambulance station. The new hospital at Albury, which was built by the former Coalition Government, is out of town, and the ambulance station is isolated in the main street of Albury, close to the old hospital. The station was built in 1934, so it is as old as I am. Unlike me, however, it needs to be replaced, and funding is required to get the job done. The present ambulance station is doing the job, but with the new hospital it is now in the wrong location. It is also an old building. I am sure the ambulance service could do with a new, modern, purpose-built station located on the new hospital site. I am therefore disappointed that funding for that project is not provided in the budget.

I am very concerned about the announcement made by the Premier, in conjunction with the Premier of Victoria, when the Cabinets of both States visited Albury-Wodonga some time ago. The Premiers said they proposed to have one city administration for Albury and Wodonga. Inquiries and public meetings have been held on the issue. Ian Sinclair carried out investigations into the community's views on the matter, and since then we have heard very little from the Premiers as to what will happen. The councils do not know what the result will be: whether there will be one city administration for Albury and Wodonga, or whether the matter will be dropped entirely. We are all awaiting the Premiers' announcement about what will happen. Both councils are continuing to plan developments and improvements for the cities, because they do not know what will happen.

If the Premiers decide to have one city administration, all those plans will have been to no avail and the money will have been wasted. If the councils are to be dismissed, as is planned, and commissioners appointed, the Premiers should make the announcement and everyone will be better off. Being kept in the dark makes it extremely difficult for the councils to know whether to continue spending money and go on believing there will always be two city councils, or whether to start providing and preparing for the time when they are dismissed and replaced by commissioners and there will be one administration for the two cities.

The Premiers have left us up in the air. We are all wondering exactly what will happen. We do not get any information at all. Council employees do not know whether they will still have jobs, and the residents of the two cities are not sure what the future of the cities will be. Of course, there are advantages in having one city administration; for example, money can be saved. But there are also advantages in having two city administrations. For example, it can create a form of rivalry. Competition keeps both cities on their toes, as one competes against the other for industry and residents. Such competition is sometimes healthy. Of course, having two city administrations also means that money can be wasted, but that is something that can be controlled. The two councils need an answer so they know where they stand. The budget provided one or two projects for my electorate but nothing of any major importance, and therefore it is a little disappointing.

**Mr McBRIDE** (The Entrance) [12.25 p.m.]: There is no doubt that the budget was a success and will continue to be a success. There is no greater authority for that than the *Sydney Morning Herald* editorial of 5 June 2002. When a *Sydney Morning Herald* editorial endorses the budget, you know you are on a winner. The editorial states:

Michael Egan is entitled to wear with satisfaction his target for a seventh consecutive Budget surplus, given only two predecessors as NSW Treasurer managed to record surpluses, and then only once each.. As a result of the Carr Government's fiscal pattern, and appropriate privatisations such as the TAB, net state debt has fallen from \$12 billion, or 7.3 per cent of gross state product in 1995, to \$5 billion, or 2 per cent. In four years, that should be down to less than 1 per cent.

That is a clear endorsement of the financial success of the Carr Government, and in particular the latest budget. I point out that the entire editorial was a commendation of the Carr Labor Government. As we all know—especially members of the Opposition—the *Sydney Morning Herald* is a great supporter of the Carr Government, and indeed all Labor governments in the history of New South Wales. Another portion of the editorial stated:

The Budget is generous where it matters but is not profligate. It does not fit the bill of a traditional precursor to an election nine months away. It is not polluted by gimmicks.

Lately we have seen a lot of gimmicks from the Opposition. The editorial continued:

It is old-fashioned and postmodern. It spends money according to need. It needs to stimulate economic activity and jobs over the post-Olympics bumps and its adjustments to the tax base should deliver real benefit at modest cost. It's the economic hardheads of Treasury confronting political reality. Even then, they would have preferred the halving of tax on troubled general insurance contracts—a poor tax anyway—to conceding more ground to the bleatings of business (and politicians' echoing) the mantra that the economically efficient payroll tax is a tax on jobs, as if other taxes are not.

I heard some debate on that, during which experts said that payroll tax is the most efficient form of collecting tax. As I said, one cannot do better than having an entire *Sydney Morning Herald* editorial totally endorse the Government and its actions. The budget is the best-ever investment by any State government in new schools, new hospitals, new roads and public transport, and other public works and investments. The budget achieves the trifecta of improved government services, lower taxes and remaining in surplus—unlike the Costello budget.

We know why the Costello budget cannot be in surplus: the Federal Coalition blew billions of dollars to win the last election. As we know, the Federal Government raked in an enormous amount of money with the introduction of the GST. It had an enormous surplus 12 months before the election, then after the election it found that it was in deficit. This budget comes from a Government that is experienced, optimistic, steady and steadfast. With regard to public debt, five years ago \$14 in every \$100 spent by the Carr Government was required to service our debts and liabilities. Now it is down to less than \$9 in every \$100, which means we have \$1.6 billion more each year for better services and lower tax rates.

The Government's strategy is straightforward: to reduce general government debts and liabilities, and increase its assets and investments. Its strategy is to completely eliminate general government net debt by 2020. This debt-free legacy is a Labor commitment to the next generation. The key to this success was the decision taken very early in the Government's term to tear up the credit card which the previous Coalition Government used to fund its budgets. As a result of this steadfast determination, the Carr Government is the first government in the State's recorded financial history to achieve two successive surpluses, then three, and we are now predicting a seventh. The estimated budget surplus for 2002-03 is a modest but healthy \$168 million.

The budget announced \$26 billion for new public works and investments. My region and other regions of New South Wales outside the metropolitan area are great beneficiaries of that funding. It represents an increase of \$5.4 billion, or 26 per cent, on the \$20.7 billion spent in the past four years, which included all the expenditure on the Olympic venues and infrastructure. The Carr Government's plan is to pay for all these new public works in cash, up front, without a cent of debt—as it did with the Olympic venues. Capital expenditure in The Entrance electorate is expected to total \$16.6 million during the next financial year.

In 2002-03 the Health budget will receive \$554 million more than it received in last year's allocation, bringing total Health spending to \$8.9 billion. Some of the highlights include \$35 million in new funding for rural health initiatives; further funding for 226 mental health beds, in addition to the 150 previously announced; and an additional \$16 million for dental health services—an enormous issue in regional New South Wales, especially in my area and, I am sure, in the area represented by the honourable member for Murrumbidgee. The honourable member would realise that one of the reasons the Government is allocating that funding is because of the cuts by the Federal Government. He should not bother to deny it as he will only embarrass himself. There is a \$2 million, or 40 per cent, increase in funding for podiatry services, enabling an additional 55,000 services per year to be provided to older people. The Government has also provided medical indemnity insurance for doctors treating public patients in public hospitals. Honourable members will remember the crisis that was successfully handled by the Minister for Health.

More than \$228.3 million has been allocated to the Central Coast this year—an increase of \$21.7 million, or 10.5 per cent, over last year. This year the area's total capital works allocation is more than \$61 million. To put that in context, it is equivalent to spending more than \$1 million per week on new capital works on the Central Coast. The budget announcement means more and better health services for patients and

families on the Central Coast. Major new funding includes \$1.3 million to increase the number of registered nurses in inpatient units; \$1 million for community health services, including sexual assault and mental health; \$1.5 million to improve emergency departments; \$1.2 million extra for elective procedures such as ear, nose and throat, orthopaedics and ophthalmology; and \$1.8 million to boost oncology, renal services and chronic care. Less than five years ago the Central Coast did not have oncology services. When the previous Coalition Government was in power I kept saying that it needed to provide these services and that people needed to be adequately trained, but the answer was always, "No, no, no."

Since Labor has been in office those services have been provided at Gosford Hospital and at Wyong Hospital. We now have renal services, dialysis machines, et cetera. The Central Coast did not have those services until the Government made a commitment to upgrade health in the area. This year \$2.1 million has been allocated to replace equipment in Gosford and Wyong hospitals, \$70,000 has been allocated for the Wyong health care centre and \$230,000 has been allocated for the Erina health care centre to meet their annual operating costs. Wyong Hospital will receive \$28.3 million for ongoing capital works and a new mental health service. In addition, \$30.1 million will be spent on Gosford Hospital—out of a total of \$113 million—for the redevelopment of the hospital site. An enormous amount of work is being done with respect to health on the Central Coast. The sum of \$1.5 million has been allocated for the Erina community health centre; \$200,000, of a total of \$3.5 million, has been allocated for the Wyong community health centre; \$1 million, of a total of \$1.3 million, has been allocated for the Gosford child and family health centre; and some \$200,000, of a total of \$550,000, has been allocated for the Woy Woy dental clinic.

The Central Coast is benefiting from the Government's commitment to health. It is raising the standards to those enjoyed in other parts of regional New South Wales. There was no comparison between the health services on the Central Coast and those in the Hunter and Illawarra. The Hunter has a population of some 500,000. Six local government areas—Lake Macquarie, Maitland, Cessnock, Newcastle, Port Stephens and Kurri Kurri—make up that region. Illawarra, which has teaching hospitals and a university, has a smaller population than that found on the Central Coast. Approximately 285,000 people live on the Central Coast. It is the third largest region in New South Wales, following Sydney and the Hunter. The Government has recognised that the Central Coast was deficient with respect to health and other services when compared to equivalent regions in New South Wales. It has worked hard to bring that into balance. I commend the Government in that regard.

The Police portfolio received an additional \$153 million in 2002-03, bringing its total allocation to \$1.8 billion. There will be an increased focus on visible, front-line policing. The Government is well on track to increase front-line police numbers by 2,110 by December 2003. The Government has provided the police force with a record budget and record numbers. The difficulties facing our police should not be underestimated, but nor should their success. Honourable members often raise policing issues in the Chamber. The Government has increased penalties, which is reflected in the fact that 7,000 people are now behind bars. That is testimony to the fact that our police are catching and locking up more criminals than ever before. Information obtained from Don Weatherburn with respect to the number of people arrested and the conviction and sentencing rates shows that there has been a significant increase during the Government's term.

Police estimate that more than 80 per cent of crime is committed by repeat offenders. The Government has introduced legislation to take away the presumption in favour of bail for repeat offenders. That is a smart piece of legislation. Some people think, wrongly, that putting police on every corner will change society. It will not. We have to change the institutions and the way we manage the system—that will deal with the issues that are currently raised in the House. In 2002-03 the Department of Corrective Services will receive \$83 million more to respond to a general increase in inmate numbers and the number of offenders under community supervision. More people have been locked up than ever before.

I commend the Minister for Emergency Services. When I was elected to this place 10 years ago there was no plan to upgrade fire services on the Central Coast. The previous Coalition Government did not recognise the changing circumstances and population on the Central Coast as compared to other regional areas in New South Wales—notwithstanding the fact that some Ministers came from the Central Coast. Major clubs and industrial areas were serviced by the bushfire brigade, as it was then known. A response to fire in a major industrial area was to be handled by the local bushfire brigade. No-one could regard that as satisfactory. Under this Government and this Minister there has been a commitment to improve fire services on the Central Coast. We now have fire services equal to equivalent regions throughout the State. Again, I refer to the Illawarra and the Hunter.

When this Government came to office the total allocation for the New South Wales Fire Brigade, the Rural Fire Service and the State Emergency Service was something like \$308 million. This budget allocates a

total of \$565 million, an increase of 83 per cent over the past seven years. The budget provides \$407 million to the New South Wales Fire Brigade, including \$18 million for new firefighting appliances and pumpers. Two major appliances have been allocated to the Central Coast. One arrived about a month ago and one is to become operational during the next month at the Bateau Bay fire station—a commitment of \$1.5 million to new appliances on the Central Coast.

In addition, Bateau Bay has a new fire station, some \$13.3 million has been allocated for new fire stations throughout the State, and \$6.1 million has been allocated for upgrading fire brigade communication and telecommunications networks. The Rural Fire Service will receive \$127 million. The appliances I referred to are specialist appliances that will be able to deal better with issues relating to multistorey buildings, factories, shopping centres, clubs, et cetera because they will have a 16-metre telescopic ladder with a water device at the top. Also in Wyoming, \$276,000 has been allocated for a new fire pumper to be associated with Wyong fire station.

Many things have been happening in my electorate with respect to education and training. In particular, the budget has an allocation of \$1.5 million for the \$5 million stage one major upgrade of Tuggerah Lakes College. Also, some \$5.4 million has been allocated for the TAFE campuses at Wyong and Gosford on the Central Coast. These are important issues for our community. The principals of the different Tuggerah Lakes Collegiate campuses and the principal of the college, Andrew Newman, are doing a terrific job to advance public education on the Central Coast. In years to come Tuggerah Lakes Collegiate will be a beacon for public education not only on the Central Coast but throughout the State. It is coming up with some great ideas. For example, under the old comprehensive high school system the college had 26 subject choices. Under the new collegiate program it has 53 subject choices. But better than that—I am sure members representing country areas will appreciate the point—three students are studying avionics. For the information of the honourable member for Coffs Harbour, that is not raising birds—it is flying planes.

**Mr Piccoli:** Avionics is not flying planes; it is designing planes.

**Mr McBRIDE:** Avionics is flight.

**Mr Piccoli:** It is designing planes.

**Mr McBRIDE:** Avionics is more than that. It is the mechanics of flying. We expect those three students to have a commercial pilot rating by the time they leave school at the end of year 12. That is a great initiative. The executive officers of Tuggerah Lakes Collegiate are making a tremendous difference to public education. I refer to housing. The Government has allocated \$1.52 million to provide eight accommodation units on The Entrance peninsula. Many things are happening in my electorate in relation to roads. With respect to new works, improvements will be made at the major intersection of The Entrance Road and Crystal Street, Forresters Beach; the intersection of Wyong Road at Tumby Road and Tumby Creek Road, Tumby Umbi; and the intersection at Eastern Road and Tumby Road, Killarney Vale. Pedestrian facilities will be provided on the Pacific Highway from Kathleen Morreau Road to Apanie Avenue, Niagara Park, and on The Entrance Road. Also, a roundabout will be installed at the intersection of The Entrance Road and Terrigal Drive, and there will be a dual carriageway from the roundabout to Carlton Road along The Entrance Road at Erina. The total cost of those works is some \$4.8 million.

**Mr Fraser:** No wonder we didn't get any money. You pinched it all.

**Mr McBRIDE:** It is about good representation. If an electorate has good representation it gets good results. The upgrade of the Pacific Highway through Wyoming from Renwick Street to Brooks Avenue will be completed shortly. Brooks Avenue is named after a former executive member of the New South Wales Liberal Party, Malcolm Brooks, who is a Gosford city councillor. I will be meeting him at Tumby Umbi on Sunday. The eight-year program to upgrade the Pacific Highway is nearing completion, and I am sure everyone will be happy about that. Also, funding of some \$1.6 million has been allocated for planning of the upgrade from Lisarow to the F3 at Ourimbah. Some \$85,000 has been allocated for maintenance work at Ourimbah and Lisarow railway stations.

As I said, many things are happening on the Central Coast. I commend the Government and the Treasurer for redressing the imbalance that exists between other regions and the Central Coast. This is about applying equity to the Central Coast. Individual Ministers such as the Attorney General, the Treasurer, the Premier and the Minister for Transport are committed to bringing the Central Coast into line with other areas of

the State. In conclusion, other important issues include public liability insurance and stamp duty on insurance policies. The reduction of the stamp duty rate to 5 per cent means that New South Wales has the lowest rate of stamp duty on insurance policies in Australia.

**Mr PICCOLI** (Murrumbidgee) [12.45 p.m.]: It is with pleasure that I speak to the State budget handed down a couple of weeks ago. My address will be one of my typically constructive presentations to Parliament. First, I acknowledge the announcement that a new police station will be constructed in Griffith. I note that the former Minister for Police has left the Chamber. The council, private developers, the local police and I made many representations to the former Minister for Police about the need for a new police station in Griffith. The current station has been well and truly below an appropriate standard for many years. It was constructed earlier in the twentieth century and was intended to house about half a dozen police. Currently, it houses about 30 general duty officers and associated staff. The Griffith Local Area Command is based in separate offices because the police station is not large enough and not of a sufficient standard.

The Department of Corrective Services has spent some \$300,000 on upgrading the prison cells. I welcomed that announcement at the time. The cells were well and truly of a Ned Kelly style and era—in fact, a Ned Kelly movie could be filmed there. I am pleased that the announcement, which was well and truly overdue, was made. I look forward to the commencement of construction of the new Griffith police station as soon as possible. I commend the announcement in the budget that Deniliquin police station will be upgraded. In western New South Wales we are bypassed in some ways.

**Mr Fraser:** We have a Sydney-centric Government.

**Mr PICCOLI:** The honourable member for Coffs Harbour knows how difficult it is to remain constructive when talking about the actions of this Labor Government, but I will remain constructive in my remarks. Many places in western New South Wales have been ignored for various reasons. Part of the problem is that there is a perception that things are pretty crook in western New South Wales. Indeed, many places in western New South Wales are doing well and progressing quickly. Deniliquin is one such place. Griffith, Leeton, Hillston, Hay, Narrandera and places such as that are doing very well. The Deniliquin police station needed upgrading, and I was pleased to hear that announcement in the budget. This budget is a record budget based on the back of record revenues through payroll tax and stamp duty. New South Wales is still lumbered with one of the highest payroll tax rates in Australia—it is higher than the rate in Victoria and Queensland.

It is difficult for communities in my part of New South Wales, along the Victorian border, to attract businesses when those business do not have to travel far to establish themselves in Victoria. We have seen quite a few examples of businesses setting up in Victoria because of a more attractive taxation regime and the like. That matter, which has been debated many times in Parliament, needs to be addressed. Of course, no-one would deny the need to spend record revenues on the important portfolio areas of health, education, police and roads. The budget allocates record funding for health services. We welcome new buildings in New South Wales, but there is no point having them if we cannot do anything in them.

For example, four years ago approximately \$500,000 was spent upgrading Finley Hospital's surgery and theatre. However, only half a dozen procedures have taken place. West Wyalong Hospital was redeveloped, but it is now underutilised. Whilst ever doctors are prohibited from delivering babies and performing procedures at Hay Hospital any new buildings will be underutilised. A couple of years ago two doctors, who were married, moved to Hay. However, they were dissuaded from working there. The wife, who was an obstetrician, was dissuaded from practising obstetrics in Hay because of the additional costs involved with staff. Deniliquin Hospital needs to be redeveloped. However, it is having enough difficulty providing health services without having to worry about redeveloping the old and disjointed hospital.

Griffith and Leeton hospitals are in a similar situation. Today I was advised that the lower floor of the two-storey Griffith Base Hospital will be closed and only day surgery will be carried out because of a shortage of nurses. Griffith is the fastest growing inland town in New South Wales, and probably in Australia. Its population has increased by about 15 per cent in the past 10 years—as was outlined in the results of the census which were released recently. That is quite remarkable growth for anywhere, particularly country New South Wales. Griffith is a rapidly growing city, but it is having difficulty providing health services at the local hospital and attracting staff. They are pronounced difficulties. Additional revenue should be allocated to provide health services. The shortage of nurses is significant. Perhaps additional revenue could be provided to make nursing a more attractive profession and to make hospitals a better environment in which to work. Perhaps we would then attract the number of nurses required to make our hospitals function. Building hospitals is not the only answer—we also need services, facilities, equipment and staff.

A number of education facilities are old and outdated. A great deal of money needs to be spent on capital works within our schools. Again, we could build new classrooms but if we do not have the teachers to fill them children will be sitting in the playground and missing out on important classes. Teachers in my electorate have made representations to me expressing that very concern. I refer to police stations in my electorate. The issues that are driving police out of the Police Service need to be addressed—in particular, promotions, morale and internal problems within the service. The Police Service is recruiting police at record rates, but it is also losing them at record rates. The three important portfolios of Health, Education and Police need to have money spent on addressing the underlying problems, not just on physical facilities. We want health services delivered in our communities, not just facilities in which to deliver them. We want teachers at our schools, not just classrooms. We want police to deter crime, to deal with crime and to apprehend criminals, not just police stations in front of which police can park their cars.

Road funding is a major issue in western New South Wales. Our significant transport costs affect our competitiveness both domestically and internationally. The Burley Griffin Way, which links Griffith to Yass and the Hume Highway to Sydney, is a significant road for south-western New South Wales and the western Riverina. The Burley Griffin Way links Griffith, Ardlethan, Temora and Leeton, and is the most direct route to Sydney. A number of major businesses in the western Riverina—including Barthers, the Rice Growers Co-operative, Alfreds Transport and others—and I have advocated for the upgrading of that road for a long time. B-doubles cannot use that route particularly a couple of kilometres before it joins the Hume Highway—because of a very sharp left-hand turn onto a bridge. In the scheme of things it would be relatively inexpensive to make a deviation at Bowning.

I know that representatives from industry groups spoke to the Minister about the road recently. I am not aware of any solid commitment, but I know that the Minister acknowledged the need for an upgrade. I hope that the construction is carried out sooner rather than later. We always talk about the competitiveness of industry—particularly in relation to agricultural industries—and our ability to transport our product at competitive rates is important. Griffith is the largest centre in the Murrumbidgee electorate. Recently I had disconcerting conversations with major industries in Griffith and Leeton about our biggest problem: attracting staff to fill available jobs. If honourable members have to have problems in their electorates, that is one of the problems they would want to have. The Government has not taken seriously enough and acknowledged the exciting things that are happening in the Murrumbidgee Irrigation Area [MIA] and the western Riverina, including places such as Hillston. There is a lot of new development and interest in the expansion of existing developments. We are not talking about tens of jobs but potentially hundreds of jobs. Some businesses are talking about pulling out of the MIA and the western Riverina and will not expand in Griffith and Leeton because of the problem of attracting staff.

It is difficult for the area to attract staff because it is 600 kilometres from Sydney and 450 kilometres from Melbourne—a problem the area will never overcome. Griffith is also an expensive place in which to live because sufficient land has not been made available. The Premier recognised that four or five years ago with his five-point plan for the western Riverina. However, not enough has been done. A large amount of land is owned by the Department of Land and Water Conservation. However, it has refused to release a substantial amount of land for residential subdivision. As a result, the price of houses and land has increased, making it expensive for people to move from other regional centres or from the city. For example, a house that would cost \$130,000 in Wagga Wagga would cost \$200,000 in Griffith. Rents are also high in Griffith.

Another problem is availability of child care facilities. I constantly get telephone calls from people who have moved to Griffith to take up jobs as teachers, dentists, nurses or other positions involved with the delivery of essential services. They tell me they are in Griffith and ready to work but they cannot get the child care necessary to enable them to go to work. At least 180 people are on the waiting list for child care services in Griffith. A couple of private child care providers set up there recently, but the level of services they provide only scratches the surface of demand for child care. The result is that these people are not staying in the town. Because they cannot get child care services, they cannot earn the incomes that they would like to earn. The job may be available and the pay offered may be right, but these people cannot do the work because they cannot find anybody to look after their children.

In addition, it is expensive to buy a house or rent accommodation in Griffith, and that is coupled with the difficulty of finding places to buy or rent. Those are significant problems. The western Riverina, the Murrumbidgee Irrigation Area, Griffith, Leeton, Hay and Hillston are really exciting places. Exciting stuff is happening already, and even more exciting stuff is ready to happen. But these service bottlenecks must be addressed. Much is said about regional development and encouraging business to relocate and attract people

from the city to the country. Those places are examples of where that type of relocation is occurring. More could be happening, but we need assistance to make sure it does. This matter was not addressed particularly in the budget. I hope it soon will be. The Premier's five-point plan of a few years ago acknowledged the problems to which I have referred, but these issues have not been sufficiently addressed by government. The Coalition will take these matters seriously when elected to government next March. In the meantime, I ask the present State Government to take these matters into consideration.

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

*[Mr Acting-Speaker (Mr Mills) left the chair at 1.02 p.m. The House resumed at 2.15 p.m.]*

**DEATH OF THE HONOURABLE DOUGLAS FREDERICK MOPPETT, A FORMER MEMBER OF  
THE LEGISLATIVE COUNCIL**

**Ministerial Statement**

**Mr CARR** (Maroubra—Premier, Minister for the Arts, and Minister for Citizenship) [2.18 p.m.]: It was with regret and real sadness that I learnt yesterday of the death of Doug Moppett. Last week I had called Mr Moppett at his home in western New South Wales. He was, of course, a respected member of his community and a conscientious member of Parliament. I know that all honourable members will agree that Doug Moppett was a true gentleman. I learnt with sadness from his parliamentary colleagues not only of his suffering but of his great bravery in his last days. He certainly evinced that when I spoke to him last week. I congratulated him on his buoyant spirits, even as he was facing a certain and immediate death. He was a hard-working member of Parliament who was held in high respect by members on both sides of the Legislative Council.

Doug was member of the New South Wales Legislative Council for 13 years from 1976 to 1978 and from 1991 to 2002. He had been a member of the Standing Committee on Social Issues for the past 11 years and had been deputy-chair of that committee since 1999. His commonsense and compassion contributed to several excellent reports, including the report on the inquiry into hepatitis C. The recommendations made in that report largely have been implemented. Members of the committee have said that in all their inquiries the rural and regional perspective provided by Doug was invaluable. He was vice-chairman of the New South Wales branch of the National Party from 1971 to 1986 and State Chairman of the National Party from 1986 to 1991. He was a life member of the National Party. Doug has been a grazier since 1962, and I am told that he and his sons recently appeared in a Gowings catalogue promoting Australian wool. In his Address-in-Reply speech on 1 September 1976, Doug stated:

My philosophy on politics is that people should not be inconvenienced by wishing to live in rural areas of this country; they should not be handicapped in their enjoyment of life any more than other members of the community.

Born in 1940, Doug was married to Helen and they had two sons, Warwick and Peter. I extend the condolences of honourable members to them, and to his friends and colleagues in this Parliament and the National Party.

**Mr SOURIS** (Upper Hunter—Leader of the National Party) [2.21 p.m.]: I thank the Premier for his remarks. I also thank him and the many members of both this House and the Legislative Council for their telephone calls and the support and goodwill extended to the Moppett family in recent days. We lost a friend of parliamentary democracy when the Hon. Doug Moppett passed away on 18 June 2002. We also lost a friend of the power of eloquent debate. Doug died of cancer at the age of 62. In the company of the Deputy Leader of the Opposition I had the honour of the visiting him in hospital two weeks ago. All of us already knew of Doug Moppett's courage, maturity and strength. That was no more evident than in an interview he gave to ABC radio last week, only days before his death. A news item from the Parliamentary Library contains the following:

He spoke to the ABC last week, where he said his long fight with cancer forced him to retire.

"It was undifferentiated at first, but about five weeks ago, a CT scan showed a shadow on my liver, and that's had a profound effect on my capacity to work," he said.

"The doctors I have been consulting with have told me not to look too far ahead, so I'm sort of straightening things out."

That is a very courageous statement to make in a radio broadcast. Doug was a member of the Legislative Council of New South Wales between 1976 and 1978 and again from 1991 to 2002. His more recent term included a period as the Deputy Opposition Whip and both his terms included many years of service on parliamentary committees. He was a member of the National Party from 1971 and was State Chairman of the New South Wales branch of the National Party from 1986 to 1991.

Doug Moppett also served for 13 years on the Coonamble Shire Council, including one year as its deputy-president. He had an interest in all matters sporting. In fact, several members of this Parliament enjoyed the occasional Wednesday early morning game of tennis that was played when Parliament was sitting. He was active in Anglican Church affairs and he had other community interests. During the period of Doug Moppett's chairmanship, the National Party was faced with perhaps the greatest challenge in its history, the Joh for Canberra campaign, which was akin to civil war within the party. I would like to quote a couple of paragraphs from the book written by Paul Kelly, *The End of Certainty—Power, Politics and Business in Australia*. He said:

The Joh-for-Canberra push split the Nationals at their base. The Joh war was conducted state-by-state. Joh's real opposition was the NSW National Party, which had no intention of falling for Joh-power and was appalled by his tactics. The NSW party was (Ian) Sinclair's power base, the home of a successful state level coalition which aspired to win the next state election and had a firm and competent state chairman, Doug Moppett.

From the start Moppett spoke for the NSW party in saying that coalition unity was essential, that outside pressure on the party would be resisted, that proper constitutional process would be followed in preselection, and that NSW would not tolerate Queensland disruption of the federal coalition. In the war that would engulf the National Party, the attack of the Queenslanders would be met with an equally determined defence in NSW. This would prove fundamental in breaking the Joh push. Moppett was backed by National Party federal president then Shirley McKerrow.

The NSW National Party central executive supported Sinclair's leadership, the federal coalition, and the independence of the federal National Party. It was the NSW party which would eventually smash Joh.

... Joh's weakness was induced partly by a secret deal struck in Howard's office between the NSW National and Liberal Parties, and formally embodied in a two-page signed document. Its effect was to lock Joh out of the biggest state.

Those of us who were around at the time remember the ferocity of the debate and the way in which it shook the National Party to its foundations. I will take a moment to reflect on a nice side of Doug Moppett, that is, his legendary command of the lexicon. I have the opportunity of offering just one or two quotes that have come from parliamentary debates in the State's Legislative Council. This quote is from a debate on the Agricultural Tenancies Amendment Bill:

So often the Hon. R. S. L. Jones presents himself to his House like a nineteenth-century dilettante, convening a society to talk about secret arguments, about gnostic matters that he is aware of. He often quotes the search engine that he has suddenly discovered that brings up obscure quotations that bedizen his otherwise vacuous speeches. But when it comes to the full force of logic, I find that his arguments fall to the ground more quickly than the proverbial bride's nightie.

**Mr Brogden:** Michael Egan is more direct.

**Mr SOURIS:** I will quote later from what the Hon. Michael Egan had to say. In a debate relating to the retirement of Johnno Johnson, Doug Moppett said:

I thought it was my bounden duty as a member of the National Party organisation not to subscribe money that I knew was certainly going to the coffers of the ALP. Nevertheless, I guess I compromised my principles because among the merchandise that he had for sale, which no-one has mentioned, he also had a brand of tea—Fortnum and Mason's royal blend—which came in beautiful big containers. I would have to say that the Moppett household survived on that wonderful supply of tea, no doubt to the benefit of the ALP but thanks to Johnno Johnson and his skills in the retail industry.

This is another exchange:

**The Hon. DOUG MOPPETT:** Country Labor's interest has been facetious at best, simply designed to gain some evanescent favour.

**The Hon Michael Egan:** "Evanescence"—what does that mean?

The Hon. Doug Moppett replied straightaway:

Fading away, ephemeral. It has proved to be such.

Doug had the following thoughts on the proposal for a State Bill of Rights:

From time to time there are proposals in relation to vapid and evanescent notions of a bill of rights and a new order of things, almost like meteors or shooting stars in the sky. They generally fade away through lack of resonance in society. The proposal for a bill of rights has been more a enduring one and is, of course, considered to be a glib and beguiling argument by the inexperienced and those who simply are attracted to the euphonious nature of such a proposal.

Doug made the following statement in relation to the composition of the Public Accounts Committee:

It was obvious that was the case because, after one of those fatal meetings and during the development of the debate, a trickle of tatterdemalion-like Government members—some slinking, some strident, kicking tins and blowing whistles—came down to the Chamber bearing a gallimaufry of false arguments with which they wanted to regale the House as some sort of weak excuse as to why they would subsequently vote against the proposal.

On behalf of his many friends in parliamentary life, and especially his best friend in Macquarie Street, the Hon. Jennifer Gardiner, I would like to pay tribute to Doug's lifetime commitment to country New South Wales, the National Party and parliamentary democracy. All of us in public life know of the sacrifices involved on the part of our families. We all express our sympathy to Helen, Warwick and Peter, and offer them our support in the days ahead. I would like to conclude with one final Doug Moppett quote. In his farewell speech to Johnno Johnson, Doug said:

Johnno has a philosophy that has been distilled out of unfathomable faith and unshakeable beliefs which were combined with the experience of life in a wide range of circumstances. He sits there now, his silver hair gilded with nobility, distinguished among his peers and revered by all who knew him. I can only sum up my thoughts, as I am wont to do, in Shakespearean terms and say of—

and I substitute the word "Doug"—

His life was gentle, and the elements, So mix'd in him that Nature might stand up, And say to all the world, "This was a man!"

## PETITIONS

### Warrawee Medium Density Housing

Petition opposing medium density housing development on the corner of Marshall Avenue and Pacific Highway, Warrawee, received from **Mr O'Farrell**.

### Bank Services

Petition asking the House to make banks provide a basic service for all and to make arrangements for the aged and the disabled, received from **Ms Andrews**.

### Mandatory Minimum Penalties

Petition praying that mandatory minimum penalties be introduced into legislation, received from **Mr Merton**.

### Freedom of Religion

Petition praying that the House retain the existing exemptions applying to religious bodies in the Anti-Discrimination Act, received from **Mr Price**.

### National Parks and Wildlife Service Prosecutions

Petition asking that the National Parks and Wildlife Service be directed to redress the injustice suffered by the Bacic family and to ensure that future prosecutions under the National Parks and Wildlife Act are properly and responsibly based, received from **Mr Rozzoli**.

### Manly Traffic Arrangements

Petition requesting urgent improvements to the Seaforth roundabout at the top of Sydney Road, Manly, received from **Mr Barr**.

### Northern Beaches Traffic Arrangements

Petition requesting an additional lane from Manly Road, Balgowlah, to Ourimbah Road, Mosman, including the widening of the Spit Bridge, received from **Mr Barr**.

### Lane Cove Tunnel Works

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

**Cammeray Traffic Arrangements**

Petition praying that pedestrian traffic signals be installed at Raleigh Plaza on Miller Street, Cammeray, and that the 1997 traffic study be implemented, received from **Mr Collins**.

**Brooklyn Railway Station**

Petition asking that the Brooklyn Railway Station steps be repaired, received from **Ms Hopwood**.

**Old-growth Forests Protection**

Petition praying that consideration be given to the permanent protection of old-growth forests and all other areas of high conservation value, and to the implementation of tree planting strategies, received from **Ms Moore**.

**White City Site Rezoning Proposal**

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

**Casino Policing**

Petition requesting increased police numbers at Casino and that the police station be manned 24 hours per day, received from **Mr George**.

**Berowra and Brooklyn Policing**

Petition asking that police be reinstated to the Berowra and Brooklyn police stations, received from **Ms Hopwood**.

**Cronulla Police Station Upgrading**

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

**Surry Hills Policing**

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

**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**.

**Wentworthville Police Station**

Petition asking that any move to scale back or close Wentworthville Police Station be opposed, received from **Mr Tink**.

**BUSINESS OF THE HOUSE****Reordering of General Business**

**Mrs SKINNER** (North Shore) [2.37 p.m.]: I move:

That the General Business Notice of Motion (General Notice) given by me this day [Hospital Emergency Departments] have precedence on Thursday 20 June.

This motion gets to the heart of the crisis in the State's hospital system. It is about the number of patients who are waiting longer than they should in hospital emergency departments. The motion needs to be debated urgently on behalf of patients such as Edna Barrett, who waited 22 hours in the emergency department at Manly

hospital last weekend. The motion is about hospitals such as Griffith hospital. Only this morning the honourable member for Murrumbidgee was contacted and told that the whole of one floor of that hospital was closed.

[*Interruption*]

He is probably out there trying to do something about the hospital crisis—unlike members opposite, who do nothing about the local hospitals in their electorates. The exception is the one local member who in February contacted Bankstown hospital on behalf of a patient who was not able to get treatment quickly enough. Only one of the members on the Government's side is doing the right thing. This Parliament should debate this motion now because in the last month alone 35,000 patients waited longer than they should for treatment in hospital emergency departments. One wonders whether the increased number of sicker patients turning up in emergency departments, to which the Minister referred, are in fact patients who got so sick while on the waiting list that they could not wait any longer and they had to go to emergency departments.

**Mr WHELAN** (Strathfield—Parliamentary Secretary) [2.39 p.m.]: I am happy to advise the honourable member that the Government will agree to the motion.

**Motion agreed to.**

## QUESTIONS WITHOUT NOTICE

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### POLICE OFFICER ASSAULT MANDATORY SENTENCES

**Mr BROGDEN:** My question without notice is directed to the Premier. In the light of community concern about the increasing number of assaults on police and in the light of yet another attack today, will the Premier now act to protect police by introducing compulsory minimum sentences for people who commit serious assaults on police?

**Mr CARR:** Another day, another leak.

**Mr Scully:** Not another one! Who is leaking this time?

**Mr CARR:** I am not going to give my sources away, but this time they have given me—and I cannot vouch for its authenticity—what appears to be the complete agenda for the weekend meeting of the Liberal Party State Council and Campaign Assembly in Tumbarumba.

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

**Mr Hartcher:** Point of order: The argument is relevance. This is totally irrelevant to the question, which was about serious assaults on police. The Premier is belittling the police of this State when he talks about Liberal Party agendas when he is asked questions about serious assaults. The next point in relation to relevance is that this information is on the Internet. Anybody who wants it can get it from [www.liberal.org.au](http://www.liberal.org.au).

**Mr SPEAKER:** Order! There is no point of order. I call the honourable member for Wakehurst to order.

**Mr CARR:** This material reveals that the keynote speaker is none other than Mr Mark Textor, managing director of Wirthlin Worldwide Australasia, and an old friend of the honourable member for Willoughby. Remember the poll that figured so big in the book of my fellow author the honourable member for Willoughby, prepared by Mark Textor? None other than the Mark Textor who was the author of the Northern Territory Country-Liberal Party's mandatory sentencing regime.

**Mr SPEAKER:** Order! The Chair takes exception to the Leader of the Opposition standing at the table and shouting across the Chamber. I ask him to behave with a little more decorum.

**Mr CARR:** After yesterday's leak the Leader of the Opposition declares that his party's mandatory sentencing policy will not apply to property crimes. The policy had said it would.

**Mr Hartcher:** No.

**Mr CARR:** The policy announced it would, and the honourable member for Gosford had been saying for months that it would apply to property crimes. He said in the *Sun-Herald* in January, "a minimum sentence for property crimes". Within hours of my releasing the Opposition's policy in Parliament yesterday the Leader of the Opposition was declaring that it would not apply to property crimes. So, within two hours of the revelation here, something that was in the policy was withdrawn from the policy—plucked out of it.

**Mr Brogden:** Point of order: My point of order relates to relevance. I asked the Premier whether he would support minimum sentences for violent assaults against police officers, and he has not answered that question. I ask you to direct him to answer the question.

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

**Mr CARR:** If you are speaking in this Chamber, speak up. Nobody can hear you. I answered this precise question on the first sitting day, when the Leader of the Opposition put to me this identical proposition. It is the identical question being recycled today.

**Mr Brogden:** Point of order: The Premier did not listen to the question, so I state it again. On the first sitting day I asked the Premier if he supported compulsory life sentences for people who murder police officers. Today I asked him whether he supported minimum sentences for people who assault police officers. Does he not understand the difference?

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

**Mr CARR:** I replied to this question. The Minister for Police answered this fully when he addressed the Police Association annual conference.

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

**Mr CARR:** As the Minister for Police said weeks ago, the Government is making application for a guideline sentence on this very matter.

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

**Mr CARR:** That is the approach to take. Honourable members should put a bit more power in their lungs. I cannot hear what they are saying by way of interjection. We know after yesterday's revelation that the honourable member for Wakehurst opposes minimum sentences. I have given him more publicity than he ever got as a shadow Minister. I made his name all but a household word. The Leader of the Opposition now supports parts of the original policy, but only parts. He has ruled out minimum sentences on property crime, a proposition that the Deputy Leader of the Opposition had been touting for months. The Deputy Leader of the Opposition still supports mandatory sentences for property and other offences. We have the full spectrum over there. It is a severely divided shadow cabinet. The honourable member for Wakehurst says no mandatory sentences; the Deputy Leader of the Opposition says mandatory sentences for property crimes and other offences, and the Leader of the Opposition is saying—

**Mr Watkins:** No Chika!

**Mr CARR:** "No Chika" is right. The Leader of the Opposition is saying now that we will have mandatory sentences here but not there. He will have the policy in part.

**Mr SPEAKER:** Order! I call the honourable member for The Hills to order. I place the honourable member for Oxley on three calls to order.

**Mr CARR:** The Leader of the Opposition has made the right decision to invite in the famous pollster, Mark Textor, so beloved of the honourable member for Willoughby. He can tell the Leader of the Opposition what to say. A pollster can tell him what to think.

**DEPARTMENT OF LOCAL GOVERNMENT TWEED SHIRE COUNCIL INVESTIGATION**

**Mr NEWELL:** My question without notice is to the Minister for Local Government. What is the latest information on the Department of Local Government's major investigation into Tweed Shire Council?

**Mr WOODS:** On 20 March this year I tabled the report of the first stage of the Department of Local Government's investigation into Tweed Shire Council, which focused on the Kings Forest estate project. That investigation began in May 2001 after some councillors made allegations that council staff were preventing the project from proceeding. This first report cleared the staff of those allegations and found "a sense of deja vu" with the current issues and past investigations into North Coast land dealings in the 1980s and the early 1990s. Today I can finally release the second report, which had previously been tied up in the courts. I seek leave to table the report of an investigation under section 430 of the Local Government Act 1993 entitled "Re: Tweed Shire Council: Second Instalment on Seaside City and Related Matters", dated 19 June 2002.

**Leave granted.**

**Report tabled.**

This report focuses on the seaside city development. The seaside city project is a paper subdivision created in the 1920s, and lies between Kingscliff, near the Queensland border, and Cabarita. The owner of most of the land is Richtech Pty Ltd, which is part of the Barclay Group. This 248-page report is again very critical of a number of Tweed councillors, most notably the former Mayor, Councillor Lynn Beck, and the then Deputy Mayor, Councillor Bob Brinsmead. The report concluded:

Those councillors acted most inadvisedly and improperly and without due consideration to the position of council and the consequent interests of the ratepayers and the community. Their attitude could even be considered to be reckless and cavalier.

I point out that it was on the invitation of the council itself, and more particularly on the insistent urging of councillors Beck and Brinsmead, that the Department of Local Government instigated this formal investigation in the first place. Despite this, some of the councillors have been quick to smear the investigation and, in particular, the integrity of the investigative officer, Mr Robert Bulford, the department's most senior investigative officer. Mr Bulford has carried out numerous investigations, as well as assisted the commissioner on the public inquiries into the Maitland and Bega Valley councils, which subsequently led to their dismissal. The second report outlines the flawed process used to appoint a consultant, McInnes Group International, ostensibly acting for the council, to undertake an environmental study into the seaside city project. Mr Bulford concluded:

I have uncovered evidence of clear links between the McInnes Group and the developer of seaside city.

He further said:

Cr Brinsmead in particular is shown on the evidence to have played a leading role in pushing the developer's position and in ensuring that the developer would get its way.

Although senior council officers recommended another consultant, whose bid came in lower than that of McInnes, the seven councillors who make up the Tweed balance team voted for the McInnes bid. The report quotes the former longstanding mayor, Councillor Max Boyd, as saying that the majority group of councillors:

... were determined McInnes was going to get the job, come hell or high water.

The report also refers to a confidential meeting arranged in Grafton between Department of Urban Affairs and Planning officers, council staff and the developer in March last year to discuss the bids. Mr Bulford found that although councillors Beck and Brinsmead were not invited to the meeting, they attended anyway and were flown to the meeting in a plane specially chartered by the developer. In July last year a senior Planning New South Wales officer wrote to council warning that all work on the environmental study cease until Mr Bulford's investigation was complete. Council refused and, as the report notes, "effectively told the Government to mind its own business". My colleague the Minister for Planning issued a public statement on 17 October, again calling for council to cease work on the study. He repeated that message in a letter to council in February this year. The report stated that the councillors "still obstinately and belligerently clung to their entrenched positions". Mr Bulford concluded that the councillors:

... had more than one opportunity to set the matter straight, and have failed on every occasion, allowing themselves to inappropriately be lobbied and cajoled by persons associated with the developer.

The second report contains 19 new recommendations, the key one being the suspension of the environmental study and termination of the appointment of McInnes Group International. It recommends that the council appoint, if necessary, external consultants to review and complete the work of McInnes Group International. It also recommends that consideration be given to surcharging the seven councillors to pay for the cost of the review from their own pockets. The Director-General of my department has written to the ICAC today, as he is required to do if suspected corruption comes to his attention. In fact, the letter and the report have been sent by courier to the commissioner. Under the Act, Tweed council now has another 40 days to respond to this latest report. I place Tweed shire councillors on notice that the Government expects a substantial, positive and prompt response to the recommendations in this report. They should demonstrate that they are capable of properly carrying out their duties and responsibilities as elected representatives, and that they are worthy of the confidence of their electors and the Tweed community.

### **DROUGHT ASSISTANCE**

**Mr SOURIS:** My question is directed to the Premier. As two-thirds of the State is in the grip of a sustained drought, will the Premier consider introducing assistance for the transport of fodder, livestock and water?

**Mr CARR:** Yes, I will.

### **DRIVING INSTRUCTORS LEGISLATION REVIEW**

**Mr MOSS:** My question is directed to the Minister for Roads. What is the Government's response to community concerns about driving schools and driving instructors?

**Mr SCULLY:** The introduction of the graduated licensing system a couple of years ago is already proving successful in saving the lives of younger drivers. In the past two years the pass rate for the driving test has risen by about 5 per cent, demonstrating that our learner drivers are picking up skills. For young drivers, the new 50-hour supervision requirement, recorded in a logbook, is mostly met by driving with parents and friends. However, 45 per cent of learners who presented for the 170,000 driving tests conducted last year arrived with a driving instructor. Research shows that 80 per cent of learner drivers take some lessons with a driving school. This means that parents and young people need to be confident that their driving instructor is safe, regulated and professional.

In New South Wales there are 3,033 registered driving instructors, and many of them are members of the Australian Driver Trainers Association. It is a large industry, which impacts on tens of thousands of young people learning to drive. The majority is professionals who take their responsibilities very seriously. However, in the past two years the Roads and Traffic Authority [RTA] has had to conduct 507 inquiries and audits into driver training and testing. Each and every year the RTA received about 50 complaints from the public. The most frequent complaints concerning driving instructors relate to sexual harassment and instructors being late for class, being rude, being impatient and giving inadequate instruction.

Recently, the RTA cancelled one instructor's licence because he allegedly turned up for a lesson with three men in the back seat. The young female's first instruction was to drive these mates to the railway station; upon them embarking from the car a fourth mate climbed out of the boot. On average, students of driving schools have higher pass rates. Indeed, the pass rate for driving schools is 60 per cent versus a 57 per cent pass rate for home-coached students. While some driving instructor schools have student pass rates as high as 50 per cent, some have pass rates as low as 25 per cent. When young people and mums and dads are paying not insignificant sums for their children to learn how to drive, it is important that they expect and receive good results. The RTA audits, and will continue to audit, learner drivers so that they get quality instruction and value for money. I seek leave to table the final report of the review of the Driving Instructors Act 1992 by the Road Safety and Road User Management Directorate of the Roads and Traffic Authority, dated July 2001.

**Leave granted.**

**Report tabled.**

The report contains a package of measures to further improve protection of young drivers who place their trust in driving instructors. This was the first review of the legislation since its introduction 10 years ago. It was conducted by the RTA, the Cabinet Office, the Australian Driver Trainers Association and the Road Freight Advisory Council. The Government accepted the committee's recommendations to retain the core regulations relating to age, driving record, record keeping, medical fitness and character requirements.

But the review recommended boosting the regulation of the driver instructor industry by strengthening character checks and criminal records of applicants, requiring driving schools to report allegations of improper conduct to the RTA, allowing the temporary suspension of an instructor's permit during an investigation of serious wrongdoing, further development of training curriculum for driving instructors, additional retesting, and the introduction of an industry code of practice. In addition, it is appropriate that parents and young people have available to them the pass and fail rates of driving schools. I have instructed the RTA to publish each the pass and fail rates of each driving instructor school from January next year.

**Mr Tink:** Point of order: The standing orders require the Minister to address the Chair. He is addressing the camera. He should address you.

**Mr SPEAKER:** Order! There is no point of order. I call the honourable member for Vaucluse to order. I call the Leader of the National Party to order.

**Mr SCULLY:** There were three recommendations which the Government rejected. Members of the Opposition are obviously not interested in consumer protection. I rejected the recommendation that dual controls in driving instructor vehicles be removed. I also rejected the recommendation to reduce the time of holding a full drivers licence. In addition, legislation will be introduced to require all cars used for driving instruction to carry comprehensive insurance. This means that learner drivers will be protected from liability in the event that they damage the car they are in, or another car they hit while they are driving. The fact that parents will know about the pass and fail rates of particular schools of instruction, compulsory insurance for all cars used for driving instruction and a range of other checks and balances will make this a far more professional industry and will protect our young people even further as they go through the process of learning to drive. The legislation will be introduced later this year and will become law before the year is out.

#### CHINATOWN CRIME

**Mr TINK:** My question is to the Premier. Was the police media unit's new spin doctoring role of "maximising positive media coverage and minimising negative coverage" responsible for a police media statement yesterday which initially downplayed vicious gang attacks on four Chinatown restaurants by describing them merely as malicious damage, a crime normally reported to the police assistance line?

**Mr CARR:** I have not seen the reports.

#### SYDNEY WATER QUALITY

**Mr MARTIN:** My question is to the Minister for the Environment.

**Mr SPEAKER:** Order! The honourable member for Bathurst has attempted to ask a question. The Chair and others could not hear the question because of the level of interjection. I remind the honourable member for Oxley that he is on three calls to order. If he wants me to direct the Serjeant-at-Arms to accompany him from the House before the conclusion of question time, I will do so.

**Mr MARTIN:** How is the Government protecting Sydney's water supply?

**Mr DEBUS:** Today I am pleased to announce a major new program that will continue the work of protecting the State's drinking water supply. Sydney's precious drinking water catchments will be even better protected by a new \$20 million program that will fast-track the upgrading of ageing sewage treatment plants by up to two years. The program also provides for the building of two new sewage treatment plants. This is part of the Government's commitment to delivering to residents of Sydney, the Blue Mountains, the Southern Highlands and Illawarra the highest quality drinking water. This is good news because sewage, and the existence of unsewered villages that rely on septic tanks, has been identified as one of the major pollution risks for Sydney's drinking water quality.

Residents living in towns in the Central West, Southern Highlands and Southern Tablelands, all in the catchment area for Sydney's water supply, will also benefit from cleaner rivers as local treatment plants are upgraded. The Sydney Catchment Authority will contribute \$20 million over the next five years to fast-track the upgrade program in the catchment. That is on top of a program already funded by the Department of Land and Water Conservation, in partnership with local councils, to improve sewerage systems in the drinking water catchment.

The main benefits of the work in the catchment's rivers, such as the Wollondilly River and the Wingecarribee, will be reduced risk from toxic blue-green algae. The levels of nitrogen and phosphorus, which contribute—as the honourable member for Lachlan is aware—to the growth of blue-green algae, will be cut by as much as 95 per cent, and pathogens that would otherwise be introduced into those rivers will also be reduced. Communities in the catchment who use the rivers for recreation will also benefit by the reduction in pollution, as will farmers whose animals use the river water. Sydney's water supply is one of the most thoroughly tested in Australia both in the catchment areas and in the distribution system, and is verified by an independent laboratory. The testing is part of the Government's multi-barrier approach to protecting water quality to minimise the risk of pollutants. The approach also includes on-the-ground works, such as those I am announcing today.

The program provides for the fast-tracking of upgrades to sewage treatment plants in the towns of Bowral, Lithgow, Wallerawang, Goulburn and Bundanoon. I am advised that the Department of Land and Water Conservation will work with each council to develop the best sewage treatment option for each town. The program also will provide for the building of new treatment plants at Kangaroo Valley and Robertson, which are currently unsewered. That will be an important contribution to environmental protection in those parts of the State. The program will fund works that will reuse effluent, raise the standard of sewage treatment, and prevent overflows of raw sewage from sewage treatment plants during heavy rainfall. It will address the drawbacks of sewerage systems that are old, outdated, close to creeks, or have reached their capacity.

The funding I announce today builds on the massive program currently being undertaken to help safeguard Sydney's water supply. For instance, a new \$42 million sewerage treatment plant, which is a joint project between the Department of Land and Water Conservation and Wingecarribee Council, is benefiting towns to the north of Mittagong. Sydney Water has a \$26.5 million project under way to sewer The Oaks, Oakdale and Belimbla Park, which are located near Warragamba Dam. In summary, this \$20 million project will form a key part of the Government's five-year, \$272 million package of initiatives aimed at improving the quality of Sydney's drinking water from the catchments to the tap.

#### NATIONAL LIVESTOCK IDENTIFICATION SCHEME

**Mr WEBB:** My question is directed to the Minister for Agriculture.

**Mr Carr:** Why don't you ask me a question?

**Mr SPEAKER:** Order! The Premier will refrain from interjecting. I ask him to resume his seat, and I ask the honourable member for Monaro to repeat his question.

**Mr WEBB:** Will the Minister for Agriculture match the Coalition's policy of providing financial assistance to the livestock industry to develop the national livestock identification scheme in New South Wales so that the industry can utilise the disease control, residue monitoring and crime prevention benefits of the scheme?

**Mr SPEAKER:** Order! Is the Minister asking the Premier to assist him in this answer?

**Mr AMERY:** My answer will not be as comprehensive as the Premier's. The first part of the question is quite interesting because it asks whether I will match the Coalition policy. I will be pleased to have a look at any Coalition policy, and will be pleased to try to match it if possible. However, in the absence of a policy, I will assume that the Coalition has issued a press release or made some statement about a policy document on the national livestock identification scheme. I am somewhat distracted by the actions of the honourable member for Lismore. It is with some embarrassment that I advise the House that he auctioned a ticket to have dinner with me and got no bidders. I did not know my table manners were that bad!

**Mr George:** I wish to make a personal explanation. Unfortunately, no-one else bid, and I got hooked with a dummy bid of \$500.

**Mr AMERY:** Now I am worried. The honourable member for Lismore has paid \$500 to have dinner with me. Some members of this House would know that if he joined the 6.30 club he could do that for \$10 a week.

**Mr Fraser:** Point of order: Is the Minister interested in buying it back from the honourable member for Lismore for \$1,000?

**Mr AMERY:** To wind up on that point, I will have dinner with the honourable member for Lismore, but I must say that I will draw the line if he asks me for a dance! And he has no chance of asking me up for coffee either. But let me get back to this very interesting subject. The national livestock identification scheme provides individual identification of cattle with radio frequency devices. It enhances the current transaction tagging system for monitoring and trace-back of stock for diseases and residues. The scheme is already subject to a multi-million dollar investment by the cattle industry. Today, the scheme has been implemented by the cattle industry on a voluntary basis because of its benefits in improving product integrity and market access.

The national livestock identification scheme, when fully implemented, will greatly improve disease and residue control in New South Wales. The scheme also will bring some commercial benefits for the industry, and this is the important part of it. For example, the Australian Quarantine and Inspection Service has determined that cattle producers who wish to sell cattle to the European Union market must adopt the national livestock identification scheme to satisfy the European Union requirements. These benefits cannot be captured until the majority of cattle carry these national livestock identification scheme devices, and infrastructure to read those devices is available in most saleyards and abattoirs.

Unfortunately, these benefits will not ensure the rapid adoption of the national livestock identification scheme by all cattle producers. For example, a farmer trading and fattening small numbers of cattle as a sideline is likely to find that the benefits of the national scheme may outweigh its costs. Opposition members who would interject should be very careful because Warren Truss has been making a few statements along those lines on behalf of Queensland producers. However, the United Kingdom's experience with foot and mouth disease demonstrates the great importance of being able to trace all movements of any susceptible livestock. I raised this issue at the Ministerial Council meeting only a couple of months ago. I must say we were underwhelmed by the Federal response to putting a national livestock scheme in place.

For the scheme to be, as the name implies, a national livestock identification scheme, it must be adopted nationally. We are trying to convince the Ministerial Council, the Federal Minister and the national industry to adopt this concept. But there has not been universal support. They agree with it in principle, but when it comes to the fine details of how the scheme is to be implemented, we run into hurdles. The other issue raised by the question—an issue on which the New South Wales Government and New South Wales Farmers have been negotiating—is prevention of livestock theft. We believe that police enforcement of livestock theft prevention measures would be greatly enhanced by the implementation of the national livestock identification scheme. Therefore this has been part of the proposal on the negotiating table of the Government, police and the Farmers Association.

I have found the policy document to which the honourable member for Monaro may have referred. It is a press clipping in the *Queanbeyan Age* which, referring to the budget, states, "Once again the Carr Government has spent big money on Sydney." It then says it has confirmed planned expenditure in the following areas, including "major budget wins for the Monaro electorate" and so on. I will be pleased to study and debate Coalition policy on the national livestock identification scheme. But I would like a copy of the policy of the Coalition on that scheme. Has one been leaked to the Premier? When the Premier releases that policy I look forward to hearing the view of the honourable member for Wakehurst on the national livestock identification scheme.

## FOOT AND MOUTH DISEASE CONTROL AND SURVEILLANCE

**Mr BLACK:** My question without notice is to the Minister for Agriculture. How is the Government helping farmers prepare for a potential outbreak of foot and mouth disease?

**Mr AMERY:** The honourable member for Murray-Darling shows a very keen interest in ensuring that this Government makes progress in its preparedness to manage outbreaks of exotic animal diseases, such as the outbreak of foot and mouth disease which ravaged Britain so savagely over the past couple of years. I welcome this opportunity to again draw the attention of honourable members to the new technologies that are being developed by the Department of Agriculture in its efforts to protect this State from the effects of animal disease outbreak. I recently provided to the House details of the huge range of measures being undertaken by New South Wales Agriculture to assist with animal disease control preparedness. Today I am able to report on an additional measure that I am sure will prove to be invaluable.

The Department of Agriculture recently completed an analysis which commenced in January this year of the potential for developing a database of farming properties. The database, called a property event

management system, will contain raw data on important and sometimes overlapping information, such as property boundaries, shire boundaries, Rural Lands Protection Board boundaries, and ownership and occupation details of rural properties. Honourable members would be aware that departmental officers who visited Great Britain to investigate problems associated with the foot and mouth disease outbreak discovered that British government officials have ready access to information, not just on the movement of stock to and from a particular property, but on the various control authorities, who owns the properties, the boundaries of those properties, et cetera—a very important part of the way in which the New South Wales Government will manage a large-scale disease should such an event occur in this State. The system to which I have referred will enable maps and other information to be assessed quickly and will allow authorities to contact property owners who potentially will be affected by disease outbreaks.

**Mr Black:** Hear! Hear!

**Mr AMERY:** I am pleased that the honourable member for Murray-Darling endorses this proposal. Is it any wonder that Country Labor has driven the National Party vote down to 3 per cent? Members such as the honourable member for Murray-Darling are very much on the ball when it comes to important State and rural issues.

**Mr Armstrong:** The Auditor-General does not say that.

**Mr AMERY:** The Auditor-General could learn a lot from Country Labor. The system's information can be used in many ways, including tracing livestock during disease emergencies; surveillance of insect pests and exotic and endemic plant diseases; emergencies such as fire, flood, storm, quarantine and residue trace back; natural resource management; product delivery, et cetera. The obvious benefits that flow from establishment of the system include the minimisation of enormous financial and physical losses associated with an exotic livestock disease outbreak, the sharing of data between New South Wales Agriculture, rural lands protection boards and key emergency agencies on both a State and Federal level, direct linkages with Federal plant and animal reporting systems, assistance with cross-border management issues concerning plant and animal diseases, and the greater integration of data services through co-operation with Land and Property Information at Bathurst to digitally deliver detailed property information.

The department's project team comprises representatives of all divisions of New South Wales Agriculture, including those involved in plants, animals and information technology. The Rural Lands Protection Board should also be congratulated on its representation on the project team and on providing practical input into the design and use of the property event management system. In May, New South Wales Agriculture arranged a national workshop of relevant experts from all States and Territories, except the Northern Territory, involving Animal Health Australia and the Commonwealth Department of Agriculture, Fisheries and Forestry, at which agreement was reached on important elements of property event systems. That was the first time such a meeting had been convened.

The meeting produced agreement on data sharing of intellectual property between the States and, importantly, between the States and the Commonwealth. Mr Geoff File from my department is the driving force behind this program. I am sure that all honourable members recognise his experience in the control of emergencies and the administration of regulatory regimes. I thank the honourable member for Murray-Darling for the opportunity to inform the House of another niche program of the department which is designed to manage an outbreak of the magnitude of foot and mouth disease, should that ever occur in this country. I again thank the honourable member for his interest.

#### **LOCAL GOVERNMENT POLITICAL DONATIONS BAN**

**Ms MOORE:** My question is directed to the Premier. Will he support the call of former Prime Minister Paul Keating for a ban to halt donations to municipal candidates and political parties?

**Mr CARR:** I am sympathetic to the concept, as I have publicly stated, but the difficulties with it would be, first of all, ensuring that the ban applied on a national basis, because developers who were banned from making political donations to political candidates in this State could give money to the State branch of a political party in another State and have it directed through a foundation. The second difficulty would be how to ensure that it is not concealed in other ways. The third difficulty would be in ensuring that a consistent ban applied to other areas of corporate activity that might be seen to be as adverse in influence peddling, as is the activity of developers—tobacco companies, for example.

I am happy to do further work on the concept. I would emphatically support it if it were a proposal for a national ban, so that there could be no argument that donations were being made in one jurisdiction and channelled into a State where such donations are banned. I think it is appropriate that the concept be placed on the agenda for the Council of Australian Governments, but the more I think about it the more I am inclined to the view that this is a matter that must be resolved by action at a national and not a State level.

### JAPANESE TOURISM

**Mr BROWN:** My question without notice is directed to the Minister for Small Business, and Minister for Tourism. How does the Government hope to increase our Japanese tourism market?

**Ms NORI:** It is well known that international tourism has declined worldwide and that the decline has had an impact on our country, as indeed it has on countries around the world. I have received reports which indicate that the United Kingdom has suffered an overall downturn in overseas visits and hotel occupancy in London of 20 per cent, and that Germany's international visitor nights from the United States of America have declined by nearly 17 per cent, compared to a 15 per cent decrease in Australia. In the United Kingdom, visitor nights have decreased by 9.4 per cent. The Japanese market of both countries has decreased by 12.7 per cent, whereas Australia's share of the Japanese market has decreased by 0.7 per cent. A recent article in the *Economist* magazine referred to last year being one of the worst that the tourism industry has known.

Delta lost \$1 billion, and the number of North American visitors to London decreased by 20 per cent, according to PKF, a London-based consultancy company. The article stated that this year the rebound is unlikely to be spectacular, and that the World Travel and Tourism Council and Industry Association forecasts a 3.9 per cent decline in business travel in 2002 as well as no growth in personal travel and tourism. Despite the figures and forecasts, I have to say that New South Wales is not faring too badly. The most recent Tourism Forecasting Council figures estimate a growth of approximately 4.9 per cent per year in the number of international visitors to this State. Given what has happened throughout the rest of the world, that is quite a good level of growth.

I remain confident of the industry's resilience, but inbound tourism is still very much tied to the state or health of the economies of the international markets from which we draw international visitors. One of our priority markets is Japan, which has always been the number one international market for New South Wales, followed by the United Kingdom and then New Zealand. The latest figures show annual visitation to New South Wales of 380,900 Japanese people. The September 11 crisis, the collapse of Ansett and the decline of the Japanese economy are creating a challenge; nevertheless, New South Wales Tourism remains committed to developing this key market. Our current project with Japanese travel agents will give honourable members a good idea of the way in which this Government is continuing to promote New South Wales as Australia's number one destination for international visitors.

I take heart from a recent poll conducted among readers of London's *Observer* which shows that Sydney is more popular than Paris, Amsterdam and New York, and is regarded as the world's favourite international city. Recently this Government, in conjunction with the Australian Tourism Commission, showcased the Blue Mountains to 250 Japanese travel agents and media representatives. They found the Blue Mountains a particularly fascinating place, especially given its World Heritage listing and its proximity to the Sydney CBD. Japanese visitors are big spenders. They spend \$360.6 million a year, which is quite a significant contribution to the economy of this State. Tourism New South Wales has had an office in Japan since 1980. The education of the Japanese travel industry is a high priority for this Government. I am pleased to report that we are continuing our campaign in Japan—a campaign that was enhanced as a result of a \$15 million support package that was added to the tourism budget straight after events on September 11 last year.

**Questions without notice concluded.**

### CONSIDERATION OF URGENT MOTIONS

#### St George District Government Initiatives

**Miss BURTON (Kogarah) [3.31 p.m.]:** My motion is urgent because of the tremendous resources and support the Carr Government is putting into the St George area, in keeping with its commitment to continually improve the quality of life for the people of St George.

### **Pilliga and Goonoo State Forests Management**

**Mr SOURIS** (Upper Hunter—Leader of the National Party) [3.31 p.m.]: My motion is urgent because of the imminent completion of the Resource and Conservation Assessment Council [RACAC] process involving Pilliga and Goonoo State forests. Local communities in the area believe that this motion is urgent not only because of that imminent decision but also because their input has not been given careful or sufficient evaluation. Last week I travelled to Baradine and met with many people. I visited Pilliga State Forest and had the opportunity to speak to one of the foresters. He showed me an existing area of land managed by State Forests and he compared that area with a vacant piece of Crown land—an unmanaged area in an adjoining paddock which was separated by a fence. There were significantly larger trees, significant wildlife habitat and 15,000 koalas in Pilliga State Forest.

That demonstrated to me that it was not only possible to have a sustainable timber industry; it was also possible to have significant biodiversity. The unmanaged vacant Crown land across the paddock led me to believe that one could not have sustainable forestry in that area—the width of the trees was only a few centimetres—nor was there any evidence of the biodiversity that existed in Pilliga State Forest. This motion is urgent because people in the area are fearful of the RACAC process. There has not been sufficient consultation. People believe that the RACAC committee is stacked. Eight senior public servants with director-general status are members of that committee. Their sole object is to reflect the predetermined views of their Ministers and to ensure that the combined government opinion is heavily weighted against the outcome of the RACAC process.

A member of the Aboriginal community who spoke to me said that no contribution to this process had been made by the local Aboriginal community. The local Aboriginal community had also played no part in determining reserve systems. However, that cannot be said about the land that is managed by State Forests. A co-operative arrangement exists between State Forests and the local Aboriginal community to provide Aborigines with access to Pilliga State Forest and to preserve Aboriginal culture. The urgency of this motion is reinforced by local government, by the NSW Farmers Association and by other community organisations that have banded together to fight the Government in respect of its management of natural resources. The native vegetation legislation, water reforms and the regional forestry assessment process are so interlocked that their cumulative impact, particularly in the hands of a government-weighted committee, gives people no hope of a genuine outcome.

My visit to the area had a great impact on me. I will again visit that area. I will go to Dubbo and visit Goonoo State Forest as soon as possible, and I will offer support to local communities and to local environmentalists. One of the interesting aspects about this issue is that local environmentalists are aware of the biodiversity outcomes that have been achieved in areas that are managed by State Forests compared to vacant Crown land or unmanaged national parks. Environmentalists, farmers, apiarists, the Aboriginal community and the community generally would suffer from the socioeconomic impact that would occur if this area were declared a national park. This matter is urgent. I call upon the Government to guarantee that Pilliga State Forest and Goonoo State Forest will not be locked up as a national park.

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

**The House divided.**

**Ayes, 51**

Mr Amery	Mr Hickey	Mrs Perry
Ms Andrews	Mr Hunter	Mr Price
Mr Aquilina	Mr Iemma	Dr Refshauge
Mr Ashton	Mr Knowles	Ms Saliba
Mr Bartlett	Mrs Lo Po'	Mr Scully
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 Debus	Mr Mills	Mr Yeadon
Mr Face	Mr Moss	
Mr Gibson	Mr Newell	
Mr Greene	Ms Nori	<i>Tellers,</i>
Mrs Grusovin	Mr Orkopoulos	Mr Anderson
Ms Harrison	Mr E. T. Page	Mr Thompson

**Noes, 37**

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

**Pair**

Ms Allan

Mr Armstrong

**Question resolved in the affirmative.****ST GEORGE DISTRICT GOVERNMENT INITIATIVES****Urgent Motion****Miss BURTON** (Kogarah) [3.45 p.m.]: I move:

That this House notes the State Government's support and funding initiatives for the St George area.

It is a great honour for me to stand in this House along with my colleagues the honourable member for Rockdale and the honourable member for Georges River as part of the St George team in the Carr Labor Government. Since Labor came to office in 1995 the people of the St George district have reaped the benefits from improvements to St George Hospital, schools, roads, rail and policing. I draw the attention of the House to the projects of most significance in the St George district that were part of the Carr Government's commitment during the 1999 State election campaign. My constituents are aware of the improvements that have been made at St George Hospital. For example, the medical research centre—a \$10 million project for important medical research into life-threatening illnesses—was opened two years ago. As the centre is connected to the University of New South Wales, nurses and doctors come to St George Hospital for training, which in turn enhances the hospital's status as a teaching hospital.

The hospital's mental health unit, a 30-bed facility for patients with mental illnesses that includes a mother and baby unit, a \$8.2 million project, was opened last year. There was a chronic shortage of parking at the hospital, but this issue has been addressed through the establishment of a 580-space hospital car park. Another intensive care unit bed, a \$742,000 project, has been established at the hospital. Funding of \$6.4 million was allocated in the budget for a day surgery centre. A development application is in the process of being approved by council and construction should commence soon. The centre will ensure a reduction in waiting times for day surgery patients, which is a great initiative by the Carr Government. A further \$1 million was allocated in the budget for the construction of a new endoscopy unit, which will ensure faster operation times and better utilisation of theatre rooms. An amount of \$15 million was allocated in the budget for the redevelopment of Calvary Hospital. Funding of \$4.2 million was allocated to upgrade Allawah railway station. Last Saturday when I assisted in the running of a shopping stall at Allawah, people came up to me and remarked how wonderful it was that the station had been upgraded.

Funding of \$85 million was allocated in the budget for improvements to the East Hills railway line, including the laying of new tracks all the way from Kingsgrove to Turrella. The Kogarah commuter car park, a \$14 million project that will provide 24-hour parking, with high-intensity lighting and security cameras, will officially open on 5 July. Commuters will be able to park their cars there for the entire day. It is a great initiative. Funding of \$3 million was allocated for improvements to Carlton Public School. Stage one included a new library, lift and administration block. Stage two, which is almost complete, includes a new hall, canteen and covered outdoor learning area. Stage three, which is about to go out to tender, includes the extension and

widening of classrooms. The development application for Blakehurst Primary School has been approved, and \$2 million has been allocated in the budget. We are about to put that project out for tender and hopefully turn the sod within the next couple of months.

The new Kogarah police station, which features in the Police Service recruitment advertisements, is our pride and joy. It is a state-of-the-art police station. There was an open day when the station opened on 20 April. I sent out invitations and in the three hours during which it was open about 500 or 600 people came through and looked at the latest technology, such as the Livescan fingerprinting. The police station was laid out by the police; it is a fully functional police station purpose-built by police for police. The police came to all the meetings with the construction people and they were consulted along the way. The new police station is a great improvement on what they were previously housed in.

The Bexley main street improvement program has received \$1 million. We have been consulting heavily with the community, the council and the shopkeepers for about eight months, and we are about ready to go ahead with that initiative. The final amount of money was announced in the budget, and I hope that that program will be finished within the next few months. It will beautify that shopping district, which suffered badly before the opening of the M5 East. It was the major thoroughfare for trucks—people would not recognise it now. The M5 East came in under budget and was opened six months ahead of schedule. I thank all the people from Kingsgrove and Bexley who were so supportive of the Government to make sure that that project was finished early. Unfortunately, they had been suffering a great deal from trucks roaring up and down their streets.

Apart from all those major projects—millions of dollars worth—the Government has been supportive of the community's smaller, localised needs, which has very much improved our quality of life. These include the grants to Kogarah Municipal Council for gross pollutant traps, boom gates and stormwater management funding to clean up Kogarah Bay and ensure that pollution is kept out of the bay. It was also announced in this budget that \$100,000 will be given to Kogarah council, in a joint funding arrangement that it will match dollar for dollar, to upgrade the Allawah and Carlton shopping strip. This is a magnificent project. I was in Allawah on Saturday and everybody was extremely happy that this was going to take place. We all look forward to working with the council to get that project up and running and completed. There were allocations of \$200,000 for the resurfacing of Kingsgrove Avenue and \$50,000 for replacement play equipment in Bonalbo Street, Kingsgrove.

The Government has supported the people of Kogarah on many local issues with no monetary value. For example, I refer to shell fishing in Kogarah Bay. It was brought to my attention that illegal shell fishers were disturbing the bottom of the river, causing lots of pollution and stealing shellfish. I circulated a petition in Kogarah Bay and received hundreds of signatures. I gave the petition to the Minister for Fisheries and he banned shell fishing in the area. I thank him for that, and I thank all those residents who got behind us and signed the petition. I am informed that the residents now keep a constant vigil on the area and that they have a direct line to the department in case anyone is caught shell fishing. Another special thank you has to go to Kogarah Municipal Council for its superb work with the residents on the State environmental planning policy [SEPP] 5 exemption. Kogarah council is still the only council to put in its submission for an exemption and receive one.

I thank the council for its speedy work and I thank all the people who attended the meeting at Hurstville South. This is what they wanted. They wrote letters of support, they sat through the meeting—which went for three hours—and they went through the arguments and debate. It was true democracy and true community lobbying. The community made sure they all stuck together and fought for this issue. The council and the Government responded. My colleagues and I have had the pleasure of working with all three councils to make sure that the best possible outcomes for the people of the St George district are delivered. When I am doing the shopping stalls, when I am doorknocking or when I am in my mobile office people remark to me about how much things have changed for the better since Bob Carr became Premier of New South Wales, how the amenity and quality of life have improved for the people of the St George district. I will continue to fight for the people of the St George district. I hope that I will continue to proudly represent the Government in the Kogarah electorate.

**Mr KERR** (Cronulla) [3.55 p.m.]: I move:

That the motion be amended by the addition of the words:

"and calls upon the Government to provide urgent funds for cancer treatment and traffic measures to combat road congestion in the St George area and Sutherland Shire."

I will tell Government members a little secret: we have started the appropriation debate. It would have been more appropriate for the honourable member for Kogarah to have made her speech during the appropriation debate—that is where she can list the funding that has been put in this and previous budgets. I also inform the

House that the funding the honourable member has just enunciated does not come out of her pocket. It was provided by the highest-taxing Government in this country. The honourable member for Kogarah, when she is at her street stalls and doorknocking, and undertaking other activities—

**Miss Burton:** I have a mobile office on Saturdays.

**Mr KERR:** You are not running away from people?

**Miss Burton:** No, I am running to them.

**Mr KERR:** I was a bit concerned when the honourable member referred to her mobile office—her constituents might be in hot pursuit. The honourable member for Kogarah might like to ask business owners what they think of payroll tax and the various charges that this Government has placed on employment. I want to start on a positive note. The honourable member mentioned Kogarah Municipal Council, the only council in the St George area not controlled by Labor. She spoke positively about that non-Labor administration and the fact that it managed to get an exemption from State environmental planning policy 5. I can understand why Rockdale City Council has not been able to get an exemption—it has had other matters to attend to in recent days. Kogarah council is setting a shining example in the St George area, according to the honourable member for Kogarah. That is a great contribution by the non-Labor people who were elected to that council at the last local government elections.

Today the Government is attempting to bribe the voters of the St George district with their own money; yesterday it attempted to bribe the voters of the Sutherland shire. How remarkable! St George Hospital goes to the heart of my amendment. While the honourable member for Kogarah referred to St George Hospital she did not acknowledge the tens of millions of dollars that were spent on it by the previous Coalition Government. According to the latest figures, this Government has 35,361 patients waiting longer than they should for treatment in hospital emergency departments across the State.

The figures for St George Hospital show that 145 or 45 per cent of patients who were classified as imminently life threatened and needed to have treatment within 10 minutes did not get it, 745 or 69 per cent of patients who were classified as potentially life threatened and needed to have treatment within 30 minutes did not get it, and 984 or 67 per cent of patients who were classified as potentially serious patients needing treatment within one hour did not get it. Those serious figures underline the importance of the amendment I have moved.

The honourable member for Kogarah did not say one word about the lack of support for the Government's urban consolidation policies in the St George area. She mentioned Kogarah police station but she did not mention the need for more police and more experienced officers in the area. When the honourable member stood for election letters were sent out about the police reforms and Peter Ryan. I am pleased that the honourable member has her pencil out; I advise her to take notes because I will raise a number of matters to which I would like a reply. First, does the honourable member believe that Peter Ryan was the best police commissioner—feel free to interject—this State has ever had? If so, why was he undermined, as he has claimed?

**Mr Hunter:** I thought the Opposition was doing that.

**Mr KERR:** The honourable member for Lake Macquarie should let the honourable member for Kogarah reply. She needs to listen because I will raise a number of matters to which she will have to reply. If Peter Ryan was the best police commissioner, why was his contract terminated when he said he was prepared to continue with his job and the contracted task had not been completed? I look forward to the honourable member's answers to those questions, although other members from the St George area may like to answer them as well. If the honourable member for Kogarah visited the cancer ward at St George Hospital and spoke to the doctors treating people for cancer she would find that residents of Sutherland shire and the St George area are on long waiting lists and funding for surgery to combat cancer is urgently required.

I am talking about not only day surgery but also major surgery. The same comments apply in relation to trauma. All members of Parliament should work towards solving these problems. It is wrong for the honourable member for Kogarah to say that the Government has solved all the problems in the St George area. It has not. One question relating to public transport that the honourable member might like to answer is: When will we get the new bus and train timetables? She might be aware that several bus companies have rescheduled their bus timetables on the basis of a new railway timetable that was supposed to come into effect some time ago. She

may be further aware of the delays that have occurred in relation to the Illawarra railway line. Not only have the trains been delayed; the new timetables have been delayed as well. I look forward to the honourable member's answer to my question.

What does the honourable member say about urban consolidation in the St George area? Is the member satisfied with the State statutory controls that regulate planning in the St George area? In terms of violent crimes, a tragic stabbing occurred in the St George area. I believe that members from the Sutherland shire and St George areas do not feel as safe as they did five years ago. When the honourable member for Kogarah replies she might compare the on-time running of trains during the seven years the Coalition was in government with on-time running during the seven years Labor has been in government. Yesterday I said that it is necessary to have a sensible foundation for this debate. If honourable members talk about spending they must also talk about revenue.

How much revenue has the Government extracted from the St George area over the past seven years? That revenue should be compared with expenditure, because honourable members may not find that it is an equation at all. That is the basis of any informed debate about the Government's effectiveness. How much revenue has the Government raised and how much money has it spent? I look forward to the honourable member for Kogarah answering that question in her reply. I mentioned the urgent need for road construction. The people of the Sutherland shire talk about a number of matters, which are encompassed by my amendment.

We have so many people in the shire now and our roads are no better. Our roads were not built for so many people. The Menai to Heathcote Road has not changed and the population has increased. There are bottlenecks all over the place. If the population keeps growing as it has, I hate to think what it will be like in 20 years. I advise the honourable member for Kogarah to get into her mobile office and travel to Hurstville to look at the traffic congestion there. The Minister for Public Works and Services, who is at the table, could assist with traffic directions to Hurstville. Indeed, they might both stand on a street corner and observe the traffic congestion.

**Mr GREENE** (Georges River) [4.05 p.m.]: I will try not to be distracted by some of the rather strange comments made by the honourable member for Cronulla. However, I will pick up a couple of points he made because he obviously needs some enlightenment. First, I can give him the latest traffic statistics for Hillcrest Avenue, which runs from Oatley to Hurstville. The latest figures as of this morning indicate that since the opening of the M5 east—a significant road improvement provided to the south-western districts of Sydney—traffic on Hillcrest Avenue has dropped by 1,000 journeys per day. Those figures came direct from Kogarah council this morning. That shows that the significant road infrastructure improvements have had an impact on local traffic, not to mention the obvious improvements that have taken place to traffic on Stoney Creek Road, King Georges Road—

**Mr Kerr:** What about Marine Parade at Oatley?

**Mr GREENE:** I think the honourable member for Cronulla means Marine Drive. One day he will get his facts right. Traffic on Marine Drive has been consistent.

**Mr Kerr:** Consistently what?

**Mr GREENE:** Consistently good. When talking about State environmental planning policy [SEPP] 5 and the exemption for Kogarah council, it is worth noting that the honourable member's friend, the former mayor and current Kogarah councillor—I believe he was a candidate for the seat of Kogarah—may have told the honourable member for Cronulla that Kogarah council moved a motion thanking the honourable member for Kogarah and the honourable member for Georges River for their efforts in helping to obtain a SEPP 5 exemption for Kogarah council. So Kogarah council is thankful, as are the residents of St George and the Kogarah municipality, for the efforts of the local members and the work they are doing.

I have referred to the M5, which is a significant road improvement provided by this generous and supportive Government. Honourable members should reflect on the fact that the Greiner and Fahey governments dumped all the traffic from the M5 on King Georges Road. In terms of transport, the most recent improvements have been the provision of easy access to Beverly Hills station and Riverwood station. Those improvements have been well received. The budget also provides the final allocation of funding for the \$3.2 million investment in Beverly Hills Primary School, which has been completely redeveloped. Prior to my election to Parliament the Minister for Public Works and Services did a great deal of work to get that project started.

Enormous growth in public education has been brought about by the Georges River college, in particular the introduction of the Oatley campus. The letters I receive in my office now are from parents who want to get their children into the Georges River college. It is so popular that many students are flocking to that greatly improved education institution. The Carr Labor Government has invested some \$40 million into the Oatley campus. The honourable member for Cronulla commented on environmental improvements and working with councils. It is important to note the enormous funding provided through stormwater trust grants. I congratulate Kogarah council on its dollar-for-dollar funding for the stormwater improvements at Moore Reserve at Kogarah. I congratulate the council on the creation of that magnificent reserve, which filters stormwater.

Kogarah council also provided dollar-for-dollar funding for the \$6 million foreshore improvement project that involves the Georges River. It has done some work at Poulton Park, to name another project in Kogarah council area. Some magnificent work has taken place at Lime Kiln Bay as a result of foreshore improvement money and stormwater trust grants. The construction of the Edith Bay boardwalk will commence shortly. That has involved a great deal of input from the Lugarno Progress Association. From that brief overview, honourable members can see that the Carr Labor Government has brought great benefits to the people of the Georges River electorate and the St George area generally. I have quickly debunked some of the absurdities put forward by the honourable member for Cronulla, who perhaps has not come across the bridge as often as he needs to. I support the motion moved by the honourable member for Kogarah.

**Mr DEBNAM** (Vaucluse) [4.10 p.m.]: I am delighted to speak in this debate. I want to set the record straight about what this motion is all about. The honourable member for Cronulla indicated that the honourable member for Kogarah has every opportunity to discuss the budget during the debate on the appropriate bills. Today we are hearing a cry for help, a plea from a new member of Parliament who has never settled into the job—in Parliament, where she has been in turmoil, in the backroom offices of Parliament House or in her own electorate. The Government, which is in distress, has said to this marginal-seat member, "You'd better move a motion and talk about what you are trying to do in your electorate." She is in great difficulty as a new member of Parliament and I will show honourable members why.

Did the honourable member for Kogarah discuss hospital waiting lists? No, she did not. In April this year there were 1,800 people on the elective surgery waiting lists at St George hospital. The figure was well below that when the Government came into office; it has increased. Can the honourable member for Kogarah remember the promise made by her Premier and Minister for Health at the time, signed in blood, that they would halve the hospital waiting lists? Under the Government hospital waiting lists have increased. How many people are waiting more than 12 months at St George? When the Government came to office there were 63. Does the honourable member for Kogarah know how many there were in April this year? No, she does not. There were 316 people who have waited for more than 12 months on the elective surgery waiting list at St George hospital. That is the result the Government has produced in her electorate, and that is exactly why she is in dire straits and has had to move this motion to get airplay.

Are any builders in the electorate of the honourable member for Kogarah suffering under the home warranty scheme imposed on them by the current Minister for Community Services and currently mismanaged by the Minister for Fair Trading? That is a burning issue in her electorate. A few weeks ago I was at a meeting at Concord where builders from the Kogarah electorate were screaming out, "Please help! Please get the Government to wake up and understand that it is putting builders out of jobs." That is what is happening in the building game and that is what is happening to builders in the electorate of the honourable member for Kogarah. What is the honourable member for Kogarah doing for community groups and small businesses in relation to public liability insurance? What will happen on 30 June? The Carr Government will put people out of work: they will lose their jobs. Companies involved in adventure sports and community groups continue to close up. The community is suffering under her Government and her stewardship in the Kogarah electorate. There are community groups and small businesses in her electorate and she has done absolutely nothing for them.

The honourable member for Kogarah is well aware of overcrowding and difficulties with the rail system in her electorate. Is she aware that her Minister for Transport promised to have about 70 carriages available for her commuters by now? They are not available and her commuters are screaming. They are not in contact with the honourable member for Kogarah because they know they are getting nothing from her as a local member, but they are in contact with me. The honourable member for Cronulla referred to the timetable that was to be brought in by the Government. That new timetable has now fallen into disarray. It would not have served the electorate of Kogarah. It would have slowed down the whole network and reduced services to commuters across this State.

The new timetable was delayed, supposedly because the Minister had not remembered to arrange enough drivers. But it was really thrown out the window for several reasons, one being that the Minister simply mismanaged the Millennium train project and did not have new trains. The second reason was the lack of faith of his colleagues around the Cabinet table in the Minister for Transport being able to implement a new timetable. Even if that new timetable had been implemented correctly, and without difficulty, services for people across New South Wales would have been reduced. The issues I have referred to have led to the honourable member for Kogarah moving this motion and spending another 10 minutes talking about her electorate—for the first time in many moons. That is the difficulty the honourable member for Kogarah is in and that is where she will remain until 22 March.

**Mr THOMPSON** (Rockdale) [4.15 p.m.]: The Carr Government's support and funding initiatives for the St George area are impressive indeed. They cover the whole gamut of State Government responsibilities from health, education, policing, transport and roads to community services and the environment. The St George district is a special part of New South Wales and the people of its suburbs—whether they live in Rockdale, Arncliffe, Brighton-le-Sands, Kogarah, Hurstville or in any other of our local communities—have tremendous pride in being part of the St George area. One of the greatest funding initiatives of the Carr Government in my electorate has been the M5 East. That project was completed six months ahead of schedule and was open to traffic last December. The cost of that mammoth road was approximately \$800 million, and it brought immense relief to thousands of my constituents whose lives had been made a living hell through the great volume of traffic that had been clogging their local streets.

The M5 East project has returned local roads to local people. It has no toll, and was fully funded by the Government. It provides an important link between south-west Sydney and Sydney airport, and Port Botany and the central industrial area. The M5 East means that motorists now avoid more than 26 sets of traffic lights. It has meant tremendous savings in time and money for motorists and industry, particularly the transport industry. It has enhanced road safety in our local community. The project was particularly significant for me and the people of my electorate as they had endured the virtual gridlock of our main roads for years. In particular, Brighton-le-Sands, Rockdale, Arncliffe, Bexley, Bexley North and Kingsgrove were subjected to a massive disruption caused by the constant flow of heavy vehicles, particularly container trucks and general commuter traffic. It was bedlam and took a heavy toll on our district and our citizens.

To compare those days of little more than six months ago to the present is to compare hell with heaven. Our local roads have resumed their local character. Peace and calm have replaced frustration and anger as local residents enjoy more peaceful neighbourhoods. Of course, the Government's resolve on the M5 East project was heavily criticised by the Liberal and National Opposition at the time. I well recall attending a number of rallies which had been stoked up by the Coalition at which their former spokespersons predicted doom and gloom for the people of St George if the road went ahead—particularly if a tunnel went ahead rather than a surface road through the Bardwell Valley. I am pleased the honourable member for Willoughby is in the Chamber because I want to remind him that on 23 April 1997 when he was Leader of the Opposition he said:

A number of honourable members in their contributions to the debate have talked about the debacle in the Rockdale electorate—a key part of the St George area—where the Carr Government has abandoned a 46-year corridor to literally undermine the value of the homes of Rockdale residents in places such as Bardwell Park and Arncliffe. I have been to those areas. It is fair to say that those people have not been traditional Liberal voters; they have been traditional Labor voters. In the past they have given their allegiance to the Labor Party, but they are so bitterly disillusioned by what the Carr Labor Government is doing to them that they are making written pledges that they will not vote for the Carr Government if it proceeds with its proposed M5 undermining of their homes, their property values and their heritage.

That is typical of the carping, whingeing and downright hypocrisy of the campaign that the Opposition ran at that time. Let me put the record straight. Let the record show that the road went ahead and it involved construction of the longest road tunnel in Australia—some four kilometres of tunnel, all of it under my electorate and most of it under houses in the electorate. That tunnel did not undermine the value of homes anywhere in the district. Far from it. Largely as a consequence of the M5 East, property values in all parts of my electorate have increased, and in many places the increases have been dramatic. Real estate agents and others with a good knowledge of the market agree that the main reason for this is the effect the M5 East has had on reducing local traffic volumes. It has made our neighbourhoods better places to live. Far from the M5 East sounding my political death knell—as was predicted by the Opposition at the time—at the 1999 election my vote increased substantially, and I won at every single booth in the electorate. It was a mammoth, record-breaking victory for the Labor Government.

[Interruption]

The honourable member for Willoughby draws my attention to the fact that there were other factors prominent in that election. I readily acknowledge that. Nonetheless, make no mistake, the M5 East was the key issue for the Rockdale electorate in the last State election.

**Miss BURTON** (Kogarah) [4.20 p.m.], in reply: I thank the honourable member for Rockdale and the honourable member for Georges River for their contributions to this debate. As for the honourable member for Cronulla, he was in his usual negative form. Obviously, he does not know what he is talking about when he speaks about the St George area. He does not live there and I guess that is why he does not know anything about it, except what he learns from his friend Sam Witheridge. But I thank the honourable member for acknowledging that the St George area is getting its fair share of the budget.

The honourable member for Cronulla also mentioned overdevelopment. Overdevelopment was an issue when his Liberal mate Sam Witheridge was the Mayor of Kogarah. At that time medium and high-density approvals granted by the Liberal-controlled Hurstville council were three times the Sydney average. It is only since Labor seized control of Hurstville council that that situation is peeling back. The honourable member should get his facts straight before making accusations in this Chamber about overdevelopment. The honourable member is out of step with the community. Labor members work for the community and with the council, irrespective of its politics, to achieve beneficial outcomes for the community. The honourable member demonstrates burnout: he seeks to use every issue for political gain. That is not how we in the St George area conduct ourselves. We are always seeking the best outcome for the people of St George.

The honourable member for Vacluse essentially spoke a lot of drivel. I have watched him flip-flop from the frontbench to the backbench. His ramblings cannot be taken seriously. He has absolutely no credibility on these issues. His figures are wrong and he lacks knowledge of the issues. I do not believe anyone would seek assistance from him. From what I have seen of him in the Chamber, he is a very disappointing member of Parliament. Therefore I will not be offended by his cheap comments and his attempts to degrade the people of St George. Opposition member after Opposition member has rubbished the St George area. Well, it is a great area to live in.

Government initiatives like the M5 East are making it an even better place in which to live. We have almost forgotten the rumbling of heavy vehicles and 85,000 traffic movements a day through the Kogarah central business district. Traffic has been alleviated because of the M5 East. The Coalition wanted to put a toll on the roadway, if it was built at all. That would have been an absolute disgrace. It was a Labor Government that delivered a toll-free M5 East, and improved the quality of life of and brought peace of mind to the people of St George. Housing prices in the Kingsgrove and Bexley areas have increased by between 25 per cent and 30 per cent. That is great news for those residents. When I was doorknocking in that area recently it was wonderful to be able to walk up and down the streets without hearing all those trucks. The Carr Labor Government has delivered on those initiatives.

The Government has put in place other initiatives of benefit to the St George area. Every time the St George area has an issue, local members work as a team, and as a result have been able to deliver beneficial outcomes. SEPP 5 was one of those issues on which we worked closely with the council to bring about changes. The honourable member for Rockdale referred to car hoons. Car hooning was a big problem in his electorate, but members worked hard and consistently with the community and local businesses to address the issue. Recently, the regulations were changed. Hopefully, that problem will be able to be quelled when, as expected, it resurfaces in the summer months. We will see how the new measures work, but we will keep fighting until we sort that problem out. It has been a great pleasure over the past three years to work with other local members in a positive way to try to deliver the best outcomes for our communities. On schools, rail and other public works improvements, the St George people have a great deal to be proud of.

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

**The House divided.**

**Ayes, 37**

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

Mrs Skinner  
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, 47**

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

**Pair**

Mrs Chikarovski

Ms Allan

**Question resolved in the negative.****Amendment negatived.****Motion agreed to.****WORKERS ENTITLEMENTS****Matter of Public Importance**

**Mr LYNCH** (Liverpool) [4.37 p.m.]: I ask the House to note as a matter of public importance payments to contractors and workers. One of the issues that over recent years has attracted much community attention has been the failure of some enterprises to make proper allowances for the payment of entitlements to workers. This has been the case particularly when, for example, enterprises become bankrupt or go into liquidation. Much public attention was called to the position of workers employed by One.Tel and Ansett, and I have spoken in this place about Dome Engineering and Renite Furniture in my electorate, whose workers did not receive their entitlements—a matter that has generated considerable outrage. These examples all have varying degrees of odium attached to them.

However, there is an even more outrageous category of cases in which people who work have not been paid: the body that retained their services and contracted with them still exists and still seems to have assets, but simply will not pay. In those cases to which I refer, the people involved are typically small family contractors or subcontractors who are, in a real sense, almost indistinguishable from employees, regardless of the legal niceties of the term. That is to say, although these people are not technically in a legal sense employees, they largely perform the work of employees under very similar conditions. One example of this problem is the one I wish to discuss and one that I mentioned in this place yesterday. It involves Corpcom Constructions Pty Ltd, a company that is pursuing a development at Warwick Farm in my electorate.

Irrespective of Corpcom's structure, the developer is an individual named Lex Walton. The matter achieved some notoriety on Monday this week when the television program *A Current Affair* featured Lex Walton and Corpcom in all their glory. Corpcom Constructions is refusing to pay subcontractors who have worked on the site at Warwick Farm. Corpcom currently owes subcontractors more than \$1 million, and that is causing acute financial distress to them, their families and their workers.

The development concerned comprises home units—largely three-storey or four-storey blocks. There are a number of different blocks and there are 59 units in total. Some of the blocks have been completed and are in the process of being sold. Others have not been completed and, therefore, cannot be sold. The site, which is

located at the intersection of Mannix Parade and Hume Highway at Warwick Farm, has been noticed by many people because it has been under development for a number of years. Many residents in the Liverpool and Warwick Farm areas wondered whether the work would ever be completed and when this partly constructed eyesore would be finished.

A number of contractors have worked on this development. They include painters, electricians and plasterers. Most are small family businesses. Some of them have no employees and those that do have, at most, a handful. They are certainly not developers at the big end of the market; they are people who, as I said earlier, are in real terms indistinguishable from ordinary workers. Because Corpcom Constructions is now refusing to pay them, many are staring down the barrel of financial catastrophe. As I said earlier, the total amount owing is more than \$1 million. I will list some of the subcontractors who are involved and the approximate amounts that they are owed.

E & A Monastirakis Pty Ltd, a company that did painting work, is owed in the vicinity of \$42,000. Safeway Electrical Pty Ltd is owed approximately \$160,000, obviously for electrical work. Sydney Aluminium Balustrades, which provided balustrades, is owed in the vicinity of \$25,000. Vostek Industries, which did roofing work, is owed in the vicinity of \$43,000. Domenic Ferrara Constructions Pty Ltd, which did concrete formwork, is owed over \$300,000. Alumco Windows is owed \$15,000, Modern Tiles Pty Ltd is owed approximately \$20,000, and HIA Painters Pty Ltd, the second painter involved, is owed approximately \$33,000. Intra Design Pty Ltd, a company that did gyprock work, is owed approximately \$73,000. B & V Carpenters, another company that did gyprock work, is owed approximately \$90,000.

JNI Fencing is owed \$36,000, Central Coast Plastering Pty Ltd is owed \$363,000, Toll Bear Pty Ltd, a company that supplied structural steel, is owed \$40,000, B. D. Snowchief Electrical is owed over \$10,000 and Rocks Excavations is owed approximately \$53,000. The failure of Corpcom to pay those amounts has had appalling results for a number of people. It is likely that some people will lose houses that they own or in which they live. Of course, simply listing the companies and the money owed to them in a sense depersonalises the issue. Behind this list of company names are very real people whose lives have been turned upside down.

Last Friday I had the opportunity of meeting many of the people who have been involved. On that day I was invited to attend a protest line that they had established at the site at Warwick Farm. While I was there I spoke to Malcolm French, an organiser with the Construction and General Division of the Construction, Forestry, Mining and Energy Union [CFMEU], about these issues. I also spoke with those directly affected by the behaviour of Corpcom Constructions. Those people included Sam D'Amico, one of the electricians; Areata Monastirakis from one of the painting firms; Barry Smith, a carpenter; Boris Radovan, a plasterer; Branko Juric, a gyprock plasterer; and Drago Orlovic from the balustrade company.

Those people expressed outrage about the behaviour of Corpcom. Some of the comments they made to me included the following: Corpcom was a builder and a developer that simply did not want to pay its bills; it had financially destroyed these families and their family businesses; it had left a trail of misery behind it after the construction of these units; Corpcom was simply ripping off these contractors and pocketing the savings; it was artificially inflating its profits by refusing to meet its properly incurred debts; it was being immoral; it was cheating these tradespersons and contractors and ripping them off; Corpcom was a top-class crook; it was simply not right and it should not have reached that point. When I attended the protest site I was also made aware of another of Corpcom's strategies—that is, to get in other subcontractors once it refused to pay the first contractor.

For example, one subcontractor is owed money, it is not paid, off it goes and Corpcom simply gets in another contractor. So two gyprock companies and two tilers are owed money, and so on. Any of the subcontractors that decided to do the right thing and give Corpcom and Lex Walton a chance to try to make good on outstanding debts simply ended up being owed more money and getting themselves into even more trouble. Those at the protest line were understandably and justifiably bitter and angry. Some suspect that the money they are owed has gone instead into development costs. For example, one of the suspicions is that the money that should be paid to contractors has been used to provide separate stratas for each of the blocks. It is worth making the point that the protest line to which I referred and which I attended is not an industrial picket; it is a protest line calling for a consumer boycott.

The cheated contractors are not preventing people from coming onto the site. The most interesting group of people that seek access to the site are prospective purchasers of the newly constructed units. Contractors tell me that the real estate agents are Dunn and Horne First National, Liverpool. Contractors are

requesting prospective purchasers not to purchase units from this site. They are simply asking purchasers to exercise a moral choice, so the protest is a consumer boycott protest. It is also worth noting that there are some real occupational health and safety issues relating to the site. When I was there I observed a quite inadequate system being used to supply electricity, for example, to parts of the site. That seems to reflect the general contempt that the developer has for standards generally, be they standards of personal probity for paying debts or for looking after the safety of the site. It is also worth noting that the Warwick Farm site is not the only site that Corpcom Constructions and Lex Walton are developing.

The subcontractors on the protest line advised me that they are aware of one other site at Leura that is currently undergoing construction and there might be another development site at St Marys. In addition to that, some work has been done by this developer at Ettalong which has also left some outstanding payments to be made. On any view of it, this is an appalling situation. At the end of the day it seems that the most effective thing that can be done to companies like Corpcom and people like Lex Walton is to expose their behaviour as a way of expressing public opprobrium against them.

One of the really painful parts of this exercise for those of us who might have seen *A Current Affair* on Monday night is that Lex Walton has an extraordinarily opulent lifestyle. *A Current Affair* revealed that he has a large house, luxury cars, a yacht, and a comfortable and pleasant lifestyle. He has no doubt managed to achieve that lifestyle from the profits he has made out of exercises such as this. He refuses to pay his debts. He refuses to pay properly incurred debts, but he is only too happy to use these ill-gotten gains to subsidise and pay for an opulent lifestyle. In so doing he thumbs his nose at the people whose lives have been destroyed because of his inappropriate behaviour.

**Mr MERTON** (Baulkham Hills) [4.47 p.m.]: I speak in debate on this matter of public importance on behalf of the Opposition. There are problems in the building industry relating to the non-payment of building contractors. I share the concern expressed earlier by the honourable member for Liverpool, who addressed the issue of unpaid contractors in the building industry. I am not aware of the case to which he referred so I cannot comment specifically on it. The non-payment of building contractors is not a new issue; it has been a problem for some time. Subcontractors have not been paid by builders or developers. With the greatest respect to the honourable member for Liverpool this issue involves not only private developers or private employers; it is an issue that should be of concern to this State Government.

Many subcontractors have been involved in government projects—such as the refurbishment of Parklea correctional centre, the Department of Public Works and Services, Central railway station, Junee railway station, State Rail and Department of Housing properties in the Wagga Wagga area—but have not been paid. The Premier advised the House on 15 February 1999 that it was the Government's intention to stamp out the unAustralian practice of not paying contractors for their work. On 8 September 1999 the then Minister for Public Works and Services said that it is all too frequently the case that smaller subcontractors such as builders, carpenters, electricians and plumbers are not paid for their work. When that occurs, many subcontractors cannot survive financially and there are severe consequences for their families. The Premier and the Minister are both right, but what is the Government doing about the problem?

The union movement is well aware of the problem. The State Secretary of the Construction, Forestry, Mining and Energy Union, Andrew Ferguson, was reported as claiming that hundreds of contractors on State Government jobs are ripping off the system and that 30 per cent of contractors in the building industry operate illegally. He was also reported as telling the Australian Broadcasting Commission that, despite his raising the issue of non-compliance with the State Government and providing evidence, nothing had been done. Andrew Ferguson said:

I put all the blame on the State Government. There is no system in place to ensure compliance in giving out a contract knowing it can't comply with the law, not checking. It's just scandalous what is going on.

The Government introduced legislation to provide security of payments for subcontractors. However, that legislation—the Building and Construction Industry Security of Payment Act—which applies to contracts let on or after 26 March 2000, has failed to protect subcontractors in many situations in which head contractors have either gone into liquidation or simply not paid subcontractors, even though the head contractor may have received payment for the project from the owner. Over the years the Opposition has been contacted by many subcontractors who have worked on numerous State government contracts for which they have not been paid.

One electrical and airconditioning company engaged on the Parklea Periodic Detention Centre project was owed almost \$60,000. An independent check of the contractor conducted by the Department of Public

Works and Services showed that the financial status of the contractor was rated as good. However, just 15 months later the contractor's company went into administration, with creditors claiming more than \$1 million. The company had cash at bank of \$6,830, and the administrator advised that the company was insolvent. Because of the uncertainty relating to the collection of debts owed, the administrator was not able to advise whether there was any likelihood of a dividend to creditors. Further, a painting contractor wrote to the Department of Public Works and Services warning that he was not being paid for work done at Parklea correctional centre. The contractor wrote:

We told Public Works they were responsible. They pay the builder and it is their responsibility to see that the builders pay the subby.

We feel very strongly that it is time something was done to protect the subby, the security of payment does not seem to do it.

The airconditioning and electrical contractor I referred to earlier wrote:

The contract was awarded to us by the head contractor for DPWS. As payment is guaranteed by the department we had no hesitation in entering into this contract. Due to past experience it is our policy to enter into contracts valued at over \$50,000 with builders only if the project is for the DPWS.

He added:

We have been led to believe that DPWS had paid approximately 75 per cent of the contract money to the builder, yet we had only been paid about 25 per cent of our claim.

This is a tragic case. A husband and wife plumbing company lost more than \$110,000 in the Parklea project, and was forced to retrench five staff members and sell off business equipment. The couple had to borrow money from family members to stay in business, and was forced to use Visa cards to buy groceries. Subcontractors who were involved in the upgrade of Central railway station for State Rail contacted their local member, the honourable member for Cronulla, and stated that they were approached by the head contractor to carry out urgent work. They were directed to subcontract to another firm that held the demolition contract, but this last contractor has not been paid by the head contractor. Whatever the legal situation between the parties, there appears to be one irrefutable fact: The State Government has received an unpaid benefit from the work of these two small businesses, which are owed collectively a total in excess of \$63,000.

In a question on notice the honourable member for Cronulla asked the Minister for Transport, "Can you assure Parliament that all subcontractors who performed work on the upgrade of Central railway station have been paid?" The honourable member was advised by the Minister that assurances could not be given that all subcontractors who performed work on the upgrade of Central railway station had been paid, as the payment of those workers or organisations is the responsibility of the head contractor. That is simply not good enough. The Government must accept some responsibility and initiate an inquiry into the payment of subcontractors. The problem is obvious. The Government requires and receives the statutory declaration from the head contractor stating that all moneys have been paid to the contractors, but that does not cover payments to people who are subcontractors of those contractors. In other words, there does not appear to be any mechanism to protect unpaid subcontractors who deal with contractors on government projects.

The honourable member for Wagga Wagga spoke about the problems in relation to Junee railway station. He also spoke about Resitech and the Department of Housing. Contracts were awarded to a company that had incurred trading losses during the six-month period ended 31 December 1999. The company was given a contract to upgrade 20 Department of Housing residences in the Wagga Wagga electorate. It would appear that during that time the company was in financial difficulties. Again, local small businesses were the losers. The administrator stated that unsecured creditors could expect payment of between 5¢ and 11¢ in the dollar. It is difficult to ascertain why the State Government has done nothing about the problem.

The Building and Construction Industry Security of Payment Act provides absolutely no security for subcontractors, except in limited circumstances. It does not provide fundamental protection for subcontractors. The legislation is more a mechanism for resolving disputes between contractors and subcontractors. It may succeed in dispute resolution, but ultimately it does not provide adequate security for subcontractors who have not been paid when head contractors received the money but simply used it for another purpose. The State Labor Government, which purports to be interested in the underdog, the battler, and being prepared to give workers a fair go, has been found wanting with regard to the protection of subcontractors. The Government's legislation on this issue has failed. The Government's friends in the trade union movement agree that its record is far from good.

**Mr ORKOPOULOS** (Swansea) [4.57 p.m.]: I wish to contribute to this debate because I want to broaden it to raise the issue of employee entitlements where companies go bust and have expended all the funds that were supposed to be set aside for employee entitlements. Clearly, the case of National Textiles put workers entitlements on the national agenda. That celebrated case in 1998 showed that National Textiles owed \$11 million in employee entitlements. It became a celebrated case because the Prime Minister's brother, Stan Howard, was chairman of the board. The scheme that the Prime Minister was forced to move to was to use public moneys to pay out 100 per cent of employee entitlements.

There were promises of a publicly funded program to ensure those entitlements. Subsequently, a policy called the General Employee Entitlements and Redundancy Scheme [GEERS] was started by the former Minister for Workplace Relations, Peter Reith. That presaged a series of corporate collapses—including Ansett—which left workers without any protection of their entitlements. The record of GEERS shows how limited it is. It is capped at eight weeks of a worker's salary. Clearly, it has failed to pay 100 per cent of workers' entitlements and it has underpaid workers by some \$200 million. It has paid out only 70 per cent of workers' entitlements, not 90 per cent as claimed by the current Minister for Workplace Relations, Tony Plugger Abbott. The shortfall is due to the limitation in the capping—eight weeks salary. As Andrew Whiley from the Australian Manufacturing Workers Union said in the *Australian Financial Review* of 3 May:

It seems that the existence of this taxpayer bail-out is encouraging employers to avoid their responsibilities to secure employees' entitlements.

When the Federal Labor Party put forward its plan it was no surprise that the result was reported in the *Daily Telegraph* of 12 March as follows:

Australia's peak industry group yesterday rejected an ALP plan to protect workers' entitlements under a scheme funded by a payroll levy. Opposition Leader Simon Crean said the ALP wanted to reintroduce its proposed 0.1 per cent levy on payroll to protect workers' entitlements. The plan would cost businesses \$44 a year for the average worker while those with fewer than 20 employees would be exempt. Australian Industries Stephen Smith said the Federal Government's taxpayer-funded scheme was working well—

Employers know that they can get away with not paying anything, that taxpayers will fund it. The article stated:

Successful employers shouldn't be required to fund unsuccessful employers.

According to that logic, it is all right for successful employers not to fund unsuccessful employers and it is all right for taxpayers to foot the bill. Under this Federal Government workers will be paid only 70 per cent of their entitlements. That is woeful.

**Mr LYNCH** (Liverpool) [5.02 p.m.], in reply: I thank the honourable member for Baulkham Hills and the honourable member for Swansea for contributing to this matter of public importance. I refer briefly to some of the arguments made by the honourable member for Baulkham Hills. Even he would have to concede that this issue is much broader than simply those cases in which the State Government is the head contractor. One would have thought from listening to his speech that the issue concerned only situations where the head contractor is the State Government. On the basis of anecdotal evidence that I have heard, I would have thought that the better end of the market involves cases where the head contractor is the State Government and that the real problem occurs when it is exclusively within the private sector. Obviously, there is logic to that argument.

It is not sustainable in the long term, for a lot of political reasons, for the State Government to consistently be involved when head contractors will not pay. Private companies do not have those sorts of pressures on them. It is different to the case I raised where one large developer is privately owned, its only interest is in maximising profits and it is the head contractor who is not making payments. That is different from the sorts of cases the honourable member for Baulkham Hills talked about. In my view, the sorts of cases he talked about would be the minority and comparatively much less of a problem than those in the exclusively private sector. The honourable member also attempted to verbal my brother-in-law, Andrew Ferguson. He used some of Andrew's comments about the State Government. I simply make the point that the Construction, Forestry, Mining and Energy Union organised the protest line and that much of the material I have brought before the House comes directly from Malcolm French, an organiser in the construction and general division of the CFMEU. That union invited me to attend the protest line. I suggest that the use of the comments of Andrew Ferguson by the honourable member for Baulkham Hills was misplaced in this debate.

The honourable member for Baulkham Hills was quite critical when he said that the State Government has not fixed the problem. Two things can be said about that. First, as the honourable member said, this has been going on for quite a long time. If there were an easy government solution the previous Coalition Government—

in which he was, albeit briefly, a Minister—might have attempted to deal with the problem. His argument is too much of a cheap shot. Second, at least the Government has attempted to deal with the problem. The honourable member for Baulkham Hills conceded that some legislation had been introduced. My understanding from the industry is that while no scheme is perfect, the legislation assists cases in which there is a legitimate dispute between head contractors and subcontractors. A quicker process is being used to resolve issues, which must be of benefit to subcontractors. It is unfair to suggest that the State Government has done nothing about it. Unlike our conservative predecessors, we have attempted to deal with the problem and, on all accounts, have done so with a degree of success.

I note the comments of the honourable member for Swansea. In a sense, we are talking about different legal situations—the entitlements of subcontractors and the entitlements of workers. While the legal situation is different the reality is very much the same. We are talking about people without a lot of money, without a lot of bargaining power and without a lot of resources to fight large enterprises. When large enterprises decide, for whatever reason, to adopt a socially unuseful course and to do things that damage smaller people, those smaller people—be they employees or subcontractors—pay the price. They are not in a position of sufficient power to respond. It was appropriate for the honourable member for Swansea to make those comments. There is quite a significant similarity between the cases he raised and some of the issues I raised. I agree with the honourable member for Swansea that in relation to employees' entitlements it is inappropriate to try to get any sort of system that is subsidised by the public—that is simply socialising losses, while gains have been privatised. I thank the honourable members for contributing to the debate.

#### **Discussion concluded.**

**Madam ACTING-SPEAKER (Ms Beamer):** Order! It being almost 5.15 p.m. business is interrupted for the taking of private members' statements.

### **PRIVATE MEMBERS' STATEMENTS**

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#### **TARCUTTA TRUCK CHANGEOVER FACILITY**

**Mr MAGUIRE (Wagga Wagga) [5.07 p.m.]:** The newspaper article I hold in my hand from the *Daily Advertiser* is entitled "A town divided". It refers to Tarcutta and states:

Residents of Tarcutta are divided over a planned truck stop they believe could threaten the future of the highway town.

According to a majority of residents, Tarcutta's existence is being threatened by plans to build a truck changeover facility 16 kilometres north of the town.

The State and Federal governments are sponsoring a proposed truck changeover facility in the Tarcutta area. On a number of occasions the issue has been raised with the Parliamentary Secretary to the Minister for Transport, and letters have been written to the Deputy Premier and Minister for Planning. An expressions of interest [EOI] document in relation to the proposed truck changeover facility in or near Tarcutta was released on 3 December 2001, with the closing date of 21 January this year. A resident maintains that the expressions of interest document was materially flawed in that the options within Tarcutta and the economic analysis failed to take into account the south-bound traffic flow through the village of Tarcutta. In his view, this is a distortion of the true position to such an extent that any developer looking at the traffic flow statistics in the EOI document would automatically favour the two sites 15 kilometres north of the township.

I understand that in a telephone conversation with traffic engineers the consultant, whose volume and sales projections report form part of the EOI, admitted leaving out the south-bound traffic flow through the village of Tarcutta and that this was a deliberate omission on his part. He said that he did this on the basis that Tarcutta might only have an interchange for the north-bound traffic. If this approach were adopted, it would effectively lead to a non-functional truck interchange. At best, this could be perceived as an error of judgment and misleading; at worst, it could be seen as a non-disclosure in order to influence developers regarding the document to build on the sites north of the township.

There has been little open and frank discussion between the State and Federal governments, their agencies, the transport industry and, importantly, the local community directly affected by these proposals. The idea that this facility should be 15 kilometres north of Tarcutta is a significant waste of money and resources. A

more efficient use of funds would be to locate the facility on Crown land on the edge of town or in the town centre, thus utilising existing infrastructure, power, water, sewerage, labour, medical services, police, et cetera, with appropriate environmental and sound treatments. Tarcutta is substantially dependent on the transport industry for its livelihood. If the facility were located north of Tarcutta local businesses—in which a large number of Tarcutta's population are employed either directly or indirectly—would immediately lose their passing trade and a significant proportion of their customers.

On the other hand, a new truck facility in or near Tarcutta would improve job opportunities for many Tarcutta residents. It would improve safety in Tarcutta, and that is what this issue is all about. It would enable the existing village to be supported and expanded and allow the long-term plan for the highway bypass to be integrated with the new truck facility without the duplication of grade separations for access. Also, retaining the new facility in Tarcutta would eliminate the duplication of infrastructure and resources—such as electricity, water, sewerage, police and medical services—which already exist in the town. The emphasis on Tarcutta and the need for a truck interchange have been highlighted because of the many accidents that have happened in and around that centre, and the fact that Tarcutta is a major interchange for Sydney to Melbourne overnight transport.

Tarcutta has been used as a transport interchange for many years. It has become an absolute danger to the community because of the large B-doubles that traverse the roads and changeover their trailers in the centre of Tarcutta. As the newspaper article stated, opinion on where the truck stop should be located is divided. I firmly believe that the truck stop is being placed in the wrong position. It needs to go near Tarcutta, not 15 or 17 kilometres to the north. The time frame for drivers to change over would be 20 minutes over the limit if truck drivers were to proceed from Tarcutta north to the changeover point. No-one has considered that. I do not believe that all the information put forward by the truck drivers has been taken into consideration. After all, they should be considered in this debate.

### **LITHGOW LEARNING CITY PROJECT**

**Mr MARTIN** (Bathurst) [5.12 p.m.]: Tonight I shall talk about Lithgow, which is the first learning city in New South Wales. Lithgow was declared the first learning city in New South Wales on 12 February 2001 in a proactive move aimed at preparing the community to take advantage of the knowledge economy. A learning city is a city that strives to renew itself in a period of extraordinary change by creating partnerships between all sectors of the community and encouraging people to adopt lifelong learning in order to upgrade their skills to maintain employability, to provide interest opportunities for the retired, and to create a community that is open to change, highly skilled, tolerant and adaptable. Lithgow has been experiencing some difficulties for the past decade or so with the closure of coalmines and the clothing manufacturing industries, and the downsizing of the Federal Government's Australian Defence Industries plant, State Rail, the Roads and Traffic Authority and the electricity power generating industry. Traditionally, the Lithgow community has had a high concentration of skilled tradespeople and shortages in the professional and service sectors.

Lithgow needs to diversify the skills and economic base of the community, and the learning city project has the capability to achieve that. Strategies include promoting learning through ongoing projects and special events; developing partnerships and networks within the community to encourage innovation and support development, for example, education linking with business, council linking with social welfare, and so on; developing strategies to encourage participation in learning opportunities by all members of the community, including disadvantaged groups; enhancing the quality of life and personal fulfilment of citizens; and encouraging economic growth by educating current employers as to how they can develop their workplaces as learning environments and providing prospective employers with access to a highly skilled work force.

The Lithgow Learning City Management Committee is involved in the following projects: opening a learning shop which carries information on all learning opportunities in the local area, whether formal, for example school or TAFE, or informal, for example music, sport or craft lessons; developing the Lithgow Learning Centre in the central business district, which will be the symbol of the learning city and will house the Lithgow Regional Library, the Lithgow Technology Centre and the Lithgow Learning Shop; and publishing the "Learning City News", which is a quarterly newspaper, and using local media to promote lifelong learning and publicise Lithgow as a vital, growing community. The Lithgow educator's forum has representatives from preschool, private and public schools and adult education. It meets regularly to promote learning opportunities, share ideas and solve problems, and has the potential to carry a training component. Learning is Fun Week is planned for August 2002.

The TAFE-Delta Electricity training partnership has resulted from the partnership building undertaken by the Learning City Management Committee. Another project is working with tertiary institutions to have a

university presence in Lithgow. Another project is the Books for Babies Program operating out of the Lithgow Community Health Centre which aims to encourage parents to read to their children from birth and involves dispensing kits containing board books and pamphlets to parents when they take their children for their six-month immunisation visit. Learning City is a comprehensive and innovative program. As I said, Lithgow is the first city in New South Wales to adopt this project. The first city in Australia to adopt the project was Wodonga in Victoria.

Starting such a program needs a great deal of co-operation. Lithgow City Council, under Mayor Neville Castle, has been the driving force. The local TAFE, other community education organisations and Delta Electricity have been involved. The general manager of Delta Electricity, Sean Saladino, has been supportive of the project. Two Lithgow council staff members have undertaken the nuts and bolts work on this learning city project. The manager of community services, Penny Hall, has overall responsibility within council, but Debbie Best from the library staff has taken on the job as co-ordinator in a part-time capacity. Debbie has quickly become recognised as an expert on the learning city concept. She has travelled widely, including to Victoria, to talk to other groups about the concept, and she has received a lot of assistance from Wodonga. The mayor and the executive officer of Wodonga council travelled to Lithgow to meet with us to aid in the development of this project. The Premier made \$15,000 available as seed funding to get this project under way. We are now exploring avenues with the Government through TAFE and the Department of Education and Training to ensure that recurrent funding is available to ensure that this great innovation, which will enhance the lives of the people of Lithgow, continues.

### TRIBUTE TO Mrs JOAN DARMODY

**Ms HODGKINSON** (Burrinjuck) [5.17 p.m.]: I draw the attention of honourable members to the recent sad passing of a great lady who I believe could stand against all others as an example of what it is to be an outstanding Australian countrywoman. Mrs Joan Darmody was born in Yass on 25 November 1921 and passed away peacefully with her family around her on 5 April this year. Today she lies in Yass Lawn Cemetery next to her beloved husband. Joan attended school at Mount Carmel in Yass and became the school captain. In the eulogy delivered in St Augustine's Church at Yass, one of Joan's sons, Ian, described her as a magnet. He said:

Mum was like a magnet, people always wanted to be near her, such was the respect and friendship Mum acquired over the years amongst her peers throughout the Yass and wider communities and Mum was much loved by the local parishioners.

A person of strong religious convictions and great faith, Joan remained for her whole life a staunch member of St Augustine's Roman Catholic Church in Yass. She spent her life living and working on the land in the Yass district. Wife to Michael Darmody and mother to 13 children, she lived on the "Nanima" property at Murrumbateman, where they specialised in breeding fine wool sheep. Even in today's world of modern conveniences, living on the land is not easy, but for Joan life on the land in the early years of her married life must have been very hard. Joan and Mick lived in a house with an outside toilet and without the benefits of electricity, hot water or a washing machine. In those conditions they raised seven children—another six were to follow.

Like many of the land, Joan had perhaps more than her fair share of tragedy and sorrow. On the Australia Day weekend in 1957 a fire destroyed their property. They lost approximately 1,200 sheep and 13 miles of fencing. Their homestead was saved only because of the heroic efforts of the local volunteer firefighters. Together Joan and Mick survived floods and droughts. In 1990 one of their sons, Tim, was killed in a motor vehicle accident. After 50 years of a marriage described by her family as "Wonderful—a bond that was unbreakable" her husband Mick passed away in 1992. Two of her daughters, Lucille and Yvonne, predeceased her. She lost two grandchildren, Scott and, earlier this year, Adam—whose sad funeral I attended—to road accidents. Through all of these tragedies Joan remained faithful to her beliefs and maintained her position as a rock around which her family could gather for strength. In fact, it was her faith in God, which through all these tragedies survived unbroken, that allowed her to be a centre of calmness and leadership within her family.

Joan was an active member of the Country Women's Association, the Catholic Women's League, the Mount Carmel Parents and Friends Association, and eight other local and community organisations. As if feeding and caring for a multitude of her own family was not sufficient, for about 10 years she also hosted orphaned children to stay with the family during school holidays. Even today, in these times of supposed equality, rural women do not receive the recognition for the vital role that they play in keeping farms, rural business community organisations and families running. Joan and Mick's marriage was a true partnership. Mick was a president of the local graziers' association, and a founding member of the Australian Superfine Wool

Growers Association and the Yass Valley Organisation. The Yass Valley Organisation broke new ground in being the first organisation to translate scientific research by the CSIRO into profitable commercial farm management practices.

Everyone that I have spoken with has told me that without the strength, support and encouragement of Joan, Mick could not have contributed so much to the community. Joan Maria Darmody was a pillar of the Yass and Murrumbateman communities. She had charm, wit, style, tenacity, generosity and charisma. She was loved not just by her family but by many in the community who thought of her as a second mother. She was a lady of great faith and compassion. She was a lover of music and dancing, a keen gardener and in earlier years an accomplished horsewoman. A loved mother, supportive neighbour, good friend, proud grandmother of 46 grandchildren and great grandmother of six children, Joan was this and more. Her passing will leave the Yass district much poorer for its loss, but incalculably richer for having had the honour of knowing such a great country woman. Vale, Joan Maria Darmody. We salute you.

### CENTRAL COAST ART COMMUNITY

**Mr McBRIDE** (The Entrance) [5.22 p.m.]: I praise the emerging art community on the Central Coast. The history of a society is encapsulated in its art and culture. Today I congratulate both Gosford City Council and Wyong Shire Council on their encouragement and development of culture on the Central Coast and, in particular, the growth of an art community in the region. Gosford City Council has established the Gosford City Arts Centre at Edagowa Gardens in East Gosford. The centre is a first-class amenity that provides encouragement and facilities for display and performance in all forms of art and culture. The centre holds regular exhibitions, community-based displays and events supporting local culture. Wyong Shire Council is also prominent in supporting culture. The Central Coast Festival of Arts and Culture, which was held on 15 March this year—now in its twenty-seventh year—is the largest regional arts festival in Australia. It is larger than anything held in either the Illawarra or the Hunter.

The festival has been supported by Wyong Shire Council for more than a quarter of a century. This year's major sponsors were Elcom Credit Union and the notable and highly respected community activists John and Joy Lusted, whom I know well. The significance of the festival is reflected by the fact that it enjoys the ongoing support and attendance by the internationally acclaimed artist, Charles Billich. This year the festival was opened by national television personality Mike Willesee. On Saturday 8 June the second annual The Entrance Contemporary Art Exhibition was held at The Entrance Surf Live Saving Club. Major sponsors included Tuggerah Lakes Picture Framing, Wyong Shire Council, Lakeside Newsagent, Voyager Music and Vertigo Surfboards. Secondary sponsors were the Nuthouse Arthouse, contemporary art and design, The Entrance Town Centre Management, Golden Gate Cafe, Cherie's by the Sea, True Blue Pies, Cafe Macaw, Lakeside Cafe and the Professionals The Entrance District.

I also acknowledge the support and contribution of Councillor Bill Thompson from Wyong Shire Council. Amongst other skills, Bill is a professional musician. I acknowledge the marvellous organisation and support by Bonnie Cook and Peter Clough from The Entrance Town Centre Management. The exhibition was named "The Good, The Bad and The Downright Ugly". The "good" was Phillip England, the "bad" was Stephen Preston and the "ugly" was Yianni Johns. Stephen Preston is an interesting character, a bit off the wall—as are most artists—but an enjoyable and striking personality. Stephen was born in Gosford in 1960. As a youngster he was always drawing and painting. He does not know why, but thinks he found peace there. Pirate ships were always a favourite. He said, "I liked the flag with the skull. It was a very powerful image." He also liked pinball machines, in particular, the 1950s and 1960s models. His commissions include paintings for individuals as well as compact disk covers for Crystal Music and art for a local surf wear company, Hedonist at Norah Head. He has illustrated a children's book for a local author and he is currently engaged in producing artwork for publication in the forthcoming new children's book by well-known Australian author Di Morrissey. His paintings have been exhibited at the Eagle Hawk Gallery in Glebe and at the Brisbane Water Gallery, East Gosford.

Yianni Johns has been painting for 18 years. He is self-taught and has been exhibiting regularly for the past 11 years. He has had many solo and joint exhibitions in Sydney, the Central Coast and interstate. He has collectors in America and all parts of Australia. Yianni has had numerous commissions with companies such as Bayer Pharmaceuticals, South Pacific Airlines, the Australian Workers Union; with private collectors in Queensland, New South Wales and Western Australia; and with Dr Ramond Lee and Professor A. Saur from Seguin, Texas, the United States of America. His work will be for sale in galleries in the United States, such as the New Museum of Contemporary Art, New York; Secca North Carolina; Andy Warhol Museum, Pittsburg; Cleveland Contemporary Art Centre, Ohio; Whitney Museum, New York; and the Art O Mat, Washington D.C. Peter Smeeth, a local painter, painted Yianni as his eleventh entry in the Archibald Prize.

Phillip England lives at south Tacoma and has a great passion for old boats. He was born in Newcastle. His works hang in private collections in Newcastle, the Central Coast, Sydney, Melbourne and Toronto, Canada. His commissions include the National Parks and Wildlife Service, the Royal Inn Hotel, Newcastle, and private commissions. He has been exhibiting since 1999 and was the resident artist at the Rogue Gallery, Wyong, in 2001-02. Twelve other artists exhibited, including Russell Austin, Sue Bannister, Jaqui Belcastro, Greg Coates, Julie Daniel, Michelle Davison, Kevin McReal, Gary Robertson, Coleen Rosa— [*Time expired.*]

### ORANGE HIGH SCHOOL NINETIETH ANNIVERSARY

**Mr R. W. TURNER** (Orange) [5.27 p.m.]: The ninetieth birthday of Orange High School is a great milestone. Orange High School was the first public secondary school in western New South Wales. It was opened in 1912. It originally opened in the School of Arts building in Byng Street, which is now part of the Police Citizens and Youth Club. The school then moved to the corner of March Street and Sale Street, which is now part of the TAFE complex. The school band, the choir and the orchestra will celebrate the big event on 27, 28, 29 and 30 June. The culmination of the celebrations will be the Orange High School black and gold ball at the Orange Ex-services Club on 29 June, which past and present students, parents, friends and supporters are invited to attend.

I am sure it will be a fantastic night. I will be attending the function not as a student but as a parent of former students. My three children went to Orange High School. Carolyn, a member of my electorate office staff, attended Orange High School. That is why today she is so well educated and clever and serves the office so well. The Orange High School is one of the public education institutions in Orange. Orange High School, Canobolas Rural Technology High School, James Sheahan Catholic High School, Kinross Wollaroi School and the Orange Christian School all provide excellent education for the more than 4,000 students attending those high schools, including the 1,000-odd who attend Orange High.

Those schools are an important part of the public education system and have contributed enormously to the area. Their students have gone on to further education throughout Australia and the rest of the world. Being part of Orange, they always have the opportunity to return to Orange to pursue their trade, profession or chosen careers. Tomorrow, Orange High School will contest the Astley Cup, an annual sporting events competition between the Orange High School, Bathurst High School and what used to be the Dubbo High School but is now renamed Dubbo Senior College. Orange High has won the Astley Cup for the past 12 years, and over the next two days will be trying to make that 13 consecutive wins. The schools contest events in netball, hockey, softball, tennis, athletics, basketball, soccer, rugby league and debating.

When the contests are in Orange the city usually gets its first snowfall, and it is quite common to see photographs of soccer and athletics events being contested on fields lightly dusted with snow. As I have said, these schools are an important part of the public education system. Everyone is welcome to attend the opening day of the celebrations. Part of the day's activities will be an old girls hockey match. That will be a highlight of the day, especially if they turn out in their old uniforms. This will be a great weekend of events to celebrate the ninetieth birthday of the Orange High School. Part of the celebrations will be the cutting of a big birthday cake. Any 90-year-old in the town, especially from the Wontama homes for the aged, is invited to come along and share a piece of the cake. I hope they get fine weather for the weekend. But, regardless of the weather, I know this will be a great celebration of one of the great education institutions in Orange.

**Mr ACTING-SPEAKER (Mr Mills):** Order! I point out to the two Government members who displayed newspaper headlines that their conduct was as disorderly during private members' statements as it would be during question time. As a courtesy to the honourable member for Orange, I did not interrupt his speech at the time of the disorderly conduct so that the honourable member could make full use of his limited speaking time.

### EDUCATION OF CHILDREN IN IMMIGRATION DETENTION CENTRES

**Mrs GRUSOVIN** (Heffron) [5.32 p.m.]: I bring to the attention of the House the appalling situation surrounding the education of children in Australia's immigration detention centres. I recently made representations to the Minister for Education and Training with regard to the situation pertaining at the Villawood Immigration Detention Centre, where children are denied the opportunity of attending local schools. In his advice to me the Minister confirmed that the education programs within the centre are entirely inadequate and inappropriate. I am most heartened by the response of the Minister, who informs me that steps are being taken to address this situation. I understand that in April the Director-General of the Department of Education

and Training, Dr Ken Boston, conveyed his strong view to the Department of Immigration, Multicultural and Indigenous Affairs that the children being detained in Villawood would benefit from attending local public schools, and that he sought to open discussions with immigration officials on this issue.

I draw the attention of honourable members of this House to the statements of eminent experts from various fields in our region who have been to these detention centres. Dr Michael Dudley, the Chair of Suicide Prevention Australia, and Dr Sarah Mares from the Royal Australian and New Zealand College of Psychiatrists, visited, along with Dr Fran Gale, the Villawood Immigration Detention Centre and published a report in the *Sydney Morning Herald* on 22 January this year. They argued that if any parent neglected their children by depriving them of adequate education, we would remove those children and consider prosecuting their guardians. This is currently the situation for children in the Villawood detention centre.

I might ask members of this House, especially those of us who have children, to consider whether we would be prepared to sit back and do nothing if our children were denied access to basic education services. I am sure that we are all aware that the lack of an adequate education can have devastating short-term and long-term effects on a child's development. Many basic aspects of our personality development are heavily dependent on education. Those include our ability to make proper decisions and our ability to interact with others—in fact all of our future development and employment opportunities. There are also important psychological health implications.

A recent report to the office of the High Commissioner for Human Rights states that the lack of access to appropriate education poses big problems for these children. The United Nations Working Group on Arbitrary Detention recently visited five detention centres, including the Villawood centre, and expressed its deep concern about the detention of children and their lack of access to essential government services. Honourable members of this House would be well aware that article 28 of the United Nations Convention on the Rights of the Child makes it clear that not only has every child a right to education, but that this education should be compulsory and available free to all. The article also states that government should take measures to ensure regular attendance at schools. As Australia is a signatory to the convention, I call on the Federal Government to abandon its appalling treatment of children in detention centres and ensure that the articles of the convention are upheld.

It is not acceptable that New South Wales families with children are currently denied a fundamental government education service simply because the children have been made a political football. The Minister has indicated that the children from the Villawood Immigration Detention Centre would be warmly welcomed into our public education system, and that they would have made available to them all of our educational and welfare programs. I hope the Minister will be able to inform the House of the outcome of Dr Ken Boston's meeting with immigration officials. I ask the Minister to let us know whether there is a prospect that these children will be able to access the public education system in the short term. I would hope that other members of this House share my concerns about these children, and that they will join with me in speaking out on the plight of these asylum seekers, especially the children.

**Mr WATKINS** (Ryde—Minister for Education and Training) [5.37 p.m.]: I thank the honourable member for Heffron for raising this most important issue. The education of all children, whoever they are and wherever they may be in New South Wales, is an important issue. Given that a number of States have detention centres, it is essential that a national solution be reached. An agreement with the Commonwealth Government to allow children in detention to be enrolled in local public schools would provide the best educational outcomes for those children.

Dr Ken Boston, Director-General of the Department of Education and Training, a well-known advocate for children in detention receiving an appropriate education, has advised me that recently he met with the Deputy Secretary of the Department of Immigration, Multicultural and Indigenous Affairs to progress the issue. He is satisfied that shortly we will have the capacity to provide quality New South Wales public education to school-age children currently in detention. In our community it is a requirement that children attend school, and that requirement will now include children who reside in detention under the current migration laws. That is my advice from the department.

Education provided by New South Wales schools is of the highest world standard. The delivery of education to the children will be of obvious benefit to them, even if only for a short time. In some cases children may be released with their parents into the wider community, in which case their education will assist their longer term integration into the community, whereas some children will return to their country of origin and will

take back a positive view of education in New South Wales. The Department of Education and Training will provide appropriate training in English as a second language and counselling resources to public schools which have welcomed those children and young people.

### **HAWKESBURY ELECTORATE TOURISM**

**Mr ROZZOLI** (Hawkesbury) [5.39 p.m.]: I place before the House a rather interesting puzzle facing the tourism industry in the Hawkesbury area. Tourism in the Hawkesbury region is certainly alive and well because the Hawkesbury is one of the most attractive tourist destinations in the State. It is even more attractive for tourists who come to Sydney with relatively little time to spare because the Hawkesbury area is right on Sydney's doorstep and offers a wide range of attractions. The dilemma which faces Hawkesbury tourism is that New South Wales Tourism seems continually to neglect Hawkesbury as an identifiable tourist destination although it identifies the Blue Mountains, the Southern Highlands or the Central Coast as individual tourism attractions. Inevitably, the Hawkesbury is tagged onto the Blue Mountains, the Penrith area, Parramatta or Sydney. However, because of its size, depth and quality of its tourism establishments, the area deserves to be identified in its own right.

One of the problems that may confront those involved in the area's tourism industry is the realisation that many people think of the Hawkesbury as Brooklyn near the Hawkesbury River bridge. In many cases people think of towns within the Hawkesbury area, rather than of the Hawkesbury as an area with its own identity. That is a marketing problem, and I suggest to Tourism New South Wales that it will be to everyone's benefit if it grasps the nettle and does something about the problem. The success of Hawkesbury tourism was well and truly evident in the recent Western Sydney Business Awards, in which a plethora of Hawkesbury tourism businesses achieved meritorious acknowledgement. Tourism Hawkesbury, the base tourism organisation of the area, received recognition. Also recognised were the Retreat at Wiseman's Ferry and the Tizzana Winery Bed and Breakfast, which has developed around the original winery established by Dr Piero Fiaschi, who was prominently associated with the Sydney Hospital.

The Loxley on Bellbird Hill—a new and outstanding facility for weekend retreats, weddings and other functions which offers an outstanding gourmet table—was also recognised. Getabout 4WD Adventures, which offers an outstanding mode of visiting the more remote areas of the Hawkesbury and experiencing the wonderfully majestic scenery of the Hawkesbury, also received recognition. The Clydesdales Restaurant, the only horse-drawn coach restaurant in the world, offers tourists an outstanding experience as it moves through the streets of Windsor and visits many historical sites. That most adventurous and outstanding tourism attraction was also recognised. Because of its large scale the Sebel Resort and Spa underpins many of those organisations. It is situated in what is known locally as the old Rum Corps Barracks. Although it is a big establishment, it offers an outstanding level of service to visitors.

All of those attractions combined offer an outstanding tourism package that is not available in any other area. The Hawkesbury area is not a spin-off from Parramatta, Penrith or the Blue Mountains; it is an entity in its own right. A source of bewilderment and concern to local tourism operators is the fact that New South Wales Tourism, which undoubtedly knows of these tourism attractions because of the many ways in which it has supported Hawkesbury tourism, has simply not recognised that the area has a discrete identity and can be marketed as a destination in its own right, just as the Blue Mountains, the Southern Highlands and the Central Coast are identified as tourist destinations in their own right. As I stated earlier, one of the great attractions of the Hawkesbury is its close proximity to Sydney—it is only an hour's drive to Windsor from the city—and it is a place where overseas tourists who visit Sydney for short periods will be able to experience, with great convenience, a truly historical Australian area that is enormously attractive. [*Time expired.*]

### **PANANIA RSL SUBBRANCH AND WOMEN'S AUXILIARY FIFTIETH ANNIVERSARY**

**Mr ASHTON** (East Hills) [5.44 p.m.]: Last Saturday it was my pleasure to attend the fiftieth anniversary luncheon of the Panania RSL Sub-branch and Women's Auxiliary, at which Mr Len Eickenloff's continuous 30 years of service as President of the Panania-East Hills RSL Club were acknowledged. Rusty Priest, the former President of the RSL—all members will know the various positions that Rusty has held and will continue to hold—the Federal member for Banks, Daryl Melham, and Councillor Dick McLaughlin from the Bankstown City Council were in attendance. I acknowledge also the presence of Stan Fahy, the President of the Panania RSL sub-branch. I want to acknowledge the Secretary of the Panania RSL Women's Auxiliary, Mrs May Yarham.

In common with most RSL sub-branches, the Panania RSL Sub-branch was formed after World War II when many young ex-service personnel returned to civilian life but found that the wartime camaraderie, which

is probably the only benefit of being involved in a war, was being lost. As those people moved to outer Sydney metropolitan areas such as Bankstown, the need to maintain the camaraderie became obvious, and the Panania RSL Sub-branch was formed approximately 50 years ago. Securing a building for the club was the main priority and, in 1957, £18,000 was raised for that purpose. The sum rolls off the tongue now, but I am sure that members appreciate how much money that would have been 50 years ago. In 1957, the State Government amended the Liquor Act to allow organisations with acceptable aims and objects sufficient funding and a minimum of 200 signatures to form licensed clubs. That is how the club began.

The Panania RSL has continued to look after not only ex-service personnel from the Army, Navy and Air Force and their children and families, in conjunction with Legacy and other similar organisations, but also the wider community, as all clubs do. I am sure that all members of this House would agree that clubs facilitate a great deal of work in the community. In 1952 a public meeting was held at the Panania School of Arts hall, which I well remember attending as a 17-year-old when I joined the Australian Labor Party. The women's auxiliary was formed at that meeting and was chaired, interestingly enough, by a Mr Adams. Twenty-one members were enrolled and provisional officers were elected. I mention one person particularly—the president, Mrs Semlitzky—whose son, Terry, is now a director of the Revesby Workers Club. That shows how historical connections over 50 years can be maintained.

Additional members were gradually enrolled and when the club membership reached 26, the members knew that they were well on their way to becoming a well-organised ladies auxiliary. The auxiliary still exists and I congratulate the ladies who are members of it. The Panania RSL Youth Club in my electorate has a membership of approximately 1,000 children, who enjoy sports such as cricket, gymnastics, netball, soccer, swimming, and participate in jazz ballet and ballroom dancing. Members are probably aware that the Waugh twins, Steve and Mark, started their cricketing career at that club, as I did—although they are currently many grades away from that stage. I probably could have been a much greater cricketer, but I joined the Labor Party and got busy.

I pay a special tribute to Len Eickenloff. To be president of a club for 30 years is no mean achievement, and I am sure that all members appreciate that a president of a club is not someone who sits around, runs a meeting, has dinner once a week and attends a board meeting to make a few decisions. Len worked not only with that club. He worked also with the swimming club and the cricket club and he ran debutante balls and the like. Len was an active club member who was well-known in that area. Len was involved in raising money to assist the South Bankstown Frail Aged Village Trust. I pay tribute to Len's wife, Faye. All members would be aware that if club members do not have the support of their wives in organising these sorts of events they are no good to anybody. I acknowledge the great work that is still being done by Len Eickenloff in his position as President of Panania-East Hills RSL Club. I know that those who attended the event to which I referred earlier had an excellent day on Saturday.

#### SUTHERLAND SHIRE TRAFFIC CONGESTION

**Mr KERR** (Cronulla) [5.49 p.m.]: Tonight I refer to the traffic and parking problems that are being experienced in Sutherland shire. It is a sad day when Labor members of Parliament representing electorates covered by the Sutherland shire vote against an amendment calling on the Carr Government to provide urgent funds for cancer treatment and to take measures to combat road congestion in St George area and the Sutherland shire. On a number of occasions I have referred in this House to traffic congestion in the Cronulla electorate. Honourable members might recall reading an article in the *St George and Sutherland Shire Leader* dated 11 April 2000 in which the chief of the fire brigade at Cronulla drew attention to the fear of fire caused by the traffic gridlock that occurs in Cronulla during the summer. Nothing has been done since those issues were drawn to the attention of the Government and the public.

Honourable members might remember reading another article in the *St George and Sutherland Shire Leader* dated 25 January 2000 in which I was quoted as referring to traffic chaos in Cronulla. The mayor, Councillor Spencer, promised to build a footbridge to alleviate those problems, but nothing has been done. When I was at Woollooware last Saturday I spoke to a number of people who referred to the urgent need for a wombat crossing. They also referred to the fact that speed hoons regularly use that area. A right-hand turning bay is urgently required at the intersection of Franklin Road and the Kingsway. The footpath at the shopping centre must also be paved. On other occasions I have drawn attention to the excellent signage provided by Kuring-gai council. The provision of adequate signage is a matter of life and death for members of the public. Police and fire brigades have trouble attending the scene of emergencies because of inadequate signage.

Labor members representing electorates in the shire should read the excellent report prepared by the NRMA in relation to traffic in Sutherland shire. I wrote to Mark Coyne, a member of the NRMA board and a

shire president, and requested that a seminar be held. I am pleased that the honourable member for Coogee is not in the Chamber as Nick Whitlam, who grew up in Cronulla, was kind enough to allow that seminar, which was attended by the mayor, to be held at the leagues club in Cronulla. I compliment the NRMA for providing all the information contained in its report. A section of the report entitled "Qualitative Report—Sutherland Shire" sets out the findings of focus groups. Those groups are made up of people who belong to the NRMA Members Services Group and who live in the Sutherland shire. The report dealt with is Sutherland shire. On page 17 of the report is the following statement:

There also appears to be widespread frustration with the council. The men's group accused it of having the wrong priorities and for wasting large amounts of resources on low percentage issues such as opposing the new reactor...

Why spend all the money about half a million trying to campaign about the reactor... that's never going to happen... people built houses around there when it was there.

I am not expressing any personal opinion. People should read that report, which reflects the important views of residents. It also states:

In both groups, the possibility of the council cutting the road maintenance budget was considered. NRMA members see this as a serious example of wrong priorities and they believe that there are many things that should be cut before this. There is no sympathy towards the council about its tight budgetary position; people see this as self-inflicted through poor management and wasting money on the wrong spending priorities.

*[Time expired.]*

### **GOSFORD VIETNAM VETERANS NAMBUS PROJECT**

**Ms ANDREWS** (Peats) [5.54 p.m.]: I speak tonight about the Nambus project, which comes under the auspices of the Gosford sub-branch of the Vietnam Veterans Federation of Australia Inc. The sub-branch, the offices of which are located at Ettalong Beach, happens to be one of the largest sub-branches within the State. The Nambus project, which was commenced in 1993, is registered with the New South Wales Department of Education and Training. One of the aims of the project is to educate school students about Australia's involvement in the Vietnam War. That topic is now included in the department's modern history curriculum. One of the driving forces behind the Nambus project has been Colin Best, secretary of the Nambus committee.

Colin mentioned to me some time ago that the current Nambus was nearing the end of its mechanical life. Colin was strongly supported in his quest for a replacement vehicle by Mrs Trish Moran, the Australian Labor Party candidate for Robertson in last year's Federal election. Trish also sought my assistance in this quest. In response to those requests I made representations to the Minister for Transport, the Hon. Carl Scully. I am pleased to be able to report to the House that the search for a suitable replacement vehicle ended happily. Last Thursday the Minister visited West Gosford. Outside Henry Kendall High School he officially handed over to Vietnam veterans a State Transit Authority bus which is surplus to requirements.

The Gosford sub-branch of the Vietnam Veterans Federation of Australia Inc. was well represented at the handover ceremony by Colin Best, secretary of the Nambus committee; Robyn Creswell, secretary of the Gosford sub-branch; Lindsay Wilson, a member of the Nambus crew; Robert Morrison and Bill Elliot. They were delighted with the Minister's positive solution to their plight. Pat Bright, president of the sub-branch, was unfortunately away at the time and therefore was unable to attend the ceremony. I know from Robyn Creswell that Pat is pleased that they will now be able to continue with their program.

Over the years Wayne Ible, the principal of Henry Kendall High School, and his dedicated staff have been most supportive of the Nambus project. They recognise that Nambus provides an excellent and perhaps unique way of delivering a history lesson to school students. Just as importantly, the project provides a good outlet for a number of Vietnam veterans who voluntarily look after all aspects of the bus. They drive the bus all over the Central Coast and to other parts of the State, including the Sydney metropolitan area, the Hunter region, Taree, Kempsey, Wellington, Dubbo and Orange. In a single year the Nambus travels approximately 10,000 kilometres. It visits schools, both government and independent, and Vietnam veterans participate in a wide range of community activities, such as the convoy for kids, which is run under the auspices of the Transport Workers Union on the Central Coast, in Sydney and in Canberra. The convoy raises funds for a number of children's projects.

Also present at the handover ceremony were the captains of Henry Kendall High School, Larinda Brown and Russell Topp, and vice-captains Justin Kelly and Samantha Clarke. They were all enthusiastic

participants in the ceremony. Also present were Trish Moran, Kevin Parish, chairman of the Central Coast Commuters Council, and Marie Best, Colin's good wife. The Nambus project provides Vietnam veterans with an ideal form of therapy as many of them, sadly, have been affected both physically and psychologically by their war experiences.

I take this opportunity to place on record my appreciation to the Minister, his ministerial staff and the State Transit Authority for their co-operation and assistance in making a replacement bus available for the continuation of the Nambus project. I wish Colin Best and all members of the Nambus crew well in their future endeavours to keep alive a very important chapter in Australia's history, in much the same way that the Anzac spirit is being enkindled in our schools today. The Nambus project is virtually a mobile history lesson. It contains not only memorabilia from that important chapter in Australia's history, but also a replica of the 247-kilometre Cu Chi tunnels which were built under Saigon during the war. The project plays a very important part in the New South Wales education system for the benefit of students and communities throughout the State.

### REDFERN PUBLIC SCHOOL CLOSURE

**Ms MOORE** (Bligh) [5.59 p.m.]: The Government's planned closure of Redfern Public School is a case of the left hand not knowing what the right hand is doing. On the one hand, the Government is putting \$7.2 million into the highly disadvantaged Redfern and Waterloo communities. On the other, it has slated Redfern Public School for closure, despite local opposition and evidence that the school will be needed in the future. Planning NSW expects up to 30,000 new residents in the nearby Green Square development and the former ACI glassworks site. The Department of Housing is redeveloping the housing estate in Redfern, and there are numerous developments nearby. The Government's urban consolidation policy has increased development and encouraged higher concentrations of people in the area, yet the Government is pushing ahead with closure of the school.

Its decision is short-sighted in the extreme, given that the Redfern-Waterloo partnership project has been set up to bolster youth and family services, prevent and reduce crime, and address the chronic social problems associated with The Block. I welcome the Government's partnership project as an effective response to the complex and longstanding problems faced by the local community. This whole-of-government strategy is the best chance we have to make realistic improvements for a community with chronic problems. The project will also develop a master plan for the Redfern and Waterloo areas, based on the analysis of current and future needs. So why would the Government not wait until the master plan is developed before making a decision about closing the local school? Admittedly, the land is valuable and the Government wants to sell, but the Government has not provided educational evidence that the closure is warranted.

In my submission to the upper House inquiry into inner city schools, I pointed out that the Redfern-Waterloo area has the highest school truancy rates in New South Wales. Large centralised schools exacerbate non-attendance rates, and the best practice case studies published recently in the *Sydney Morning Herald* reinforce the need for local solutions to getting children into school and making this a positive learning experience. That is what the Redfern Public School can do—if it stays open. Redfern and Waterloo contain large concentrations of low-income housing for some of the most disadvantaged families in New South Wales, as documented in Tony Vinson's 1999 report entitled "Unequal in Life". The great majority of these families struggle to live with low incomes, drug and alcohol addiction, gambling problems, mental illness, high debt levels and limited employment. These families need the Government's support and help, rather than have it remove a key community resource.

Under this misguided proposal, students who already face major obstacles on their way to school will have further to travel when their school is closed. Requiring children who are already struggling due to inadequate family or social support to travel greater distances to school will only serve to impede their access to education and increase their social disadvantage. This goes against the principles for the planned work of the Redfern-Waterloo partnership project, which aims to reduce crime, improve services, and help the parents, children and young people of the area. I am stunned that the Government plans to close the school but at the same time allocate \$7 million dollars to help the same community address the fundamental problems it faces.

Redfern Public School serves the Waterloo Department of Housing estate, works well with local Aboriginal people, and houses the South Sydney Aboriginal Resource Centre and the Redfern Connect Community Centre. Murawina Aboriginal Child Care is awaiting approval to move closer to the school site. This has the potential to better link young Aboriginal children into the school community, and for them to see school as a positive experience. It is perverse to close a school that serves its community well. More children will move into the school's catchment area, and the school gives disadvantaged children a better chance at life.

Even worse, the school has been in administrative limbo since the Government's announcement. How can it attract and retain competent and skilled teachers and a principal when it is under the axe? How can the staff maintain their morale and provide effective teaching in such a climate? I call on the Government to get the left hand and the right hand together and have its Redfern-Waterloo partnership project fully investigate whether Redfern Public School will be needed in the future to meet community needs. The school should stay open until the Redfern-Waterloo partnership project planning has been completed and the Government knows what the community will need in the future.

**Private members' statements noted.**

*[Mr Acting-Speaker (Mr Mills) left the chair at 6.04 p.m. The House resumed at 7.30 p.m.]*

**BUSINESS OF THE HOUSE**

**Bill: Suspension of Standing and Sessional Orders**

**Motion by Mr Whelan agreed to:**

That standing and sessional orders be suspended to allow the Pastoral and Agricultural Crimes Legislation Amendment Bill to pass through all stages at this sitting.

**PASTORAL AND AGRICULTURAL CRIMES LEGISLATION AMENDMENT BILL**

**Second Reading**

**Mr IEMMA** (Lakemba—Minister for Public Works and Services, Minister for Sport and Recreation, and Minister Assisting the Premier on Citizenship) [7.31 p.m.]: I move:

That this bill be now read a second time.

Pastoral and agricultural industries are particularly vulnerable to criminal activity, in particular theft. A number of factors contribute to this vulnerability, including the size and isolation of farms and the small numbers of people resident on agricultural properties. Of the crimes perpetrated against primary producers the loss of stock is the most prominent and is of greatest concern to rural communities. In 2000 more than \$2.1 million dollars worth of cattle and sheep were reported stolen in New South Wales. This increased to more than \$2.7 million in the 2001 calendar year. In March 2000 the Pastoral and Agricultural Crime Working Party was formed, following a meeting between the former Minister for Police, the Minister for Agriculture and the New South Wales Farmers Association.

While this meeting focused on stock theft, the working party's brief was to consider all crimes against primary producers, such as stock theft, wool theft, chemical theft and trespass for the purpose of hunting. The working party consisted of representatives from the New South Wales Farmers Association, NSW Police, the Ministry for Police and the office of the Minister for Agriculture. The working party considered a range of issues including methods of stock identification, travelling stock statements, police training, legislation and crime prevention. The working party has made recommendations in relation to a range of issues including proposals for legislative change dealing with stock identification and transportation documentation, police powers, training and programming.

The working party examined the legislative provisions relating to pastoral and agricultural crime and found that on the whole the legislative framework is sound. However, the need for legislative reform was identified in some areas. My colleague the former Minister for Police, the Hon. Paul Whelan, announced in October last year the Government's in-principle support for the recommendations contained in the working party's report and the proposed introduction of the necessary legislative amendments stemming from the report's recommendations. On 27 February this year, after further consultations with the New South Wales Farmers Association, the Government was pleased to confirm a range of initiatives that it was in the process of undertaking in order to address rural crime issues.

These include both the legislative changes recommended by the working party and proposed by this bill as well as a number of operational initiatives being pursued by NSW Police, such as the creation of 32 specialist rural crime investigators at non-metropolitan local area commands trained to better investigate the theft of livestock, machinery, pesticides and fuels. The working party also made some recommendations for legislative

change to the Wool, Hide and Skin Dealers Act to address the regulation of that industry. A review of that Act has been conducted in line with national competition policy, and legislative change will be pursued early next session. This bill has industry support from the New South Wales Farmers Association and the Livestock Transporters Association of New South Wales, as well as NSW Police and NSW Agriculture.

I will now deal with the substantive matters contained in the bill. Farmers and farming representatives have expressed concern about trespass on their land. These concerns relate to unauthorised hunting of feral animals, and the significant impact on the security and peace of mind of those residing in isolated country areas. Farmers are also concerned about their animals being killed by unauthorised hunters. While the Crimes Act addresses issues relating to trespass with a firearm, and the Firearms Act addresses unauthorised hunting with a firearm, there are no adequate provisions in respect of people who trespass with dogs and weapons other than firearms, such as knives. A charge of trespass alone in these situations is not a sufficient deterrent to unlawful hunting. Specific penalties, along with the ability for police to issue penalty notices, are required.

This bill creates an offence in the Summary Offences Act of hunting on private land without the permission of the owner or occupier. The offence will not apply where there is a specific lawful excuse, such as people permitted under other legislation to destroy feral animals and pests. The bill has also been specifically drafted to ensure that traditional hunting by indigenous people permitted under native title or the Aboriginal Land Rights Act is also a lawful excuse for hunting on the land. This will ensure that traditional cultural practices are not inadvertently interfered with by these amendments. The working party also noted that the Inclosed Lands Protection Act provides that goats that are branded or wearing collars cannot be destroyed under the Act.

Given that contemporary practice is that goats are earmarked or ear tagged, that Act is being amended to state that goats that are earmarked or ear tagged also cannot be destroyed. This will protect goats owned by a person that wander onto another property from being destroyed as if they were feral goats. A consequential amendment is also being made to the Fines Act and Inclosed Lands Protection Act to enable penalty notices to be issued for trespass offences. This will enable police to effectively deal with these minor offences without the waste of police and court time and resources. This is in line with the Government's policy of introducing penalty notice provisions for a range of other minor criminal offences.

Documentation for the transportation of stock assists in the detection and investigation of stock theft. New South Wales has a transported stock statement system whereby an approved form is required to accompany livestock when they are carried from one place to another, except in cases where the journey involves the movement of stock for short distances on public roads between properties owned by the same farmer, where a stock permit is used. The legislative basis for this system was included in the now repealed Rural Lands Protection Act, and was placed in the Rural Lands Protection (General) Regulation as an interim measure pending the outcome of a determination by the working party of the appropriate legislative vehicle for the carrying of livestock transportation documentation. This part of the regulation is due to expire on 28 September 2002.

The Government has agreed with the working party's recommendation that commercial documentation such as consignment notes used by livestock carriers should also be able to be accredited as transported stock statements. Larger transport operators who have a well-established system of consignment notes which they keep for various purposes should not be required to maintain a separate set of documentation that would provide the same particulars. In its consideration of the matter and during significant consultation with producers, farming organisations, NSW Police, NSW Agriculture and livestock transporters, the working party found widespread support for a compulsory system of documentation to accompany transported stock.

It is proposed that a committee comprising representatives from NSW Police, the Livestock Transporters Association of NSW and NSW Agriculture will carry out the accreditation process. The New South Wales Farmers Association will also be invited to attend all meetings. Commercial livestock transporters will benefit as they will need only one form to transport livestock. The working party considered that a nationally accepted system is the best long-term solution to livestock documentation. However, in the short term, the proposed accredited system will work in tandem with the current system of generic transported stock statements for individual producers and transport operators who do not have established documentation.

The form of generic transported stock statements will be approved by the Director-General of NSW Agriculture and be available for purchase through the rural lands protection boards, in the same way that transported stock statements are currently available. This will effectively address the needs of commercial

livestock transporters and all others, including farmers who transport their livestock themselves. The long-term aim is to progress the combination of the national vendor declaration form with the transported stock statements, and this Government will be working with industry and other jurisdictions to achieve this.

This bill proposes that all transported stock statements will contain the date the transportation commenced, the address at which the driver loaded the livestock, the type and number of livestock being transported, the name and address of the person who owns the livestock, the name and address of the person on whose behalf the livestock are being transported, the name and address of the person to whom the livestock are being transported, the address to which the driver is transporting the livestock, and other matters that may be required by regulation. It is also proposed that, for the purpose of this legislation, livestock be defined as cattle and sheep, with provision made for other livestock to be included by regulation, if required. From a rural crime perspective, cattle and sheep are significantly the largest herds of animals in New South Wales and are transported around the State in large numbers.

In order to assist with ease of administration and to facilitate auditing, it is considered that documentation must be retained for two years and be produced on demand within that period. This will ensure that the documentation is available if it is considered to be relevant to an investigation of stock theft, which may occur some time after the crime has been committed. Transported stock statements will continue not to be required in instances when stock permits can be used. Stock permits, which have effect only in the district of the rural lands protection board in which they are issued, allow, among other things, for the movement of stock between any two holdings occupied by the same occupier. The Rural Lands Protection (General) Regulation 2001 provides for exemptions from the use of transported stock statements in specific instances, including the transportation of stock for the purpose of treatment by a veterinarian. This bill similarly recognises these exemptions.

Under the current rural lands protection legislation, transported stock statements must be produced by the person in charge of the stock, if requested by a police officer or other prescribed officer. That provision is being retained in this bill. However, the bill strengthens the requirement by providing that a transported stock statement must be carried by the person in charge of the stock and must be produced at the time requested by the officer. The current legislation does not make it explicit that an officer has the power to stop livestock transport vehicles for the purpose of inspecting transported stock statements. However, this is clearly implied in the existing powers of inspection. Accordingly, this bill specifically provides that an officer is empowered to stop a vehicle suspected of transporting farm livestock for the purpose of inspecting the transported stock statement and the livestock on the vehicle. The power is subject to the appropriate constraint that there be a reasonable suspicion that the vehicle is transporting farm livestock.

The driver of a vehicle will be required to comply with any reasonable direction of the officer in relation to the vehicle, to produce the transported stock statement, and to render such reasonable assistance as may be required by the officer to permit the officer to inspect any livestock on the vehicle. It is appropriate that a penalty would be able to be applied to some of the offences that may arise under this proposed legislation, for example, failing to comply with a direction to stop a vehicle, for which a penalty of 50 units or 12 months imprisonment could be applied. It is provided that the maximum penalty be 20 penalty units for other offences, and provision is made for the issuing of penalty notices. Police must show police identification when exercising their functions under the Rural Lands Protection Act. That Act requires persons exercising powers under the Act to be "authorised officers". Section 185 of the Act enables authorising authorities, including the Director-General of NSW Agriculture, to appoint police officers as authorised officers.

The director-general has advised that police officers will be appointed as authorised officers for the functions under the Act that are relevant to stock identification and stock movements. Section 187 of the Act requires authorised officers to produce identification cards issued by the authorising authority upon request when exercising their functions under the Act. This is unnecessary and administratively burdensome in the case of authorised officers who are police officers, and it is agreed that standard police identification may be used in place of an identification card issued under the Act. This has necessitated a minor amendment to section 187. I commend the bill to the House.

**Mr TINK** (Epping) [7.46 p.m.]: The Coalition supports this legislation. The problems with stock crime began back in 1987 when the then Labor Government dissolved the designated New South Wales Police Stock Squad. Within a few years it became clear that there were major problems with theft and transportation across borders of all types of stock of high value, which significantly affected many people in rural production. The Coalition is concerned that this problem has escalated in the past few years. It is interesting that it has taken the Government seven years to attempt to do anything in response.

Briefly, this bill will amend the Inclosed Lands Protection Act to allow authorised officers to issue penalty notices for offences, to prevent the destruction of goats that are earmarked or wearing tags, to amend the Rural Lands Protection Act to require persons transporting stock by vehicle to carry appropriate documentation, to allow authorised officers to stop and search vehicles transporting stock, and to require authorised officers to provide identification when exercising their powers. Further, the bill amends the Summary Offences Act to make it an offence to hunt on private land without the permission of the owner or occupier and to provide for the issue of penalty notices for the offence. When the Minister for Police spoke to this legislation in the upper House he referred to the creation of 32 specialist rural crime investigators at all non-metropolitan local area commands. This is belated recognition of the consequences of abolishing the Stock Squad in 1987. The reality is that the Government has had a few takes at this. It began with the former police Minister, who, in about March this year, proposed the appointment of rural crime investigators to be based at all 32 non-metropolitan local area commands. This proposal was taken up by the current Minister for Police. On 27 February 2002 the current Minister issued a press release entitled "Rural Crime Measures", which stated:

Rural Crime Investigators based at all 32 non-metropolitan Local Area commands—22 have already taken up their positions.

In other words, police already based at non-metropolitan local area commands were being trained to take on the extra work of the rural crime investigators. The Government earmarked these rural crime investigators out of existing resources and put them through courses so they could take up these positions. The Coalition—in particular the Leader of the Opposition and the Leader of the National Party—thought that that totally unsatisfactory response did not recognise that rural crime, stock crime and other types of crime that affect regional and rural New South Wales were out of control and that additional resources were required. On 4 April the Leader of the Opposition and the Leader of the National Party made a number of fundamentally important announcements. They made the following commitment:

The Coalition will create a specialist Rural Crime Squad consisting of an additional—

the key word—

32 police officers attached to non-metropolitan Local Area Commands to focus full-time on rural crime ...

That is not limited simply to the old stock squad related crime, but to a much wider brief on rural crime. They continued:

And will provide incentives to the livestock industry to assist in the uptake of the National Livestock Identification Scheme

When we launched that policy we pointed out that the Government attempted to con the people of rural and regional New South Wales through the so-called creation of the 32 rural crime investigators. They are not additional investigators; they are new titles and extra duties for already stretched rural police. The Minister for Police started to understand the nature of this problem following feedback about the way in which the Coalition's announcement had been welcomed in rural and regional New South Wales. He belatedly came to the conclusion that what he and the honourable member for Strathfield already announced was simply not good enough. It is difficult to say what their present position is. On 17 May Mr Costa did one of his increasingly familiar about-faces. He issued another press release entitled "Restructure Delivers Rural Crimes Specialists".

The Minister seemed to say in the press release that the dedicated investigators would be newly created, extra positions and not drawn from existing resources. That is in complete contrast and conflict with what he said on 27 February. It appears to follow what the Leader of the National Party announced by way of additional positions to be created as part of the Coalition's policy. However, the matter is not free from doubt. The Minister back-pedalled in his second reading speech; his language was far more equivocal and in line with what he said on 27 February and with what the former Minister for Police said last year. The Minister said that operational responses will include the creation of 32 specialist rural crime investigators at all non-metropolitan local area commands. He said that on 27 February, and less than a month ago he said "newly created, extra positions" which is missing from his speech in support of this bill.

For a short time the Government had a change of heart and realised that the Coalition is reflecting the concerns of people in rural and regional New South Wales in relation to rural crime. For a short time the Minister for Police acknowledged the lead of the Coalition to create 32 extra positions, but now he seems to have reverted to type and gone back to his language of 27 February. From the point of view of the Government, these newly created, extra positions have gone. In other words, in February the Minister said they would be existing police trained to do extra work; in May he acknowledged that the position of the Coalition of creating extra positions was superior and ought to be followed. However, all reference to extra positions has now gone

and the Minister is talking about the creation of 32 specialist rural crime investigators, which fits more with identifying people already placed at those local area commands who will be trained up for the extra work.

Every day that these people are working on rural crime is a day they are not working on more general crime which, regrettably, under this Government occurs in town centres and rural and regional areas. Police who are currently on strength at non-metropolitan commands need to continue doing general policing duties. We need to recognise the special problems associated with stock theft and other rural crime priorities. We need to create extra positions to allow specialists to work solely in those areas. The Coalition will do that; but it is missing from the speech of the Minister. Plainly, the Minister has reverted to the idea of training up people—people who are already over-stretched in rural commands—to do this extra work. It will not work. It is a key point of difference between the Coalition and the Government in the lead-up to the election. It is a top priority and a vital issue for everybody who makes a living from or is in any way involved in primary and rural production and rural affairs in this State.

**Mr GEORGE** (Lismore) [7.57 p.m.]: The Opposition supports the Pastoral and Agricultural Crimes Legislation Amendment Bill. We have been calling for a legislative response to rural crime for a long time. The Liberal-National Coalition has already released a comprehensive policy concerning this issue. Our policy was launched by the Leader of the Opposition and the Leader of the National Party in April this year. The release of the Coalition's comprehensive rural crime policy shamed the Government into taking action and introducing this bill. Our policy contained a number of measures included in this bill and was based on the recommendations of the Pastoral and Agricultural Crime Working Party. The working party provided a comprehensive report to the Government in October 2000. From the time the report was completed the Coalition urged the Government to adopt the recommendations of the working party and implement legislative and policy changes to address the scourge of rural crime. As usual, the Government ignored a pressing issue facing rural and regional New South Wales and sat on the report of the working party for more than 12 months. The bill is the belated response from the Government to the report of the working party.

I take this opportunity to commend the members of the Pastoral and Agricultural Crime Working Party for their hard work. The Coalition was pleased to endorse the recommendations of the working party and to publicly announce that we would implement the majority of the recommendations when we are returned to government in March 2003. The working party must have despaired that its work would be wasted during the long period that its recommendations lay on the bottom drawer of the Minister for Police. I am pleased that the valuable work has borne fruit, and that the Government has finally introduced this legislation as a way of implementing some of the recommendations the working party put forward.

Among the initiatives contained in the Coalition's policy is the creation of a specialist rural crime squad. The squad would consist of an additional 32 police officers attached to non-metropolitan local area commands to focus full time on rural crime. The Coalition policy stresses that the officers attached to the rural crime squad would be new positions rather than a reallocation of resources. Both the previous and current Minister for Police have demonstrated the Government's lack of commitment to fighting rural crime. Those Ministers repeatedly announced the con job of the so-called creation of 32 rural crime investigators. Labor's rural crime investigators were not intended to be additional officers. This was simply a new title and extra duties for already stretched rural police—another Labor spin without substance.

Due to the Coalition's commitment to provide additional police officers designated specifically to rural crime, the Minister for Police was forced to back down and announce in a press release dated 17 May 2002 that Labor's rural crime investigators would not be drawn from existing resources. However, I am concerned that the police Minister's second reading speech to this bill in the other place did not clearly state that Labor's rural crime investigators will be additional officers. This point was made quite clear by the honourable member for Epping. I ask the Minister in the chair, the Minister for Public Works and Services, to clarify this point. The Coalition will monitor the appointment of rural crime investigators to ensure they are not drawn from existing resources, and I reiterate the Coalition's policy commitment to create a specialist rural crime squad consisting of additional police.

The Coalition's rural crime policy also includes a commitment to provide incentives to the livestock industry to assist in the uptake of the national livestock identification scheme in New South Wales. One of the major recommendations of the Pastoral and Agricultural Crime Working Party was for the Government to provide incentives to expedite the introduction of the national livestock identification scheme within a reasonable timeframe. Despite its rhetoric, the Government has not provided livestock industries in New South Wales with any assistance for the development of the national scheme. Indeed, in question time today the

Minister for Agriculture again failed to provide a commitment to provide assistance for the scheme. The Minister has consistently acknowledged the benefits of the national livestock identification scheme, but continually refuses to financially support the implementation of the scheme. The Coalition has taken the lead on this issue, and it is incumbent on the Government to catch up and match our commitment so that livestock industries can utilise the disease control, residue monitoring and crime prevention benefits of the national livestock identification scheme.

According to research from the Institute of Rural Futures at the University of New England, reports of livestock theft escalated to record highs in 1999, with 2,808 cattle and 24,195 head of sheep reported stolen across New South Wales. In today's prices, this would be approximately \$4 million worth of livestock. In addition, the Pastoral and Agricultural Crime Working Party reported that it is believed by many in the industry that there is underreporting of crimes that occur on rural properties, including stock theft, meaning that these figures do not fully reflect the extent of the problem. It can be seen from the figures that I have just mentioned that stock theft and rural crime is a significant problem that cannot be ignored any longer.

This bill proposes changes to several key pieces of legislation—namely, the Inclosed Lands Protection Act 1901, the Rural Lands Protection Act 1998 and the Summary Offences Act 1988. As I have stated, the contents of this bill are consistent with the rural crime policy previously announced by the Coalition. However, I wish to raise two concerns about the bill. The first concern relates to the absence of any reference to the accreditation of national vendor declarations [NVDs] as an acceptable alternative to a transported stock statement. The bill refers specifically to the consignment notes of livestock transporters being a viable alternative, which the Coalition supports, but there is no reference to NVDs.

A failure to consider the accreditation of NVDs as alternatives to transported stock statements would be inconsistent with the media releases of the Minister for Police dated 27 February 2002 and 17 May 2002, and would fall short of the Coalition's commitment to develop a combined national vendor declaration and transported stock statement documentation system. I ask Government members in this place to explain what standing NVDs will have under this bill. In particular, will the committee be able to accredit NVDs? That must be sorted out because the industry does not want additional forms. We must come up with a single form, expanding NVD forms to cover all requirements for stock transport in this State and nationally. I would like the Minister in the chair to clarify whether police, under existing legislation, have the right to enter private property to muster and inspect suspected stolen livestock. If existing legislation does not provide the police with this power, the Coalition offers to work with the Government to address this issue.

Second, the New South Wales Farmers Association has approached me with concerns about the wording of the amendment to the Summary Offences Act under part 5A, section 28J (3) (b) (ii), which relates to the ability of an Aboriginal person to enter private lands for the purposes of hunting. The Farmers Association is not concerned about the provision allowing an Aboriginal person to enter land and hunt an animal pursuant to a native title right or interest that is the subject of an approved determination of native title. However, the association is concerned that this provision extends to land that is subject to a registered native title claim. I ask the Government to continue dialogue with the Farmers Association to work through this concern.

I note also that the Minister for Police responded to concerns raised by the Deputy Leader of the Opposition in the other place, the Hon. Duncan Gay, and gave a commitment to allow the Farmers Association to take part in the accreditation committee proceedings. The Coalition supports this commitment, and will make sure the Minister meets it. In conclusion, I repeat that the Opposition will not oppose the bill. Stock theft needs to be dealt with immediately. However, defence of the farmers of New South Wales and people on rural lands is left to the National Party. Not one member of Country Labor is in the Chamber to support the Minister on this subject, which has been the death knell for people in country New South Wales. It has been of major concern. But, again, it is left to the Coalition to defend the rights of farmers. We call on the Government to match our commitment to provide 32 additional police to fight rural crime and to provide financial assistance to help develop the national livestock identification scheme in New South Wales.

**Mr WEBB** (Monaro) [8.09 p.m.]: I support the Pastoral and Agricultural Crimes Legislation Amendment Bill. The purpose of the bill is to amend the Inclosed Land Protection Act 1901, the Rural Lands Protection Act 1998 and the Summary Offences Act 1988. In March 2000 the Government formed the Pastoral and Agricultural Crime Working Party, which comprised representatives from the New South Wales Farmers Association. Why no representative of the New South Wales Farmers Association is to be included on the accreditation committee defies logic. The association's members have been invited to attend meetings, but I strongly suggest to the Government that the association should be re-empowered by the provision of full

membership of the committee. Other parties to the working group included the Police Service, the Ministry for Police and the office of the Minister for Agriculture. The role of the accreditation committee will be to examine the effectiveness of the current legislative provisions that will deal with pastoral and agricultural crime.

The objects of the bill are to implement several working party recommendations, including amendment of the Inclosed Lands Protection Act 1901 to allow authorised officers to issue penalty notices for offences under the Act and to prevent the destruction of goats that are earmarked, wearing tags or are otherwise identified; to amend the Rural Land Protection Act to require persons transporting stock by vehicle to carry appropriate documentation, to allow authorised officers to stop and search vehicles transporting stock, and to require that authorised officers provide identification when exercising their powers; and to amend the Summary Offences Act 1988 to make it an offence to hunt on private land without the permission of the owner or occupier and to provide for the issue of penalty notices for such an offence. I note that the bill provides some exclusions—namely, that when committing an offence a person who believes that the relevant land was public land, not privately owned, will have an excuse at law. I expect that that excuse will be used often to avoid penalties provided in the bill.

As honourable members who preceded me in this debate have mentioned and as the bill suggests, rural crime is a significant problem throughout Australia. In grazing areas literally thousands of dollars worth of livestock is stolen and transported. In some cases, the stolen livestock is transported vast distances across the countryside; in other cases, it is transported perhaps only a kilometre or two down the road. The impact of stock theft is significant on the social and economic position of farming and on the grazier families whose livelihood and stock blood lines are cut to pieces and for whom any hope of economic return is completely forlorn. Their predicament is made worse when the police and powers that be are unable to track and recover the stolen livestock. Rural crime has not been properly addressed in the past by policies and legislative provisions. I hope that this bill will go some way towards providing the necessary support for the rural community, which plays an important and dynamic role in the social and cultural development of the State and in the prosperity of the national economy.

The Coalition recognises the importance of legislation to deal with crimes that relate specifically to rural and regional areas—such as the theft of livestock, tools and equipment, fuel, agricultural machinery, agricultural chemicals and pesticides, fencing material, timber, seed, grain, horticultural products, wool, hides or skins, and other crimes such as vandalism, arson, breaking and entering of rural premises, rural fraud, illegal trespass, illegal shooting and dumping of rubbish. My neighbour's woolsheds were broken into. Valuable equipment was stolen and bales of wool, which in some cases were worth thousands of dollars, were stolen. Recently a nearby neighbour's shed was broken into and a couple of chainsaws and other valuable equipment were stolen. A chainsaw and a motorcycle were stolen from my property, despite having been locked up in sheds. The ability of police to track stolen equipment and livestock is a matter that the honourable member for Lismore and I have been concerned about for a long while.

I echo his query: Where is Country Labor—that so-called country faction of the Carr Government? Country Labor members are certainly not present in the Chamber for debate on this bill tonight. Once again, the National Party is the only political party to truly represent country people in New South Wales and take the lead on addressing rural crime. The Leader of Opposition, John Brogden, and the Leader of the National Party, George Souris, have released a comprehensive policy that is designed to deal with rural crime on a broad base. That policy and the honourable member for Lismore's placing this Government on notice over the past three years regarding the impact of stock theft has evoked a response, albeit belated, from the Government in the form of this bill.

Among the initiatives comprising the Opposition's policy is the creation of a specialist rural crime squad to consist of an additional 32 police officers attached to non-metropolitan local area commands, as mentioned by the honourable member for Epping and the honourable member for Lismore. These officers will be specialist personnel who understand rural conditions and have the ability to focus full time on rural crime. They will also have the necessary skills to identify, pursue and track stolen property and livestock. I was interested to note the comments made in response to a question regarding the national livestock identification scheme in New South Wales. The scheme is obviously a fundamental part not only of tracking stolen livestock but also of showing the inability of this Government to deal effectively with the threat of highly contagious diseases that could decimate productive livestock industries, not just in New South Wales but in other States.

An ever-present danger is posed by stock being transported from one State to another because diseases can be spread very quickly, resulting in the catastrophic decimation of livestock throughout Australia. I query why this Government refuses to support the livestock industry instead of throwing its full weight behind the national livestock identification scheme, as its Victorian counterpart has done. In reply to my question in the

House today the Minister for Agriculture commented that the program will need to be run on a national basis to be effective. If that is the case, leadership from this Government and from other Labor States would assist in the timely adoption of the national acceptance of a livestock identification scheme. I believe that such a scheme would be effective in tracking stolen stock and, in the unfortunate and devastating circumstances of an outbreak of contagious disease being caused by the transportation of stolen stock over vast distances, in controlling disease outbreaks. The Government's support for the national livestock identification scheme would assist in achieving the objectives of this bill.

The amendments to the Rural Lands Protection Act relate primarily to practical issues surrounding the transportation of stock. The amendments will require livestock transporters who are in charge of a vehicle transporting sheep, cattle and other stock to carry certain documentation that is prescribed by regulations. I note that certification by a transport stock statement will be acceptable documentation, but together with the honourable member for Lismore I query the acceptance of a national vendor declaration in the context of compliance with this bill. Surely in many cases the declaration would satisfy the need for proof of legitimacy of the transportation of livestock, the ownership of the animals and their condition as far as disease and vaccination are concerned. That would obviously assist the compilation of a database to which the Minister referred earlier in the House today.

I again call on the New South Wales Government to throw its full weight behind the national livestock identification scheme and to help industry by way of subsidies, if necessary, by way of information and education, and by way of legislation and regulation. We need a co-operative arrangement if we are to overcome the problems about which I am speaking. Amendments to the Rural Lands Protection Act will enable police officers and other authorised officers to stop and search vehicles for the purpose of inspecting documentation and, no doubt, the loads that are being transported. Police officers must be sufficiently experienced so that they are able to identify livestock through earmarks, brands and types and they must be able to inspect stock statements and other national vendor declarations.

Police must have the power to deputise special constables in other jurisdictions, namely, the Australian Capital Territory and Victoria, so that they are aware of the requirements of New South Wales legislation and they are able to track livestock over State and Territory boundaries. People who will benefit most from stolen stock will try to move them to another jurisdiction if it is possible to do so. This legislation does not provide explicitly that an authorised officer has the power to stop livestock transport vehicles and inspect stock statements. That issue must be cleared up. The bill proposes that a committee be established comprising representatives of NSW Police, NSW Agriculture and the Livestock Transporters Association, a major driver behind this initiative, to oversee the accreditation process.

Why are members of New South Wales Farmers not committees members rather than merely invited observers? That accreditation could be extended to existing commercial documentation such as commercial consignment notes, national vendor declarations and other acceptable documentation. Stock theft must be dealt with immediately. It is an issue that has not been resolved for many years. It has an enormous social and economic impact on families who lose thousands of dollars worth of stock overnight. They also have to bear the costs of carrying out surveillance on their properties. This bill, which has been a long time coming, will go some way towards protecting production units and the valuable work they are doing in our State. For those reasons, the passage of this bill is important.

**Mr CULL** (Tamworth) [8.23 p.m.]: It gives me much pleasure to speak in debate on the Pastoral and Agricultural Crimes Legislation Amendment Bill. The Opposition is pleased to support this bill, which has been a long time coming. The Government has been slow to respond to stock theft. The electorate of Tamworth encompasses a number of agricultural and grazing areas. Many constituents in those areas have long held concerns about the increasing incidence of stock theft, other types of crime and the lack of adequate policing. The Coalition recognises the importance of this legislation. It is a way of dealing with crime that is specific to rural and regional areas, for example, stock theft and other types of crime. The increase in rural crime and stock theft, which has reached unacceptable levels, is another result of the Carr Government's failure to maintain law and order in New South Wales.

A recent study conducted by the Institute of Rural Futures at the University of New England outlined the extent to which the scourge of stock theft and rural crime has spread throughout New South Wales. It is difficult to identify the amount of money that is lost through stock theft. Due to the isolated nature of properties in rural areas, land-holders are not easily able to identify the number of stock that are stolen, particularly if small numbers of stock are stolen at any one time. One of the major problems in rural and regional areas is the

isolation of many properties. Many farmers do not live on their properties, and that exposes those properties to theft. A great deal of the petty crime that has been perpetrated in some of our towns and cities is now being perpetrated in agricultural areas because thieves regard those areas as easy targets.

The New South Wales Coalition has released a comprehensive policy concerning this issue. Among the initiatives contained in that policy is the creation of a specialist rural crime squad which will comprise an additional 32 police officers attached to non-metropolitan local area commands and which will focus on rural crime. The policy will also provide incentives to the livestock industry to assist in the uptake of the national livestock identification scheme, an important initiative if we are to maintain a register of livestock and be able to trace stolen livestock. Under current Coalition policy a regional headquarters would be created for the rural crime squad and a free call telephone service would be established to enable easy reporting of rural crimes, including livestock theft. The Coalition policy stresses that officer positions attached to the rural crime squad will be new positions rather than a reallocation of existing resources within the Police Service.

Increased policing, more efficient livestock identification and a better use of transport and stock statements are some of the things that are needed to help in the fight against rural crime. Residents and businesses in country New South Wales deserve trained police officers who specialise in and deal exclusively with rural crime. The New South Wales National Party has consistently called for the restoration of the stock squad to full operating capacity, which means additional police in new positions. This bill proposes changes to several key pieces of legislation. The objects of the bill are:

- (a) to amend the Inclosed Lands Protection Act 1901:
  - (i) to provide for the issue of penalty notices...
- (b) to amend the Rural Lands Protection Act 1988:
  - (i) to require persons in charge of vehicles transporting cattle, sheep and other stock prescribed by the regulations by road to be in possession of certain documentation, and
- (c) to amend the Summary Offences Act 1988 to create an offence of entering and hunting an animal on private land without the consent of the owner or occupier of the land and to provide for the issue of penalty notices for that offence.

The proposed amendments to the Inclosed Land Protection Act relate primarily to the protection of goats that are earmarked or ear tagged. Under present legislation, goats that are branded or wearing collars cannot be destroyed. Amendments to the Rural Lands Protection Act relate primarily to practical issues surrounding the transportation of livestock. The amendments will require livestock transporters in charge of a vehicle transporting sheep, cattle and other stock prescribed by regulations to carry certain documentation and to authorise police officers and other authorised officers to stop and search vehicles for the purpose of inspecting that documentation. That means that livestock can easily be identified while on the road with details easily available as to the origin, the destination and type of livestock carried.

Industry must adopt technology such as the national livestock identification scheme to thwart would-be thieves while increasing policing of stock statements or their equivalent. It will make criminals think twice before transporting stolen stock. Initiatives such as the expanded use of the national livestock identification scheme and stricter monitoring of stock statements require the co-operation of all sectors of the rural community, including livestock transporters. The National Party is keen to work with industry and the Government in developing documents and processes that are functional and do not impose unrealistic paperwork on transporters. The Opposition will not oppose this bill. The Coalition has proposed a wide-ranging package of measures to address rural crime. Those measures go further than anything the Government has announced to date. However the issue of stock theft is one that needs to be dealt with immediately. That is why this bill is important.

As the honourable member Lismore pointed out, it is extremely disappointing that Country Labor has not taken the opportunity to represent the interests of people in country areas, whom it claims to act for, in this debate. It is another indication that Country Labor is not interested in representing the people of country and rural areas. The same thing occurred with the doctors summit and the water rally in Tamworth, and it is now occurring with the serious problems faced by the people of rural areas in relation to stock theft and rural crime. I am pleased to support the bill.

**Mr R. W. TURNER** (Orange) [8.30 p.m.]: I support the Pastoral and Agricultural Crimes Legislation Amendment Bill, the objects of which are:

- (a) to amend the Inclosed Lands Protection Act 1901:
  - (i) to provide for the issue of penalty notices for offences under that Act, and
  - (ii) to prevent the destruction of goats that are ear marked or wearing ear tags, and
 and to make a consequential amendment to the Fines Act 1996, and
- (b) to amend the Rural Lands Protection Act 1998:
  - (i) to require persons in charge of vehicles transporting cattle, sheep and other stock prescribed by the regulations by road to be in possession of certain documentation, and
  - (ii) to require persons responsible for such stock that are being transported by rail, water or air to be in possession of certain documentation, and
  - (iii) to authorise police officers and other authorised officers to stop, and to search, vehicles transporting cattle, sheep and other stock prescribed by the regulations for the purpose of inspecting that documentation, and
  - (iv) to provide for the approval or accreditation of such documentation, and
  - (v) to clarify the requirements for the presentation of identification by authorised officers under the Act who are police officers, and
- (c) to amend the Summary Offences Act 1998 to create an offence of entering and hunting an animal on private land without the consent of the owner or occupier of the land and to provide for the issue of penalty notices for the offence.

I ask the Minister to clarify the term "in charge". Is the driver of a vehicle transporting stock, who may not have loaded the stock, regarded as being in charge? The stock may have been loaded at a saleyard and the driver merely transporting the stock. Is the owner of the vehicle regarded as being in charge? Is it both? I also ask the Minister to clarify the term "persons responsible". Does the term refer to the driver or owner of the vehicle, the stock and station agent who may have arranged the sale, or the owner of the stock? I am sure that part of the reason for creating the offence under the Summary Offences Act is to address the problem of people entering a property simply to canvass its layout with the intention of returning at a later date when they believe the owner will not be there. If apprehended, such people could claim they were on the property for the purpose of shooting rabbits, foxes or other animals. Undoubtedly, the provision is included to close that loophole.

Whilst stock theft is not a huge problem in my electorate—in fact, it is brought to my attention on few occasions, and I realise that it is much more prevalent in the Far West, where there are larger and more isolated properties—it has been a long-term problem. I suppose it has been going on for as long as stock have been on this earth. We have all heard of cattle rustlers, as shown on American western movies and so on. To some extent, the problem comes and goes according to the price of stock. The relatively good prices now obtained for cattle and sheep probably account for the huge increase in stock theft over the past couple of years.

The Opposition welcomes the Government's announcement that it proposes to establish a rural crime squad comprising 32 full-time specialist officers. It is to be hoped that once the specialist officers are appointed they will remain full-time employees and will not be seconded to other positions to fill in for officers who not available, for example, on long weekends. I seek the Minister's assurance that the specialist officers will be employed on a 24-hour, seven-day-a-week basis. It would be regrettable if those involved in stealing stock or farm equipment got to know that the specialist officers were on duty only from 9.00 a.m. to 5.00 p.m., five days a week, and it was open slather after that. It is important that the perception be that those specialist officers are likely to turn up anywhere at any time.

It is important that the specialist officers have expertise in identifying and tracing equipment such as welders, pumps and shearing equipment—in fact, any equipment that might be used on a farm. With proper training, the specialist officers will be able to ascertain, perhaps more readily than a police officer, where farming equipment might end up. Unfortunately, a lot of stock and farm equipment is bought by other farmers. I cannot understand why a farmer would buy stock or equipment knowing that there is a reasonable chance that it has been stolen. Apart from stock ending up on other farms, it could be taken interstate overnight.

With today's modern transport infrastructure, trucks can travel a long way overnight. Stock may be sold through saleyards that are some distance away, and unfortunately some agents may not check the relevant documentation as thoroughly as they should. I am sure that some of the stock ends up in abattoirs, although it is alleged that it has come from a particular property owner. Previous speakers, including the Minister, referred to the types of stock permits that may be accepted. The Minister highlighted that there will not be a requirement for one particular permit, that there will be some degree of flexibility, and that to avoid duplication other permits may be accepted. I hope that measure has been introduced in the spirit of trying to reduce duplication, yet keeping the process as simple and flexible as possible whilst still meeting the legal definition.

The records will be retained for up to two years, and the Government has announced that penalties will apply for various offences. The 32 specialist officers to be attached to the proposed rural crime squad will be empowered to inspect stock and statements to ascertain the ownership of stock being transported. It is not difficult to get \$100,000 worth of stock on a large four-decker truck or road train, which is able to travel many hundreds of kilometres overnight. As I have said, it is important that the specialist officers are able to operate at any time of the day.

At the National Party conference held in Broken Hill last weekend, the Leader of the National Party announced that if elected the Coalition will establish a specialist rural crime squad to deal with rural theft. He also made a commitment to the national livestock identification scheme. We have made a commitment to distribute up to one million electronic devices. I note that Victoria is way in front of New South Wales in that respect. Indeed, that State has been carrying out trials for a considerable period.

A financially viable electronic identification scheme that is accepted by farmers and saleyard operators and, most importantly, by abattoirs as accurate will take over many of the tasks of stock officers. Much of their work will be superfluous if we can come up with a system that all operators and farmers will accept and can afford. At present some implants are passing through the beasts and into the rumen and, in some instances, ending up in the rendering plants and damaging equipment. The plants then have to be closed until the implant has been found. A system that is accepted by all will not only help to identify stock. It will also help with quarantine arrangements. It will help to trace disease, chemical residue, previous owners, the age and condition of the beasts and, perhaps, where they were grown. That will make it easier to identify the meat and, therefore, make it easier to export, as we will be able to guarantee where the meat has come from.

Until such a scheme is in place we need these 32 officers. We need both the officers and the forms to be flexible. I am sure there will be loopholes, but let us start to seriously support farmers in their fight to reduce the number of stock stolen. In the debate figures of 2,000,000 and 4,000,000 have been mentioned. We do not know exactly how many stock are stolen. Not only large numbers of cattle are stolen. Often small numbers are stolen and farmers are not aware of the theft or they do not go to the trouble of reporting it because no-one appears interested in the theft of small numbers of stock. As I said, \$100,000 worth of stock is an enormous loss for some farmers, but it does not seem to attract the same attention as the theft of \$100,000 worth of equipment from a factory. Let us hope that this bill will help farmers. Let us hope also that the Government is fair dinkum about the specialist police officers and that in two or three years those officers are still employed in those positions and have not disappeared into the system. Farmers need support, and the Opposition supports the bill so that the ability of farmers to reduce stock theft is increased.

**Ms HODGKINSON** (Burrinjuck) [8.43 p.m.]: I support the Pastoral and Agricultural Crimes Legislation Amendment Bill. I follow my Coalition colleagues, who have also spoken in support of the bill. I would like the Minister to address concerns I have, which are similar to those mentioned by the honourable member for Orange. Item [1] of schedule 3 will insert part 10A into the Rural Lands Protection Act. That part will contain sections 140A to 140J and will make it an offence for the person in charge of a vehicle on a road to transport stock unless that person is in possession of a transported stock statement in relation to the stock. We need to know who the person in charge is. Will it be the driver of the vehicle, the stock and station agent who sold or is collecting the stock or the vehicle's owner? I ask the Minister to clarify that.

During the debate several Coalition members have said that it has been Coalition policy to create a specialist rural crime squad. We need an extra 32 police to take up the new positions rather than overstressing already overworked police. The Minister's second reading speech did not state that the sole duty of those 32 extra police will be to take care of rural theft. The honourable member for Lismore mentioned that the pastoral and agricultural crime working party recommended the introduction of a national livestock identification scheme. That has been strongly supported by the shadow Minister for Agriculture. We need a commitment from the Government and from the Minister for Agriculture to that scheme, which has been promoted heavily in country areas and will seriously address stock theft.

My review of the budget reveals that the Department of Agriculture is consistently being stripped of funding, budget after budget, under the Labor Government. Country communities feel duded by the Government. When resources are stripped from an instrumentality that is fundamental to their way of life and which has responsibilities over such a broad area of the State, they become upset about it in the same way as I do. Other members representing country electorates in this place feel the same way. I have held two public meetings in my electorate regarding stock theft, one at Crookwell and one at Yass. Both meetings were well attended. Farmers and landowners expressed concern at the level of stock theft in country New South Wales.

Stock theft has been a big problem in my electorate in the past. I have largely a rural constituency, so that is to be expected. However, one of the main concerns of many farmers who have large areas of land is that they cannot be out on their properties every single day counting the exact number of sheep in their paddocks. If their stock is stolen they might not notice it for two or three days.

I was told at the public meetings about stock theft that farmers have often not felt able to report thefts to the police, because it may have been a week since they checked their stock numbers. In the past they felt there was no point. They know that police resources are already overstretched, so unless they can give the police a specific time and date of the theft the police will not be able to find the stock. That is another reason why we need a dedicated rural stock squad rather than lumbering already overworked police with extra duties. In saying that, I congratulate my local police for their respect for the important issue of stock theft. Since I have held those public meetings they have worked hard in the local community to try to address the problem of stock theft.

The investigation of stock theft may also involve travelling over long distances. Stock theft may occur 1½ or 2 hours drive from the local police station. Four hours could be taken from the officer's day simply travelling to and from the location of the theft, not to mention the amount of time the officer has to spend with the landowner or farmer. That is time off the beat, and it is an extra duty on top of the duties the officer already performs. That is unfair. We need police dedicated totally to the task at hand. I have placed questions on notice about the number of police on sick leave or other types of leave, but I have not received a proper reply from the Minister. Is that because the Minister is afraid to let us know how many police are on leave at any one time? Every time an officer is on sick leave, extended leave or stress leave, additional pressure is placed on the already overworked police in that patrol.

Everyone knows that country areas are short of police. The Minister must provide extra police to combat stock theft, which can have valuable results for the thieves. A beast could be worth well over \$800, so the theft of a herd of 100 steers could easily mean the loss of more than \$80,000. If five farmers each had 100 steers stolen, that would amount to nearly \$500,000. Compare that to the response of the media or the Government if jewellery worth that amount was stolen! That would be on the front page of metropolitan newspapers. The Government discriminates against people in country areas, and while the intent of this legislation is good it will not add to police numbers to combat rural theft.

The honourable member for Monaro referred to other sorts of rural theft. This legislation does not relate only to stock crime; it relates also to the theft of machinery—a lot of agricultural machinery is stolen every year—the theft of agricultural chemicals, which are extremely expensive to replace, and the theft of wool and other primary products. The people of rural New South Wales will continue to feel dudded by the Government as long as it discriminates against us in this way. As I said, I support the intent of the bill but I would dearly love to see the Government implement properly the Coalition's policy of an extra 32 dedicated rural stock theft squad officers.

**Mr WATKINS** (Ryde—Minister for Education and Training), on behalf of Mr Iemma [8.51 p.m.], in reply: I thank all honourable members for their contributions to this debate. This bill implements the recommendations of the pastoral and agricultural crime working party. It is part of the Government's rural crime fighting strategy, which also includes the appointment of specialist rural crime investigators, extra training of country-based police, updated licensing and record-keeping procedures under the Wool, Hide and Skin Dealers Act to help reduce the risk of theft and help police investigate such cases, and a proposal to implement livestock identification. I commend the bill to the House.

**Motion agreed to.**

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

### **RADIATION CONTROL AMENDMENT BILL**

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

### **BILLS RETURNED**

The following bills were returned from the Legislative Council with amendments:

Rural Fires and Environmental Assessment Legislation Amendment Bill  
Poultry Meat Industry Amendment (Price Determination) Bill

**Consideration of amendments deferred.**

**APPROPRIATION BILL****APPROPRIATION (PARLIAMENT) BILL****APPROPRIATION (SPECIAL OFFICES) BILL****GENERAL GOVERNMENT LIABILITY MANAGEMENT FUND BILL****PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT (TRADEABLE EMISSION SCHEMES FUND) BILL****PUBLIC FINANCE AND AUDIT AMENDMENT (BUDGETING AND FINANCIAL REPORTING) BILL****STATE REVENUE LEGISLATION AMENDMENT (BUDGET) BILL****Second Reading****GOVERNOR'S SPEECH: ADDRESS-IN-REPLY****Take-note Debate****Debate resumed from an earlier hour.**

**Mr LYNCH** (Liverpool) [8.54 p.m.]: I support the appropriation bills and the State budget for 2002-03. Since the election of the Labor Government in 1995, two major budgetary challenges have had to be met for Liverpool. One challenge has been to ensure that Liverpool specifically and south-west Sydney generally get their fair share of government resources and expenditure. That is, it had to overcome previous neglect by and inadequacy from successive governments. It had to address those historic inadequacies. It also had to address a second challenge, which was the massive residential expansion in our area. This occurred primarily in my electorate of Liverpool, although it developed in some adjacent electorates as well. For example, the Liverpool council area was regularly referred to as one of the fastest growing regions of Australia, if not the fastest growing region of Australia.

Since 1995 much has been done to meet these two challenges. There has been a dramatic burst of capital expenditure in Liverpool arguably unsurpassed in our area's history. The only remotely comparable provision of services would have been about 40 years ago, in the 1960s, with the development of Green Valley. To some extent recent expenditure since 1995 has been directed specifically at remedying the defects or inadequacies of the development of the 1960s. The past seven years have seen, amongst other things, the following developments in Liverpool and surrounding areas. There has been a massive expansion of Liverpool Hospital to provide health services to the people of Liverpool, rather than force them to travel to other parts of Sydney. It is also now a teaching hospital that leads the country in its expertise.

The complete redevelopment of Liverpool railway station was completed comparatively recently. The station has been developed into a transport interchange. It was probably the last major transport point in Western Sydney to be developed into a transport interchange. It was both greatly needed and well and truly overdue. A new police station has been constructed at Green Valley to replace the ramshackle and completely inadequate building in Cartwright Avenue. That older building was so bad that it inevitably would have provoked industrial action if it had not been replaced. New schools have been provided at Hinchinbrook and Cecil Hills. There has been major construction at existing schools, such as Green Valley Public School and other schools, and there have been significant additions to Liverpool TAFE and Miller TAFE.

Geographically outside my electorate but extremely important for many of the residents I represent has been the M5 East extension. There has also been a substantial investment in services as well as capital investment. In particular, I think of the \$600,000 allocated to what is known as the Wellbeing in the Valley project based at The Hub in Woodward Crescent, Miller, and the significant funding of the other services in that area. The current budget continues the trend of meeting the twin challenges in Liverpool of the traditional inequalities and coping with growth. They continue on the trend I have just identified in the items that have been funded since 1995.

The first area in the present budget that I will deal with is Transport. There has been a significant allocation of funding for Transport: \$29.9 million has been allocated for the construction of the Liverpool to Parramatta transitway within the electorate of Liverpool. Other amounts have been allocated in nearby electorates. The transitway is a positive addition to public transport services in Sydney's west and south-west. As many have observed, much of Sydney's transport system is radial, that is, it radiates from the Sydney central business district. That means that often there are considerable difficulties in using transport to travel from one part of Western Sydney to another part. The transitway will deal directly with this; a rapid bus transit service will link Liverpool and Parramatta, going across country.

There will be a number of stations along the course of the transitway. These will include parking stations to encourage residents to become commuters on this system. The course of the transitway will not only link Liverpool and Parramatta; it will also link industrial areas, generating employment with educational and health establishments. These links will thus be a benefit to the residents of south-western Sydney in terms of recreation, education and employment. It is estimated that buses will operate every five minutes during peak periods and every 10 minutes in non-peak periods. Current travelling times between Liverpool and Parramatta will be dramatically reduced. Construction of the transitway has already commenced.

Its current route through my electorate is from Liverpool railway station down Moore Street, passing in front of my office, across Copeland Street, then south before Carboni Street, across Memorial Avenue and along Hoxton Park Road. When it reaches Banks Road it will proceed along Banks Road and Rundle Road. One of the great additional benefits to flow from the transitway is that State Government buses have won the tender to provide services on the transitway. That tender was won in a competitive environment. The provision of Government buses has been a longstanding demand by residents in Western Sydney, and I am delighted that this demand has been satisfied.

As part of the development of the transitway, Hoxton Park Road will be widened from the Liverpool council chambers to Banks Road. Hoxton Park Road will be widened to two lanes each way, plus two transitway lanes. This includes, of course, the bridge near Hill Road, which is the biggest single traffic blockage on Hoxton Park Road. Traffic on Hoxton Park Road is currently chaotic and the road is well and truly overburdened. That stems largely from the massive growth and development in the western areas—now suburbs—of Liverpool. The widening of Hoxton Park Road has been an issue that is constantly raised with me by a plethora of residents of Liverpool. I am delighted about the widening of Hoxton Park Road, especially at the bridge.

I should add that to allow the transitway to be developed significant property acquisition is required. Around 40 properties along the northern side of Hoxton Park Road west of Liverpool council chambers are to be acquired. That is obviously distressing for those who live there. I know quite a few of those residents personally and I acknowledge how distressing it is for them. Whatever the public interest is, it must be a terrible experience to be forced to move. Hoxton Park Road is not the only road that has benefited from this budget. Another road to substantially benefit from funding in this year's budget is Cowpasture Road, a very historic road dating from early colonial times.

Some cynics might suggest that nothing much has been done to improve that road over the past 200 years, certainly in the vicinity of Liverpool. The widening of the road north of Elizabeth Drive is now being extended to the south of Elizabeth Drive, in my electorate. For part of its course that road is actually an electoral boundary, so some of the media releases that cite the amount of money to be spent on the road are a bit confusing, depending upon which electorate one is referring to. A total amount of \$12.5 million is to be expended for the widening of Cowpasture Road to four lanes from Elizabeth Drive to Mount Street, and an additional \$5.3 million will be spent to provide for the widening of Cowpasture Road from Mount Street to North Liverpool Road.

Not included in this budget is funding for the widening of Elizabeth Drive from its intersection with Cowpasture Road west towards the entrance to Cecil Hills, but I hope that something might be done to resolve that problem in the not too distant future. The widening of Cowpasture Road will have a number of advantages. It will assist in relation to the highly congested state of the road at the moment, and will benefit those who use it as a thoroughfare. Residents of Cecil Hills currently have only two points from which to exit their suburb. During peak periods this creates very real problems and long delays. The widening of Cowpasture Road at this point should alleviate this problem.

Other moneys have been allocated in the budget in relation to the area south of those sites to which I have just referred, to commence planning for the widening of other sections of Cowpasture Road—although to

some extent that must be dependent upon the development of the Western Sydney Orbital, which will intersect with roads in that area. An allocation has also been made for roads at the eastern end of my electorate. An amount of \$1 million has been allocated for the intersection of Governor Macquarie Drive and the Hume Highway. That is a busy intersection which carries a large volume of traffic. This expenditure is very welcome. The budget also provides \$1.7 million for the maintenance of local council roads and \$1.2 million for other maintenance on State and regional roads.

There has also been an allocation for rail services. There are two railway stations within the boundaries of my electorate, one of which is Liverpool station. As I mentioned earlier, that station was the subject of a recent massive redevelopment. The other station is Warwick Farm, which this year is the subject of significant expenditure in the budget. An amount of \$250,000 has been allocated for an extension to the canopy of Warwick Farm station. Granted the current canopy facilities at this station, that expenditure is well and truly justified and will no doubt greatly benefit commuters as they wait in either rain or sun. The amount of \$1.9 million will also be spent on railway maintenance work, including track construction, rerailing, underbridge renewal, signal and electrical renewal.

Other budgetary benefits will flow to Liverpool although they are not specifically related to Liverpool. A rollout of new Millennium trains will benefit all commuters, and \$131 million will be spent on the construction of 81 carriages. The total State Transport budget has increased by \$145 million or 6.7 per cent. Large projects geographically outside my electorate will also be of benefit to my constituents. These include the Parramatta rail link and track capacity improvement works between Glenfield and Campbelltown. A total of \$80.8 million is being expended on the Liverpool to Parramatta transitway, which is planned for commencement next year. Other broad expenditure that will benefit commuters who reside in Liverpool includes \$2.7 million for overhead rewiring on the Bankstown line and \$5.8 million for resignaling at Sefton. Station canopies at Glenfield and Campbelltown are also being extended, and that will benefit people who live in Liverpool but use those stations.

Another public service that has substantially benefited from previous budgets has been health services. I have already mentioned the redevelopment of Liverpool Hospital. This trend to significantly increase allocation of resources for health services in Sydney's west is continued in this budget. There are two major capital allocations for Liverpool Hospital in the current budget. The first is a \$9.1 million project to expand the emergency and trauma department of Liverpool Hospital, \$1.4 million of which will be spent in this financial year. This project will provide more space for paediatric services and will allow the pharmacy section to be relocated. Liverpool's emergency section is extraordinarily busy because of the geographic area that it covers and because far more people proportionately use private transport rather than public transport in Sydney's west, and that leads to more motor vehicle accidents.

Because it is one of the busiest emergency centres it inevitably has become one of the leading emergency services in the country. However, the current service area is physically too small and needs to be expanded. This allocation will allow that to occur. It will mean that a good service will become even better. An amount of \$4 million has also been allocated in the budget for Liverpool mental health facilities. The total cost of the project is \$23.7 million, and that will allow a major rebuild of inpatient and ambulatory care facilities, which are desperately needed in Liverpool. One of the great untold, and worrying, stories of south-western Sydney is the extraordinarily high unmet need for mental health services. This substantial allocation of capital expenditure is a very real attempt to deal with that problem. This year's budget represents a 9.4 per cent increase over the past year's budget for Sydney's greater west. Funding for the South West Area Health Service has been increased by \$42 million to \$552 million. Other allocations in the Health budget are part of statewide programs that will benefit residents of Liverpool.

One of the most odious outrages of the Howard Federal Government was its abolition of the Commonwealth dental health program in 1996. Since then the people of New South Wales have lost \$150 million in dental health funding. That was a simple, unvarnished attack upon the poor who could not afford to pay dentists. It was a very clear indication of the class bias of the Howard Government. This year the State budget has seen a major increase in dental treatment with an extra 85,000 patients able to be treated. In dollar terms this represents an increase of \$16 million to \$97 million this year. There has also been an increase of 40 per cent to expand New South Wales podiatry services. This will mean an extra 55,000 foot treatments across New South Wales. This is an important health issue, especially for older people and those who cannot pay the price of private health care.

The allocations of earlier years for Education and Training have been continued in this budget. An amount of \$4.667 million has been allocated for a completely new public school at Cecil Hills. This is a new

school for a suburb that has only been developed in the past several years. There has also been a very substantial investment in TAFE. Miller TAFE has been allocated \$750,000 to complete the \$4.5 million building and construction program that will provide a state-of-the-art building and construction workshop. Already it looks very impressive from the outside. Liverpool TAFE will receive \$3.2 million to complete the South Western Sydney Education and Training Centre. That \$8.3 million project is already well advanced. It will provide a new education centre with a lecture theatre, flexible learning centre, general learning spaces, offices and a language centre offering English courses to overseas students.

Additionally, \$1.4 million has been allocated as funding for a new project for Liverpool TAFE. This will involve the construction of new facilities for training in beauty therapy and information technology. There are also other statewide projects which will have an impact upon Liverpool and its residents. These include an extra \$11.5 million to improve the quality and supply of teachers over four years, a \$963 million upgrade of technology in schools over four years, \$247 million for faster Internet access and \$82 million for new e-learning accounts, including email and individual web sites for 1.33 million teachers and students—an increase of \$14 million on last year's budget. This includes things such as reading materials, minor maintenance and stores.

Quite substantial moneys have been allocated in the budget for the Sydney Water Corporation. Some \$11.4 million is being spent to extend systems to service urban development in areas such as the new release areas in Liverpool. A further \$5 million has been allocated for the Hoxton Park rising main and carrier, and \$24.4 million is being used to fund a Georges River wastewater strategy. Georges River is a quite remarkable feature of south-western Sydney that frankly has been undervalued. Anything that can be done to turn this around must be to our region's benefit.

In relation to housing, \$6.3 million has been allocated for expenditure on new works, and \$1.8 million for works in progress. This includes 50 units of accommodation and general asset management. The provision of a large and vibrant public housing sector is critical. It is the only way that housing at a reasonable cost can be provided to many of the people that I represent. The private sector is inadequate in providing low-cost housing. Certainly, any real estate agent would say that they cannot make money out of low-cost rental properties. Adam Farrar and Frank Stillwell, well-known economists, have emphasised on a number of occasions that the private sector is inadequate when it comes to providing low-cost housing.

Reliance upon the private market to deal with these issues is doomed to fail. The payment of subsidies to low-income private renters just allows landlords to increase rents, and does nothing to relieve housing stress. The only realistic option is for the State to intervene in the marketplace to achieve civilised and humane social outcomes. I note the laughter of north shore members at my comments. That is typical of the class bias of the Liberal Party. When we raise issues about low-cost housing, all we get from the north shore is laughter. They do not care about these issues because they do not represent those people.

**Mr ACTING-SPEAKER (Mr Mills):** Order! The honourable member for Davidson will cease interjecting. His remarks are becoming tedious as well as disorderly.

**Mr LYNCH:** Intervention of government in the marketplace has become very difficult because of the market-obsessed in government in Canberra and in the New South Wales Opposition. I should note a further allocation in the budget of \$95,000 for computer enhancements for the Legal Aid Commission. The honourable member for Davidson keeps screaming out about Minto. His only interest in Minto is that it is the place he passes on his way to the snowfields. The honourable member for Coffs Harbour demonstrates once again that it is after dinner. The total allocation to capital expenditure from this budget for the electorate of Liverpool is \$149,730,604.

**Mr ACTING-SPEAKER:** Order! The honourable member for Coffs Harbour will cease interjecting.

**Mr LYNCH:** When I started speaking I mentioned two challenges. The first related to the issue of traditional inequities and unfairness in the allocation of resources, and the fact that attempts needed to be made in successive Labor budgets to overcome those anomalies in the electorate of Liverpool. In addition was the massive issue of growth. I am delighted that both challenges have been significantly met. The fact that north shore Liberal Party hacks in this Chamber interject on this speech is classic proof that what I said is right: This Government is attempting to redress the historic class biases that people like the honourable member for Davidson, in his toffy north shore voice, continue to interject about. We have attempted to turn around the things that Coalition governments have supported year in and year out.

**Mr BARTLETT (Port Stephens) [9.14 p.m.]:** It is my pleasure to support the Appropriation Bill and cognate bills. I will do so by making numerous references to the Port Stephens electorate. I thought I would

commence my speech this year with something I said three years ago about the Port Stephens electorate when I was making my contribution to the budget debate. I said that a healthy society needs three vital sectors: a public sector of effective governments, a private sector of effective businesses, and a social sector of effective community organisations—all working together to make an area as good as it can be. I commence my speech this evening by mentioning a number of awards won by the Port Stephens electorate in the past 12 months.

I start with the environment. The New South Wales metropolitan Tidy Towns award this year was won by Newcastle. Mayfield, which is part of my electorate, is included in the Newcastle area. At the other end of Great Stockton Beach and beyond some coastline is Soldiers Point-Salamander Bay, which not only won this year's New South Wales Tidy Towns award, but went on to become the national Tidy Towns winner. This was the first Tidy Towns winner invited to enter the United Nations Bloom competition. A submission has been made to enable this Tidy Towns winner to show the world what it did to make Soldiers Point-Salamander Bay such a pleasant place in which to live.

I turn now to a couple of businesses in the Port Stephens electorate that have won awards. The 2001 Engineering Excellence Award was won by Comsteel, a large steelmaking enterprise in Mayfield. I am a member of the local committee that interacts with the local community. Comsteel won an award for its Steelmaking Environmental Upgrade project, which was judged the winner in the Environmental Engineering Excellence Award division. Comsteel had old technology, and during the day and evening Mayfield was saturated by the huge volume of pollution emitted from the factory. The project was primarily driven by environmental requirements to control fumes and noise from the electric arc furnace.

However, environmental assessment of the project addressed many other aspects, including the innovative nature of the approach, significant reuse of equipment left following the closure of BHP, reuse of Comsteel furnace items, reuse of a Spanish furnace shell, the Community Liaison Committee's involvement, and metals recovered from the collected dusts. The project was completed on time, on budget and without lost time injuries. That is why Comsteel gained the Engineering Excellence Award. Port Stephens is a relatively small electorate in New South Wales.

The next matter I refer to is the Tomaree Education Centre. The centre last year won an award from the OECD. It was one of the 55 schools in OECD countries identified as worthy of an award because of its design. Even though it is a large school, it won the award when the public works department submitted its application, in competition with those of all other schools built in OECD countries during that time. This education centre, on the Tomaree Peninsula, was presented to the world as an example of what could be done in designing schools bearing in mind a school's relationship to the environment. In terms of bringing together effective governments, effective businesses and effective communities, Port Stephens has done extremely well, in my view, to win State and national awards as well as international awards for projects in the Port Stephens community.

I turn now to what I regard as the highlights of the budget from the point of view of the State of New South Wales. Five years ago \$14 in every \$100 of government spending was required to service the debts and liabilities of New South Wales. That is now down to less than \$9 in every \$100, which means that each year we have \$1.6 billion more to spend on better services and reducing tax rates. I am sure honourable members have heard me say previously that when I arrived at Port Stephens Council it had a debt of about \$15 million and an income of \$6.5 million, and that \$3.5 million every year went from council coffers to pay off interest and debt that the council had accrued.

Elimination of a huge debt will mean that approximately \$1.6 billion will be available each year to be spent on the provision of services. I acknowledge the enormous boost in revenue for this Government from stamp duty, but credit must be given where it is due. This Government has reduced the State's debt repayments by \$1.6 billion, which relieves taxpayers from debt repayments and interest charges associated with debt. The Government's strategy for forging ahead is straightforward: it will reduce debts and liabilities, and increase assets and investment. I am pleased to be part of a Government that has made a commitment to completely eliminate general government debt by 2020. Though I will not be a member of Parliament in 2020, it will be great to witness that achievement because any government that is able to eliminate debt will be prepared for any economic upheaval, irrespective of where in the world it has been generated. This debt-free commitment will be a legacy for future generations.

When this Government took office in 1995 general government net debt stood at \$12 billion, or 7.3 per cent of gross State product [GSP]. That debt has now been reduced by \$7 billion to 2 per cent of GSP. The surpluses that have been made possible by this Government's strong financial position have also resulted in the

net financial liabilities of the general government sector declining from \$32.6 billion in 1995, which is 19.8 per cent of GSP, to an estimated \$22 billion in June 2002, or 8.8 per cent of GSP. This represents a massive decline in the liabilities of this Government. The magnitude of this achievement can be illustrated by reference to the superannuation funding for public servants. The Federal Government's liability for its public service superannuation scheme is \$84 billion. A moment's comparison will give honourable members some idea of where this Government is heading in its attempts to pull down liabilities that have emerged since the 1960s, when a huge number of superannuation schemes were unfunded.

The resultant reduction in the financial burden of this Government, combined with this State's strong economic growth, has enabled the Government to provide additional funding for key service areas such as police, health and education. This Government is trying to devise a fiscal strategy that is directed toward achieving and maintaining fiscal sustainability—that is, a sustainable fiscal position which, in a sharp economic downturn, will not force the Government either to cut spending or increase taxes dramatically in managing debt and other liabilities. This Government is building in a cushioning effect so that if State borrowing is necessary in the future there will be an inherent capacity to weather a recession or whatever confronts the government of the day. Overall, budgetary expenditure is worth \$32 billion, of which \$12.9 billion represents the State's collection of taxes and \$15.1 billion accounts for Commonwealth grants and subsidies. During my short term in this Parliament, from 1999 until the present, the amount of the Federal Government's contribution to the State budget has increased from 31 per cent to 45 per cent, which graphically illustrates the impact of the goods and services tax [GST] on this State's economy. The State also derived \$3.4 billion from dividends and charges.

I turn briefly to some of the major items affecting the Port Stephens electorate in this year's State budget. On 6 June, in the company of the Minister for Transport, and Minister for Roads, Carl Scully, I attended a sod turning for the \$123 million Karuah bypass. The spade was put into the ground on that day to begin construction of a 10-kilometre bypass of Karuah, which is a well-known bottleneck. The completion date is December 2004 and the project will make Karuah a much more pleasant place in which to live. Presently more than one million trucks pass through the town. Another major initiative in the budget which will benefit Port Stephens is \$2.8 million to commence stage one of the reconstruction of Nelson Bay Road, which will be a dual-lane roadway from Bob's Farm to Port Stephens Drive. The project's total length is 11 kilometres and this year's allocation represents stage one of a three-stage project. The budget has also allocated \$200,000 towards planning a proposed upgrade from two lanes to four lanes for the Tourle Street Bridge over the Hunter River's south arm.

The sum of \$92,000 has been allocated to the Charlestown to Sandgate sections of the Newcastle inner city bypass, and \$150,000 will be spent on improvements to the intersection of Old Maitland Road and the Pacific Highway. In addition, \$300,000 of a \$600,000 upgrade of the Port Stephens Fisheries Centre has been provided this year. The sum of \$1.2 million has been allocated for relocation of the wader bird habitat at Kooragang Island, and \$65,000 has been allocated for a jetty on the island to promote tourism and to give tourists the opportunity to travel to the island by water. I will deal in more detail later with a number of schools in my electorate that have also benefited from this year's budget. The Karuah sewerage scheme is nearing completion and requires only a relatively small sum to bring the project to finality. Karuah will have a \$15 million state-of-the-art sewerage treatment system which will be the most environmentally friendly sewerage scheme in New South Wales.

**Mr Humpherson:** This is riveting stuff.

**Mr BARTLETT:** I think so, especially as people used to die from oyster poisoning from water pollution. Hopefully, the sewerage treatment scheme will be operating by the middle of this year. A capacity to meet increased future demand has been built into the project. As construction of the bypass is completed and the sewerage treatment plants begins operating, Karuah will be a wonderful place in which to raise a family. People will be able to live by the waters edge in Port Stephens and be a mere 20 minutes drive away from Newcastle over a dual-lane roadway for the whole trip. Karuah will be a pleasant community in which to live. The Tomaree peninsula runs out of water during drought situations, and the next time a drought season occurs it will do so again. The current water supply for the Tomaree peninsula is derived solely from sand beds within the Tomaree National Park. During the next 18 months Hunter Water will spend \$10 million to supplement the water supply by extending a water pipeline from Tomago to the Tomaree peninsula. A number of pumping stations are presently being constructed. Because the pipeline will not be connected to properties along the route of the main, the pipeline will be used solely to provide a water supply to the Tomaree peninsula area and meet the explosion in demand caused by tourism during the holiday seasons.

Karuah will receive a \$15 million sewage treatment plants and \$123 million for a bypass. A Karuah liaison committee will examine ways to improve Karuah. One of the issues for consideration is what to do when

the four- or five-lane roadway turns Karuah into a nice country town. Karuah has a free sewage pump for boats visiting the Port Stephens area. The Karuah Public School playground will be upgraded at a cost of \$10,000. Tidy Towns has a viewing platform under way as a result of a \$8,750 grant. The committee is working with me with respect to a craft and cultural centre operating in Karuah. Raymond Terrace Public School will receive a major upgrade, and \$100,000 has been allocated for the planning stage. Soldiers Point Public School has been allocated \$250,000 for the planning phase of its major upgrade, and the Anna Bay Public School will receive \$250,000 for the planning phase of its major upgrade. The growth in population of the Port Stephens electorate is being matched by the Government at every stage in its provision of infrastructure, such as a water supply pipeline, schools and a sewage treatment plant. The area is moving steadily forward.

By about 2005 Tomaree peninsula will run short of electricity. The Government is spending \$40 million to provide a new power supply to cope with the enormous growth in that area. Much thought, action, money, time and planning have gone into providing services in the Port Stephens electorate. The last stage of the 11-kilometre Raymond Terrace to Medowie cycleway—a council and State Government initiative—has almost reached completion. Some \$700,000 has been spent over the last four years. Once the Raymond Terrace to Medowie cycleway is completed work will commence on the Anna Bay to Boat Harbour cycleway. This Government is allocating funding for additional facilities for the Port Stephens community. This year Riding for the Disabled received a budgetary allocation of \$37,000—a wonderful winter sport for young disabled people.

I refer briefly to health services in the Port Stephens electorate. Most of the money that has been allocated for Health is specifically to extend the range of services and provide additional staff to supply those services. Additional dental, dietician and podiatry services will be available at Nelson Bay polyclinic. Outreach services are now available at Nelson Bay polyclinic and Tilligerry peninsula. The Hunter health strategy will continue. I am sure that those honourable members who represent the Hunter area will refer in their speeches to the proposed upgrading of Mater and John Hunter hospitals and polyclinics in Newcastle—improved services from which residents of Port Stephens and Mayfield will benefit.

I refer briefly to gross pollution traps. A number of gross pollution traps have been installed, at considerable cost, in an attempt to clean up the waterways of Port Stephens. Gross pollution traps, which usually cost about \$300,000 each, trap an enormous amount of silt, litter, oil and grease. The gross pollution traps that have been installed at Raymond Terrace, Nelson Bay, Shoal Bay and Boat Harbour are effectively reducing the amount of pollution in the Port Stephens waterways. When I became a member of Parliament four years ago it was the intention of this Government to implement a series of plans in the Port Stephens electorate. This Government is delivering on all its promises and is implementing those plans in the Port Stephens electorate. I said earlier that the Port Stephens electorate has won a number of State, national and international awards. I am proud of the community that I represent. I commend the bills to the House.

**Mr DEPUTY-SPEAKER:** I acknowledge the presence in the gallery members of the Strathfield south branch of the Australian Labor Party, who are guests of the honourable member for Bankstown. I particularly welcome the Mayor of Strathfield, Councillor Virginia Judge. I hope that they enjoy the debate.

**Mr CAMPBELL (Keira) [9.29 p.m.]:** Mr Deputy-Speaker, I echo your sentiments and welcome the guests of the honourable member for Bankstown—in particular, the Mayor of Strathfield—who are in the gallery. The Treasurer used the term "getting ahead" in his address to this Parliament when he introduced the Carr Government's eighth budget. This year there is a budget surplus of about \$168 million. This Government has delivered eight budgets and in each case there has been a budget surplus, which is pretty much unheard of and is, by any account, a strong demonstration of its financial management credentials. I am delighted to support the budget, the Premier and the Treasurer.

This budget has received a positive response from the community, the business community and the media. I dismiss the inane whingeing and whining of members of the Opposition who, as usual, complain in negative terms but offer no alternative policies or strategies. A media release from the Treasurer dated 6 June 2002, which comments on the Brogden-Souris plan for managing the New South Wales economy, states:

Tax cuts and \$3.4 billion of promises and a surplus every year? I'd like to see that! It doesn't add up and it just shows that the Opposition leader never learned to do his sums.

The clear record and experience of this Government and the inexperience and desperation of the Opposition are like chalk and cheese. I return to the theme of getting ahead and getting a fair share. What are some of the Government's key services as they relate to the region and to the electorate that I represent? In Health, overall

expenditure is up by 7.4 per cent—to a record \$8.34 billion. There is a \$30 million allocation as part of the Health budget to provide indemnity for New South Wales doctors who work in public hospitals. When members of the community go to a doctor or a specialist in the public sector they can be confident that they will be cared for at this time of great difficulty in the indemnity insurance area. Many people to whom I have spoken have been concerned about the future of medical services as a result of this insurance crisis. This Labor Government is attempting to ensure that the public sector continues to provide those services.

At a local level, the Illawarra Area Health Service will receive a budget allocation of \$265 million for recurrent services, which is up \$18 million, or 7.6 per cent. In recurrent terms there is a \$2.4 million increase for oncology, cardiology and medical officer training at Illawarra Area Health Service. Emergency departments at Shoalhaven and Shellharbour hospitals will receive an increased allocation of \$526,000, and an amount of \$730,000 has been allocated for neurosurgery at Wollongong Hospital. That means that a dedicated stroke unit will be provided in that area. An amount of \$1.6 million has been allocated for extra intensive care beds at Wollongong Hospital; \$550,000 has been allocated to enable more cataract operations at Shoalhaven; and a whopping \$980,000 has been allocated to enable additional orthopaedic joint replacements.

I am often asked why I support additional expenditure in the Shoalhaven area. First, it is an opportunity to acknowledge the work of my colleague the honourable member for South Coast and, second, when additional services are provided in the Shoalhaven it means that people do not have to travel from Nowra to Wollongong. It frees up capacity in the Wollongong area for people in the Keira electorate who do not then have to travel to Sydney or wait so long for services. This integrated service in the Illawarra Area Health Service is supported by all members of Parliament. A budgetary allocation of \$5 million will provide an emergency service department at Shellharbour Hospital and \$32.1 million of a total of \$109 million has been allocated to complete stage two of Wollongong Hospital.

That includes the demolition and replacement of Hickman House at Wollongong and the provision of a new obstetrics ward, neonatal intensive care facilities, cardio and gastroenterology medical wards, day surgery, ambulatory care, academic teaching facilities, a new psychiatric in-patient unit and more car parking facilities. I am pleased to note the budgetary allocation for new psychiatric services—mental health beds for want of a better term—at Wollongong. There is no doubt that that area of the health service needs that sort of support.

All of this capital expenditure at Wollongong will ensure that after the completion of construction we have a hospital with teaching hospital status. That project, which will provide us with important services, additional staff and more trained staff, supports a partnership between Illawarra Area Health Service and the University of Wollongong. Coledale Hospital will receive \$2.3 million of total capital works funding of \$3.3 million for improvements to rehabilitation and inpatient facilities, improved access and new living quarters. In response to my representations, I am delighted to note the Minister's commitment to the future of Bulli Hospital. The Minister clearly stated that emergency services at the hospital will remain open. I note that the hospital board is planning the future capital requirements of the hospital.

With regard to education, the Government has a fine record in providing funding for literacy and numeracy programs and technology. The budget provides for a total allocation for education of \$8.1 billion, an increase of \$494 million. This represents an increase in funding for education of \$2.3 billion since Bob Carr was elected as Premier. Key priorities in education are to expand current programs. For example, \$500 million has been allocated to expand the State literacy and numeracy plan; \$823 million has been allocated to introduce new technology, including an upgrade of network band width; and \$88.5 million has been allocated for teacher professional development and recruitment. I am pleased to see support for teachers in the public system with the allocation of funds for professional development, an issue that teachers have raised with me on many occasions.

I am pleased to see the pilot of reduced class sizes for years K-3. I note that there is to be independent monitoring and evaluation of that pilot program, which is an appropriate way to address class sizes. A further key priority in education is the focus on a wider range of support and placement for disruptive students, which will be beneficial not only for students but also for teachers. In the current financial year more than \$700,000 has been allocated to schools in the Keira electorate—it is part of the schoolyard blitz. The Minister visited Corrimal primary school on 22 April, when he announced a budget allocation of \$1.4 million for improvements to that school. Capital works funding of almost \$3 million has been allocated for Wollongong TAFE campus, which is pleasing.

The budget provides huge statewide funding for transport and roads. During the Government's term in office there has been a \$5.2 billion, or 50 per cent, increase in funding for that portfolio. There is no doubt that

the Illawarra is receiving its fair share of funding, and I will identify some of the projects provided for in the budget to reinforce that point. The Roads and Traffic Authority [RTA] budget allocates more than \$1 million for road network development. Funding of \$300,000 has been allocated for the environmental impact statement on the Bellambi to Bulli stage of the Northern Distributor. A \$100,000 allocation has been provided for the further planning of the next stage of the Northern Distributor and the important Lawrence Hargrave Drive-Bulli Pass intersection, a project that the local residents are very pleased about.

This funding reinforces the Government's commitment to the Bellambi-Bulli stage of the Northern Distributor, and it demonstrates my lobbying to get the next stage on the planning agenda. I acknowledge the way in which the Minister and the RTA have listened to persuasive argument, and I look forward to receiving funding for the next stage of the project. The cost of maintenance of the RTA network within the Keira electorate is expected to be \$3.8 million. Road safety projects, including Jersey Kerb on Mt Ousley Road and safety screens at University Avenue and Mt Keira Road, will involve the expenditure of \$673,230. Traffic management projects totalling approximately \$1 million have been funded. To reinforce the point I made about the Illawarra receiving its fair share of funding, I note that the budget allocates \$19.5 million for roads funding in the Wollongong local government area.

I refer to transport. The budget provides a decent allocation of \$5 million for maintenance by the Rail Infrastructure Corporation, along with significant improvements at Corrimal railway station and Towradgi railway station. However, I note that the budget does not provide an allocation for easy access at Thirroul railway station or the refurbishment of Woonona railway station. I will continue to pursue funding for those projects. However, the Action for Transport 2010 goal of providing a faster rail link between Thirroul and Waterfall moves somewhat closer, with \$1 million allocated for planning and development work, as promised by the Minister—a big tick on that project. The port of Port Kembla received an allocation of \$1.5 million for economic infrastructure. This will ensure that the port will continue to develop, and to play its role as an economic driver of the economy of the Illawarra region.

Community safety in Keira is also a big winner in this budget. The overall focus and reinvigoration of community policing is welcome, as is the total allocation of \$1.8 billion to the Police portfolio—another record budget to accommodate police numbers. I am delighted that my campaign for a contemporary police presence in the northern suburbs of Keira has borne fruit, with the allocation in the budget of funds for a new police station in Thirroul. This news is welcomed by the Illawarra community. The initiative will ensure additional police numbers for the Wollongong Local Area Command, which I am sure local police will welcome. Community safety is also enhanced by road and traffic facilities and the provision of pedestrian facilities. The \$0.5 million allocation for new fire pumpers at Corrimal and Balgownie fire stations demonstrates this Government's commitment to the security of families in the Illawarra. The budget also allocates \$6.388 million for new public housing in Fairy Meadow, Bulli, Woonona, Tarrawanna and Russell Vale. The provision of secure housing for those in need will help families to get ahead.

The Illawarra region will also receive a fair share of the \$8.8 million to be directed to bushfire management by the National Parks and Wildlife Service. The Minister for Community Services has announced that Illawarra families will benefit from increased funding for the Department of Community Services [DOCS] budget. The DOCS southern region has been allocated \$44.88 million to focus on the protection and welfare of children and young people. The Family's First initiative, which includes trained volunteer home visitors, supported play groups and family workers to reduce stress in parents and help them access other services, will be introduced to the Illawarra area following an \$18 million boost to the Family's First initiative. I now turn to taxes. It is pleasing that payroll tax has been reduced yet again, from 6.2 per cent to 6 per cent. Payroll tax on apprentice wages has been abolished, and stamp duty on insurance premiums has been reduced from 10 per cent to 5 per cent. The chair of the Illawarra Business Chamber, Terry Wetherall, said in a media release issued on 5 June:

Illawarra Business Chamber President Mr Terry Wetherall said the decision to halve stamp duty on all general insurance would save some Illawarra businesses thousands of dollars.

"It will certainly go some way to providing much needed relief from spiralling insurance premiums", Mr Wetherall said.

"The abolition of payroll tax on apprentices will also be welcomed by many local firms and brought treatment in line with payroll tax exemption for trainees", he said.

The key regional business group, the Illawarra Business Chamber, endorses the Government's strategy in reducing taxes. I repeat the call I have made locally: with such tax cuts, businesses in the Illawarra should be looking to employ people—certainly they should be looking to employ apprentices now that the payroll tax

impost no longer applies to their wages. Businesses across the State should be looking to employ people, as taxes are being driven down by a Government that is committed to fine fiscal management. This budget ensures that the Keira electorate receives its fair share of funding. It sets out to ensure equity in the allocation of resources to Sydney, regional centres such as Wollongong and rural areas. For a long time there has been a focus on the Sydney metropolitan area, and a lack of equity in the allocation of resources. The budget achieves a sense of equity. It ensures that families, businesses and communities are able to get ahead. I support the budget and the fiscal management set out in the appropriation bills. I commend the bills to the House.

**Ms BEAMER** (Mulgoa) [9.49 p.m.]: I am pleased to respond to the Carr Government's eighth budget and to support the Appropriation Bill, and cognate bills. The Treasurer has delivered a seventh successive surplus and the fifth budget with tax cuts. Because the Government has been able to deliver successive surpluses and tax relief to the families of New South Wales, the State can continue to prosper in the core areas of government responsibility—health, education and crime reduction. This budget has reduced government debt and government charges. New South Wales has had a booming economy and the Treasurer has responded appropriately. We are able to enjoy the fruits of previous debt reductions, and the legacy of past budgets will be long lasting. The people of New South Wales will be able to enjoy the extra revenue generated by debt recovery in this budget and in budgets to come.

The budget exudes optimism and delivers security. As the Treasurer put it, the budget prepares for the future—for its difficulties, its challenges and its unbounded opportunities. In the budget process the Treasurer has held true to his belief that the budget is an instrument by which the Government resolves to remain consistent, steady and steadfast. The budget adds to the overall wealth of New South Wales, relieves the tax burden and increases the general wellbeing of the citizens of our State. I take this opportunity to point out the aspects of the Appropriation Bill, and cognate bills, that will be sold throughout New South Wales. They achieve expenditure increases, deficit reductions and taxation relief. The expenditure increases in capital works are nothing short of phenomenal—\$26 billion in a four-year program of new public works and investment. This year alone the asset acquisition program will total \$6.4 billion, equating to 96,000 direct and indirect jobs.

I believe that the people of New South Wales do not want a government that interferes in their day-to-day lives. They want an economy that sustains them and a community that is safe. The increasing capital works program delivers to them a framework to continue the prosperity of New South Wales with jobs and security for the future. Deficit reduction is the mechanism by which this budget secures the future. It is astounding that the Treasurer has been able to reduce debt servicing in the way he has. The facts are telling. Five years ago \$14 in every \$100 collected by the State serviced debt. Today that figure is less than \$9. That reduction injects \$1.6 billion into this budget for better services, and that will continue in future budgets. The budget also contains taxation relief. Time and again the House has noted the problems that insurance has posed for the whole of the community. Indeed, this House has debated legislation, and awaits further legislation, to relieve the increasing burden of insurance premiums and allow public liability insurance to be taken out by community groups. The announcement of the halving of the stamp duty rate on all general insurance, including public liability insurance, is most welcome.

With legislative changes, better regulation and lower State charges New South Wales will be well placed to overcome the nightmare that litigation has proven to be. Community life and business must be able to function without judgments that defy logic. In my electorate these measures are greatly welcomed, as is the further cut in payroll tax. The removal of the tax for employers of apprentices will help some 31,000 young people throughout the State. Small and medium-sized businesses within my electorate welcome these changes. I look forward to continued and increased employment within my electorate.

This budget contains a public works program bigger than that for the Sydney Olympics. Locally, \$4.5 million will be spent on stage two of the redevelopment of Cobham. That juvenile justice facility at Werrington has an important role to play in the network of such facilities. In the past few years Department of Juvenile Justice facilities have undergone a massive rebuilding program in the past few years. Last year conceptual designs were drawn up for a \$6.5 million railway station at Werrington for the University of Western Sydney [UWS]. This year \$300,000 has been allocated for detailed construction plans for the station, which is to be completed by 2003-04. The station will make access to UWS very easy via public transport. It is located adjacent to Department of Defence land, and the future use of that land has been the subject of negotiations between the three levels of government. The station will contain a shopping precinct, housing and areas of conservation. As such, the new station will provide valuable infrastructure.

I am exceptionally pleased that Nepean Hospital has once again been a beneficiary of the injection by the Carr Government of money into the New South Wales health system. This year's budget provides for the

redevelopment and extension of the emergency department at Nepean Hospital. That project will meet expanding service needs and will accommodate acute treatment areas, paediatric needs, a short-stay observation ward and administrative and public facilities. The sum of \$1.8 million has been allocated to begin this \$8.6 million project. Only a few weeks ago at Nepean Hospital I was delighted to see the Special Minister of State open the Wentworth Area Health Service detoxification unit, which has 16 beds.

This year \$1.74 million will be allocated for additional operating funding for this service. That will be of huge assistance to the people of my electorate and to drug-dependant individuals. Previously, people in my electorate had been turned away from detoxification services unless they had some other form of medical need. I congratulate the staff, particularly Kevin Hedges, for their commitment to treat drug-dependent individuals. In previous speeches I have made to the House I have spoken about the need for the detoxification unit, and its opening was gratifying indeed.

The increase in dental services throughout the State is also welcomed. It equates to 85,000 additional services per year and an additional 4,000 denture services. Overall, an extra \$16 million will be allocated for those services. Every member is acutely aware that the Federal Government walked away from its commitment in that area. It deserves to be condemned for that. Many people in my electorate will be pleased that eight units of accommodation will be built for Department of Housing tenants at St Marys, which has many department homes near shops and public transport. They are on large lots and are often not suitable for the present tenants; they should be redeveloped. Over the past few years the Government has been committed to redeveloping that inappropriate housing into better housing lots.

I have pointed out to the House before that when I became a member of this House one of the first conversations I had was with representatives of the Department of Housing who asked me whether the ban on building Department of Housing units in the former electorate of Badgerys Creek was still on. I said it most certainly was not. It was appalling for the Greiner and Fahey governments to stop the building of Department of Housing units of any kind in my electorate. As I said, the department has systematically redeveloped older homes, and the allocation of \$1.1 million this year will be welcomed.

One of the most important announcements in the budget for my electorate is the \$11 million allocation for the priority sewerage program. That will be shared by my electorate and the electorate of the honourable member for Camden. I am sure she is happy that Wallacia and Silverdale, as well as Mulgoa village, will be connected to the sewerage system. The residents of Mulgoa will warmly welcome that program to their area. Often during wet weather it is hazardous for residents to go outdoors. The output feeds into the tributaries that flow into the Nepean River. As I said, there has been a public consultation period in Mulgoa village, along with Silverdale and Wallacia, and the plan that residents considered was the best for the local area has been implemented.

Local residents have been concerned that at certain times the pump-out system does not operate as well as it should and in fact overflows into the Nepean River. This \$11 million will be welcomed not only by those communities but also by those who use the Nepean River system. Members of the House are well aware that the Hawkesbury-Nepean river system is beautiful. In the budget speech last year the Treasurer announced the schoolyard blitz, which is a program to bring older schools up to scratch with new schools. Local schools in my electorate have already received more than \$1 million in valuable maintenance funding under this program. Indeed, the Standing Committee on Public Works, which I chair, has been looking at how best to allocate the funding so that maintenance of our schools provides a better education system for all New South Wales students.

This budget builds upon initiatives announced in previous budgets. Some key education initiatives include \$500 million over four years for expansion of the State literacy and numeracy plan. The Minister for Education and Training and, indeed, the Premier are right to talk about our world-class education system. We will have \$40 million over the next four years for targeted assistance to schools with special problems and needs, and \$567 million to continue the computers in schools program, including additional technology support in schools. If there is one disappointment I have with the budget it is that St Clair High School is still to receive funding for a sports oval—an issue I have previously raised in the House and with the Minister for Education and Training.

I have met with the school principal, Mr Jones, on this matter on a number of occasions, and it has also been raised with me by many students at the school who are frustrated that they do not have an oval on which to play sport. I will continue to work closely with the school community to ensure that this vital project is brought

to fruition. I also welcome the \$4 million boost to my local roads system announced in the budget, an increase of \$900,000 on last year's allocation. Local projects that are funded include \$1 million for the upgrade of the Northern Road and \$90,000 for improvements to the intersection of the Great Western Highway and Monfarville Street at St Marys. Last year I had a number of meetings with my colleague the Minister for Roads and representatives of Penrith council at which local road and transport issues, such as congestion on the Mamre Road-M4 overpass, were discussed.

Given that most of my constituents drive to work, those meetings have provided a valuable forum for local stakeholders to put their case to the Minister. I thank the Minister for working closely with Penrith City Council, and I look forward to positive outcomes from those meetings for my local commuters. I was exceptionally gratified to see that the budget has an allocation of funding for an additional 70 hectares of Cumberland Plain bushland to be added to Mulgoa bushland reserve. When I became a member of this House the reserve was only 69 hectares in size. Since that time it has trebled to about 180 hectares. Another 70 hectares added to it, making it one of the largest and most outstanding areas of Cumberland Plain bushland, which is an endangered habitat. Mulgoa bushland reserve has also received additional funding this year to remove African olive. That has become possible because, although the African olive were devastated by the fires, they will regenerate. The local Landcare group will be able to clear much of the area, which is infested with weeds.

The \$780 million Wonderland Business Park project at Eastern Creek will commence in 2002-03. This world-class headquarters for technology will abut my electorate near an area called the Erskine Park employment zone. Recently I was pleased to talk to local businesspeople involved in the development of the employment zone to get it on the agenda, as well as Wonderland. People in my area have a significant problem in that there has been a great influx of homes but no jobs. The council, together with the State Government, has sought to reverse that situation in Western Sydney. We are continually looking for jobs for young people. When business parks such as Wonderland and the adjacent Erskine Park employment zone come online they will provide young people with jobs. We are also looking for tax relief, particularly payroll tax relief, to assist with employment. The Government wants to get on with building a better community.

I commend the Appropriation Bill, and cognate bills, to the House. Many Government speakers have referred to the projects in their electorates. Bob the Builder is known throughout their electorates as someone who is securing their future. That is not something that can be seen in the Opposition, which lacks policies. My electorate of Mulgoa will benefit greatly from this budget. I look forward to these projects being completed. I believe that the University of Western Sydney railway is the first station on a Sydney metropolitan rail line to be built in many years. The new design will make the station safer for commuters, as well as provide a service to the university, which was built by a Federal Labor Government. Added together those services provide evidence to my electorate that the Government is thinking of Western Sydney and about jobs so that our State has a future. I commend the bills to the House.

**Mr MARKHAM** (Wollongong—Parliamentary Secretary) [10.08 p.m.]: It gives me great pleasure to contribute to debate on this incredible budget. It is a real Labor budget for working families in this State. More importantly, it is a Labor budget for working families in my electorate of Wollongong. I shall outline some programs for which the Government has seen fit to provide funding. As Parliamentary Secretary for the Illawarra I will talk about issues that range more broadly than those affecting Wollongong, and as Parliamentary Secretary for Aboriginal affairs I will indicate how the Government has increased funding for Aboriginal affairs in this State. In the Wollongong electorate some major funding programs and key areas of local expenditure this year are \$13.2 million on local health services, \$1.9 million on local education and training, and \$85 million on the Illawarra sewage treatment plant. That project will bring sewage from two existing plants into a major treatment plant in Wollongong to alleviate some of the problems experienced by residents in the areas of Bellambi and Port Kembla.

Funding for specific projects includes \$500,000 for the construction of new Illawarra headquarters for the State Emergency Service in Wollongong. At present the headquarters are located in an archaic building and the new state-of-the-art facility will enhance the operations of the service. This year \$83.6 million has been provided towards the \$197 million upgrade of the Illawarra sewage plant, to which I referred earlier. In addition, \$5.9 million will be spent on rail and track signalling and \$1.5 million on the reconstruction of the southern freeway, which has been going on for many years, to ensure that that road of national importance will be maintained at the highest standard.

Funding for roads in the Wollongong region will receive a \$5.6 million boost in the State budget. This year's total roads spending in Wollongong has increased by \$1.4 million compared with last year's figure. As I

said, an amount of \$1.5 million has been allocated for the reconstruction of the southern freeway, or F6 as it is locally known, which will benefit the local community by improving travelling conditions as well as reducing long-term maintenance costs. Other major initiatives this year in roads are \$478,000 to upgrade the Springhill Road and Master Road intersection at Mount St Thomas; \$300,000 for a right-turn lane for the Princes Highway and the Avenue, Figtree, where I live; \$100,000 for traffic signals for Auburn Street and Bridge Street, Coniston, which has been a problem for some time; and, importantly, \$240,000 for cycleways in the area. Those cycleways will enable people to cycle to work and into the central business district instead of using their cars or the public transport system.

The upgrade of Springhill Road and Master Road, Mount St Thomas, will enhance safety by providing more dedicated turning lanes for this busy intersection, which provides an important connection to the F6, the main arterial road from Sydney to the southern parts of this State. Funding of \$75,000 has been allocated for safety screens over the F6 and Mount Keira Road, something in which the honourable member for Keira is also interested. We have been concerned about it for a number of years because stupid people throw things off bridges onto traffic on major arterial roads. I welcome that initiative, and I know my colleague also supports it. An amount of \$50,000 has been allocated for construction of a roundabout at Keira Street and West Street, Wollongong. That is a busy intersection in the southern part of the central business district.

As part of the 2002-03 housing budget the Government has announced \$16.6 million for building and improving public, community and Aboriginal housing in the Illawarra. Housing is a priority for the Government, which is committed to providing government-subsidised housing for the Illawarra area. As part of the funding for public and community housing, 114 homes will be built or bought for \$6.98 million. An amount of \$9.6 million will be committed to modernising properties in the community and modifying the homes of people with disabilities.

The 2002-03 budget has allocated a record \$265 million to the Illawarra Area Health Service, an increase of \$18.7 million, or 7.6 per cent on last year's budget. A capital works allocation of \$34.9 million has also been provided. This total overall package of health care services represents the most comprehensive health service funding ever for the Illawarra Area Health Service. Major funding for the health service includes \$2.4 million for improved services in a number of areas including oncology, cardiology and medical officer staffing; \$526,000 for improved emergency department service delivery at Shoalhaven and Shellharbour hospitals; \$1.6 million for two additional intensive care unit beds to allow for addition surgery at Wollongong Hospital—and we are campaigning to make sure that hospital becomes a teaching hospital; \$730,000 for improved neurosurgery services at Wollongong Hospital; \$980,000 for increased orthopaedic joint replacement operations at Wollongong and Shoalhaven hospitals; and \$490,000 for increased haemodialysis services.

That is good news for my electorate and the region as a whole. In relation to continuing capital growth, the Illawarra Area Health Service received \$32.1 million of a total \$109.3 million to carry out stage two works, which include the demolition and replacement of Hickman House at Wollongong to provide an obstetrics ward, neo-natal intensive care, cardio and gastroenterology medical wards, day surgery ambulatory care, academic-teaching facilities, a new psychiatric inpatient unit, upgrading of facade to existing block and more car parking. That will come online towards the end of this year.

I have campaigned strongly about stamp duty on public liability insurance. In this budget the Government has reduced stamp duty on public liability insurance from 10 per cent to 5 per cent. That will be a great saving. It will help many organisations that have found public liability insurance such a burden and, in some instances, has forced them to close down. As Parliamentary Secretary Assisting the Deputy Premier on Aboriginal Affairs I want to ensure that what the Government is doing in relation to Aboriginal affairs is recognised. The Government has continued its commitment to Aboriginal people getting ahead. In the 2002-03 budget the Government has provided the Department of Aboriginal Affairs with \$40.9 million as part of its commitment to economic and social equality and independence for Aboriginal people in New South Wales.

The 2001 census identified more than 119,000 Aboriginal and Torres Strait Islander people living in New South Wales, with 38,000 living in Sydney. New South Wales has the largest population of Aboriginal people of any State in Australia. The Department of Aboriginal Affairs [DAA], through partnerships with government agencies and the Aboriginal people of New South Wales, is the lead agency for positive change and achievement in Aboriginal affairs and for facilitating co-ordination of Aboriginal programs in New South Wales.

This financial year the Aboriginal communities development program [ACDP] is again the major focus for the DAA with \$33.8 million being allocated to continue work in regional and remote Aboriginal

communities in New South Wales on urgent environmental health and infrastructure needs. The funding is part of the \$200 million committed by the Government in July 1998 over eight years to the ACDP. The \$33.8 million will be spent on housing, water, sewerage, roads, services, and recreational and cultural facilities.

The ACDP will undertake major works in 22 communities this year, including the construction and purchase of 100 new homes and the repair, maintenance or renovation of 150 existing homes. The ACDP has a large training and employment component. It involves training and employment for local and regional people, enabling them to learn construction trades, to build and refurbish homes provided under the scheme, and to maintain infrastructure. This year the ACDP will train up to 240 Aboriginal apprentices and/or trainees, 120 in carpentry and joinery, 60 in landscaping and 60 as construction trainees.

I was recently at the small mission at Murrin Bridge, near Lake Cargelligo. There I was able to see first-hand young Aboriginal people engaged in building a long day care centre, funded by the Federal Government. Those young people are learning trades in the building industry. The TAFE instructor is on site all the time to make sure the young people learn these building skills. When that long day care centre is built, along with another four or five houses under the auspices of the ACDP, those young people will graduate as skilled tradespersons able to go into mainstream industry if they so choose.

The program has already improved self-esteem and health for many Aboriginal people. In one community 12 young Aboriginal men have completed their apprenticeships. Clean water, clean air and adequate housing are the cornerstones of good public health, the foundation for a good quality of life. These are basic things that most Australians take for granted, yet they are the very things lacking in too many Aboriginal communities in New South Wales and elsewhere in Australia. The ACDP will help provide these basic services to improve the quality of life of thousands of Aboriginal people living in regional and remote communities across the State.

Kempsey is a good example of how the ACDP is making significant improvements to health, safety and lifestyle in the ACDP's 22 selected priority communities in regional and remote New South Wales. I have just spoken about a small program at Murrin Bridge. The Kempsey project is a major project to teach young people skills relevant to the building industry. Some \$13.2 million has been committed over the next four years to buy new houses and refurbish existing properties for Aboriginal families and communities in Kempsey. The ACDP will provide a solid foundation for long-term improvements for the Dhungutti people and the Kempsey community. The Department of Aboriginal Affairs will work closely with the Dhungutti community working party, which represents the interests of the Aboriginal people of Kempsey, to ensure the appropriate delivery of the Aboriginal Communities Development Programs. Working parties have been established within each of the participating communities to ensure appropriate consultation, negotiation and liaison between the community and program managers through every project phase.

As part of the 2002-03 budget, the New South Wales Government has allocated \$17.4 million over four years to the Improving Outcomes in Aboriginal Communities project, starting with \$2.9 million this financial year. This significant project is an initiative of the Chief Executive Officers Group on Aboriginal Affairs and will be implemented through two strategies. I want to say little bit about the Chief Executive Officers Group. These chief executives of departments that service Aboriginal communities visit Aboriginal communities to see first-hand the issues faced by Aboriginal people on a daily basis. This Government has been very proactive in this regard. Proof of the value of the meetings of those chief executives is reflected in this budget.

The Department of Aboriginal Affairs will lead the first strategy, Aboriginal Community Partnerships, to develop new ways for government to work in partnership with Aboriginal communities. The amount of \$1 million has been allocated to the strategy this financial year, and it will be implemented in three communities in New South Wales. The second strategy of the Improving Outcomes project is called the Aboriginal Child, Youth and Family Strategy. This will be established and funded within the Department of Community Services, with evaluation, planning and co-ordination provided by the Cabinet Office. In the 2002-03 budget, additional funds of \$1.7 million and \$200,000 respectively will be provided to those agencies.

Since the announcement in 2001 of the Government's new plan for Aboriginal affairs—Partnerships: A New Way of Doing Business with Aboriginal People—the Department of Aboriginal Affairs has successfully undertaken a range of programs and initiatives that have brought together government and the community, particularly in regional New South Wales. These partnerships have significantly benefited both Aboriginal people and government. In 2002-03, the Government is committed to introducing further innovative yet practical programs and partnerships. These programs are focused on recognising and supporting Aboriginal culture, heritage and leadership, and developing Aboriginal communities.

In the 2002-03 budget, the New South Wales Government has committed \$273,000 to establish a New South Wales Aboriginal Languages Resource and Research Centre, with \$1.019 million in total being committed to this initiative over four years. The Government recognises the key role that indigenous languages play in forging identity, strengthening culture and increasing self-worth. These are all important components of the successful social outcomes for Aboriginal people in New South Wales. The Government has committed \$136,000 to the Aboriginal Archives Program to improve access to files relating to Aboriginal people and their families. This program has significant relevance to members of the Stolen Generations.

Further, the Government has committed \$281,000 for implementing amendments to the Aboriginal Land Rights Act 1983, and \$800,000 to the Aboriginal Grants Program, managed by the Department of Aboriginal Affairs, which supports and encourages community initiatives and enterprises in regional New South Wales. Aboriginal people living in regional New South Wales have again received priority in the New South Wales Government's 2002-03 budget with a large number of major programs being funded to support and develop regional communities. [*Extension of time agreed to.*]

I thank honourable members for their indulgence to enable me to put these matters on the record. They are very important for the Aboriginal community in this State.

**Ms Hodgkinson:** We are all interested.

**Mr MARKHAM:** I welcome that comment from the honourable member for Burrinjuck. The State Government has committed more than \$246,000 for youth programs that preserve indigenous culture, such as reviving indigenous language and setting up a youth-run movie cinema. The \$246,000 is from the Department of Aboriginal Affairs' Grants Program, and will fund seven programs across the State to enable young people to develop leadership and life skills. We have been working with Aboriginal communities to build capacity including "growing up" future Aboriginal leaders.

An excellent example of this is Yarn Up 2—the Aboriginal seniors and youth forum being held in Wollongong this week. I attended that forum on two days this week, but was unable to attend a third day. The theme for Yarn Up 2 is Growing Up Our Leaders. Yarn Up 2 is one of the biggest gatherings of young and old Aboriginal people in New South Wales. More than 650 people attended the landmark forum this week. Yarn Up 2 is an invaluable opportunity for young and old to share knowledge and ideas and find creative solutions to community issues.

There are a large number of other innovative and community-driven youth programs that are supported by the New South Wales Government, particularly by the Leader of the House. The New South Wales Government has committed \$45,046 to the Gamilaraay Bagandi Aboriginal Corporation in the New England region for early intervention training to reduce the chance of young people reoffending, and to reduce incarceration and its negative effect on young people. This excellent community-operated program will provide young men with practical skills and qualifications, employment opportunities and a diversionary sentencing program, and will rebuild pride in their Aboriginal identities and culture.

The Government will also provide \$13,636 to the Bourke Youth Service for the Night Out at the Movies to encourage alternative recreational activities and help young people interact in a more positive environment. The Bourke Youth Centre will provide affordable and safe entertainment, such as movie nights and indigenous film festivals, to help take young people away from adult entertainment venues where alcohol and gambling are present. The sum of \$40,163 has been allocated to the Walanbaa Yinnar Wharoo, the Walgett Violence Prevention Unit, to hold three-day camps at which young girls may talk with female elders about their lives and needs. The camps are designed to provide young women with skills that will help to prevent sexual assault and family violence.

The informal and confidential talks between the young women in Walgett and female Aboriginal elders, Aboriginal health workers, family support workers and qualified counsellors and solicitors will provide guidelines for improved services for young women in Walgett in the areas of family violence and sexual assault. The Gilgai Aboriginal Centre at Mount Druitt will receive \$45,000 for a training project for young men with a history of abuse of elders. The aim of the project is to build respect for elders and will focus on empowering indigenous workers to run community workshops on cultural values and respect to reduce the incidence of elders' abuse by young Aboriginal men.

The Indigenous Social Justice Association [ISJA] will receive \$13,500 for computer equipment to enable the association to continue its social justice work across the State. ISJA offers a unique service to

Aboriginal families, in particular by offering information to young parents about parenting skills. Good parenting skills must be taught and learnt: They are not intrinsic to being a mother or father. With new equipment and access to better technology, ISJA will be able to provide a more effective service to its clients through faster access to greater information, and an improved ability to distribute information in a number of different forms to suit different clients.

The sum of \$43,900 will be provided to the College of Indigenous Australian Peoples at the Southern Cross University in Lismore to maintain the Bundjulong language, which is at risk of extinction because the fluent speakers are all elderly people. This excellent community initiative has the potential to bring strong culture back into young people's lives. The program will not only work towards reviving and maintaining the traditional language, but will also provide culturally based training and employment, and special language workshops for young people. Murawina Ltd at Redfern will receive \$45,000 to build a lift so that the organisation will be able to provide long day care and preschool services to children and parents with disabilities.

Murawina is one of the first Aboriginal preschools and child care centres in Sydney and still offers a unique and culturally appropriate service to families and children in Sydney. The lift will allow equitable access to the centre and ensure that children and families with disabilities are not disadvantaged in any way. It is essential that the Government supports young indigenous people by helping them to develop life skills, to explore and to reinforce their roles in the new millennium. I am proud that the New South Wales Government is developing and supporting innovative and sustainable initiatives in partnership with the Aboriginal people of New South Wales.

Over the past couple of days I have had the great pleasure of being involved in Yarn Up 2, which was held in my electorate of Wollongong. I was invited to participate in a number of workshops and attend a formal dinner last night. I assure honourable members that the work of young people who are very much to the forefront in Aboriginal areas of this State was a matter of great pride to me over the past few days. In conclusion, I thank the Director-General of the Department of Aboriginal Affairs, Linda Burney, for ensuring that Yarn Up 2 became a reality, as well as every staff member of the department who worked very hard to ensure that the conference was a resounding success.

I thank also my wife, Melissa Markham, who spent three days at the registration desk of the Novotel North Beach, at north Wollongong, to make sure that the conference was a great success in the eyes of elders and young people. My wife is a great person and a great human being. I really appreciated the work done by Melissa over the past three days, especially today when I was unable to be present. It has been a welcome opportunity for me to be part of the debate on this great budget of the New South Wales Government. I know that ordinary people throughout this State will really appreciate what the Carr-Egan Government will provide for them over the next 12 months.

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

**The House adjourned at 10.36 p.m.**

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