

LEGISLATIVE ASSEMBLY

Wednesday 4 September 2002

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

Mr Speaker offered the Prayer.

COURTS LEGISLATION FURTHER AMENDMENT BILL

Second Reading

Debate resumed from 28 June.

Mr HARTCHER (Gosford—Deputy Leader of the Opposition) [10.00 a.m.]: There are no problems with the thrust of the bill, which is a miscellaneous bill dealing with various matters concerning administration of the courts. However, in Committee I shall deal with matters raised in the foreshadowed amendments. I thank the Attorney General's policy adviser for informing me of those amendments. The bill is as described by the Minister in his second reading speech and there is no point in my traversing the same ground.

The bill seeks to establish greater cost efficiency and for that reason makes certain changes. It removes restrictions on referring complex civil matters in the Supreme Court to arbitration. The purpose of the bill is to achieve a speedier and more efficient court system, which is long overdue. It will always be a problem in our society to ensure that the courts are speedy and efficient. Justice needs to be painstaking, and therefore justice is often slow, and that creates an inherent dynamic conflict between those who want speedy resolution of their claims and those who want to ensure that justice is administered to all. The Opposition acknowledges that, but that is not to say there cannot be improvements.

The Government's 2001 report into criminal court statistics, which was released on 2 September, shows that it now takes 403 days from arrest to outcome for an innocent person to be acquitted of all charges, a week longer than it took in 2000. The report shows that those who are refused bail will spend an average of 166 days in gaol from arrest to committal, a 52 per cent increase on the previous year. It is clear that reform is urgently needed. The Government's figures show that court delays, particularly in criminal matters, are getting worse.

Effectively, the Government is asking innocent people, people who have been held in custody but are ultimately acquitted, to spend up to 13 months in gaol waiting to be cleared of any wrongdoing. The figures are even of worse for regional areas. In Wollongong the amount of time that people who are subsequently acquitted spend in gaol has increased by 42 per cent. In Newcastle the period from time of arrest until outcome has increased by 38 per cent. In Wagga Wagga the period has increased to 402 days, and in Dubbo the period has increased to 384 days. Such delays are simply unacceptable.

The Coalition has been extremely vocal in arguing that people who are convicted of a crime should pay the appropriate penalty for that crime. However, it is also important that people who are innocent of a crime be granted a speedy trial and therefore released in a timely manner. If the Government's legislation is designed to improve this state of affairs, obviously it is welcome. The miscellaneous measures provided in the bill are hopefully designed to free up court time. These include measures such as allowing electronic filing, allowing bail undertakings to be made to the Department of Corrective Services, clarifying the status of licensing magistrates, and removing restrictions on referring complex civil matters in the Supreme Court to arbitration.

The Supreme Court consists of a number of judges. Some judges sit in common law and some judges sit in equity, but the majority of the judges sit in the Common Law Division. If those judges are freed up from dealing with civil matters they will have more time to handle criminal matters and to address these appalling delays in bringing arrested persons to trial. That is not simply a matter for the Supreme Court; the overwhelming majority of criminal matters are heard in the District Court. However, the principle is the same: to speed up the court process. The issue of magistrates will be raised in Committee when the honourable member for Bankstown moves the Government's amendments. One of those amendments relates to special provisions relating to the Chief Magistrate, which I intend to comment upon.

Mr STEWART (Bankstown—Parliamentary Secretary) [10.09 a.m.], in reply: I thank the Deputy Leader of the Opposition for his interesting and informative contribution, and I also thank other members for their contributions to debate on this important bill. The bill will amend legislation affecting the operation of the courts of New South Wales. As indicated, in Committee the Government will move an amendment to the Local Courts Act to enable a judge of the District Court to be appointed as Chief Magistrate. The proposed amendment to the bill inserts an amendment to the Local Courts Act 1982 to enable a judge of the District Court to be appointed to the present vacancy in the office of Chief Magistrate of the Local Court and to retain all remuneration, leave, pension and other entitlements of a District Court judge. The proposal will enable a judge of the District Court to be a Chief Magistrate of the Local Court. I commend the bill to the House.

Motion agreed to.

Bill read a second time.

In Committee

Clause 1 agreed to.

Clause 2

Amendment by Mr Stewart agreed to:

No. 1 Page 2, clause 2, lines 5 and 6. Omit all words on those lines. Insert instead:

- (1) This Act commences on a day or days to be appointed by proclamation except as provided by subsection (2).
- (2) Schedule 4 [1] commences on the date of assent.

Clause 2 as amended agreed to.

Clause 3 agreed to.

Schedules 1 to 3 agreed to.

Schedule 4

Mr STEWART (Bankstown—Parliamentary Secretary) [10.12 a.m.]: I move Government amendment No. 2 as circulated:

No. 2 Page 6, schedule 4. Insert after line 3:

[1] Section 14A

Insert after section 14:

14A Special provision relating to certain Chief Magistrate

- (1) This section applies to a person:
 - (a) who was a Judge of the District Court before being appointed as the Chief Magistrate, and
 - (b) who was the first person appointed as Chief Magistrate after the commencement of this section, and
 - (c) whose instrument of appointment declared that this section applies to the person's appointment as Chief Magistrate.
- (2) The appointment of the person as Chief Magistrate, or service by the person as Chief Magistrate, does not affect:
 - (a) the person's tenure as a Judge of the District Court, or
 - (b) the person's rank, title, status, remuneration or other rights or privileges as a Judge of the District Court.
- (3) The person's service as Chief Magistrate is, for all purposes, taken to be service as the holder of the office of Judge of the District Court.

- (4) Despite anything to the contrary in this section, the person is not to exercise the jurisdiction of the District Court while holding office as Chief Magistrate (except, with the approval of the Chief Judge of the District Court, in respect of a matter that was being dealt with by the person immediately before being appointed as Chief Magistrate).

This proposed amendment to the bill inserts an amendment to the Local Courts Act 1982 to enable a judge of the District Court to be appointed to the present vacancy in the office of Chief Magistrate of the Local Court and to retain all remuneration, leave, pension and other entitlements of a District Court judge. The proposal will enable a judge of the District Court to be Chief Magistrate of the Local Court. A District Court judge is qualified for appointment as Chief Magistrate because he or she is, or is eligible to be, admitted as a solicitor or barrister of the Supreme Court of New South Wales. However, the doctrine of incompatibility of office would preclude a District Court judge from holding both appointments simultaneously without specific legislative authority. The common law doctrine of incompatibility of office is set out in the following passage from Chitty, *Prerogatives of the Crown* 1820 page 87, which states:

A person may ... lose an office merely by the acceptance of another office incompatible with that he already holds. Offices are incompatible, and cannot be holden together, when, from the nature or extent of the different duties and businesses attached to them, they cannot be properly and effectually executed by the same person; or when they are subordinate to, or interfere with each other, which creates a legal presumption, that they will not be executed with impartiality and honesty. Thus, an admiral commanding on a station loses his right to officiate there, by accepting a command on another station to which he is appointed. A judge of the Court of Common Pleas loses his office by being appointed, and by becoming a Judge of the court of King's Bench.

The TEMPORARY CHAIRMAN (Mr Lynch): Order! The Deputy Leader of the Opposition will remain silent. He will have an opportunity to comment on the amendment at the appropriate time.

Mr STEWART: I would have expected the Deputy Leader of the Opposition to be aware of Chitty, *Prerogatives of the Crown*, I am surprised that he is not. The passage continues:

And where the offices are incompatible, the office which the party first held is impliedly surrendered or vacated, by the acceptance of the new situation.

Therefore, the position of Chief Magistrate requires the holder to devote the whole of his or her time to the performance of the duties of that office. Accordingly, this amendment provides that a District Court judge may retain his or her commission as a District Court judge and all of the corresponding rights and entitlements, but the judge will not exercise the jurisdiction of the District Court. That probably explains why the Deputy Leader of the Opposition was unable to understand the amendment at first. An exception is made to permit a judge to finish any matters currently before him or her. I commend the amendment to the Committee.

Mr HARTCHER (Gosford—Deputy Leader of the Opposition) [10.16 a.m.]: One wonders why Chitty, *Prerogatives of the Crown* has to be cited. If this is about an exercise of Crown prerogative it needs no legislative approval; that is the whole idea of having a prerogative. In fact, the Government is not exercising a Crown prerogative, it is ensuring that a favoured person can be appointed as Chief Magistrate. The people of New South Wales would really like to know who is that favoured person. Late last night the Government introduced an amendment to this bill, which has been before the House since June, that allows some unnamed person to be appointed as Chief Magistrate and to retain the privileges and pension rights of a District Court judge.

The pension scheme for judges is better than the pension scheme for magistrates. The magistrates pension scheme is under the Public Service pension scheme, whereas judges of the District Court have a pension scheme under the Judicial Officers Pension Act. So there is a great advantage in being appointed as a District Court judge and, therefore, one would normally retain that position. But the person the Government has in mind to appoint as Chief Magistrate clearly does not want to be under the magistrates pension scheme. He or she wants the pension scheme that applies to a judge. Therefore, late last night, the Government introduced this amendment and said that a person can be a Chief Magistrate and have all the prerogatives, salary, emoluments and pensions of a judge.

The Government is not telling us who will get this special and preferential treatment. A statement was prepared for the honourable member for Bankstown, which he read out, but it says nothing. It simply states the effect of the amendment and cites Chitty, *Prerogatives of the Crown* on whether there is an incompatibility of office. That incompatibility, of course, has been removed by statute; it is not a prerogative exercise at all, it is a statutory variation to the prerogative. The Government, as always, is playing ducks and drakes with the people of New South Wales. It is not being honest, it is not telling us who is the favoured son or daughter who is to get this special treatment.

This favouritism occurred with the appointment of a former Chief Magistrate when the Hon. Patricia Staunton, previously noted for the way she ran the nurses association for the right wing of the Australian Labor Party, was elevated to the Legislative Council. However, she did not like the Legislative Council and put up her hand to be Chief Magistrate, and she got that job. However, she did not like being Chief Magistrate and put her hand up to be the Industrial Relations Commissioner, and she got that job.

If ever there has been a political pay-off it is the way Pat Staunton has been treated in Parliament and in judicial appointments by the right wing of the ALP, because she delivers for the right wing of the ALP. One can only speculate how she will perform in the Industrial Relations Commission. She does not have our support. It is not a bipartisan appointment. Pat Staunton knew that when she became Chief Magistrate. She knows that now in the Industrial Relations Commission. She has no respect from this side of the House. She is the ultimate political hack and her Sussex Street masters have rewarded her for long and loyal service to the right wing.

Obviously we are not sympathetic to this amendment. We do not have the power here to demand the name of the person—which the honourable member for Bankstown probably does not know—who is benefiting from this amendment. Clearly somebody is. Somebody is going to get the District Court salary and pension and be Chief Magistrate, and we do not know who it is. That does not mean it is necessarily a District Court judge. It means the Chief Magistrate will get these privileges. It could be some other little right-winger who has looked after the ALP right wing at annual conferences and has delivered the votes at preselection ballots and is going to be appointed through the back door to the District Court and then appointed across to the position of Chief Magistrate. That person will get the best of both worlds and everybody will be happy except the taxpayers and community of New South Wales, who will see once again that it is jobs for the boys or girls. That is totally unacceptable. The Government will pay the price for it.

The media did not take much interest in the double elevations of the Hon. Pat Staunton, either to the chief magistracy or to the Industrial Relations Commission. The media will certainly take more interest when they see the way the new Chief Magistrate was appointed and the way special legislation has been brought before Parliament today. One wonders who it is. Is it the Hon. Ron Dyer from the Legislative Council, who has been looking for an appointment for some time? He is quite a fine fellow in his own right, no-one objects to him as a person or as a member of Parliament. Is he the person going for the job? The rumour mill has it that all this could be for the Hon. Ron Dyer. He certainly fits the one requirement for employment under this Government, and that is loyal service to the right wing. The honourable member for Wallsend and the honourable member for Cessnock know they have no chance whatever. But the honourable member for Georges River can sit there and think, "If only I can keep out of trouble, as long as I am always loyal to the cause, there will be rewards for me." The honourable member for Cessnock was in grave danger from the Minister for Police for a while, as the right wing was looking for his seat.

The TEMPORARY CHAIRMAN (Mr Lynch): Order! I ask the Deputy Leader of the Opposition to confine his remarks to the amendment.

Mr HARTCHER: It is very relevant, as you know, Mr Temporary Chairman. We have a special amendment, circulated last night, to a bill that was before Parliament in June so that somebody can get a job. That is what this amendment is all about. I am illustrating my point with examples of how people have been getting special jobs under this Government. This is the classic case. All that is lacking is the name. The Government may not have to disclose the name in the Legislative Assembly, but it will have to disclose the name in the Legislative Council, because in the Legislative Council we will move that this be referred to a committee to be looked at. I am sure our proposal will get the appropriate crossbench support, because everyone will want to know who benefits. Honourable members should remember the old Latin maxim about looking at changes, *cui bono*, who benefits? I assure honourable members it is not a member of the left wing of the ALP.

The TEMPORARY CHAIRMAN: Order! The honourable member for Georges River will cease interjecting.

Mr HARTCHER: No left-wingers will benefit from this amendment. The honourable member for Cessnock nods in agreement, because he knows too that no left-wingers will benefit from this. Someone on the Right will be repaid for their favours, and repaid in spades. This is personalised legislation. The legislation applies to a person:

- (a) who was a Judge of the District Court before being appointed as Chief Magistrate ...

That person only has to be a judge for one day. It goes on to say:

(b) who was the first person appointed as Chief Magistrate after the commencement of this section ...

This section applies only once. It does not apply in all cases. It only applies to the first person appointed under it. It will give only one person the right. It will apply only once, because after that appointment has taken place the section now being inserted into the Act will be non-applicable. Who is the favoured person?

Mr Greene: Vote for it and you will find out.

Mr HARTCHER: Being on the Right, the honourable member for Georges River is not worried. We are not voting for it. The amendment goes on to state:

(c) whose intimate of appointment declared that this section applies to the person's appointment as Chief Magistrate.

According to subsection (2), the appointment does not affect the person's tenure as a District Court judge or the person's rank, title or status—who cares about that? The person will get the remuneration of a District Court judge. That section goes on:

...or other right or privileges as a Judge of the District Court.

The other rights or privileges include the right to a pension under the Judicial Pension Act, which is a lot more generous than the right to a pension as Chief Magistrate. This is the most classic of rorts, beautifully encapsulated in this legislation so that only one person benefits. Under the standing orders I ask, Mr Chairman, for you to put this amendment seriatim, paragraph by paragraph, because we intend to vote against paragraph (b). It is the most blatant political rort I have ever seen. The honourable member for Hawkesbury, who has been in this House for many years and who is a barrister, would agree with me. I ask him to look at subsection (b) and ask himself whether he has seen a bigger rort, a special amendment designed to serve one particular person. We will get the name of that person. If we do not get it in the Legislative Assembly we will get it in the Legislative Council. Paragraph (b) is opposed.

Paragraph (a) of section 14A (1) agreed to.

Question—That paragraph (b) of section 14A (1) be agreed to—put.

The Committee divided.

Ayes, 45

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

Mr Greene
Mrs Grusovin
Mr Hickey
Mr Hunter
Mr Iemma
Mr Knowles
Mrs Lo Po'
Mr Martin
Mr McManus
Ms Meagher
Mr Mills
Mr Moss
Mr Newell
Mr Orkopoulos
Mr E. T. Page
Mrs Perry

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

Tellers,
Mr Anderson
Mr Thompson

Noes, 35

Mr Barr	Dr Kernohan	Mrs Skinner
Mrs Chikarovski	Mr Kerr	Mr Slack-Smith
Mr Collins	Mr Maguire	Mr Souris
Mr Cull	Mr McGrane	Mr Stoner
Mr Debnam	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	<i>Tellers,</i>
Mrs Hopwood	Mr Rozzoli	Mr Fraser
Mr Humpherson	Ms Seaton	Mr R. H. L. Smith

Pairs

Ms Harrison	Mr Armstrong
Mr Markham	Mr Brogden

Question resolved in the affirmative.

Paragraph (b) of section 14A (1) agreed to.

Paragraph (c) of section 14A (1) and subsections (2) and (3) of section 14A agreed to.

Schedule 4 as amended agreed to.

Schedules 5 and 6 agreed to.

Bill reported from Committee with amendments and passed through remaining stages.

ROAD TRANSPORT LEGISLATION AMENDMENT (INTERLOCK DEVICES) BILL

Second Reading

Debate resumed from 28 June.

Mr J. H. TURNER (Myall Lakes—Deputy Leader of the National Party) [10.41 a.m.]: The Opposition will not oppose this bill. We have some concerns about it, but overall we think the thrust of it is for the betterment of road safety. It is noted that last year 99 people were killed as a result of alcohol-related accidents in motor vehicles. Hopefully, the legislation and the installation of alcohol interlock devices may go some way to reducing that statistic. The program outlined in the bill is almost voluntary, although the courts will have the power to order an offender to participate in it. However, the effectiveness of the program will depend on the participants in the program. I note from the Minister's second reading speech that the program will target those who are most at risk of crashing and reoffending, and first offenders convicted of serious offences with a high-range or middle-range alcohol concentration.

To be eligible for the program, offenders must meet four conditions: They must consult a medical practitioner to discuss their drinking behaviour; they must have a Roads and Traffic Authority [RTA] approved interlock device installed by an RTA approved interlock installer and pay the costs—and I shall come back to that in a minute; they must submit to the RTA documentation of the medical consultation and a certificate of the interlock installation; and they must have completed the disqualification compliance period and satisfied all the usual RTA licensing requirements. I note that the costs associated with the devices are estimated to be between \$1,800 and \$2,500. I am not sure whether they are accurate figures; I take the Minister's comments at face value.

I am concerned that the legislation provides for a scheme to assist low-income earners who choose to enter the program. I am not sure what that assistance will be, and perhaps the Minister could spell it out in his reply. As much as I have sympathy for low-income earners, why should we help people who, through their own volition, place themselves in this position? If they are to be given support, it must be support on the basis of a

loan which is repayable to the public purse, rather than a grant to people who have offended and created danger on our streets but who will benefit from this program by enabling them to get back behind the wheel of a car. The Government should look more closely at that.

In July of last year the International Council on Alcohol, Drugs and Traffic Safety issued a position paper on alcohol interlock devices, in which it raised a number of matters of some interest to this debate. The council said that the system must be part of a comprehensive road safety program. It also referred to the need for a national authority to manage device certification. I do not know whether that is referred to in the bill, but it probably has merit for the legislation. The council also noted that licences should be clearly marked when people are in the program, and I agree with that. It should be clearly marked on licences that an interlock restriction applies, or a special licence should be issued. Although the legislation refers to such a licence, it does not necessarily state that licences will be clearly marked to indicate that an interlock restriction applies. The Government should address that matter.

I do not have a scientific background, but one matter that concerns me—and perhaps it could be easily explained—is the possibility that a person other than the driver could blow into the device. That needs to be spelt out a little more. As I said from the outset, this is more or less a voluntary program. It will teach people to be responsible for their alcohol consumption; it will remove the existing idea that it is all right to drink and drive; and it will reinforce to drivers that their car will not allow them to drink and drive. As I said from the outset, the Opposition supports the bill, but a number of questions remain outstanding. I do not think the arrangement is black and white. At best, it can be used to assist people who want assistance. The International Council on Alcohol, Drugs and Traffic Safety noted that many people will reoffend. Basically, the council reiterated what I say: at best the program would help people who want to help themselves.

The industry has put to me that the provision of interlock devices should involve competitive tendering, but I am not sure how the machinery of finding people to supply the devices would work. The legislation states broadly that there will be some certification. We need to know more about that. Although the use of interlock devices in Victoria is supposed to be world's best practice, the industry has told me that that is not the case. Therefore, the Government should look at the practice in Victoria objectively. It should also look at America, Canada and Sweden, where these devices are already in place. Finally, the Opposition believes that the legislation and the program should be given a good chance to work, but that it should be reviewed, probably two years down the track. I know that an eight-month trial was carried out in 1999. That is fine, but if the legislation is to be introduced in a wholesale manner I think it should be reviewed over a long period to see whether it has met its objective.

Mr GREENE (Georges River) [10.48 a.m.]: This bill will amend the relevant provisions of the Road Transport (General) Act 1999 and the Road Transport (Driver Licensing) Act 1998 to enable courts to implement a new flexible penalty, which will provide drivers convicted of serious drink-driving offences with the opportunity to rehabilitate themselves and force them to drive without drinking. The road safety task force that was established after a higher than usual road toll during the Christmas 2000 holiday period recommended the introduction of alcohol interlocks as a sentencing measure for drink-driving offenders. Although there has been a significant reduction in drink-driving offences in recent years, about 20,000 drink-driving offences are still committed each year. Of these, about 75 per cent are high-range or middle-range blood alcohol concentration offences. A high-range alcohol concentration is a reading of 0.15 or above.

A middle-range alcohol concentration is a reading of 0.08 to 0.15. Alcohol remains a factor in 18 per cent of crashes and was involved in the death of 107 people during 2000. Drivers with convictions for driving with a mid-range or high-range prescribed concentration of alcohol [PCA] have a high degree of recidivism. Drivers who have lost their licence because of PCA offences also have a high incidence of driving without a licence. Research has shown that the longer the disqualification period, the higher the rate of reoffending. Alcohol interlock devices, which take a breath sample before and during driving and prevent the use of the vehicle while the driver is intoxicated, were shown in a 1999 trial to be successful in rehabilitating drivers whilst also preventing them from driving under the influence of alcohol.

The interlock program targets those drivers most at risk of crashing and reoffending. The program targets first offenders convicted of the serious offence of high-range or mid-range alcohol concentration, refusing or failing to submit to a breath analysis, or driving under the influence of alcohol. It also targets those convicted of a drink-driving offence who have had a drink-driving conviction within the previous five years. The interlock device is an electronic breath alcohol analyser connected to the vehicle's ignition. If the driver's breath sample exceeds the preset limit of 0.02, which is effectively zero, the ignition locks and the car is immobilised.

The interlock devices are fitted with tamper-evident seals. They have a memory that records all attempts to start the vehicle and the corresponding blood alcohol content [BAC]. They are designed to prevent the use of stored air, such as in a balloon. As to concerns raised by the honourable member for Myall Lakes, they are also designed to prevent use by a third person. That is done through periodic rechecks. Currently, South Australia permits the use of interlocks, Queensland is conducting a trial, and Victoria is conducting a community consultation process.

The alcohol interlock program includes a mandatory consultation with a medical practitioner to discuss drinking behaviour and the opportunity for professional alcohol counselling. The legislation is designed to provide an alternative sentence for magistrates in addition to the current options. It allows a court to conditionally reinstate a driver's licence after a minimum period of disqualification, provided the person participates in an alcohol interlock program for a specific period. This involves the fitting of an interlock device to an offender's car and the issuing of a special type of licence entitling the offender to only drive vehicles fitted with an interlock device. That provision also relates to concerns raised by the honourable member for Myall Lakes.

Courts will have wider discretion to order or refuse the interlock penalty. The interlock penalty includes a mandatory disqualification period, called a disqualification compliance period, and an interlock period, called an interlock participation period. The disqualification compliance period ranges from three months for repeat low-range and special-range offenders to up to 12 months for repeat high-range offenders. The minimum period for the interlock participation period is 12 months for repeat low-range and special-range offenders, 24 months for middle-range and first high-range offenders, and 48 months for repeat high-range offenders. The court can impose an unlimited maximum interlock participation period for all offenders.

The legislation also provides for regulation-making power to licence and regulate the fitting and servicing of interlock devices. The interlock program will be administered and managed by the Roads and Traffic Authority [RTA]. As in all international jurisdictions, the program is voluntary and operates on a user-pays basis. Participants must also submit the device at regular intervals for maintenance and monitoring via electronic downloading of data on the interlock device. The Roads and Traffic Authority will monitor the progress of participants on the program and, if required, take appropriate action to ensure that participants comply with the requirements of the program.

As I said, the alcohol interlock program will operate on a user-pays system. The legislation provides for a scheme to assist low income earners who choose to enter the program. This scheme will be based on means test guidelines used by the Legal Aid Commission and the Department of Housing and will provide for a maximum subsidy of up to 75 per cent of the cost of the interlock device. Participants will be required to demonstrate their inability to pay the full amount of the interlock cost, as well as their ability to pay a subsidised amount. All participants will be required to pay for the brief medical intervention and the licence fees.

Guidelines for magistrates will be produced to assist in the appropriate application of interlock sentences. In a survey conducted by the NRMA in, I believe, 2001, 91 per cent of respondents agreed with the use of interlock devices by people who suffered from alcohol problems and certainly by those who had been involved in the court system. A favourable response of 91 per cent is a major endorsement of the program. I add, as a member of the Staysafe committee, that it is absolutely imperative that we do whatever we can by whatever means to reduce the death toll on our roads. Any program that saves even one life has to be a significant improvement and should be given every opportunity to succeed.

I congratulate, firstly, the Minister for Transport and the RTA on conducting a trial of this program and, secondly, the Minister on bringing forward legislation to implement the program. As to concerns raised by the honourable member for Myall Lakes, an evaluation of this program will be done and a report will be provided to the Government after two years of the program's implementation. Obviously the honourable member for Myall Lakes was not aware of that. I am sure he would be satisfied with the two-year evaluation. Again, I congratulate the Minister for Transport and his officers on introducing this legislation, and we look forward to its impact on reducing the death rate on our roads.

Mr HICKEY (Cessnock) [10.57 a.m.]: Over the past 15 years a significant number of American and Canadian States and provinces have implemented alcohol interlock programs for driving under the influence [DUI] offenders. Currently, in excess of 35,000 devices are in use throughout North America. The criminal code of Canada has been amended to allow provinces and territories to implement interlock programs, and now half the Canadian provinces and territories have begun or are about to begin interlock programs.

In the United States of America [USA] 43 States have introduced legislation permitting interlocks to be installed in the vehicles of convicted drink-drive offenders. Two of the most established programs are in Alberta and Quebec provinces in Canada. A five-year trial period of an alcohol interlock program commenced in Sweden in February 1999. In addition, there is widespread interest in the European Union with Belgium, France, the United Kingdom, Netherlands, Spain and Finland expressing interest in conducting an interlock program.

In Australia, an alcohol interlock program has been implemented in South Australia, and earlier this year Victoria passed alcohol interlock legislation. The first alcohol interlocks will be fitted to offenders' vehicles in Victoria in early 2003. As to the status of interlocks in North America, in 1986 the State of California passed the first bill to allow for a private alcohol ignition interlock trial. Since then, legislation for alcohol interlock programs has been implemented in 43 States in the USA and in more than half the provinces and territories in Canada. The interlock programs in North America include a period of licence disqualification before the offender becomes eligible for the interlock program. The purpose is twofold: to punish the drink-drive offender and to reduce recidivism by prohibiting the offender from driving.

A period of licence disqualification is also proposed in the New South Wales legislation. The long establishment of interlock programs in North America has enabled a number of programs to be evaluated. In Maryland, USA, the general alcohol limit is 0.08 but for young drivers it is now 0.02. Alcohol interlock programs were first implemented through the courts in the 1980s and currently 2000 people are participating in the program. The program is voluntary and operates on a user-pays basis. The program includes a licence disqualification period.

The threshold setting for the interlock device is 0.025. When a person is ordered on to an interlock, notice goes to the Probation and Parole Service and to the Maryland Department of Transport who monitor use of the device. In addition, participants are required to undergo alcohol counselling and submit the device every 30 days for maintenance and monitoring via electronic downloading of data on the interlock device. An evaluation of this program, in which multiple alcohol offenders were randomly assigned to treatment and control groups, was conducted in 1997 by Beck, Rauch and Baker. It was found that those offenders participating in an interlock program for one year had a reduced risk of repeat alcohol violation. After one year, 17 of the 698 multiple alcohol offenders in the interlock group, or 2.4 per cent, and 46 of the 689 multiple offenders in the control group, or 6.7 per cent, committed a further drink drive offence, the interlock reducing the risk of repeat alcohol offences by 65 per cent.

In Quebec, Canada, the general alcohol limit is 0.08. Alcohol interlock programs were first implemented through the courts in December 1997 and about 13,000 interlocks have been fitted since the program began. The program includes a licence disqualification period. The threshold setting for the interlock device is 0.02. The interlock program is implemented and managed by the government third party insurance company, SAAQ. The program is voluntary and operates on a user-pays basis. In the case of a repeat offence the offender must undergo an assessment by an authorised person who works in a drug and alcohol counselling centre. Participants must also submit the device at regular intervals for maintenance and monitoring via electronic downloading of data on the interlock device. The Quebec program is the most well established program in the world, with 25 per cent of eligible offenders participating in the program. An evaluation of 14,160 participants on the Quebec interlock program, who had a history of 7.2 drive under the influence [DUI] convictions per 10,000, showed they had a rate of 0.16 while they were on the interlock program. Their crash rate decreased by more than 60 per cent, or from 1.6 per 10,000 days in the previous period to 0.45 during the interlock period.

In the interlock period early evaluations suggest that interlocks are a useful addition to punitive and rehabilitation sanctions and effectively reduce recidivism over and above conventional sanctions such as fines and licence disqualification. In particular, a meta-analysis conducted in 1999 by Coben found that interlocks were effective in reducing recidivism whilst the device was installed in the vehicle, with five studies showing that participants in the interlock programs were 15 to 69 per cent less likely than controls to be re-arrested for drink driving. Following the interlock period, according to most studies, after the interlock is removed from the vehicle, recidivism rates appear to increase again. No residual effect in preventing impaired driving could be observed. An exception is preliminary data from an interlock program in Quebec, which started in 1997. During the interlock period the recidivism rate dropped by more than 90 per cent. In a six-month period following removal of the interlock device, the recidivism rate did not increase. Furthermore, traffic offence and crash figures showed a significant decrease during both the interlock and post-interlock periods.

In Sweden the general alcohol limit is 0.02. In February 1999 the Swedish government passed legislation for a five-year trial of an alcohol interlock program. The prevalence of drink-driving in Sweden is

very similar to that in Australia; with around 10,000 licences revoked each year. The trial commenced in February 1999 and is being conducted in three of Sweden's 21 counties. As in North America, participation is voluntary and on a user-pays basis. The minimum period for the fitting of the interlock is two years. Around 10 per cent of eligible offenders are participating. A main emphasis of the Swedish interlock program, is the medical examinations including ongoing blood and liver function tests which participants are required to undertake throughout the program. The Swedish Government is conducting an extensive evaluation of the trial, which will include an evaluation of impact on accidents, offences, and sick leave for both interlock participants, the treatment and control groups. Preliminary findings of the trial indicate most of those participating have a positive attitude about the program, acknowledge that they have a drinking problem and are pleased to get a second chance.

Today the member for Myall Lakes asked why we should be supporting the offenders financially by fitting interlock devices? In my electorate, where we have no public transport—and clearly that is a major issue—when a person who is working in the mines or at Newcastle, or elsewhere, loses their licence because of drink driving, the impact on that person and their family is immense and they become welfare recipients. Clearly there is a major impact on the community and an impact on both State and Federal governments. What we are doing is very good in that it will give those who participate in the program a chance to continue their work without a major impact on the community. I congratulate the Minister on implementing the proposal and introducing the legislation in the House.

Mr MILLS (Wallsend) [11.07 a.m.]: I wish to make a brief contribution in support of the legislation before the House. I particularly want to do so because I was a member of the Staysafe Committee, the Joint Standing Committee upon Road Safety of the New South Wales Parliament, when we presented Staysafe 20, entitled "Alcohol and Other Drugs on New South Wales Roads", the second half of a report entitled "Offences, Penalties and the Management and Rehabilitation of Convicted Drivers". In that report, produced in October 1993 when the member for Wakehurst was the chairman of the committee, many recommendations were made in an attempt to incite a handle on the best way of dealing with convicted drink drivers—particularly those who had significant personal difficulty usually with alcohol—while at the same time treating offenders as real people, dealing with the issue as a health problem, and preserving safety on our roads.

Recommendation 13 of Staysafe 20 recommended that the Minister for Roads, following consultation with the Minister for Health, Minister for Justice, Attorney General, Minister for Police and other agencies as appropriate, amend the Traffic Act 1909 to allow use of vehicle ignition interlock devices as a sentencing option for convicted drink drivers, and commence a trial program of vehicle ignition interlock devices. In those days the technology was relatively crude compared to the technology available today. Early last year, following a sudden increase in fatality rates and crash rates over the Christmas-New Year period in New South Wales, the Minister formed the Road Safety Task Force, which came down with the excellent recommendation to proceed in the direction of the bill. I commend John Brewer, the RTA's manager of road safety strategy, who is in the Chamber advising today, for the way in which the task force and the RTA developed and implemented that recommendation, which followed on from earlier recommendations of the Staysafe committee.

The Government deserves to be commended for this legislation, which is based on significant evidence about one way of dealing with drivers who have a problem with alcohol and commit repeat driving offences. Provided this measure is used sensibly—and I am sure there will be consultations between the Attorney General's Department and judicial officers on identifying appropriate cases in which interlock devices may be part of the sentencing and rehabilitation procedure—there will be significant benefits to the people of New South Wales in reducing the threat that drink-drivers pose to all drivers on this State's roads. Hopefully, this measure will lead to drivers realising what most in the community realise: that drink-driving is a crime. This legislation backs up that view. After 20 years, most young people today readily accept that drink-driving is a crime. This legislation provides one of the many good options now available for dealing with this problem in our community, particularly in making our roads safer for all to use. I commend the bill to the House.

Mr HUNTER (Lake Macquarie) [11.11 a.m.]: I lend my support to this legislation. Like the honourable member for Wallsend, I was a member of the Staysafe committee during the previous term of the Government. In fact I served as its deputy chair. It is therefore pleasing for me that this legislation has been brought forward. As has been stated, the interlock program targets those drivers who are most at risk of crashing and reoffending. The program targets first offenders convicted of the serious offences of high range or middle range alcohol concentration, of refusing or failing to submit to breath analysis, or driving under the influence of alcohol offences. It targets also those convicted of drink-driving offences who have a prior drink-driving conviction within the previous five years.

The interlock device, as has been stated, is an electronic breath alcohol analyser connected to the vehicle's ignition. If the driver's breath sample exceeds the preset limit of 0.02, which is effectively zero, the ignition locks and the car is immobilised. The alcohol interlock program includes mandatory consultation with a medical practitioner to discuss drinking behaviour and presents the opportunity for professional alcohol counselling. The courts will have wide discretion to order or refuse the interlock penalty. The interlock penalty includes a mandatory disqualification period called a disqualification compliance period, and an interlock period called an interlock participation period. The Minister said in his second reading speech:

This State's laws on drink-driving are tough, and deliberately so. We make no apology for being tough on drink-drivers, but we also wish to rehabilitate drink-drivers. Overseas evidence strongly suggests that where courts have the discretion to impose the fitting of alcohol interlock devices, the level of reoffending is considerably reduced. Interlock laws are already in place overseas, in the United States, in Maryland and Virginia, in Canada in Alberta, Quebec and Toronto, and in Sweden. At home, South Australia introduced alcohol interlock devices last year. Victoria is currently in the process of introducing the devices, and Queensland is conducting a trial.

Mr J. H. Turner: Point of order: The honourable member for Lake Macquarie has simply been reading the Minister's or Parliamentary Secretary's second reading speech as his own second reading speech. If the honourable member wishes to contribute to the debate, I suggest he introduce new information.

Mr HUNTER: To the point of order: I quite clearly prefaced my latter remarks with the statement, "The Minister said in his second reading speech". I have quoted but one paragraph from the Minister's second reading speech.

Madam ACTING-SPEAKER (Ms Beamer): Order! There is no point of order. I am sure the honourable member for Lake Macquarie is using his own notes as well as making reference to the second reading speech.

Mr HUNTER: It is a shame that honourable members opposite do not listen to what is said in the Chamber. As a former deputy chair of the Staysafe committee, I am pleased that this legislation has been brought before the Parliament. The alcohol interlock program will operate on a user-pays basis. The legislation provides for a scheme to assist low-income earners who choose to enter the program. That is a component of the legislation that I am pleased has been included. I commend the bill to the House.

Mr STEWART (Bankstown—Parliamentary Secretary) [11.15 a.m.], in reply: I thank honourable members for their contributions to this very important debate, which is about saving lives. That is the bottom line of everything that has been said in the House on this issue. The honourable member for Myall Lakes raised a number of concerns. I will respond to some of those concerns in the hope that the honourable member will know that the issues he has raised are well and truly covered by the bill. In the first instance, the honourable member raised concerns about the cost of the program and financial support for it.

The alcohol interlock program will operate on a user-pays system, as was consistently said by Government members who contributed to the debate today. However, the Government recognises that some low-income offenders may require assistance if they are to take part in the program. That is obvious. The legislation provides for a scheme to assist low-income earners who volunteer to enter the program. So assistance is provided in recognition of the fact that that needs to be in place if the program is to be effective. The scheme will be based on means tested guidelines used by the Legal Aid Commission and the Department of Housing—so the system is already tried and tested—and will provide for a maximum subsidy of up to 75 per cent of the cost of the interlock device.

The participants will be required to demonstrate their inability to pay the full amount of the cost of the interlock device, as well as their ability to pay a subsidised amount. So there will be stringent testing associated with the framework of the means test to ensure that the system is equitable. All participants will be required to pay for the brief medical intervention and the licence fees. Of significant concern also is that low-income earners who are dependent on a motor vehicle—which is the case with many offenders—would drive while unlicensed unless support is available. We certainly do not want that occurring. This legislation provides the necessary support framework. The program aims to change driver behaviour. It is not just about punitive action. It would be inequitable to exclude low-income earners from the program.

The honourable member for Myall Lakes also raised concerns and asked questions about licence conditions. A special licence will be issued, endorsed with the letter "I", obviously to signify that the driver comes under the alcohol interlock program. Depending on the outcome of discussions with the Privacy Commissioner—discussions that are still taking place—the licence may have a special coloured bar on it to identify the licence as an interlock conditional licence. I can assure the House that the special licence will be endorsed with the letter "I" to signify that the licence is conditional on participation in the program.

The honourable member for Myall Lakes raised issues regarding a review of the program. The Roads and Traffic Authority will implement a comprehensive evaluation of the impact of the interlock program. An interagency steering committee, consisting of representatives from the Attorney General's Department, the Department of Corrective Services, the Judicial Commission, the Department of Transport, the Department of Health, the NSW Police Force, the Department of Community Services, the Deputy Chief Magistrate's Office and the Motor Accident Authority, will oversee the evaluation. The evaluation and review of the program will be extremely thorough and all the agencies that need to have a say will be given that opportunity through the steering committee.

Evaluation will include the following elements: examination of the technical, administrative and operational issues; analysis of data reports from interlock devices; monitoring of casualties' crash rates and reoffending rates of interlock participants and comparison with offenders who are not on the interlock program, which is a very important aspect of the evaluation; assessment of the impact of the brief medical intervention; surveys of program participants and their families to measure the impact of the program on participants, including the extent to which they believe it helped to change their drink-driving behaviour; surveys of public attitudes to the program; and analysis of retention and attrition rates in the program, including reasons for exiting.

The evaluation is important and will be a very comprehensive one. It will provide the Government with forward direction in this vital program. Compilation of the evaluation report will commence when the first interlock drivers licences are issued. Report findings will be presented to the Government two years after the commencement of the evaluation. As all honourable members have commented during this debate, this bill is all about safety and saving lives: There can be no better cause or quest. I commend the Minister for Transport, and Minister for Roads, Carl Scully, for his focus on this issue. The interlock devices have been not only trialed but also tested effectively elsewhere and are used in other countries such as the United States and Canada. The interlock devices have also been implemented in South Australia, and Victoria is currently examining the possibility of introducing interlock devices. Clearly, sufficient precedent exists to demonstrate that interlock devices change drivers' behaviour. I am proud of my role in this legislation. I strongly support the bill and commend the Minister for bringing it before the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

MARINE LEGISLATION AMENDMENT (MARINE POLLUTION) BILL

Second Reading

Debate resumed from 28 June.

Mr J. H. TURNER (Myall Lakes—Deputy Leader of the National Party) [11.22 a.m.]: The Opposition will not oppose the bill, but notes that the effect of the bill will be to increase almost tenfold penalties for some pollution offences—for example, improper discharges, and failure or delay in reporting incidents in New South Wales waters—with the maximum penalty for discharges increasing from \$1.1 million to \$10 million for corporations and from \$220,000 to \$500,000 for individuals. The fines for failing to report a spill or for failing to co-operate with an investigation increase from \$275,000 to \$2.75million for corporations and from \$55,000 to \$120,000 for individuals. The amendments will require all ships entering New South Wales waters to hold insurance for oil pollution damage in line with the Commonwealth requirements for Commonwealth waters.

Other provisions include prevention of the use of the wear-and-tear defence by polluters. The bill removes a loophole that existed previously whereby operators were able to use a wear-and-tear defence to avoid prosecution for the spilling of oils and chemicals. The Opposition is concerned that shippers believe that the increase in penalties is overly harsh and that the new penalty regime could have implications for the competitiveness of the industry in New South Wales. The Opposition notes that the amendments make it clear that recreational boats will be removed from the provisions of the bill. Pollution from such boats will be regulated under other environmental legislation, such as the Protection of the Environment Operations Act.

The Opposition expresses its concern about the discretionary power of judges when imposing penalties. Theoretically, a judge could impose the \$10 million maximum penalty for a teaspoon of oil spillage. A judge who imposed a \$55,000 penalty, or 5 per cent of the maximum, under the old scheme as a result of an accidental

spill of a small amount of an innocuous substance may well impose a \$500,000 penalty under the new regime. The imposition of such a penalty would be unreasonable and unjustified. The Opposition notes that in the second reading speech made in the Legislative Assembly by the Parliamentary Secretary Assisting the Minister for Police, and the Minister for Emergency Services on behalf of the Minister for Transport, and Minister for Roads, Mr Scully, the following statement was made:

Only in the most serious of cases would the penalty approach the maximum amount.

In addition the Opposition notes that in a letter to Shipping Australia Ltd dated 28 July 2002, the Parliamentary Secretary Assisting the Minister for Transport, and Minister for Roads on matters concerning Transport, who is present in the Chamber at the table, stated on behalf of the Government:

In any discussion about the size of penalties it should be noted that the prescribed amounts are expressed as a maximum and the actual penalty imposed for any offence is always at the discretion of the presiding judge. This penalty will normally vary according to the state of the vessel, the conduct of the crew, the level of cooperation and the environmental performance record of those found to be responsible for the spill. Only in the most serious of cases would the court impose penalties approaching the maximum amount.

I note that in the *Laura D'Amato* incident in 1999, the penalty was set at 50 per cent of the then maximum by the Land and Environment Court, which was a fine of \$620,000—the largest ever of its type. The Opposition also notes the Government's unwillingness to implement one of the recommendations made after an inquiry by General Purpose Standing Committee No. 5 into oil spills on Sydney Harbour. Recommendation 9 of the committee's report states:

That Sydney Ports Corporation/Waterways Authority in their 2000/2001 annual reports to Parliament include a list of each of the recommendations made in the investigation reports by 1) the State Marine Oil Pollution Response Committee; 2) the Inspector of Marine Accidents, Australian Transport Safety Bureau and 3) the Australian Maritime Safety Authority concerning the *Laura D'Amato* oil spill and details of the specific steps taken to implement these recommendations or detailed reasons for any decision not to implement any recommendation.

Both the annual reports of the Waterways Authority and Sydney Ports Corporation made passing reference only to the *Laura D'Amato* oil spill, and in both cases clearly did not even attempt to properly address recommendation 9 of the parliamentary committee's report. The lack of accountability of the Waterways Authority has emerged as a great concern to the State's waterways users. Its contempt for such an easy-to-implement recommendation is an example of the authority's attitudinal problem as it goes about its business under the temporary stewardship of the current Minister for Transport, and Minister for Roads.

Miss BURTON (Kogarah) [11.27 a.m.]: I am pleased to support the Marine Legislation Amendment (Marine Pollution) Bill particularly because I live in the beautiful Botany Bay area. The cleanliness of the area and the wellbeing of marine life are of the utmost importance to local constituents. The objects of this bill will amend the Marine Pollution Act 1987 to provide for the definition of "ship" to include any vessel of any type whatsoever that is capable of being used on or in water, except a pleasure vessel, and includes platforms and floating docks. Most importantly the bill will increase a number of penalties under the Act, including an increase in penalty from \$220,000 to \$500,000 for a discharge of oil or an oily mixture or a noxious substance from a ship if the offender is an individual, and an increase in penalty from \$1.1 million to \$10 million if the offender is a body corporate. The bill also provides for separate offences whereby a person whose act causes a discharge of oil or an oily mixture or a noxious substance from a ship may be prosecuted in relation to that discharge. The honourable member for Myall Lakes, who preceded me in this debate, referred to the increased penalties, but I point out that this legislation was formulated after the spill of 300,000 litres of crude oil from Gore Cove from the *Laura D'Amato*, a subsequent successful prosecution by the State Government and imposition of fines totalling \$620,000.

That spill, which had a damaging effect on the environment, incurred certain commercial costs and resulted in the depletion of marine life in Sydney Harbour. In determining appropriate penalties the issues to be addressed involve the intrinsic worth of a clean marine environment. How much is too much when the lives of animals and the health of habitats are at stake? The Government could gather a roomful of economists, ask them to compare the costs of major oil spills over the last 35 years, adjust them to today's dollars, make a number of cost-benefit analyses, calculate a figure adjusted for the trade-weighted index and, at the end of the day, there would probably be as many opinions as there were experts.

Oil pollution can have severe effects on a variety of marine organisms and habitats. Any aspect of the marine ecosystem that normally comes into contact with the water surface is vulnerable to oil spills. That includes animals such as seabirds, turtles, whales and dolphins and habitats such as mangroves, seagrasses and

intertidal rocky shores. Marine mammals must surface to breathe and are likely to inhale any oil present. Seabirds are likely to become fouled in oil-affected areas and will not be able to feed effectively or keep themselves warm. Mangroves and seagrasses can become coated in oil, resulting in the loss of crucial nursery and feeding habitats for fish and invertebrates.

The myriad of plants and animals living on rocky shores is particularly vulnerable and can be poisoned or smothered by oil. Those plants and animals provide important food sources for birds, fish and larger invertebrates. The potential for ecological damage arising from an oil spill cannot be overstated. Long-term dislocation of entire ecosystems can have huge impacts on tourism as well as commercial and recreational fishing. Regional areas which often have significant diving and ecotourism industries are particularly vulnerable to both direct and indirect economic impacts.

The Government's approach to the prevention of marine pollution is based on a number of recent advances in the development and implementation of environment protection measures worldwide. First, the doctrine of public trust is applied in the United States of America to assist in determining the appropriate methods to protect the natural environment. The doctrine advocates that public resources and property are held in trust for current and future generations and it is appropriate to impose severe penalties for those who degrade the environment.

The State's approach is also informed by the direction taken by the Sentencing Advisory Panel to the English Court of Appeal. The panel argues that sentencing guidelines for environmental offences should be set according to the means of those concerned. The panel maintains that for large companies fines should be substantial enough to have a real economic impact which, together with negative publicity resulting from prosecution, would create sufficient pressure on the management and shareholders of those companies to tighten regulatory compliance.

In any discussion about the size of penalties it should also be noted that the prescribed amounts are expressed as maximums and the penalty imposed for any offence is always at the discretion of the presiding judge. That penalty will normally vary according to a wide variety of factors, including the size of the spill, its location, the state of the vessel, the conduct of the crew, precautions taken to avoid the spill, the culpability or otherwise of the owner, master or crew, the level of co-operation, the environmental performance record of those found to be responsible for the spill and whether the prosecution is defended. The combination of all those factors will determine the ultimate penalty.

Only in the most serious cases would the court impose penalties approaching the maximum amount. Even if a maximum penalty were to be imposed the amount would be relatively small when compared to the average value of a commercial vessel visiting New South Wales waters. For example, the value of an average oil tanker visiting Sydney Harbour or Port Botany, plus a normal cargo of oil, is about \$85 million to \$90 million. The proposed maximum penalty for a corporation of \$10 million for an improper discharge would therefore represent approximately 10 per cent of the value of the average tanker and its cargo.

The Government considers that that amount would provide a more appropriate penalty for non-compliance with the Marine Pollution Act than the current maximum penalty. It is also worth noting that many ships which operate in Australian waters also operate in the waters of the United States where breaches of the Oil Pollution Act and the legislation of various American States would result in even higher penalties than the ones that are currently proposed. Advice from shipping insurance brokers and underwriters was obtained during the drafting of the legislation to the effect that, given the operation of similar penalties in other jurisdictions such as the United States, the proposed increased penalties will not be a disincentive to ships visiting New South Wales. That is particularly the case for shipping that is already prepared for compliance with the Marine Pollution Act and that is familiar with the high United States premiums.

Increasing the penalties is a compelling way for the Government to put pressure on ship owners to properly maintain and operate their vessels to prevent the spillage of oil. The prospect and possibility of a penalty that could significantly affect a ship's profitability will be a more significant deterrent to shipowners and masters than the present level of penalties. Sydney Harbour is our marine masterpiece on both the national and the international stage. Nearly 600 varieties of fish have been found in its waters, probably more than the number recorded in all of the British Isles and northern Europe combined.

The harbour's marine life includes countless varieties of invertebrates such as giant cuttlefish, colourful corals and beautiful cowrie shells that would seem more at home in some tropical wilderness than in the heart of

Australia's largest city. Extensive areas of seagrass, mangroves and rocky reef provide the mosaic of habitats supporting that marine life. The Government's efforts in cleaning up the harbour have recently been rewarded with the most spectacular of all sights: whales cavorting under Sydney Harbour Bridge. If we did not do all that we could to protect and welcome those beautiful and intelligent mammals it would surely wrench at the heart of any caring and decent person in this State. I commend the bill to the House.

Mr CAMPBELL (Keira) [11.38 a.m.]: The Marine Legislation Amendment (Marine Pollution) Bill will safeguard the environments of Sydney Harbour and Botany Bay, which are important to our State and to our country. The legislation will also safeguard the environment of the coast of New South Wales and the waters of the State. The legislation is important to the area that I represent—an area that has many pristine and exciting beaches, dramatic cliff areas around the coast and an estuarine and large saltwater lake, Lake Illawarra. The legislation is important for the preservation of those recreational areas. The area I represent includes Port Kembla, the deepest seawater port on the eastern seaboard, which has increasing trade in a number of areas. Given the size and number of vessels that enter the port, the risks of environmental damage in the port are equal to the risks of environmental damage in the larger and busier ports of Port Jackson and Port Botany.

Prior to becoming a member of this place I was privileged to serve as a director of the Port Kembla Port Corporation. I mention that fact because I would not like anyone to raise questions of a conflict of interest at a later stage. From my experience with the Port Kembla Port Corporation I am aware that the corporation has a risk management plan and responds to oil spill incidents in the south-eastern coastal region of New South Wales. Indeed, the Port Kembla Port Corporation manages any oil spills that occur from the Royal National Park to the Victorian border. It is pleasing to note that in the financial year 2001-02 no oil spill incidents were recorded in the areas managed by the corporation.

The bill seeks to amend the Marine Pollution Act to provide, first, for stronger incentives to comply with the Act and, second, that vessels and equipment must be appropriately maintained to prevent discharges. The Marine Pollution Act was introduced in 1987 to replace the Prevention of Oil Pollution of Navigable Waters Act 1960. The Act governs the policing of pollution of State waters from vessels, and makes it an offence to spill oil or noxious liquid substances from vessels, including during transfer operations. The Act makes the owner and master of the vessel, and any other person responsible for the spill, strictly liable for the offence, although it offers certain limited defences.

The Marine Pollution Act adopts the International Convention for the Prevention of Pollution from Ships, commonly known as the MARPOL Convention. The MARPOL Convention represents an international approach to the protection of the seas and coastal waterways from oil and chemical pollution from ships, including during transfers and ship-to-shore operations. All other States, the Northern Territory and the Commonwealth have passed similar complementary legislation to give effect to the MARPOL Convention throughout Australia. Most of Australia's trading partners have also adopted the convention.

The bill is the first major change to the Act since 1987 and takes into account the lessons learned since that time. The greater incidence of major oil spills internationally since 1987, including those from the *Exxon Valdez* in Alaska and the *Erika* off the coast of France, serves to emphasise the disasters that can happen when vessels are not properly operated or maintained. Closer to home, honourable members would also recall the 300,000 litres of oil spilled from the *Laura D'Amato* in Sydney Harbour on 3 August 1999. I note that as a consequence of that event the New South Wales Government successfully prosecuted the master and owner of that vessel. The fact that larger vessels are now being used to transport oil and other noxious liquid substances increases the likelihood of another major disaster unless appropriate measures are taken to minimise the risk of future oil spills.

The bill seeks to minimise the risk of future spills firstly by increasing penalties for improperly discharging oil or oily mixtures into State waters from vessels, including during transfer operations, from \$1.1 million to \$10 million for corporations and from \$220,000 to \$500,000 for individuals. Penalties for failure or delay in reporting discharges and failure to co-operate in relation to the discharge will increase from \$275,000 to \$2,750,000 for corporations and from \$55,000 to \$120,000 for individuals. The lifting of maximum penalties to these levels will ensure that owners and masters of substandard and badly maintained vessels are fully aware of the serious financial consequences that will flow from bringing such vessels into New South Wales waters.

The second major part of the bill is the amendment of the defences available to those involved with improper discharges to prevent the owners and masters of substandard vessels using the defences to defeat the

purposes of the Act and the MARPOL Convention. One of the defences exonerates those who spill oil as a consequence of damage to the vessel or its equipment. The interpretation of this defence taken by those prosecuting under the Act is that the damage must be external to the ship, such as by collision or grounding. However, in a current prosecution under the Act heard in the Land and Environment Court and the New South Wales Court of Criminal Appeal the interpretation of both courts is that the defence also includes spills that occur through wear and tear.

In my opinion this amounts to a rort. An owner or master of a vessel who does not ensure that the vessel is properly maintained and that it has the capacity to carry its cargo securely, or to discharge or take on its cargo securely, should not be able to use as a defence the fact that the vessel is in disrepair, has worn out or has had fair wear and tear. The owners and masters of vessels are responsible for ensuring that their vessels are as secure as possible in carrying their cargo and that proper maintenance is carried out.

If wear and tear is accepted as a defence, it would be possible for owners who have failed to properly maintain their vessels to use that defence to defeat the objects of the legislation and the MARPOL Convention, which underpins it. The case to which I referred is currently the subject of an appeal to the High Court. Regardless of the result of that appeal, it is vital to close this loophole or rort by specifically excluding wear and tear as a defence and to clearly indicate to shipowners that any vessel entering New South Wales waters is required to be properly maintained.

The damage defence is limited by increasing the powers of the prosecutor to defeat the defence. Currently, only damage arising in circumstances where the master or owner has acted with intent to cause the damage, or has acted recklessly and with knowledge of the possible consequences, will defeat the defence. The amendment in the bill will mean that the following additional types of damage will be excluded from the defence: when the owner and master act negligently; when the damage arises as a result of a failure to maintain the ship or its equipment; and damage arising as a result of wear and tear and defects that develop during the normal operation of the ship or its equipment. The result will be that only in limited circumstances when the damage is totally outside the control of the owner or master of the ship will the owner or master be able to claim the benefit of the defence. In that way owners and masters will be forced to ensure that the vessels are properly maintained and operated before entering New South Wales waters. It is my understanding that the bill refers to commercial shipping and not to recreational vessels that ordinary householders might own.

To ensure that in the event of a spill there are sufficient funds available to cover the fines and the costs of cleaning up the spill the bill requires all masters to have adequate insurance and to carry evidence of that insurance on board. That mirrors the provisions already in place under Commonwealth legislation and covers vessels in New South Wales waters not covered by the Commonwealth legislation. The Marine Legislation Amendment (Marine Pollution) Bill will further strengthen the powers to prevent spills of oil and noxious liquid substances and to take steps to prosecute if such spills occur. The bill is about protecting the environment of the entire State, whether it be within the important commercial ports of the State, its recreational waterways or the State's beaches, which are so important for tourism, local recreation and the State's economy. The result will be a cleaner and healthier environment. The bill will also ensure that the health of Sydney Harbour and other waterways in the State is preserved for future generations. The bill is sound environmental legislation, and I commend it to the House.

Mr MOSS (Canterbury—Parliamentary Secretary) [11.49 a.m.], in reply: I am pleased that the Opposition supports the bill in its entirety. I commend the two speakers on the Government side for their contributions to the debate. I note that both the honourable member for Kogarah and the honourable member for Keira have a particular interest in the legislation. The honourable member for Kogarah pointed out that her electorate takes in the all-important waterway of Botany Bay, which is a major waterway affecting the Port Botany area. The honourable member for Keira comes from an area in the Illawarra which takes in another major port, Port Kembla.

As has been pointed out, there are three major components to this legislation. First, the legislation will substantially increase penalties for polluting offences. Second, it will tighten up the law with respect to prosecution so as to overcome significant current loopholes. Third, the legislation requires all vessels entering State waters to have and be able to produce evidence of insurance in respect of oil pollution. It was pointed out by the Opposition that penalties imposed for polluting have increased tenfold. I am supportive of those increases and obviously, as the Opposition does not oppose the increases, it must also be pleased with those amendments.

With regard to those substantial increases in fines, nobody would suggest that the waterways in this State are not as important as those in the United States of America. As well as having substantial monetary

penalties for polluting, America has criminal penalties. Ships' masters can be imprisoned for polluting. There may come a time when we introduce such legislation, but, because of the substantial increases in penalties being inserted into this legislation, it is hoped that that will not be necessary. If we are serious about protecting our waterways fines should not only be affordable; they must be exorbitant so as to keep ship owners aware of the need to maintain their vessels.

The second major aspect of this legislation is the amendments to the defences available to those involved in improper discharges. One of those defences exonerates those who spill oil as a consequence of damage to the vessel or its equipment. That defence is based on wear and tear. At present owners can virtually neglect their vessels and use that defence to escape prosecution. For example, if two ships were to collide it could be argued that the oil spill that may occur from the collision was partly the result of the accident. However, it could also be argued that the oil spill may not have occurred if the vessel that lost the oil had been properly maintained, irrespective of the accident. This legislation makes sure that in future, when wear and tear is a contributing factor in causing damage to a ship that subsequently spills oil, fines will be imposed. It is an important and necessary change.

The third aspect of the legislation is the requirement that vessels entering New South Wales waters must be able to produce evidence of insurance to cover the consequences of oil spills. Currently most vessels have to be able to show that they have adequate insurance, but this Act will cover vessels under 400 tonnes and vessels engaged solely on interstate voyages, which currently are not covered. The Act will not apply to recreational vessels. However, it was pointed out in the second reading speech that oil spills from recreational vessels are rare and likely to be relatively minor. In any case, prosecutions for oil spills from recreational vessels will still be covered under the Protection of the Environment Act.

This is commonsense legislation which brings penalties up to a level that should encourage ship owners and operators to be extremely cautious about polluting. The bill also closes the loophole under which, in the past, wear and tear on a ship could assist a shipping company to escape prosecution. The bill will also ensure that all vessels have adequate insurance cover against oil pollution. The legislation is about protecting the State's marine environment. It is particularly directed at those environments in which large vessels enter and dock, such as Sydney Harbour, Port Botany, Port Kembla and Newcastle. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

CRIMES LEGISLATION AMENDMENT (PERIODIC AND HOME DETENTION) BILL

Second Reading

Debate resumed from 3 September.

Mr MARTIN (Bathurst) [11.56 a.m.]: I support the Crimes Legislation Amendment (Periodic and Home Detention) Bill. One of the more important amendments in the bill is the requirement for an application for leave of absence with respect to periodic detention to be lodged before the beginning of the relevant detention period. The bill also makes it clear that if the Parole Board revokes a periodic detention order on health or compassionate grounds the Parole Board may only make such other orders as are sought by the Commissioner of Corrective Services. The bill also provides for the mandatory revocation of periodic detention orders or home detention orders made by the Parole Board if the offenders concerned are subsequently sentenced to full-time imprisonment. That is fairly obvious, but it needs to be spelled out. The bill also provides that a person who has served a sentence of full-time imprisonment of more than six months is ineligible for consideration for periodic detention in respect of any subsequent sentence of imprisonment.

At a time when the subject of sentencing is topical and when some record sentences have been imposed for serious crimes it is well to remember that other sentencing tools have a real place in the justice system. Periodic detention and home detention are two of those tools. Today we are speaking about periodic detention. In recent years a young family man in my electorate was involved in a driving incident which the judiciary thought warranted more than a bond and could have involved a full-time custodial sentence. However, periodic detention was used in that case. It was appropriate because it allowed that man to continue in his professional employment and provide for his young family. Periodic detention allows the system to both punish offenders and protect innocent parties such as families of those who have been convicted.

These amendments have been brought to the House after an audit of the system. Periodic detention and home detention have been around for two decades or more. As is the case with any system, they need to be looked at and refined from time to time. The audit has shown that changes need to be made. We must protect the integrity and credibility of the legislation, and ensure that administrative practices are tightened. New section 65A of the Crimes (Sentencing Procedure) Act 1999 provides that an offender who has previously served full-time imprisonment for more than six months is not eligible for periodic detention. That recognises that any crime attracting a sentence of more than six months imprisonment should be viewed as serious, and that a person convicted of such a crime is ineligible for periodic detention.

There must be a cut-off point, and six months is a reasonable time frame. New section 65A was prompted by a recognition within the Department of Corrective Services that there has been a significant shift in the type of offender now being sentenced to periodic detention, including a significant number of offenders who prove to be unsuitable for periodic detention because they bring with them a gaol culture from lengthy periods of full-time imprisonment they have previously served. Other offenders serving periodic detention are adversely influenced by contact with this gaol culture instead of being deterred from further offending by exposure to periodic deprivation of liberty. We want to protect people who attract a periodic detention sentence from being polluted—if that is not too strong a word—by mainstream criminals who have already been through the system then serving periodic detention.

It is right and proper that these amendments exclude those people from availing themselves of periodic detention. The Government believes that periodic detention is not an appropriate sentence for hardened criminals, and that the periodic detention scheme can be improved if hardened criminals are excluded from it. If serving a sentence of more than six months imprisonment did not deter a person from reoffending, it is hard to see how a sentence of periodic detention would provide more deterrence on a subsequent occasion.

One could argue that in those cases people would see periodic detention as a blessing: they would treat it as a joke. Potentially, they could pollute people in periodic detention who are in the prison system because of a serious driving charge or some other offence but who do not fit into the category of "hardened criminal". It makes good sense to segregate this type of prisoner. This sort of restriction is not new. When the periodic detention scheme was introduced in 1971—it has been in place for 30 years—periodic detention was only available for offenders who had not previously served a term of imprisonment. The Periodic Detention of Prisoners Act 1981 made periodic detention unavailable to persons who had served a term of imprisonment of more than six months in the previous seven years. This bill further amends that.

The 1981 Act was amended in 1986, and the restriction was lifted to give sentencing courts greater flexibility. Any offender became eligible for periodic detention if sentenced to less than three years imprisonment. However, the Department of Corrective Services advises that the problem of a significant gaol culture in periodic detention centres was not apparent when that restriction was lifted. Courts now have much greater flexibility in sentencing than they did in 1986, and the reintroduction of the restriction will restore a proper balance between the integrity of the periodic detention scheme and the flexibility available to sentencing courts to divert offenders from full-time imprisonment.

While we recognise that one requisite of a custodial sentence in the criminal justice system is to punish offenders, we acknowledge also that the system must be flexible to ensure as much as possible that people will not reoffend and re-enter the system. In many cases periodic detention is much more appropriate for people who would be best kept away from hardened criminals in the mainstream prison system. For that reason I commend the bill to the House.

Ms SALIBA (Illawarra) [12.04 p.m.]: I support this legislation. People who are sentenced to periodic detention have been sentenced for committing an offence. They have been given a punishment, and it is important that they receive that punishment. The periodic detention scheme commenced in New South Wales in 1971. Each year the scheme diverts a large number of offenders from full-time imprisonment while ensuring they are detained periodically. Offenders must adhere to the conditions of periodic detention, otherwise they must serve full-time imprisonment. Typically, detainees arrive at a detention centre on Friday evening and stay there until Sunday evening, when they are released. This process is repeated until at least the non-parole period of the sentence has been served.

During the time of detention the detainees work on a number of sites. Some work in my area is being completed by people on periodic detention. Some of the work is community service, such as weeding parks and reserves, ground maintenance, maintaining community facilities and removing graffiti. The advantages of

periodic detention include punishing offenders and registering disapproval of their criminal activities without all the negative effects of full-time imprisonment. Their debt to the community can still be paid without the need to give up employment, domestic relations can largely be maintained, and it is less costly to the community than full-time imprisonment. As I said at the beginning, periodic detention is a punishment. Periodic detainees have committed a crime, the courts have acknowledged that a crime has been committed, and the offenders have been sentenced.

Periodic detention is not a choice; people cannot choose whether to turn up for periodic detention on the weekend. It is a punishment, and detainees have an obligation to attend during the prescribed period. Currently, there are 91 detainees in the Wollongong periodic detention centre. These people have been given the opportunity to take this diversionary measure. The periodic detention scheme is appropriate. As has been said, periodic detention is better than sentencing some people to full-time imprisonment with hardened criminals.

It is often argued that during the sentencing process people should be given either periodic detention or home detention. Honourable members will remember the case a couple of years ago of the young girl who was killed in an unfortunate accident on the Princes Highway at Bulli. An older woman was found guilty of negligent driving resulting in a death and she was sentenced to home detention. To me, that was an appropriate punishment. Unfortunately, the woman's house overlooks the accident site, and I am sure that is a much greater punishment than being sentenced to gaol or given any other punishment.

For various reasons, it is important that we offer a variety of ways of dealing with people, and periodic detention and home detention are good options. Under the scheme, detainees who are unable to report for periodic detention must call a special number before the commencement of the detention period to inform Corrective Services they are unable to attend. I believe this is very important. If your children are unable to go to school you send a note saying why they were away. I believe it is important that these people take responsibility for their actions, realise that they are subject to a court sentence and have an obligation to attend. It is very important that they do their time and, hopefully, in some way make retribution for their crime. In particular, we do not want these people to reoffend.

I certainly believe that the law needs to be tightened up in a number of ways. It has been changed over the years. In 1999 the periodic detention scheme was tightened, and of course we are now dealing with amendments to improve the scheme to reduce the level of unauthorised absences from the present 15 per cent. It is important that these people serve their time and that we know where they are when they are supposed to be in detention. That is why I support the Crime Legislation (Periodic and Home Detention) Bill 2002.

Mr AMERY (Mount Druitt—Minister for Agriculture, and Minister for Corrective Services) [12.12 p.m.], in reply: I thank all members for their contribution to the debate and their obvious interest in periodic detention, which provides an alternative to full-time imprisonment. However, some people see periodic detention as a right or privilege. Others believe that its procedures and policing should be tightened up. I believe it is appropriate to recognise that periodic detention is not just about what is written in the legislation. It is also important that it be correctly policed and administered.

I have been very happy, not only since I became the Minister but during the term of this Government, to see continual changes in the administration of periodic detention. The arguments put up by the Opposition spokesman, the honourable member for The Hills, really show that he is somewhat out of date. He basically repeated what the shadow Minister for Corrective Services in 1988, Mr Yabsley, said before the Coalition was elected to government, and of course we need only look at what the Coalition did with periodic detention during the seven years it was in office to see that its action certainly did not match its rhetoric.

The Opposition's strategy on this periodic detention bill is very similar to its strategy on any sentencing legislation that is introduced. If we propose 10 lashes for someone who does not turn up for periodic detention, Opposition members say it should be 15. If we say that a person who misses one weekend detention should do an extra week's detention, they say it should be two weeks. If we had said it should be two weeks they would have said it should be three weeks. This has been their only strategy, because they do not have any policy on periodic detention. In the seven years we have been in government we have not seen any Opposition policy on how periodic detention should be administered. So I do not take very seriously the arguments put by the shadow Minister on this bill, because it was just one-upmanship. We are toughening up the administration of periodic detention, and this legislation is part of that change.

It would not matter what I said. If I said a person should be hanged in seven days the shadow Minister would say it should be in three days. That has been his tactic all the way through and it is easy to pick up the

theme: when the Attorney General introduces legislation to increase a sentence to 20 years, the Opposition says it should be 30 years, and on it goes. I agree with the honourable member for Fairfield that it is a very old and boring response by the Opposition in the absence of any policy of its own.

I will not go through all the diatribe from the honourable member for The Hills, but let me give one example. He attacked us because—if I am quoting him correctly—under Labor the attendance record of periodic detainees was about 70 per cent, perhaps 74 or 76 per cent. He said that is terrible and, pulling a figure out of the sky, said it should be 90 per cent. But what was the Coalition's record when it was in Opposition? In 1991—three years after the so-called get tough Minister for Corrective Services, Michael Yabsley, and the Greiner Government came into office, and after all their pre-election hype about periodic detention and prison sentencing—what was the attendance record of periodic detainees?

The honourable member for The Hills attacked our figure of about 75 per cent—I can tell you that in August this year it was 78.2 per cent, and continuing to increase as we toughen the law—but the Greiner Liberal Government's figure was 60 per cent. Yet he has the gall to attack us because our success rate is about 75 per cent and climbing. As the honourable member for Fairfield said, their record shows that their rhetoric on crime is tough but that their record on it is very much softer.

As part of our toughening up the legislation, in 1999 we shifted the revocation process from the courts to the Parole Board—that was a good Carr Government initiative—and we have now got the attendance rate up to the high seventies. In August 2002 the attendance rate reached 78.2 per cent, compared with about 60 per cent under the Liberals. I am not satisfied with 78.2 per cent, and we will continue to monitor and enforce the legislation and its administration. My goal, of course, is to get the attendance figure as high as is reasonably possible, and these current reforms will increase attendance much further. Opposition members say that 75 per cent is not good enough, that it should be 90 per cent. As I said, if it had been 90 per cent, they would say it should be 100 per cent. That is a very boring, old, and predictable response.

The honourable member for The Hills said that if prison officers' medical certificates for sick leave are subject to independent check, so too should periodic detainees present an independent medical certificate. That is a very good argument on his part—but that requirement is already in place. So we need not be too concerned about his criticism in that regard. He is suggesting something that is already in place. Clause 184 of the Crimes Administration of Sentence Regulation 2001 states that a periodic detainee must submit to a medical examination by a medical practitioner nominated by the governor of the periodic detention centre if the governor so directs. That is in the legislation.

Of course the governor is not going to do that purely to protect a prisoner or disadvantage his staff. What a lot of nonsense the Opposition goes on with. It should not just offer ad hoc reactions to a bill; it should do some hard work in the shadow cabinet, draft a policy document, and then release it. I presume the Opposition will produce something in the next couple of months in the lead-up to the election, but it has been in Opposition for seven years, long enough for it to have a policy in this very important area of public administration.

The honourable member for The Hills said that the bus that takes periodic detainees from Batemans Bay to the Wollongong periodic detention centre was no longer in use. That bus was temporarily not in service early in July, but it recommenced later in July. I do not know whether that was a temporary lapse on his part. He said we removed the bus permanently, but the department has advised that it was only temporarily out of service—I do not know for what reason; whether it was involved in an accident or whether it was in the process of being replaced. So the Government has not really been blown out of the water by that expose.

I advise the House that the Government has circulated a proposed minor amendment to schedule 2 of the bill. In Committee I will explain why that small technical change is required. The Opposition has foreshadowed amendments, which will also be debated in Committee. I thank all honourable members for their contributions to the debate.

Motion agreed to.

Bill read a second time.

In Committee

Clauses 1 to 4 agreed to.

Schedule 1

Mr RICHARDSON (The Hills) [12.20 p.m.]: I move Opposition amendment No. 1:

No. 1 Page 3, schedule 1. Insert after line 32:

[3] Section 89 Failure to report or reporting late extends term of sentence

Omit section 89 (4). Insert instead:

- (4) The sentence to be served by an offender who fails to report, or who reports late, for one or more detention periods (otherwise than where leave is granted) is, by this subsection, further extended:
- (a) by 2 weeks, for the first detention period for which the offender fails to report or reports late, and
 - (b) by 6 weeks, for the second and any subsequent detention period for which the offender fails to report or reports late.

[4] Section 89 (5)

Omit the subsection.

Proposed item [3] replaces subsection (4) of section 89 of the Crimes (Administration of Sentences) Act 1999, which extends the term of a sentence for a failure to report or late reporting. As I said during the second reading debate, the current penalty for failing to attend without reasonable excuse is an additional week's detention for first and subsequent offences.

The Opposition believes that there should be a hierarchy of penalties to make offenders realise that it is not an option for them to attend for periodic detention only when they feel like it. Punishment should fit the offence, and if a periodic detainee fails to report without excuse, under the conditions of a system that will be strengthened by this legislation, a periodic detainee should be made aware in no uncertain terms that the Government takes a dim view of that failure, and that the offender's time spent in periodic detention will be increased if there is a breach. This amendment provides a penalty hierarchy under which a second offence will attract three additional weekends of detention—a fairly substantial deterrent. The amendment is designed to provide a clear warning to offenders in the form of "three strikes and you're in"—that is, imprisonment without an option of periodic detention.

Mr AMERY (Mount Druitt—Minister for Agriculture, and Minister for Corrective Services) [12.23 p.m.]: As I foreshadowed during the second reading debate, the Government opposes this amendment. The legislation provides a one-week additional penalty for a breach, but the Opposition has suggested a two-weeks penalty. Under the provisions of this bill I cannot envisage any positive outcome from a bidding war on the number of weeks of penalty when an offender fails to report, but I have no doubt that if the bill provided for an additional penalty of two weeks for an offence, the Opposition would have moved an amendment that the penalty be three or four weeks. The Government believes that the addition of one week to the original sentence is an effective penalty.

Penalties should not be considered in isolation, because the purpose of the bill is to ensure that people comply with their periodic detention and attend as required. The Government is toughening up, and offenders who default three times in a row will be imprisoned, although the Parole Board or the department will have the discretion to alter the penalty. Records clearly show that the Government is cancelling periodic detention orders at an increasing rate. This amending bill was drafted after taking comprehensive factors into consideration, not by considering periodic detention orders in isolation. The Government believes that the provision of an additional one week's detention will deliver a clear message to offenders, in line with the suggestions made by the honourable member for The Hills, but I cannot see the logic that two weeks additional detention would be more effective than one week's detention.

When considered in its entirety, this bill sends a clear message to periodic detainees that they must meet their obligations to report, as well as comply with disciplinary procedures in the event of non-attendance. Tougher guidelines have been implemented to ensure the cancellation of periodic detention orders should a breach occur, and that is why the number of cancellations of periodic detention orders continues to increase. I have no doubt that, as a result of the provisions of this bill, the cancellation rate will increase even more. I will closely monitor the reporting record of periodic detainees to ensure there is a continuing improvement in the observance of reporting requirements by detainees. I am confident that this Government's rate of improvement will be much better than the less-than-60 per cent reporting compliance rate under the Coalition Government. I reiterate the Government's opposition to the amendment.

Question—That the amendment be agreed to—put.

The Committee divided.**Ayes, 35**

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

Noes, 44

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

Pairs

Mr Armstrong	Ms Harrison
Mr Brogden	Mr Markham

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

Mr RICHARDSON (The Hills) [12.34 p.m.], by leave: I move Opposition amendments Nos 2 and 3 in globo:

No. 2 Page 4, schedule 1, line 27. Omit "consecutive".

No. 3 Page 6, schedule 1, lines 1 to 27. Omit all words on those lines.

The Government wants to make it obligatory for the Commissioner of Corrective Services to make an application for the revocation of a parole order to the Parole Board on the basis of a periodic detainee failing to report for three or more consecutive detention periods. The Opposition believes that if a periodic detainee fails to turn up three times without justification or without an appropriate excuse, or he goes away without official leave three times during his period of detention, he should go into full-time gaol. He should not pass go. I listened to what the Minister had to say about the Opposition ramping up the punishment.

The Minister suggested—and I found it a bit offensive—that if the Government handed out 20 lashes the Opposition would ask for 40 lashes. That is absolute nonsense. All that Opposition members are trying to do is put some teeth into the legislation. We are trying to ensure that, when a periodic detainee defaults, he or she

should be punished appropriately. We want to get those attendance rates up from 78 per cent to over 90 per cent. We believe that that can be achieved by putting in place an appropriate regime of sanctions for periodic detainees. That is why I moved Opposition amendment No. 2, which I commend to the Committee.

Opposition amendment No. 2, which will insert a new section 164A, will enable the Parole Board to reinstate a revoked periodic detention order after a detainee has served three months in gaol. We must be fair dinkum about applying the rules. If we say that periodic detention is part of the hierarchy of punishments that we have put in place in this State for offenders, we must be fair dinkum about it. If the Government is prepared to give periodic detainees a number of chances for going absent without leave, as is proposed by the Opposition, there should be some additional sanctions, which the Government has rejected, if they do not turn up and they do not contact the periodic detention centre to let that centre know that they are not going to turn up.

After three strikes Opposition members say that those detainees should be returned to full-time gaol. When they are in gaol there should be no second chances. This Government is soft on crime. This Government rejected our minimum mandatory sentencing proposals. The Government is also soft on periodic detention. We understand clearly that there must be second chances in the system. The Minister said that he is waiting to see some policy from the Opposition. When he sees that policy I think he will be a little stunned because it is much more imaginative than anything he has come up with in the time that he has been Minister for Corrective Services. On this issue the Opposition is absolutely rock solid. There should be no second chances for people who do the wrong thing, for people who go absent without leave and who fail to turn up, without an excuse, for periodic detention.

Mr AMERY (Mount Druitt—Minister for Agriculture, and Minister for Corrective Services) [12.39 p.m.]: The Government opposes both of the Opposition's amendments. If a detainee fails to turn up on three or more consecutive occasions the Commissioner of Corrective Services can apply to the Parole Board for a revocation of the parole order. The Opposition is saying that if a periodic detainee fails to turn up on three or more occasions the parole order should automatically be revoked. If a periodic detainee fails to turn up on those occasions to which the Opposition is referring the Department of Corrective Services will apply to the Parole Board, which will then make a decision either to revoke the parole order or to commit a detainee to some other management program. The Government is toughening up in this area. Revocation of periodic detention after a person has failed to report for three consecutive detention periods, without provision for discretion, has never before been introduced in periodic detention legislation, and we are now doing so. As I said at the second reading stage, the amendment is yet another example of the Opposition trying to outbid the Government in toughening up the periodic detention process.

The department has provided the example that if Opposition amendment No. 2 were accepted a detainee serving 18 months periodic detention who has unauthorised absences after four months, eight months and 12 months, but nevertheless is likely to successfully complete his order based on his attendance record of 49 weeks out of 52 weeks, would automatically have his periodic detention order revoked. The Government's position is that the department would then apply to the Parole Board, which would make a decision as to whether the periodic detention order should be revoked. If a detainee fails to report on three consecutive occasions, the order would be automatically revoked. The Government rejects Opposition amendment No. 2.

The Government opposes Opposition amendment No. 3, which would prevent the Parole Board reinstating a revoked periodic detention order if the detainee has served at least three months of his or her sentence. During that period a rehabilitation program would have been embarked upon and efforts would have been made to reinstate the periodic detention. However, the Opposition suggests that even the Parole Board should not be able to recommend the reinstatement of periodic detention. The Parole Board is already able to reinstate a home detention order in similar circumstances, and no-one objects to that. The bill simply brings periodic detention procedures in line with successful home detention procedures. Again, for all the right reasons, the Government rejects Opposition amendment No. 3.

Question—That the amendments be agreed to—put.

The Committee divided.

Ayes, 33

Mrs Chikarovski
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
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, 49

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

Mr Greene
Mrs Grusovin
Mr Hickey
Mr Hunter
Mr Iemma
Mr Knowles
Mrs Lo Po'
Mr Lynch
Mr Martin
Mr McManus
Ms Meagher
Ms Moore
Mr Moss
Mr Newell
Ms Nori
Mr Orkopoulos
Mr E. T. Page

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

Tellers,
Mr Anderson
Mr Thompson

Pairs

Mr Brogden
Mr Armstrong

Ms Harrison
Mr Markham

Question resolved in the negative.

Amendments negatived.

Schedule 1 agreed to.

Schedule 2

Mr RICHARDSON (The Hills) [12.50 p.m.]: I move Opposition amendment No 4:

No. 4 Page 13, schedule 2. Insert after line 11:

- (2) A periodic detention order may not be made in respect of a sentence of imprisonment for any of the following offences:
- (a) any offence for which the maximum penalty includes imprisonment for 5 years or more,
 - (b) any sexual offence (that is, any offence arising under Division 10 or 10A of Part 3 of the *Crimes Act 1900*),
 - (c) any offence prescribed by the regulations for the purposes of this paragraph.

The Opposition has learned alarmingly that there are instances where sex offenders have been sentenced to periodic detention. We do not believe that is appropriate and we do not believe the public would think that is appropriate. Periodic detention, as the Government has acknowledged, is part of a hierarchy and it is a lesser punishment than full-time incarceration. We do not believe that any offence for which the maximum penalty is five years or more, that is a serious offence as defined in the Crimes Act, or any sexual or offence should be punishable by periodic detention.

The Government has moved an amendment that would deny periodic detention as punishment for an offender who has previously served full-time imprisonment for more than six months in a New South Wales gaol or in a gaol in another jurisdiction. Clearly, the Government also recognises that periodic detention is a lesser punishment. It is part of the hierarchy that we have spoken about at length during this debate. I cannot understand why the Government or any honourable member would oppose this amendment. It is a practical way of ensuring that periodic detention is applied to those people to whom it ought to apply and not to serious offenders. I will be interested to hear what the Minister has to say about that.

Mr AMERY (Mount Druitt—Minister for Agriculture, and Minister for Land and Water Conservation) [12.52 p.m.]: The Government will oppose the Opposition amendment. The amendment will take away the discretion of the court to deal with a person coming before it for sentence. The Opposition talks about sex offenders. We could have a list a mile long of the crimes or offences that should not be the subject of periodic detention. The Government wants to ensure that periodic detention is seen by the courts as an alternative to full-time imprisonment, basically giving some people a last chance before they go to full-time imprisonment.

The Government's position is that once offenders have served full-time imprisonment of six months or more they should not be allowed to have periodic detention. We want the people going to gaol for the first time, perhaps, to have the option of periodic detention. I do not believe we should list whether they are sex offenders, break and enter merchants, car thieves or have committed a hold-up, and have a category of who can get it and who cannot. We want to leave the discretion to the courts. However, the Government is clearly saying that once someone has been sentenced to six months gaol that person has lost his future right to periodic detention. Again, this is another case of the Opposition trying to outbid the tough reforms of the Carr Government.

Question—That the amendment be agreed to—put.

The Committee divided.

Ayes, 35

Mr Barr	Dr Kernohan	Mrs Skinner
Mrs Chikarovski	Mr Kerr	Mr Slack-Smith
Mr Collins	Mr Maguire	Mr Souris
Mr Cull	Mr McGrane	Mr Stoner
Mr Debnam	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	<i>Tellers,</i>
Mrs Hopwood	Mr Rozzoli	Mr Fraser
Mr Humpherson	Ms Seaton	Mr R. H. L. Smith

Noes, 47

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

Pairs

Mr Armstrong
Mr Brogden

Ms Harrison
Mr Markham

Question resolved in the negative.

Amendment negatived.

Mr AMERY (Mount Druitt—Minister for Agriculture, and Minister for Corrective Services) [1.02 p.m.]: I move:

Page 14, schedule 2, lines 3 to 17. Omit all words on those lines. Insert instead:

- (7) If a court declines to make a home detention order with respect to an offender's sentence of imprisonment despite an assessment report that states that the offender is a suitable person to serve the sentence by way of home detention, the court must indicate to the offender, and make a record of, its reasons for doing so.

This is a technical amendment that corrects an error that was made during the drafting of the legislation.

Mr RICHARDSON (The Hills) [1.02 p.m.]: The Opposition does not oppose the amendment; it is a sensible provision. It is not unreasonable for the court to indicate to an offender when that person will not be sentenced to home detention. As I said, that is eminently reasonable, and the Opposition will not oppose the amendment.

Amendment agreed to.

Schedule 2 as amended agreed to.

Bill reported from Committee with an amendment and passed through remaining stages.

[Mr Speaker left the chair at 1.04 p.m. The House resumed at 2.15 p.m.]

FUR SEAL SHOOTING**Ministerial Statement**

Mr DEBUS (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [2.15 p.m.]: I have been advised by the New South Wales National Parks and Wildlife Service of a distressing incident that has occurred in the Jervis Bay area involving the recent suspected shooting of five seals. Environment Australia, the New South Wales National Parks and Wildlife Service, New South Wales Fisheries and the Jervis Bay Marine Park Authority are calling for information to assist with investigations into this incident. The five fur seals, all displaying wounds consistent with having been shot, were found washed up on beaches in the Budderoo National Park by members of the public and park rangers

I am at a loss, as I am sure all members of the House are at a loss, to understand why anybody would want to deliberately and cruelly harm these magnificent creatures. It is a sickening and disturbing act and I appeal to the community for anyone with any information in relation to these incidents to immediately contact authorities. Australian and New Zealand fur seal species which congregate in this region are listed as vulnerable under the Threatened Species Conservation Act in this State. Anyone convicted of harming threatened species face penalties of up to \$55,000 and/or a 12 months gaol sentence. I am informed by the member for South Coast that this is not the first time such acts have been committed in the region and there is a great deal of community outrage about those incidents. The seals are an important and colourful part of the environment in the area. Indeed, large numbers of tourists visit the South Coast region to see fur seals in the wild. Fur seal populations are only now starting to re-establish since they were commercially harvested in the nineteenth and early twentieth centuries. To shoot them is, as I have said, something that is beyond the comprehension of most people. The community is rightly outraged over this incident and I am anxious that the perpetrators of this terrible act are caught and face the full force of the law.

Mr HUMPHERSON (Davidson) [2.23 p.m.]: Members of the Opposition join the Government in condemning any person who harms animals, whether or not they are endangered. The apparent shooting of five

fur seals would certainly be of concern to members of the House and the wider community, including those who live on the South Coast and in the Jervis Bay region. Those who deliberately harm creatures that pose no threat to them should be condemned by all, and the full force of the law should be brought against them. It would be appropriate for the Government to take a far more concerned approach to dealing with North Coast brumbies and the wild dogs that are damaging stock in various parts of the State. The Government and the Minister for the Environment have also been less than diligent in fulfilling their responsibility for the management of species such as fairy penguins both outside and inside Sydney and for the protection of threatened and endangered species both within and outside national parks.

WATER HYDRANT IDENTIFICATION

Ministerial Statement

Mr YEADON (Granville—Minister for Information Technology, Minister for Energy, Minister for Forestry, and Minister for Western Sydney) [2.22 p.m.]: I inform the House of co-ordinated preparations being undertaken to help to protect the lives and homes of people who live in bushfire-prone areas of Sydney, the Blue Mountains and the Illawarra. Sydney Water is working with metropolitan and rural volunteer firefighters as well as community firefighting units to identify and mark the location of 13,000 water hydrants in Heathcote, Menai and other parts of the Sutherland shire, Helensburgh, Bulli and Gerroa in the Illawarra, Springwood and Katoomba in the Blue Mountains, as well as Ku-ring-gai, the northern beaches and Lane Cove. These water hydrant connections are vital for providing a quick response from our emergency services to the threat of bushfire. Each hydrant will be marked bright yellow and a fluorescent yellow "H" will be painted on nearby power poles and roads showing its exact location. The hydrants have also been inspected and serviced to ensure that they are in working order for this year's bushfire season.

Mr STONER (Oxley) [2.23 p.m.]: It is pleasing that the Government and Sydney Water are engaged in identifying water sources and fire hydrants. A dangerous bushfire season is imminent and access to water resources may well prove crucial during the bushfire season ahead. The Opposition remains concerned about the level of bushfire hazard in the State's forests, which, combined with the impacts of the current El Niño weather pattern, indicate a dangerous bushfire season this year. The Opposition welcomes efforts being made to locate water resources for firefighting activities.

BILLS UNPROCLAIMED

Mr SPEAKER: Pursuant to standing orders, I table a list detailing all legislation unproclaimed 90 days after assent as at 4 September 2002.

PETITIONS

Planning Control Reform

Petition requesting reform of planning controls by gazettal as a legal document, oversight by the Department of Planning, public benefit assessment of variations, and a ban on development-related donations to political parties and elected officials, received from **Ms Moore**.

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 **Mr W. D. Smith**.

Mental Health Services

Petition requesting urgent maintenance and increase of funding for mental health services, received from **Ms Moore**.

Freedom of Religion

Petitions praying that the House retain the existing exemptions applying to religious bodies in the Anti Discrimination Act, received from **Mr Gibson**, **Ms Hodgkinson**, **Ms Saliba**, **Mr W. D. Smith** and **Mr J. H. Turner**.

Illegal Street Sex Work

Petition seeking the establishment of a high-level, co-ordinated strategy to address illegal street sex work in residential areas, received from **Ms Moore**.

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**.

Eastern Suburbs Bus Routes

Petition requesting that bus route 357 return to its original schedule and that bus route 359 be reinstated, received from **Mrs Grusovin**.

Local and Regional Roads Funding

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

Tallong Railway Station

Petition requesting allocation of funds to raise the Tallong railway station platform to a safe height, received from **Ms Hodgkinson**.

Bus Service 311

Petition requesting reinstatement of bus route 311, bus shelters and seats, and the Market Street bus stop, and provision of mini-buses and better information and timetables, received from **Ms Moore**.

Cross-city Tunnel Traffic Management

Petition praying that the Roads and Traffic Authority work with Woollahra Municipal Council and local communities to identify and implement traffic management strategies in advance before any toll is collected on the Cross City Tunnel, received from **Ms Moore**.

Surry Hills Bus Services

Petition praying for an urgent increase in the reliability and adequacy of Surry Hills bus services, received from **Ms Moore**.

Redfern Bus Services

Petition praying for an urgent increase in the reliability and adequacy of Redfern bus services, received from **Ms Moore**.

Sydney Harbour Bridge Toll

Petition requesting reversal of the decision to increase the Sydney Harbour Bridge toll, received from **Mrs Skinner**.

Spit Bridge Traffic Lanes

Petition praying that the House oppose the proposed addition of two extra lanes to the Spit Bridge, received from **Mrs Skinner**.

Kempsey and Macksville Pacific Highway Upgrade

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

Hornsby Shire Rail Parking Facilities

Petition requesting additional commuter parking facilities at railway stations in the Hornsby Shire, received from **Mr Tink**.

Underground Cables

Petition requesting that the House ensure that an achievable plan to put aerial cables underground is urgently implemented, received from **Ms Moore**.

Companion Animals Legislation Obligations

Petition asking that the House ensure that State Government authorities and local councils meet their obligations under the Companion animals Act, received from **Ms Moore**.

Graffiti Controls

Petition requesting further legislative changes to reduce graffiti on private and public property, received from **Ms Moore**.

Alcohol Sale Control

Petition praying for restriction of alcoholic beverage sales to existing outlets and reduction of opening hours, and that warning labels be placed on all alcoholic beverage containers, received from **Mr Face**.

Homeless Services Funding

Petition asking that homeless services funding be increased urgently and maintained until no longer needed, received from **Ms Moore**.

Albury Electorate Policing

Petition asking for police patrols in Dean Street, Albury, on Friday and Saturday nights between 11.00 p.m. and 5.00 a.m., received from **Mr Glachan**.

Surry Hills Policing

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

Eastern Suburbs Policing

Petition praying for increased police resources for the Rose Bay local area command, received from **Ms Moore**.

Kings Cross Area Policing

Petition praying for increased police strength for Kings Cross local area command and for uniformed police foot patrols, received from **Ms Moore**.

Redfern, Darlington and Chippendale Policing

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

GRAFFITI CONTROL (SPRAY PAINT CAN DISPLAY) BILL**Withdrawal**

Order of the day for the second reading discharged.

Bill ordered to be withdrawn.

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

Mr BROGDEN (Pittwater—Leader of the Opposition) [2.38 p.m.]: I move:

That General Business Order of the Day (for Bills) No. 12 [Crimes Amendment (Murder of Police Officers) Bill] have precedence on Thursday 5 September 2002.

Today I thank the Premier of New South Wales for putting sentencing back on the agenda. Today's announcement by the Premier is at best a catch-up with Coalition policy. Once and for all the Premier is Backflip Bob: the Premier who stood in this place and said the Labor Party would not bring in minimum sentencing. Today he has backflipped, and he has done so in fine form. The Coalition parties are the parties of compulsory sentencing. Labor is the party of clayton's sentencing. When it comes to sentencing and getting tough about sentencing in New South Wales, the emperor has no clothes. The bill that the Premier will seek to introduce today provides for the following, which I quote from the Premier's press release:

Under Labor's plan, judges will have to hand down the standard minimum sentence unless there are aggravating or mitigating factors that require a higher or lower sentence.

When the Liberal and National parties say "compulsory minimum sentencing", we mean compulsory minimum sentencing. When we say that a person should go to gaol for life for killing a police officer we mean that that person should go to gaol for life for killing a police officer. When we say that a person should go to gaol for 25 years for murdering somebody we mean that that person should go to gaol for 25 years for murdering somebody. When we say that a person should go to gaol for 15 years for gang rape we mean that that person should go to gaol for 15 years for gang rape. But that is not the case in relation to the Labor Party. The Labor Party, with its back-flip policy today, is trying to catch up on minimum sentencing. What does the honourable member for Liverpool think? Let us hear it from the left. We do not hear a word from the left of the Labor Party. Let us give the honourable member for Liverpool a dummy so that he can spit it out.

We have been waiting for months for the Labor Party's response. We know that members of the Labor Party have been out in the community polling and that they have been with Roozendaal working out how to respond to this issue. The best that they can come up with is standard minimum sentencing, which means that we can go under the minimum. There will be major differences between the policies of the Government and the policies of the Coalition at the next election. When we say compulsory we mean compulsory. When the Government says minimum it means that its judges can go under the minimum. Upon election in March next year the Coalition will ensure that real and tough sentencing comes to the fore in New South Wales.

Motion agreed to.

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

Mrs SKINNER (North Shore) [2.43 p.m.]: I move:

That the General Business Notice of Motion (General Notice) given by me this day [Integrated Maternity Services] have precedence on Thursday 5 September 2002.

My motion relates to the Government's intention to split maternity services so that some hospitals provide only antenatal, post-natal and gynaecology services, while all planned deliveries of babies occur at other hospitals. A report endorsed by the Minister for Health two weeks ago identifies the hospitals where that will occur. That report identifies the Blue Mountains hospital as one such hospital where that will occur. The people living in the Blue Mountains area want to know whether they will be served by a hospital that will provide only post-natal,

antenatal and gynaecology services. Will they have to go to Nepean Hospital—and it is difficult to get into that hospital—to receive those services? Where is the honourable member for Blue Mountains? His community has been giving him heaps because he has failed to address this question.

Where is the honourable member for Ryde? What is he going to do? Will his hospital be one of the hospitals where no babies will be delivered? The people who are living in Ryde want to know. They want to know what the honourable member for Ryde has been saying to the Minister for Health. Consumers who came to see me this morning want to know why the honourable member for Ryde has been so silent. Where is the honourable member for Wyong? Why has he been so silent? Why has he not gone to the Minister and asked him whether only antenatal, post-natal and gynaecology services will be provided at Wyong? I am referring to statements contained in the report to which I referred earlier. I refer also to comments in the draft proceedings prepared by the committee inquiring into maternity services, which states:

The GMTF is convinced that we need to embrace a model of care in which there are fewer maternity units in the greater metropolitan area.

That spells it all out. The Minister needs to identify those hospitals where no more babies will be born. I have sought an assurance from the Minister, but he has been silent on this issue. I will be visiting these hospitals and meeting with consumers and midwives. I will be saying to all mothers, "You have a right to know what is proposed by the Minister." As Professor Dwyer, deputy chair of the committee inquiring into health services said, it does not matter what health initiatives this Government proposes. They will come to nothing unless the Government addresses problems relating to nurses. These pie-in-the-sky proposals will mean that some hospitals will no longer be able to deliver babies. The Minister should come clean with the public and with honourable members.

Mr KNOWLES (Macquarie Fields—Minister for Health) [2.45 p.m.]: We can conclude this debate now rather than tomorrow by referring to a statement by the chairman—

Mrs Skinner: Point of order: We are not debating the motion now.

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

Mr KNOWLES: I refer to a statement by the chairman of the Greater Metropolitan Task Force, which states:

The report does not recommend the closure of birthing services at any hospital.

I am pretty sure that ladies from the Shellharbour Hospital Auxiliary, who are in the gallery, understand that better than anyone. That is one of the 22 metropolitan hospitals that will be receiving substantial upgrades to health services as a result of the terrific work done by the 500 doctors, nurses and ambulance officers to breathe life into our district hospitals. No hospitals are closing. Most health services will be upgraded. All hospitals agree on one thing: They are tired of this scaremongering by members of the Opposition. The Government's proposal represents a plan for the future. This Government will be upgrading every district hospital. Opposition members should not go on with this nonsense. This debate should be concluded now. I again quote for the record the statement made by Mr Wilson, chairman of the Greater Metropolitan Task Force:

The report does not recommend the closure of birthing services at any hospital.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 36

Mr Barr
Mr Brogden
Mrs Chikarovski
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 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, 52

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

Pairs

Mr Armstrong	Ms Harrison
Mr O'Farrell	Mr Markham

Question resolved in the negative.

Motion negatived.

QUESTIONS WITHOUT NOTICE**OASIS LIVERPOOL DEVELOPMENT**

Mr BROGDEN: My question without notice is to the Minister for Sport and Recreation. In light of allegations that Eddie Obeid met representatives of the Oasis project and the Bulldogs Rugby League Club, including Gary McIntyre and Arthur Coorey, in the Minister's electorate office, will the Minister detail for the Parliament any meetings, briefings or discussions he or his staff held or facilitated with any representatives of the Oasis project?

Mr IEMMA: As the member for Lakemba and Minister for Sport and Recreation, in both of those official capacities I have met Gary McIntyre on a number of occasions over the last few years. There has been nothing improper in any of those meetings. Any suggestion to the contrary is a baseless lie.

Mr SPEAKER: Order! I place the honourable member for Ku-ring-gai on three calls to order.

Mr IEMMA: As my colleague has already responded and mentioned on a number of occasions, any suggestion to the contrary or any such allegation should be referred to the Independent Commission Against Corruption [ICAC]. If members of the Opposition have any such evidence, I invite them to forward it to the ICAC.

Mr O'Farrell: Point of order: My point of order is relevance. It does not take the ICAC to decide, yes or no, was Eddie Obeid the Minister in the electorate office of the Minister for Sport and Recreation.

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

Mr BROGDEN: I ask a supplementary question of the Minister for Sport and Recreation. Was Eddie Obeid at any of the meetings he held with Oasis, yes or no?

Mr IEMMA: I have already stated for the Leader of the Opposition that I have met Gary McIntyre on a number of occasions in my official capacities, as Minister for Sport and Recreation and as the local member. They have been entirely proper meetings and any suggestion to the contrary is a baseless lie.

LEVEL CROSSINGS UPGRADE

Mr PRICE: Mr Speaker—

Mr SPEAKER: Order! The honourable member for Maitland is attempting to ask a question. Members should behave in such a way that everyone in the House is able to hear the question. If the Leader of the Opposition continues his present behaviour, the House will not be able to follow the normal procedure. I ask him to show some leadership in terms of decorum.

Mr PRICE: My question without notice is to the Minister for Roads. What is the latest information on level crossing upgrades across the State?

Mr SCULLY: The question by the honourable member for Maitland shows his considerable interest in level crossings. In January last year five young men were killed at a level crossing at Gerogery. That was a particularly tragic accident. I again take this opportunity to thank the honourable member for Wagga Wagga for his constructive and bipartisan role following that incident. He deserves all the credit due to him for his support to the victim's families and for his work in the community to upgrade level crossings. In March last year the Government announced a doubling of funding for level crossing upgrades to the tune of \$12 million over three years. The level crossing strategy committee has been particularly active under the chair of the Director-General of the Department of Transport, working with all the relevant agencies—police, the Roads and Traffic Authority [RTA], rail operators and local government.

I am pleased to advise the House today that there has been considerable progress in upgrading and improving level crossing across New South Wales. The Rail Infrastructure Corporation [RIC] has given me some information about the improvements in the numbers of fatalities, injuries and accidents. From 1990 to 1995 there were on average five fatalities per year at level crossings, 24 injuries and 33 collisions. Over the seven years from 1995 to July 2002 fatalities have fallen to approximately three, injuries nine and collisions 17. In the past financial year alone, the first full year of increased funding, those numbers fell to two fatalities, eight injuries and 14 collisions.

One fatality is one too many anywhere on our road and rail network and one fatality is one too many at any level crossing. I do not know how many honourable members realise how many level crossings we have in New South Wales. We have approximately 3,800 level crossings. That is a reflection of our history, starting with horse-drawn carts and steam trains. The difficulty is that communities continue to expect to have access across railway lines. We have moved from an age of steam trains and horse-drawn carts to XPTs and trains that travel up to 160 kilometres an hour. People travel at reasonably high speeds in motor vehicles with air-conditioning and stereos operating, and it is often difficult to see or hear and from time to time there are tragic consequences.

The only way to completely eliminate it is often impractical. That is, to close the level crossings completely from access. Over the past 12 months we have done that at 258 level crossings. They have been taken out of the equation. That cannot be done on anywhere near the number that require it. We have introduced a sophisticated computerised assessment process to look at the risk profile of each site and determine what its priority is for funding to make the site safer. In 2001-02, 31 upgrades occurred at level crossings. Examples are the Buninyong Road crossing and the Eulomogo Road crossing in Dubbo, the Orange Road crossing near Spring Hill, the McKay Street crossing in Macksville and the Angus Avenue crossing in Kandos. This year we are increasing the number. There were 31 last year and that will be increased to at least 48 crossings. This will occur at places like Old Bangalow Road and Bayshore Drive near Byron Bay and at crossings on Upper Burringbar Road, Young Road in Bribbaree, Portland Avenue, Marulan and Public Road, Henty.

That is in addition to the Gerogery upgrade that the Government has announced. Most of the funding for these rail crossings comes out of the rail budget but the RTA is increasingly taking a hands-on approach. The Gerogery money, which is in the order of about \$10 million for a grade-separated intersection, will be coming out of the roads budget. There will also be a grade separation at Metford Road, Metford, of which I know the honourable member for Maitland has been a keen supporter. The honourable member for Dubbo and his community will be pleased that for the Fitzroy Street crossing additional funding is coming out of the Rail Infrastructure Corporation. The community at Geurie put a strong case and it is getting some lights and boom gates.

Our upgrade program is generating both community support and sensible solutions for high-risk sites. For example, Fountaindale Road, Robertson, an area prone to fog, had a level crossing in a cutting, around a bend and through a forest. It was very difficult to see. The line is used by heavily laden freight trains that are difficult to stop at short notice. Last year we spent \$428,000 installing bells, lights and boom gates. I am advised that while the work was going on at the site motorists stopped their cars, got out and personally thanked the Rail Infrastructure Corporation staff and council staff for the work they were doing to make their community safer. The staff on site really appreciated that community feedback. I thank Wingecarribee Shire Council for what it provided in complementary roadworks and assisting RIC crews to do that work. More work always needs to be done on these things.

Mr Hazzard: It will take 60 years to cover 3,800 of them.

Mr SCULLY: I am happy to go to the bush with the honourable member for Wakehurst in about seven months time. I am happy to show him some of these sites.

[Interruption]

As well as the honourable member for Wagga Wagga, other members on his side of the House have been supportive and co-operative. I suggest the honourable member for Wakehurst refrain from making the sort of inane comments he has just made. This inane idiot opposite thinks that a site like Gerogery has the same status as any of the 3,800 sites. All of us other than the honourable member for Wakehurst who have an interest in this issue would realise that drivers have to take extra special care. I have witnessed some silly acts by drivers who, seeing a train is coming, take the risk of jumping over a level crossing. More often than not they make it, but I have asked the RTA to commence an increased awareness program so that motorists will take that extra special care near level crossings.

There is a role here for the Federal Government. We are making a difference but colleagues may not be aware that \$111 million is parked in a Federal Treasury bank account earmarked for New South Wales railway upgrades. It is just sitting there. I propose to write to the Federal Minister for Transport. I will be seeing him in about two weeks on a number of matters. I will be putting to him that those funds should be used for interstate track level crossings and certainly should be used where the national highway intersects with rail tracks at level crossings. There are 13 crossings where the national highway intersects with our rail track.

There are about 350 level crossings on the interstate track. Not even all that money would fix it and I do not think that the Federal Government would propose that all of it is earmarked for level crossings, but the Federal Government cannot park all that money in an account earmarked for rail expenditure and not put in its contribution. I will be telling the Federal Minister that the Federal Government has a role to play. We are doing what we can, and local government is working with us. To some extent, I have bipartisan support on this issue, but more work needs to be done and there is a role for the Federal Government to commit some of those funds for level crossing upgrades.

PUBLIC LIABILITY INSURANCE

Ms SALIBA: My question without notice is addressed to the Premier. What is the Premier's reaction to recent community comments about public liability reform?

Mr CARR: I know that the crisis in public liability has consumed the interest of many members on both sides of the Chamber, but the community response to the package I announced yesterday has been heartening. For example, the honourable member for The Entrance will vividly recall bringing a horse riding operator from the Central Coast to see me. The Managing Director of Glenworth Valley Horse Riding, Barton Lawler, said this about the package we announced:

I believe that the State Government has now done all it can reasonably be expected to do to solve this problem and the next step is up to the Federal Government. The horse riding industry is particularly grateful to the Government for its resolve and excellent handling of the issue.

I see that the honourable member for Murray-Darling is taking a keen interest in this matter. Our shared colleague in public service, the Mayor of Cobar, Councillor Lilliane Brady—she was an excellent host a week ago when the Cabinet held its meeting in Cobar—said:

This initiative recognises the different needs of country towns and cities ... I commend the Premier for thinking of us, and responding to a new situation in a thoughtful way.

The ultimate commendation comes from the proprietors of the Big Banana. Marie Rubie, wife of the owner, Kevin Rubie, said:

That's the sort of thing we've been looking for ... We've been lobbying for this for some time—finally someone has listened. It's great.

The Big Banana is great, and so is our package. The President of Australian Horse Riding Centres (New South Wales), Trevor Knowles, deserves to be heard. He said the reforms:

... will go a long way in ensuring that operators of horse riding establishments may continue to offer traditional horse related activities. The commonsense approach taken on this issue will benefit all operators.

We work hard and use all our experience on good public policy, and, as always, it is refreshing to get this appreciation and commendation. In a letter dated 4 September the Executive Member of the Outdoor Recreation Council of Australia [ORCA], John Norman, said:

The proposed amendments ... have addressed the major issues that those operating in the Outdoor Recreation, Outdoor Education and Community Recreation arena have faced.

The Chief Executive Officer of the State Chamber of Commerce, Margy Osmond, said:

The reforms will particularly assist those businesses providing outdoor recreational activities who have been the hardest hit during the insurance crisis.

I know honourable members from the Illawarra will be gratified that in a press release issued yesterday the Illawarra Business Chamber said:

The draft Bill is a win for commonsense and unshackles the community and business from the recklessness of a few.

An important member of our community, to be remembered more than ever in this time of drought, is New South Wales Farmers. The Government is proud of its co-operative working relationship with New South Wales Farmers. In a media release issued yesterday New South Wales Farmers said:

In taking the lead, the [NSW] Government has brought back into perspective the public liability responsibility that has been exploding out of all proportion.

That is the farmers of New South Wales endorsing the Government's package. It is nice to get a response from regional media, as acutely interested as they are in what happens to community-based activities. I note that the *Dubbo Daily Liberal* stated:

Liability reforms would "protect our way of life"

That is what I said yesterday. It is appropriate that the *Dubbo Daily Liberal* quoted me. The *Wagga Daily Advertiser* stated:

Liability reforms to help groups ...

The Tamworth *Northern Daily Leader* stated:

Insurance liability reform embraced.

The *Northern Star*, which is the paper of the honourable member for Lismore, states:

A raft of groups and individuals will have greater protection from public liability claims under stage two of the NSW Government's liability reforms.

And that is the way it goes. In what one might describe as an avalanche of endorsements, it is nice to get one that I treasure above all. The assistant Federal Treasurer, Senator Helen Coonan, said that the co-operative working relationship between Premier Carr and Prime Minister Howard on this issue was exemplary and "one of the great success stories of public policy". That is interesting, is it not? Like everything, nothing beats policy success. On the Howard Sattler program on 3 September Senator Coonan added:

In fact NSW has been a bit out ahead of the pack ... I think we have to give the NSW Government credit for recognising the problem and taking some very tough decisions.

That is an honest assessment because we have been working with the Federal Government and the other States to get on top of this problem and solve it. It is all about reducing the culture of litigation and avoiding the

Americanisation of the New South Wales legal system. We do not want that to happen. One insurer, Suncorp Metway, has already announced that it is coming back into the public liability market because of tort law reforms in this State. It has also announced that some of its products will be available only in New South Wales because of our stage two reforms. This is important because the biggest threat to this area was the absence of any public liability product and the withdrawal of cover from these activities.

For example, the organisers of the Wellington heritage fair complained that they simply could not get cover. We now have a major insurer re-entering the market, providing precisely the cover that was withdrawn in the context of this general insurance crisis. I am aware that at least one other insurer is also preparing to re-enter the New South Wales market but only because, in the words of the Senator Helen Conan, with whom we have worked closely, "We have been prepared in this State to take some hard decisions and not sit back and wait until the Federal panel has completed its work." We have worked to make our legislation available for public comment, assuring investors in this area and contributing to what will be—no doubt it will take some time—a stabilisation of the insurance market.

I am sure the debate on the second reading of the bill in this House will be very good. The bill is the biggest re-write of the law of negligence. To focus attention on it, and to feed the curiosity of honourable members and provide them with the most expert assessment of how the law has developed and how it should develop in the future, I propose to consult the House about inviting perhaps four outstanding experts in the area of negligence law to address the Chamber before the House formally sits one day to talk about the detail of the law, on which members will want to draw. This is the biggest re-write of negligence law in 70 years, and it should be taken seriously by the Chamber.

It is not often that we set about restructuring a whole body of law. But I think honourable members will agree with me that the response from all parts of the community to our legislative initiative has been gratifying. People who have their family investment in a horse riding establishment on the Central Coast, people who run tourist operations, and communities who, in my words and the words of the *Dubbo Daily Liberal*, want "the Australian way of life to continue" with surf carnivals, country shows, and Anzac commemorations, all support this initiative. Good policy is its own reward, but when it is endorsed as widely as this has been, it is all the more gratifying.

OASIS LIVERPOOL DEVELOPMENT

Mr SOURIS: My question without notice is directed to the Minister for Land and Water Conservation. How do you explain the conflict between a statement from the Premier's office this week that approval has not yet been given for the transfer of Crown land for the Oasis project at Liverpool and the fact that work has already started on the basketball stadium?

Mr AQUILINA: There is no ambiguity and there is no conflict. The Premier was absolutely correct in what he said, and I can give some detail about that. The transfer of Crown land at Woodward Park to Liverpool council has been the subject of protracted negotiations between the council, the Premier's Department, and the Department of Land and Water Conservation. Having regard to the Crown Solicitor's advice, the New South Wales Government would only consider the transfer to council of the Crown land required at Woodward Park on five conditions. The Government wrote to council in January to advise it of those five conditions.

The conditions were that Liverpool Council must produce a sound business case for the development; Liverpool council must demonstrate to the Government that the entire project is funded and that a timetable for completion has been accepted; the Government has to be satisfied that the arrangements are within the terms and spirit of the competitive stadium provisions of the Stadium Australia Project Agreement; consideration of the transfer of Crown land must be subject to the payment of the market rate for the entire land to be transferred to council; and the Department of Local Government is to be satisfied that the intentions of Liverpool council in relation to the future of the subject Crown land are in accordance with the provisions governing the operation of local councils. The Department of Land and Water Conservation has advised Liverpool council that, provided these conditions are met, the most appropriate method for the transfer of the Crown land would be by compulsory acquisition by notice under the Land Acquisition Just Terms Compensation Act 1991. Transfer of the land required by the council would be at full market value as determined by the Valuer General's office.

CONSUMER PROTECTION

Mr STEWART: My question without notice is to the Minister for Fair Trading. What is the Government's response to community concerns about dodgy door-to-door salespeople in Sydney's southwest?

Mr AQUILINA: I know that a lot of members opposite are involved in doorknocking at the moment for various reasons, but I am also aware of a number of door-to-door sales scams that are now being vigorously investigated by the Department of Fair Trading. Household in Greenacre and some other areas of Sydney's southwest are being duped by unscrupulous water filter sellers peddling phoney water quality tests. One scam involves a door-to-door con artist offering in-house water testing. I would like members to picture the scene. The con artist knocks at your door and says that a water testing program is being carried out in your area. Lucky you. The con artist takes a sample of your water. He then places a pair of electrodes into the water and turns on an electric current. Surprise, surprise, in front of your eyes the water immediately turns into a brown sludge. The con man then offers an instant solution: a water filter system costing thousands of dollars to rid you permanently of your brown sludge. A classic con.

In another rip-off, a water filter company sent residents letters enclosing small glass vials. The letter said that a water quality test was being conducted in the area and they were asked to provide samples. A subsequent letter said that the water was contaminated and they would need a water filter fitted to their home. Some of the residents had even submitted bottled water for the test, so in that case the con man was caught out. These scams are currently under investigation by the Department of Fair Trading but I warn householders to be on the lookout for these con men.

This brings me to the bigger issue about general consumer protection laws. I am pleased to inform the House that today I released a major report covering the review of the State's flagship consumer protection legislation, the Fair Trading Act and the Door-to-door Sales Act. The Fair Trading Act provides a safety net for every consumer purchase made in New South Wales, from buying a cup of coffee to investing in a home or a car. The Act covers more than \$70 billion in consumer trade each year and provides for the prosecution and punishment of con artists who seek to cheat the consumers of New South Wales.

The Fair Trading Act was introduced in 1987 by the then Minister for Consumer Affairs, now the Premier, the Hon Bob Carr, and it has served the State extremely well. However, the Act needs to be updated to reflect changes which have occurred over the past 15 years. The legislation has been under review since 1998 by a special committee that has widespread representation from consumer and industry groups. The report contains a number of significant recommendations, including gaol terms of up to three years for shonky traders, and tougher penalties for traders who cannot prove the claims made in their advertisements. Habitually deceptive traders should be banned from doing business in New South Wales. It also bans door-to-door selling and telemarketing between the hours of 8.00 p.m. and 9.00 a.m. seven days a week. I thank all of those who have taken part in the preparation of this review.

OASIS LIVERPOOL DEVELOPMENT

Mr D. L. PAGE: My question without notice is to the Minister for Land and Water Conservation. Further to his previous answer, and given claims that the Department of Land and Water Conservation agreed to the sale of Crown land as part of Al Constantinidis' original Stardome project—which has now been absorbed into the Oasis project—why have the terms of that agreement not been carried through to the Oasis project?

Mr AQUILINA: I covered that in my previous answer. My answer was comprehensive in relation to the transfer of the Crown land at Woodward Park to Liverpool council for this project. That is what the department has been dealing with and I told the House quite clearly and quite emphatically precisely the terms under which any transfer would be made.

SINGAPORE AIRLINES SERVICES

Mr THOMPSON: My question without notice is to the Minister for Tourism. What is the Government's response to the decision by Singapore Airlines to dramatically increase flights to New South Wales, and related matters?

Ms NORI: I am pleased to inform the House that Singapore Airlines has announced additional flights and capacity into Sydney. It will introduce eight supplementary flights before and after Christmas. That means an additional 2,650 seats. Obviously this is a very welcome development, which of course complements our efforts to revitalise the tourism industry following September 11 and the collapse of Ansett. The House has to understand the dramatic impact that has occurred since 1998: the loss of flights, and the loss of capacity into Sydney. In 1998 we had 13,257 flights into Sydney airport; in 2002 we have 12,907. Little of that decrease is related to September 11 or the collapse of Ansett, although some of the reduced capacity does reflect Ansett's collapse.

Although only a few European carriers fly into Sydney these days, there was a time at Sydney Airport when aircraft from Air France, Alitalia and Lufthansa German Airlines would be parked end to end. The decline represents 300,000 fewer available seats to enable people to visit Sydney. In other words, with current load rates, people are experiencing great difficulty in obtaining flights from Asia to Sydney and from Sydney to Europe because they are unable to arrange connecting flights to Asia. In 2001 the Sydney to London and Singapore markets grew by 8 per cent without any additional capacity being provided by the dominant operator, Qantas. As a result, those services are operating at very high load factors, and at those levels passengers are actually being turned away.

Part of this phenomenon can be explained by the global aviation market, which has experienced significant change over the past few years. Major changes have also occurred in the competitive dynamics of the industry, including increases in fuel prices, major currency fluctuations, and continuing downward pressure on yields—and all of those factors have reduced airline profitability. Generally, international airlines are no longer in a position to cross-subsidise uneconomic services to smaller markets to gain access to major markets such as Sydney. In Australia, the position of Qantas has strengthened considerably following the collapse of Ansett, with significant profitability being derived from domestic operations. A key part of the Federal Government's international air services policy to date has been the use of air rights in an attempt to attract international services to regional centres in Australia. The experience of the Emirates airline is an illustration of that policy.

Emirates airline has not been given permission by the Commonwealth to increase its services to Sydney, but it has been told it may fly to Perth. One wonders why. The airline wants to fly to Sydney seven days a week, and I have just told members of this House that the current capacity for transporting visitors to Sydney is down by 300,000. So why is Emirates being told it can fly to Perth but not to Sydney? There must be some bizarre logic at work within the Federal Government, but I cannot figure it out.

Let me inform the House of what Sydney is missing out on. Emirates cannot expand its passenger flights into Sydney without raising the current cap of four flights a week, but it estimates that if its capacity were increased from four flights a week to seven flights a week, its passenger traffic to Sydney would increase by up to 70 per cent. Based on existing load factors should that be achieved, Emirates could expect to transport approximately 28,000 additional passengers to Sydney in the next 28 months. There are of course other reasons why it would be good to have Emirates flying to Sydney more frequently. Obviously trade between New South Wales and the United Arab Emirates is increasing, and additional flights would mean that more freight could be transported in the holds of its large aircraft. Australia has lost considerable capacity in attracting tourists from the Middle East, as a result of the withdrawal of both EgyptAir and Gulf Air.

I make the point to the Federal Government and the New South Wales Opposition that the Federal Government received top dollar from the sale of Sydney Airport—and that is fair enough—but some of that money ought to come back to New South Wales and Sydney. Far be it from me to stand up for a large organisation such as the Macquarie Bank consortium, but I suggest that the bank would want to see some return on the investment it has made. More importantly, as everyone in Australia knows—except the Federal Minister for Small Business and Tourism Joe Hockey and the rest of the Federal Government—when it comes to tourism, if Sydney is doing well, the eastern seaboard and indeed the whole of Australia is doing well.

The Federal Government's recent action is the most short-sighted political tourism act that I have ever seen the Federal Government indulge in. If the Federal Government wants to see tourism improve in Australia, it must give Sydney Airport, and Sydney, a fair go. We must face the fact that Sydney Airport is operating at extremely low capacity and, as a result of the loss of flights over the past couple of years, is nowhere near the cap. My message to Minister Hockey and to members opposite—especially members of the National Party, who should stand by what I am about to say, if they have the courage—is that his extraordinary outburst yesterday served only to disparage the efforts of regional and rural Australia for the sake of trying to promote adventure tourism. Perhaps he should instead concentrate on trying to arrange more flights to Sydney to help all Australians.

INTEGRAL ENERGY ENTRY EXAMINATIONS

Mr O'FARRELL: My question is directed to the Minister for Education and Training. Given the Premier's repeated claims of improved literacy and numeracy among New South Wales students, how does he explain the revelation by Australian Business Ltd that the pass rates for Integral Energy's trade-based entry examinations in maths, English and data have fallen from 65 per cent in 1996 to just 19 per cent in 2001?

Mr WATKINS: With a new session of Parliament, we have a new Education spokesperson! For the edification of people in the public gallery, I point out that the honourable member for Ku-ring-gai has just been

appointed the shadow Minister for Education in New South Wales. Government members know the honourable member for Ku-ring-gai to be the Opposition's attack dog and bomb thrower, and there has been evidence of that over the past two days. Yesterday the honourable member was called to order four times and his behaviour in this House is absolutely frightening.

Mr SPEAKER: Order! There is far too much interjection from both sides of the Chamber. I suggest that the Minister confine his remarks to his answer to the question. I am fully aware of the past behaviour of the honourable member for Ku-ring-gai in the House.

Mr WATKINS: I am pleased that the boys and girls from Broken Hill have left the Chamber and will not observe his work. More will be said of the record of the honourable member at a later stage.

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

Mr WATKINS: The literacy results achieved by boys and girls in schools throughout New South Wales are outstanding. Any member opposite who gainsays that achievement or attempts to undermine it reveals that the Opposition is without substance.

Ms Saliba: Shameless!

Mr WATKINS: As the honourable member for Illawarra states, the Opposition is shameless.

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

Mr WATKINS: For the record, the literacy results among 15-year-olds in New South Wales lead the world. Why is that the case? It is because the teaching that is provided in our schools, from primary level to secondary level right throughout New South Wales, is outstanding. That is the result that counts in literacy performance, and that is the result that the people of New South Wales are most interested in.

NORTH COAST COFFEE INDUSTRY

Mr NEWELL: My question without notice is directed to the Minister for Agriculture. What is the latest information on plans to expand the New South Wales coffee industry?

Mr AMERY: At a time when rural New South Wales is in the grip of a drought which will have a severe economic impact on this State it is good to know that another member of Country Labor has asked a question relating to a rural issue. Honourable members would be aware that 82 per cent of the State is affected by drought, and there was a major debate about it yesterday. The Leader of the National Party has not asked me one question about the biggest issue confronting rural New South Wales. He did not even participate in the debate yesterday on the urgent motion. The honourable member for the Tweed, an unashamed supporter of agricultural industries, is a long-time supporter of the North Coast coffee industry. I often hear him talking about Carol coffee, one of a number of great products being produced in his electorate.

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

Mr AMERY: The unique climate and frost-free areas on the North Coast of New South Wales enable high quality coffee to be produced without the use of insecticides. Connoisseurs who have tested samples of local North Coast coffee both here and overseas describe it as mild to medium-bodied coffee with a distinctive flavour, having a fine combination of flavour, strength and aroma. New South Wales has the land and climatic conditions to produce up to 10 per cent of the coffee required in Australia. In the year 2000 the North Coast coffee industry was worth about \$1 million at the farm gate. However, horticultural experts with NSW Agriculture predict that by 2010 this farm gate value could rise to about \$20 million based on planned plantings and premium prices continuing for this high quality product.

This expansion is expected in spite of the dominance of overseas coffee in the local marketplace. The department's extension staff have been working with local producers, particularly in the areas of horticultural advice and irrigation efficiency. With coffee consumption in Australia increasing every year there is clearly room in the market for a locally grown product. It would be of interest to honourable members that almost all of this country's coffee—some 50,000 tonnes a year—comes from Brazil, Columbia, Mexico, Indonesia and central America. According to recent estimates, the New South Wales industry produces about 55 tonnes per year. There are about 130 small growers in New South Wales, mainly in the Tweed and the Northern Rivers areas.

About 80 per cent of the relatively small amount of New South Wales product is exported, mainly to Germany and Japan. It is obvious that more New South Wales consumers should be encouraged to try the locally grown product. Successful operation of a commercial coffee harvester—which, by the way, is designed in Australia—has heightened the interest in coffee growing in this country. The machine removes the high labour cost constraint of hand harvesting of the coffee crop. Major advances have also been made in processing mechanically harvested Australian coffee to produce a top quality product. With mechanical harvesting and processing technology now at the commercial production stage, there is a more sound basis for developing a commercial coffee industry in northern New South Wales.

Research has identified four varieties that perform best in the different microclimates of the North Coast. Yields and prices are currently attractive for small quantities of the product. But harvesting costs are the most important factor influencing the overall viability of this industry. However, hand harvesting can be viable for specialty niche markets such as organic coffee, choc-coated coffee beans and tourism. The New South Wales coffee industry has come a long way since the first plantations were established in the 1980s. Many smaller operations along the coast are producing premium product. A smaller number of large operations such as Byron and Zenfeld are also producing premium product. I encourage all honourable members and members of the public to assist the consolidation of that industry by specifically asking at their local supermarkets for New South Wales North Coast coffee beans. If it is not available they should ask about the New South Wales crop.

[Interruption]

When I visit the honourable member's electorate next week I will expect a cup of coffee from him. When more interest is shown in this product and more people ask questions about it people will become aware that New South Wales is the home of a substantial coffee industry.

Questions without notice concluded.

CONSIDERATION OF URGENT MOTIONS

World Cup Soccer Bid

Mr TRIPODI (Fairfield) [3.45 p.m.]: This matter is urgent because the Australian soccer community is still waiting for the Federal Government to come on board and support the bid for the 2014 World Cup. We must prepare ourselves. Australia has demonstrated its ability to host major events. The FIFA World Cup, the only jewel that is left, is one that we should pursue. It is urgent that we begin to stake our claim for the 2014 World Cup game.

Labor Party Fundraising

Mr O'FARRELL (Ku-ring-gai) [3.46 p.m.]: My motion is urgent because on 20 September the State Australian Labor Party is holding an \$11,000 a head fundraiser in support of its re-election effort. My motion is urgent because next month Eric Roozendaal, the General Secretary of the New South Wales Labor Party, has to furnish another return to the Australian Electoral Commission. My motion is urgent because if that return does not reveal the identities of donors to the State ALP, the people of this State will go to the election without knowing whose money is being used to support the re-election of Government members.

Mr Tripodi: What about Yabsley?

Mr O'FARRELL: I will respond to the interjection of the honourable member for Fairfield. The millennium forum, the vehicle used by the Liberal Party to raise corporate funds, has from the day of its inception revealed every donor. Every sponsored donor is listed on its letterhead. That is the difference between the Labor Party and the Liberal Party. Members of the Labor Party do not disclose their donors, but members of the Liberal Party do.

Mr Anderson: Point of order: The honourable member for Ku-ring-gai, who has already used two minutes of his debating time, has not yet addressed the matter of urgency. He is talking about everything and anything other than why his matter is more urgent than the matter referred to by the honourable member for Fairfield. I ask you to bring him back to debating why his motion is urgent.

Mr SPEAKER: Order! Obviously the honourable member for Ku-ring-gai will now address the reasons why his motion should have priority.

Mr O'FARRELL: My matter is urgent because the Labor Party is about to host a series of fundraising lunches costing \$11,000 a table, which is not a small amount. There is no guarantee that those donors will be disclosed. This week we saw the results of non-disclosure by Eddie Obeid and the backbench members who support him. The people of this State deserve to know—

Mr Whelan: Point of order: The honourable member is using his five minutes to try to defame as many people as he possibly can. Standing orders provide that honourable members must put forward cogent arguments as to why their motions are urgent. The standing orders do not permit an honourable member to debate the substance of a motion. The honourable member cannot defame anybody in this Chamber or any member of the public other than by way of substantive motion. The honourable member clearly is in breach of standing orders. I ask you to direct the honourable member to confine himself to the terms and conditions of standing orders. The honourable member should not use this motion as a veiled attempt to try to defame members of the community.

Mr SPEAKER: Order! The Leader of the House has made his point. The honourable member for Ku-ring-gai will address the issue before the House in the proper manner.

Mr O'FARRELL: For the benefit of Independent members—who are probably the only fair-minded people in the Chamber on these sorts of issues—in three sitting days time a State ALP fundraiser will be held. In six sitting days time the general secretary of the Labor Party is required to furnish a return to the Australian Electoral Commission. Unless that return reveals the people who are buying the \$11,000 tables at the fundraisers, the people of this State will go to the next election without knowing who are the friends of the Labor Party and they will not know which of Eddie's mates legitimately donates money to the Labor Party. What does the Labor Party have to hide? What is so hard about telling the people who go to its fundraising events? The honourable member for Blacktown holds a fundraising event in the Parliament every year. The Parliamentary Dining Room is filled to capacity. The honourable member for Blacktown has no problems revealing who comes to his fundraising events—

Mr SPEAKER: Order! The honourable member for Ku-ring-gai would be aware that the Parliamentary Dining Room is never used for fundraising events by any member of this Parliament.

Mr O'FARRELL: The honourable member for Londonderry has held well-attended functions, and he has no problem having the attendees' names published on the board outside. But that is not the case with the Labor Party. Why not? I suspect that events held this week in the upper House reveal why not: the Labor Party is not into disclosure because it cannot cope with who its friends are.

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

WORLD CUP SOCCER BID

Urgent Motion

Mr TRIPODI (Fairfield) [3.51 p.m.]: I move:

That this House supports Australia's bid to host the 2014 FIFA World Cup, and welcomes initiatives by the State Government to develop soccer in New South Wales.

The Sydney Olympic Games, the Goodwill Games in Brisbane, the 2003 Rugby World Cup, and the 2006 Commonwealth Games in Melbourne are all massive international undertakings and the right to host them all has been won by Australia. We are the country to which world organisations are turning to deliver major sporting events. Thanks to the best-ever Olympics, our credentials are now recognised throughout the world. As the Premier of Victoria, Steve Bracks, says, "We are winning these events because of our outstanding reputation." We showed we have the infrastructure, technical expertise and the dedicated volunteers to deliver the best-ever Olympics—the best not by an inch but by a mile. The annual Grands Prix, the State of Origin, the Rugby League and Australian Rules Grand Finals, the Bledisloe Cup and other rugby union test matches continue to confirm our management abilities.

This expertise was one of the key reasons why on 14 August the Premier, in conjunction with the Victorian Government, announced that Australia would bid to host the 2014 FIFA World Cup, the world's biggest single sporting event. The 2006 cup will be held in Germany, while the 2010 event has been designated

to Africa. I would like to point out that none other than the FIFA President, Mr Sepp Blatter, who attended Sydney Opera House for the announcement, immediately supported Australia's plan for a bid—as did every State and Territory government and Soccer Australia, who, as the nation's soccer federation, would officially present the bid. Why should these groups not support it? It is a very serious bid.

Australia has experience in hosting major international soccer tournaments. We have the necessary technical skill in soccer. In 1993 Australia hosted the FIFA World Youth Championships, and of course in 2000 the under-23 Olympic tournament. Our sporting infrastructure and technical expertise will continue to be improved with the hosting of major events, including the 2003 Rugby World Cup and the 2006 Melbourne Commonwealth Games. We are well positioned. To host a FIFA World Cup a country must meet a number of strict criteria, including proposed match venues. Stadiums, of which there must be eight to 10 in operation, for example, must be "all-seater" stadiums with a minimum capacity of 40,000. Australia is already well placed to meet these requirements, due in part to the legacy of the 2000 Olympics and Paralympics.

We have facilities like Telstra Australia Stadium and Aussie Stadium in Sydney, Melbourne Cricket Ground and the Telstra Dome in Melbourne, and Suncorp Stadium and the Gabba in Brisbane. These venues already meet FIFA regulations, are in the process of being upgraded, or would require small alterations to fulfil FIFA regulations. There are other issues that further enhance Australia's credentials. For example, night matches in Australia would be seen live on television, at prime time, in Asia, the world's fastest-growing television audience. The 2002 FIFA World Cup in Japan-Korea also showed that record television audiences could still be achieved when matches are shown live in Europe in the early afternoon.

China's first appearance at this year's World Cup attracted record television ratings. More than 330 million Chinese watched at least some part of China's game against Brazil. Australia's bid would not be disadvantaged by time-zone differences with the traditional football powerhouses of Europe and South America. We are not kidding ourselves. To secure a World Cup is a massive task—but so was winning the right to host the 2000 Olympics. The question must be asked: Why are members opposite so negative when it comes to Australian soccer? To use the current position of Soccer Australia as a valid reason not to support the bid is a cop-out; it is as simple as that. The official bidding process for the 2014 FIFA World Cup would not commence until 2006. Surely that is a realistic timetable for Soccer Australia to get its house in order. Over the past 12 months Soccer Australia has substantially reduced its debt and is in the process of implementing structural change.

In saying this, as the FIFA World Cup is the world's largest single sporting event, it would be preferable that any bid have the support of both State and Federal governments. That is why the Premier has written to the Prime Minister to ask him to bring on board an official intergovernmental working party is to continue work on an Australian bid to host the cup. It would be the forerunner to the establishment of an official bid committee along the lines of the Sydney Organising Committee for the Olympic Games. The working party would examine the full cost of staging the World Cup; Australia's preparedness to host the event, including stadium capacity; the structure, personnel and budget for an official bid committee; the need for any legislation and/or State-Territory-Commonwealth agreements; experience of recent hosts, such as Japan-Korea for the 2002 World Cup; and economic benefits to the Australian economy.

It is anticipated that the intergovernmental working party would comprise the Premiers and Chief Minister representatives from New South Wales, Victoria, Western Australia, South Australia, the Australian Capital Territory and Queensland, the Commonwealth Government, respective State and Territory major events boards, and Soccer Australia. The Opposition has claimed that we have hijacked the bid process. This is simply ludicrous. The reason that New South Wales is so keen on the World Cup—aside from our proven capacity to host the largest of events and the massive financial and branding benefits—is the simple fact that New South Wales is the home of soccer in Australia. There are more than 200,000 registered players in New South Wales. Queensland follows, with 50,000. And the popularity of soccer continues to rise. Almost 150,000 registered players in New South Wales are under the age of 16.

Soccer is now the most popular participation sport for Australian boys aged between five and 14. It is also the fastest-growing support for girls in the same age group. There are more than 820 soccer clubs affiliated with the three soccer organisations of New South Wales, namely the New South Wales Soccer Federation, the New South Wales Amateur Soccer Federation and the Northern New South Wales Soccer Federation. Each year soccer's participation rate grows by 4 to 5 per cent for boys and by 12 to 15 per cent for girls. Leading Socceroos, including Captain Paul Okon, Brett Emerton, Hayden Foxe, Lucas Neill, Mark Bosnich and the one and only, Fairfield's own, Harry Kewell, are all New South Wales products. That is why I move this motion in

the New South Wales Parliament today, and that is why kids across the State are lining up to sign the World Cup bid petition. I encourage all soccer clubs, players and fans to continue to do so. Let us get behind the bid and move away from the attitude that it is all too difficult. We have proved we have the ability to host the 2014 FIFA World Cup—it is as simple as that.

Mr STONER (Oxley) [3.58 p.m.]: There is no doubt that the Soccer World Cup is a huge international sporting event that brings massive economic benefits to the host country. There is also no doubt that Australia is extremely well equipped to host large international events of this type. I instance the Olympic Games, the Paralympics and the imminent Rugby Union World Cup. Soccer has become increasingly popular in Australia and New South Wales. There are 200,000 registered players in New South Wales, and 150,000 of those are aged under 16. Indeed, my son Beau has played soccer for both his local club side at Wauchope and the Oxley representative side. I am well aware of the popularity of soccer amongst young people. Indeed, I have helped by setting up goal posts, washing jerseys, and so on.

The level of performance of Australian players is improving, with international players like Harry Kewell, Mark Bosnich, Mark Viduka, Paul Okon, Brett Emerton, Hayden Foxe, Lucas Neill, Marco Bresciano and more than 100 Australians playing in some of the world's best leagues in Spain, England, Italy, Germany, France and the Netherlands. The Australian World Cup side has done particularly well, especially in 1998, as have the Australian youth teams. I instance the performance of some of those sides. In the under-17 world championships the Australian side were runners-up in 1999 and quarterfinalists in 1991, 1993 and 1995. In the world youth under-20 championship, the Australian team were semifinalists in 1991 and 1993 and quarterfinalists in 1995, and in the under-23 Olympic tournament at the 1992 Barcelona Olympics the Australian side were semifinalists. Australia is well and truly up there on the international stage with its soccer performances.

In relation to a bid for the Soccer World Cup for 2014, the question is whether Soccer Australia is ready to bid for that event. The other question is: Why now, after the Labor Government has not bothered for the past 7½ years to bid for major events? I instance only \$1.675 million spent by the Department of Sport and Recreation since 1995-96 on staging international events in New South Wales. Compare that to Victoria's budget for bidding for international events of \$45 million per annum. This bid has all the earmarks of a publicity stunt by the Premier in the lead-up to next year's election. The announcement was timed to appear in Sunday morning's papers. There had been no communication whatever with the Federal Government or the Prime Minister. On 5 August, the day after the Premier's announcement, the Prime Minister said:

Countries host World Cup soccer events, not states or cities. I actually knew about it when I picked up the Sunday papers. It had all the hallmarks to me of a Sunday political stunt rather than a serious attempt to help soccer. Look, the Federal Government's very committed to helping soccer in Australia and we think it's got a great future. It has very strong grass root support, especially amongst the young, and I think we have to sort of crawl before we walk in relation to things like international bids.

... if you're serious about mounting a bid like this you don't try and steal the PR marks. You sit down and work out with everyone involved. And Mr Blatter has made it very plain to me this morning that FIFA's not interested in bids that don't have the full involvement of the national government. So my advice to Bob Carr and Steve Bracks is that if you're serious lets help Soccer Australia get its act together and when that occurs then let all of us sit down and work out how best we can promote Soccer Australia as a potential host at some time in the future for an event of this magnitude.

The Federal Government supports a future bid but it also would like to see the proper processes followed and it would like to see a bid that has the involvement of all the stakeholders. It would like to see a bid that is professional, convincing and comprehensive so that we do not prejudice our chances to host the event in the future. The Australian Sports Commission would need to be involved and co-ordinate the bid because, as the Prime Minister pointed out, the Soccer World Cup is awarded to a nation, not to a State. There was also no consultation with the head of Soccer Australia. If there had been, the Premier would have been told that Soccer Australia wants to get its own backyard in order. He also did not speak with Nick Greiner. I shall read what Soccer Australia chairman Ian Knop had to say.

Mr Tripodi: You are not quoting from my press release, are you?

Mr STONER: No, I am not. Ian Knop said:

Soccer Australia will only participate in future bids for the FIFA Confederations Cup and World Cup if they are endorsed and supported by the Australian Sports Commission and the Federal Government.

However, since I became Chairman, I have sought to involve the Australian Sports Commission in our game, and they and the Federal Government must be part of any future bidding process.

The Federal Government and the Australian Sports Commission have been extremely supportive of Soccer Australia in recent times and we are planning many new initiatives in co-operation with them.

The Australian Sports Commission needed to be involved, as did Soccer Australia. If Soccer Australia is not ready to develop and mount a convincing bid, it would be detrimental to Australia's future prospects to host the Soccer World Cup. Surely it is better to wait and prepare a comprehensive and convincing bid when Soccer Australia is ready and has sorted out its internal affairs and when the other players are fully involved in the bid. Clearly the announcement by the Premier was a stunt designed to attract the maximum publicity in the lead-up to the election.

I ask why the Minister for Sport and Recreation was not present on the harbour cruise with the FIFA president for that grand announcement? Clearly the Premier wanted to co-ordinate a stunt. There was no involvement by the Minister for Sport and Recreation and the Department of Sport and Recreation. This was hatched at the last-minute, designed to hit the Sunday morning newspapers. I believe the honourable member for Port Macquarie was there. I do not know why he was there when the Minister for Sport and Recreation was not.

The Opposition does not oppose a bid to host a future Soccer World Cup. It would like to do everything it can in conjunction with Soccer Australia to enhance the sport of soccer in New South Wales. However, the Opposition believes that all stakeholders must be involved in the bid. Soccer Australia and the Australian Sports Commission must fully support it, and the governments must work together instead of indulging in political grandstanding. This needs to be a unified, bipartisan bid if we are going to enhance Soccer Australia's reputation internationally and lead to the staging of a future World Cup in Australia, with all the benefits that would bring to the country.

Miss BURTON (Kogarah) [4.07 p.m.]: What a contribution by the honourable member for Oxley! I do not think all the little soccer kiddies out there would be very impressed to hear the honourable member for Oxley say that this was just a political stunt. This bloke, the regular nooner, woke up after lunch and missed the boat, so to speak. If he had been awake prior he would have realised that Soccer Australia was not only involved in organising this announcement for the bid but was there on the day, as well as Nick Greiner. The honourable member would not know that, because he was asleep at that time of day. I can inform him that everyone was involved and everyone was there except for the honourable member, because he was snoozing. What a snoozing speech the honourable member made. Of his 10-minute speech, he spent four minutes quoting the Premier's release, and another four minutes quoting the Prime Minister's release. The only thing the honourable member said off his own bat he got wrong. Nick Greiner was at the launch. The honourable member's contribution was an absolute disgrace. It is obvious to me that he was dreaming.

On top of the World Cup, the State Government is investing in soccer in the long term. On the steps of the Opera House, when the plans for the bid were revealed—I know the honourable member does not remember that day very well—the Premier also announced that former Socceroos captain Mr Johnny Warren would chair a Premier's Socceroo task force, to report directly to him on initiatives to further develop elite soccer talent in New South Wales. Johnny Warren, regarded as Australia's Mr Football, has also taken up the position of the Premier's special adviser on soccer development.

Surely no-one is more qualified than Johnny Warren. The honourable member for Oxley would not know that; I hope he knows who Johnny Warren is. A former Australian captain, Johnny played in Australia's only FIFA World Cup appearance to date, in 1974. Joining him on the four-member task force is the Minister for Sport and Recreation, the Executive Chairman and co-founder of Westfield, Mr Frank Lowy, and the Chief Executive Officer of Soccer Australia, Mr Alan Vessey. The task force will examine the current Federal, State and regional sport institute soccer programs. The idea is to build on what is already in place.

[Interruption]

The honourable member for Oxley has no credibility; he is a nooner. He should be quiet and listen to some information so that he does not make a fool of himself when he speaks in the future. Earlier the honourable member was carrying on like a moron. He should listen to someone who knows what they are talking about. The New South Wales Department of Sport and Recreation already provides support for soccer through the Sports Development Program, the Capital Assistance Program and the Regional Sports Facilities Program. We also have sports academies, specialist sports high schools and junior clubs. Make no mistake: These programs are producing results. For instance, Harry Kewell came out of a specialist New South Wales sports school, Westfield High School, which the honourable member for Fairfield also attended.

The job of the task force is to advise the Government on possible initiatives, such as the establishment of an Australian school of soccer excellence and a finishing school for elite young players and coaches; programs for the further development of elite young players; and attracting overseas youth teams to play in Australia. We want to take the advice of experts like Johnny and act on it. Over the past decade Australian youth teams have achieved some fantastic results on the international stage. The list is seemingly endless. In 1999 Australia was runner-up in the FIFA under-17 world championships; it was beaten on penalties by none other than Brazil. Australia also made the quarterfinals in 1991, 1993 and 1995.

At the under-20 championships Australia made the semifinals in 1991 and 1983, and was in the quarterfinals in 1985. Australia also made the semifinals at the under-23 Olympic tournament in Barcelona in 1992. The challenge is to translate these results at a senior level. That is what the task force is about. The most recent FIFA World Cup showed that it is not a pipe dream. The gap between the performance of the Asian teams in our region and that of the traditional powerhouses of Europe and South America is rapidly closing. Just look at our present talent! I commend the motion to the House.

Mr WEBB (Monaro) [4.12 p.m.]: I support the comments made earlier by the honourable member for Oxley. The bid to host the FIFA World Cup in 2014 is important for Australia and, indeed, for New South Wales. It is important also for soccer followers and soccer players. The FIFA World Cup is a spectacle watched by millions of people over a month, as we witnessed recently with Korea and Japan jointly hosting the 2002 FIFA World Cup. It is bigger than the Olympics. New South Wales satisfactorily held the Olympics in 2000, and it could host the FIFA World Cup some time in the future. However, the Government made an error when it politicised the so-called bid to host a FIFA World Cup in the future. Clear procedures are in place: hosting of the final games is awarded to a nation. First, it is necessary for Soccer Australia to make the bid on behalf of Australia. Then it is necessary for the States and Soccer Australia to work together on how to host what is an amazing spectacle. Hosting the numbers of team players and spectators coming to Australia would require a great deal of co-ordination. Obviously, Oceania deserves to host a FIFA World Cup in the future.

Mr E. T. Page: You want Fiji to host it, do you?

Mr WEBB: Don't kick an own goal, Ernie! Hosting the FIFA World Cup in Australia must be done in a co-ordinated fashion. The process must be depoliticised; it must go through the correct channels so that FIFA and the world have confidence in Australia's bid. It must fit in with the current plans by Africa and South America to host the next few rounds of games. As many people know, the FIFA World Cup is held every four years, and plans for hosting the cup must begin years in advance. No-one is denying the credentials of players, staff, coaches and former coaches, and the administrative capacity of Soccer Australia, to host the games. No-one is denying that Oceania and Australia should host the games, and that we have the capacity to host the FIFA World Cup, as demonstrated by the Olympic Games.

However, the way the bid has been made and the lack of consultation are questionable. Clearly, the Premier shot himself in the foot by making a bid for the World Cup out of turn and without necessarily taking into account the procedures clearly established in a football sport that has more participants than any other football code in the world. Australia's bid has strong support from soccer players, including juniors, and the people across New South Wales and, I guess, the nation. No doubt the Monaro Soccer Club, the Capital City Sons and others in Queanbeyan, and those in Canberra who successfully hosted soccer games during the Olympic Games, have the ability to host games. They would support a concentrated bid in the proper format by Soccer Australia, supported by the Federal and State governments.

The Coalition knows how to bid for large international events, having successfully bid for the Sydney Olympic Games. That needs to be taken into account. As I said, a co-ordinated bid is the only way to get this done. It is the only way that Australia can take its claim to the international soccer federation, FIFA, and ensure that our name goes on the list for a future World Cup, be it in 2014, 2018 or 2022. We need to look ahead. We must recognise that the Coalition's ability to provide a co-ordinated bid in a world context is the reason most interested parties would get involved. They would not go to the media loosely, talking to the wrong people at the wrong time. The Coalition has the ability to bring all those people together. That has been demonstrated by Ian Knop's great leadership and the Coalition's ability to help solve some of the problems Soccer Australia has faced in recent years. Clearly, our team and our country are capable. Let us co-ordinate the approach. [*Time expired.*]

Mr COLLIER (Miranda) [4.17 p.m.]: I am most pleased to speak in support of this significant motion. It is well accepted that New South Wales is the home of soccer in Australia, and when it comes to soccer in New South Wales the Sutherland shire is in a league of its own. The facts speak for themselves. The Sutherland Shire

Junior Soccer Association is the largest junior soccer association in Australia. It has more than 13,000 registered players, male and female, ranging in age from under six to over 35. The shire is also the home of the current national soccer champions, the Olympic Sharks. There is so much interest in soccer in the shire that we have had to find more fields to cater for future local growth in the sport. Now there is even talk of an over-45 men's competition in 2003.

Kids and families I have spoken to in the shire all say the same thing: We want to host the FIFA World Cup in 2014. The Sutherland Shire Junior Soccer Association has thrown its weight behind the bid. The association's president, Mr Jack Bird, is quoted in the *St George and Sutherland Shire Leader* of 27 August as saying, "Getting the world cup would be the best thing that could happen for soccer in Australia." Jack is right. The shire is 110 per cent behind the New South Wales-led charge for Australia to host the 2014 FIFA World Cup. On 22 August, with the Premier, I launched a local petition calling on the Federal Government to get behind Australia's bid for the 2014 cup. The Premier and I were joined by Mr Jack Bird, as well as three local junior soccer players—Bryce, Justin and Andrew—who were dressed in their club strips.

Bryce Cartwright plays in the 13As for the Sylvania Heights Youth Club. His parents, Janine and Paul, are great supporters of the Heights. They also attended the launch. Bryce's team won the association's award for the most improved team this year and Bryce's dad still plays soccer. Justin McHugh plays soccer in the 12Cs for the Miranda Magpies, one of the foundation clubs of the shire. This year, along with the association, the Magpies celebrate their fiftieth anniversary. Justin's mum and dad, Tracy and Colin McHugh, are great supporters of soccer and attended the launch. Their work is typical of the hard work of the parents and supporters who help to ensure the success of the local soccer clubs in the Sutherland shire.

The third player at the launch was Andrew Hajittofi. Andrew lives next to me at Kareela and plays soccer in the Sydney Youth League. He and his family are strong Olympic Sharks supporters. Rarely a day goes past when I do not see or hear Andrew and his brother Angelo kicking a soccer ball around in the backyard at Kareela. They reluctantly stop practising only when it is too dark to see or when their mum, Lisa, calls them in for dinner. That is typical of kids in the shire: they are mad keen on soccer; they continually practise their skills and cannot wait to get out on the field. It is not only the kids who play the game who are mad keen on soccer in the shire. Plenty of players in their forties and fifties are still going strong. One member of my own team, the Miranda Magpies 35Es, has been playing soccer for 40 consecutive years. There is plenty of talent amongst the parents. I even discovered that Andrew's dad, George, who is now coaching the kids, played professionally for Sydney Olympic in the 1980s.

On 24 August I had the privilege of presenting awards after the 14As grand final at the association's headquarters at Kareela. This sensational match between Lilli Pilli and GyMEA United went into extra time. It was full of excitement and drama and it typified the world game that is soccer. Soccer was the winner on the day. Shark Park is also home of the Cronulla Sharks National Rugby League [NRL] team as well as the Olympic Sharks. Recently, after their historic win in Perth, I had the privilege of attending the spontaneous celebrations at the Sharks rugby league club, together with leagues club president, Barry Pierce, and 3,000 fans of all ages. The atmosphere was electric and full of extraordinary enthusiasm—not only for the players and team but for soccer itself. The fans and supporters in the shire are extremely keen to support the petition that has been circulated around a number of grounds.

Sydney hosted the best Olympic Games in history. There is absolutely no reason why we cannot host the best FIFA World Cup in history. Securing the 2014 FIFA World Cup is a goal that all Australians can support and there is no reasons why, with the support of the Federal Government, we cannot kick a great goal for Australia. Like many residents of the shire, I can see the Brazilian World Cup soccer squad kicking a ball around Cronulla beach in 2014 before a big match. Let's get behind this bid!

Mr TRIPODI (Fairfield) [4.22 p.m.], in reply: Government members are disappointed by the response of the Opposition. There has been only silence from the other side of the House. The Opposition cannot say whether John Howard and Canberra will support the bid. At the same time the Opposition knows that the bid will probably be unsuccessful if the Commonwealth does not co-operate with the States. The Opposition's problem was mentioned recently by Helen Coonan: New South Wales is leading the country in relation to public liability insurance reform. It is also leading the country when it comes to the bid for the Soccer World Cup. The Opposition and the conservative parties in this country are upset that they are following the agenda set by this State.

We are serious about this bid; we are serious about securing the Soccer World Cup. It was disappointing to read in the *Quirindi Advocate* of 14 August, the *Singleton Argus* of 13 August and the

Coonabarabran Times of 15 August that the Leader of the National Party had said that Australia did not qualify to play in the recent Soccer World Cup and is not likely to do so in the near future. What kind of leadership is that? What kind of inspiration is the Opposition providing to young people who want to see Australia play in the Soccer World Cup? Absolutely zero! And we get silence from the Prime Minister in Canberra. Why? Because the conservative parties are concerned more about the politics of the bid than about its success. That is the great shame that the Opposition has to live with.

Mr ACTING-SPEAKER (Mr Lynch): Order! The honourable member for Oxley and the honourable member for Kogarah will come to order.

Mr TRIPODI: We need to be united as a nation if we are serious about winning this bid. It has been claimed that Soccer Australia is not ready to launch a bid. We have four years to get Soccer Australia ready to do that. Honourable members cannot tell me that an organisation with the combined resources of the Commonwealth and the States behind it is not able to prepare a serious bid in four years. That is a ridiculous claim made by the Opposition. Soccer Australia is perfectly capable of getting its act together and being part of a bid for the Soccer World Cup. This bid is about providing inspiration for young people who love the game. The Premier has shown leadership on this matter, and Soccer Australia is involved. To claim that somehow there was no co-operation from Soccer Australia is wrong. The honourable member for Kogarah pointed that out. Nick Greiner and Ian Knop were at the launch. They wanted to see it happen.

The question is whether the Leader of the National Party wants to see it happen. Does the New South Wales Liberal Party agree with the Leader of the National Party? Is John Howard serious about preparing for this bid? They are the questions we have invited the Opposition to answer, but we have had nothing but absolute silence. We are serious about the bid and we are inviting the Opposition to be part of it. We should forget about the politics of it; there has been too much politics in soccer in this country. We should put in the resources and convince the Prime Minister to follow the leadership of the Premier in this State and get behind the bid.

Motion agreed to.

NATIVE VEGETATION MANAGEMENT

Matter of Public Importance

Mr D. L. PAGE (Ballina) [4.27 p.m.]: I welcome the opportunity to make a contribution to the debate on native vegetation management in New South Wales. The National and Liberal parties want a native vegetation management regime that is practical and workable. We generally support the objectives outlined in the Native Vegetation Conservation Act but believe that the Government has chosen an unnecessarily complex, intrusive, costly and highly regulated implementation model that is fraught with problems. I said as much when the native vegetation legislation was passing through this Parliament. Indeed, I indicated that we supported the principles contained in the legislation but we did not believe that the implementation arrangements introduced by the Government were appropriate. Accordingly, we voted against the legislation in both Houses.

The recent independent report by the Auditor-General has confirmed many of our concerns, and I intend to refer to that later in my contribution. The reaction of land-holders to the many draft vegetation management plans that are currently on public exhibition as we debate this issue reflects widespread concern about the impact of the legislation on them. That is a major problem for this Government and for subsequent governments because the land-holders are key players in native vegetation management, bearing in mind that 87 per cent of the native vegetation in New South Wales is on either privately owned or leasehold land. In other words, the land-holders are the real custodians. If I have one single complaint about the way in which the Government has gone about this exercise, it is that it has not involved enough of those upon whom the management plans will most directly impact to ensure that they have a sense of ownership of the plans.

The deprivation of land-holders of a sense of ownership is the major weakness in the management regime that has emerged in New South Wales. The genesis of that problem may be found in the decision in August 1995 of the Carr Labor Government to introduce State environmental planning policy [SEPP] 46, which effectively prohibited land clearing, except for some exempt categories. That was done without consulting any stakeholders such as the farming community, and the legislation destroyed the trust that had previously existed between custodians of native vegetation, the land-holders, and the Government.

The message received by landowners from the Carr Government as a result of that action was that the Government did not trust them, despite the fact that up to 40 per cent of landowners are involved in Landcare

groups and that the total catchment management arrangements that have been in place since 1989 have been supported by landowners. The landowners have a demonstrable commitment to sustainable native vegetation management, albeit with some exceptions. However, the tragedy is that the Government's message has been basically that it does not trust landowners, and since 1995 matters have gone pretty much downhill. Recently I went to Western Australia and was impressed by the relationship between the Government of Western Australia and land-holders.

That relationship is different from the relationship that exists between the Government and land-holders in New South Wales. That difference is explained by the strong sense of ownership in Western Australia of native vegetation management and salinity management problems, and by the fact that landowners have major input into the development of management plans. The Western Australian Government is not afraid to give landowners a position of strength on consultation committees, whereas landowners in New South Wales believe they do not have a voice in the preparation of plans. Clearly, that is not a desirable outcome, particularly when those who bear the greatest impact of management plans are landowners. Later in my contribution I will canvass some of the ways in which native vegetation management in New South Wales can be improved.

I turn now to comments made by the Auditor-General in his report entitled "Department of Land and Water Conservation—Regulating the Clearing of Native Vegetation". A number of stinging criticisms were made by the Auditor-General, an officer who conducted an independent, non-political evaluation. The Native Vegetation Act requires a native vegetation conservation strategy to be developed, yet the report notes that some four and a half years after the Act came into effect, that strategy has still not been announced. The Auditor-General believes that is an important matter. I am sure that the Minister will say that a strategy will soon be devised. However, even if that is true, it must be a tremendous source of embarrassment to the Government that four and a half years after the introduction of legislation that specifically provided for a strategy to be implemented, no strategy has yet been devised.

The lack of a strategy has created a major problem. It has caused a great deal of confusion for the committees that are endeavouring to formulate regional native vegetation management plans. It has also produced inconsistencies between plans. To illustrate the point I am making and for the benefit of the Minister, who may wish to take it on board, I cite the example of compliance. The issue is whether the onus of proof should rest on the defendant—that is, the farmer—or on the Government in determining whether a breach of the Act has occurred. Some of the plans suggest that a farmer will be presumed to be guilty unless he can prove his innocence; other plans suggest that farmers will be treated in the more traditional manner and regarded as innocent, with the onus resting on the Crown to prove guilt. Some plans are silent on the issue. I cite that example merely to illustrate the point that if a strategy had been implemented it would have addressed those types of issues and provided consistency throughout the State. In the report the Auditor-General also said:

In our opinion, the complexities and the lack of accountability have contributed to the present position, whereby a whole-of-government approach to the protection of native vegetation in NSW has not been developed.

The Auditor-General also makes the observation that, although the Department of Land and Water Conservation [DLWC] regards itself as the lead agency, in fact a number of other major players, including the Native Vegetation Council, the Environment Protection Authority [EPA] and the National Parks and Wildlife Service, also have a role. As a result the outcomes are unlikely to reflect a whole-of-government approach. The Auditor-General also said:

There are currently no objectives or targets to measure progress in conserving native vegetation. Only one, of a possible twenty-two regional management plans, has been approved since the Act commenced.

That is a particularly telling point because it is important in any serious discussion of native vegetation for the Government to determine where it stands currently and where it intends to go. The data shows that throughout this State roughly 35 per cent of the vegetation that existed prior to European settlement has been cleared. The rate varies from region to region. The bioregional analysis indicates that some districts have greater cleared areas and some other parts of the State have less, but it is important to concentrate on high-risk areas. Another interesting recommendation by the Auditor-General stated:

In our opinion, DLWC needs to... target those areas of highest risk in terms of the conservation of native vegetation and the protection of threatened species [and] consider self regulation for areas that are assessed as low risk by using an enforceable Code of Practice and arrangements for external audit.

In other words, more attention needs to be focused on areas needing greater levels of management, and the Auditor-General is suggesting that for areas in which native vegetation is a less important matter self-regulation

should be considered vis-à-vis a code of practice. I believe there is merit in that suggestion. The criticism made by the Auditor-General of insufficient targets is valid, but as this State embarks on a process of native vegetation management it is important to know where we started and where we are likely to be in five or 10 years time so that progress can be measured. If clear targets and a starting point are not defined and if monitoring is not undertaken, the achievement of objectives will be extremely difficult. The Auditor-General also said:

There is also a lack of comprehensive information about the status of, and changes to, native vegetation across rural NSW.

The Auditor-General's opinion reinforces the point I have made. The report also stated that in the development of a strategic approach, a strategic plan at a Statewide level is needed and that the absence of that strategic plan has meant that many regional vegetation management plans will have been developed without the guidance of a New South Wales strategy or targets. [*Time expired.*]

Mr AQUILINA (Riverstone—Minister for Land and Water Conservation, and Minister for Fair Trading) [4.37 p.m.]: At the outset I thank the honourable member for Ballina for drawing this important matter to the attention of the House. By and large his comments have been constructive. Obviously, I want to debate with him where the Government is coming from and where it is going in relation to native vegetation management. I point out that since coming to office almost seven years ago the Carr Government has made significant inroads through its natural resource management reforms. The fact that New South Wales is the first State in this nation to undertake a comprehensive review of native vegetation should be acknowledged. No doubt many people might claim that the review was long overdue, but this State was, nonetheless, the first to instigate a comprehensive review, and I am proud that New South Wales continues to lead the way in native vegetation management in Australia.

The Government embarked on native vegetation reforms in August 1995 and is now well into the implementation phase. The Native Vegetation Conservation Act was introduced in January 1998. Honourable members would be aware that the community-government partnership approach fostered by the Act has enabled the Government to make progress through numerous initiatives which place New South Wales at the forefront of native vegetation management in Australia. The honourable member for Ballina referred to the Auditor-General's report which was released a few weeks ago. Significantly, the report recognises that native vegetation management is a complex and difficult issue, and that balancing environmental, economic and social considerations is extremely important. I welcomed the report when it was issued and I welcome it now. I made a thorough study of the report because I see it as a constructive report that will assist the Government in progressing this issue in the future. The report raises constructive issues that give us a sense of direction. However, it took a long time to compile and write and a lot has happened in that time. The Government has undertaken exhaustive community consultation to establish how native vegetation should be managed—an issue that has been accelerated as the weeks and months have passed. More consultation will be undertaken with farmers, local government, catchment management boards, conservationists, indigenous communities and others.

As I said earlier, I welcome the findings and recommendations contained in the Auditor-General's report. It is a constructive contribution which will improve the performance of the department. The report confirms the direction embarked upon by the department. Significant progress had been made in a number of areas that are highlighted in the report. The Auditor-General's report also emphasises the importance of having comprehensive information about the status of native vegetation across New South Wales. Some of the issues raised in the report must be addressed, and the honourable member for Ballina referred to the preparation of plans. The Auditor-General said in his report that, to date, only one of the 22 plans has been completed. However, a number of other plans are substantially advanced. By Christmas 10 more plans will be completed, and another four or five will be completed early in the new year. So a number of reports which have been developed over time will be completed.

Honourable members might ask why it has taken so long to complete those reports, and there are a number of reasons for the delay. As I said earlier, New South Wales is leading the way in the compilation of these reports. There is a continuing and increased need for community consultation as we reach the finalisation of these reports. We must win the confidence of the community and remember that there are different views in the community on this matter. We will be damned if we seek community consultation and we will be damned if we do not. If we speed up the process, impose time constraints, and try to stick to those time constraints without engaging in appropriate consultation, we will be accused of excluding those in the community who wish to have a say in the matter. The Government would then be accused of not gaining the confidence of the community.

I am determined to ensure that appropriate time is allocated for community consultation on these issues. All representatives in the community, irrespective of what aspect of the community they represent, must

have some input into these plans. The honourable member for Ballina asked me earlier why this process has taken so long. The information that was available to prepare these native vegetation plans was sparse. Over the past couple of decades the compilation of data on native vegetation and its detailed mapping was woeful. If we are to draw up comprehensive and meaningful plans we must take into account all the data that is available. The Government has allocated \$17 million to ensure that we have an appropriate and detailed mapping process in place.

Mr Fraser: We need more.

Mr AQUILINA: The honourable member for Coffs Harbour says we need more. "More" is akin to "the length of a piece of string". This Government has provided more funding than has ever been provided in the history of this State and other States. Over the past four years this Government has spent \$8 million on the detailed mapping of native vegetation. Another \$9 million will be allocated for that purpose over the next four years. When that process is complete this Government will have developed the most comprehensive and detailed native vegetation maps in this country. I acknowledge that more can be done and more detail can be included, but we must work with the data that we have.

An essential part of getting these maps right is gaining the confidence of the local community. Quite often members of the local community are the source of the information that is required. Much of the data that is required for the mapping of native vegetation has to be obtained with the co-operation of private land-holders, because much of the vegetation is on private property. If we are to proceed along that path we must gain the confidence of the land-holders. The Native Vegetation Conservation Act established the Native Conservation Advisory Council. As recently as last Thursday I had the pleasure of addressing that council at one of its country-based workshop meetings in Wellington.

Neill Inall, the Chairman of the Native Conservation Advisory Council—he was recently appointed for another three-year term—is leading a knowledgeable group of people with a wide range of views and interests in this matter. They are providing a positive input into this whole process of native vegetation planning. They are also providing assistance to the department and to me in that regard. I look forward to their contribution over the months and years ahead. The Auditor-General's report, which was positive, gave an account of what has happened to date. I am concerned about what is happening now and what should happen in the future. I again emphasise that we are rapidly gaining pace. One plan is already gazetted, another 10 will be completed before Christmas, and another five will be completed early in the new year. More significant consultation will be undertaken with various interest groups and more detailed data will be provided. [*Time expired.*]

Mr FRASER (Coffs Harbour) [4.47 p.m.]: When native vegetation legislation was first introduced communities were told that if they wanted a native vegetation plan all they had to do was ask for one. A month or two ago the honourable member for Ballina and I went to a meeting in Grafton that was attended by a few hundred people. I asked people at that meeting—primary producers and land-holders—whether they had requested a plan. No-one had been given a plan even though plans had been requested; and the plans that had been received did not represent what the community needed or wanted.

Those plans do not represent what the Government wants if we take into account the regional forest agreement [RFA] entered into by the Government. Under the RFA and the long-term wood supply agreements signed by this Government, 30 per cent of the timber supplied to fulfil those long-term wood supply agreements had to come from private properties. On 23 August the National Parks and Wildlife Service sabotaged the Clarence native vegetation plan. A letter dated 26 August from Mr Gaine Cartmill to the Minister states:

At the final meeting of the Group on Friday 23rd August members of the Group were devastated by a late submission from the National Parks and Wildlife Service member of the Group who did not attend the meeting.

This submission attempts to change not only the main content of the recommendations but also is a very late attempt to alter the definition of Rainforest, Riparian, under represented Vegetation Communities, High Conservation Old Growth, Rocky Outcrops, Heath and Scrubs and Critical Habitat.

I will read part of the submission of the National Parks and Wildlife Service. I ask the Minister to take note of this because he must understand the view of the National Parks and Wildlife Service on this matter. The submission stated:

Rainforest vegetation. NPWS does not endorse the current definition adopted from the Plantations and Reafforestation Act and defined as "any contiguous area of woody native vegetation dominated by rainforest species and with the rainforest structure" and has proposed an alternative definition...

So this government department, which supposedly is providing advice to the committee, has said it will not accept the definition recommended by the committee to be contained in legislation to be put forward by the Government. This department is providing advice to try to get an outcome on this native vegetation plan, but the department is saying it does not accept the definitions in the legislation and therefore wants to alter the definition in the native vegetation plans. That flies totally in the face of the Government proposal. The Minister should talk to the people of Richmond. Karen Smith, who lives in the Kyogle area, told me she found out about the plan only three days ago, although some 83 per cent of her 553-acre property will be affected.

A man rang to tell me that under the Richmond plan he will lose \$600,000 worth of timber from his property. He is saying the Government can have that timber, but he wants compensation for the value of the timber he will lose. I think the honourable member for Lismore knows Valerie Feros, who also rang me to say she is devastated by the plan. Some 400 people in the Kyogle area were contacted last week, and only two of them knew there was a native vegetation plan in existence. They are saying to me, to the honourable member for Lismore, and to the honourable member for Ballina, "Why have you not contacted us and advised us about this plan?"

I have read this plan, which is more than an inch thick. Not many members of this House have read the plan. I do not think the Minister has read it. Why is it not in plain English? Why is it not in a format which these hard-working people understand? Many of these people do not have daily newspapers delivered to their doors, in many cases they do not have television reception, and some in the upper areas do not even get radio reception. They are hearing about this plan more by accident and are not being advised about it. The Minister and the honourable member for Bathurst might laugh about the fact that those people do not have television or radio reception, but those people do not know that the plan is in the community. The plan should be shelved.

I am told that the period for making submissions on the Clarence plan will be extended until 20 September. But I am not aware of any extension of the period in which to make submissions on the Richmond plan, which concludes on 9 September. The Minister is indicating that there will be an extension of that period. These people want an extension of time beyond 20 September. I know that the Cabinet subcommittee is to meet on 21 September. I have a letter to the honourable member for Lismore from the Tenterfield Shire Council that says that council representatives have advised that the committee was not afforded the opportunity to review the Tenterfield document. That council is rejecting the plan. Communities throughout the North Coast and the Northern Tablelands are rejecting what has been put forward so far. The Minister claims to have consulted the community, but that consultation has not occurred. These people are desperate because they believe they will lose the use of their land and the livelihood they gain from it. The Minister has not allowed adequate consultation on these plans. [*Time expired.*]

Mr D. L. PAGE (Ballina) [4.52 p.m.], in reply: I thank the Minister and the honourable member for Coffs Harbour for their contributions to this debate. I should point out that a number of other honourable members would have liked to speak in this debate, but the standing orders did not allow that. They are the members representing the electorates of Lismore, Barwon, Murrumbidgee, Burrinjuck, Upper Hunter, Monaro, Orange, Myall Lakes and Northern Tablelands. I thought, in conclusion, I should read briefly from a paper sent to me by the Far North Coast District Council of the New South Wales Farmers Association, which has identified a number of concerns of all landowners in relation to the Richmond Regional Vegetation Management Plan. This paper and the concerns expressed in it are broadly representative of the sorts of concerns that people have been expressing right across New South Wales. The Far North Coast District Council of the New South Wales Farmers Association says, in relation to the regulations, exemptions, restrictions, standard conditions, advisory guidelines and so on proposed by section D, that the "management plan is overly complicated and difficult to understand". It says that the plan has an "unrealistic and restrictive definition of 'clearing'", pointing out that the definition includes thinning, burning, lopping or injuring native vegetation in any other way.

The district council says that the plan involves "additional costs and administrative workload to farmers". It says that the plan will result in a loss of land use. It is pretty obvious that it will. The council comments that the socio-economic assessment has not been done properly. The Auditor-General pointed to that fact. The district council says that the plan places on landowners a presumption of guilt until proven innocent—a complaint to which I referred in my earlier remarks. The council states that the incentives and compensation provisions are proposals only and that no funding is proposed to back up the incentives and compensation proposals. It says that the plan will lead to a devaluation of land. It will certainly do that through the provision of restricted use of land. It further comments that the category maps are not a guarantee of freedom to farm.

These sorts of concerns are being expressed all over the North Coast at the moment. It would be in everyone's interests if the Minister were to grant an extension of public consultation, particularly in relation to

the Clarence plan, on which public submissions will close on 20 September. That date should be extended until at least the end of September. The same comment applies to the Richmond plan and the Tenterfield plan. It is important that the Government give proper consideration to the submissions made on these native vegetation management plans. I understand that the Government is planning to gazette all these plans fairly soon after submissions are made to the Government. That gives me the impression that the Government is paying lip service to public consultation; that it will get the submissions and make a decision to gazette the plans a week, two weeks or a month later. How it can do that and properly assess what the public is saying about the plans, I would not know.

I would like to close by saying how the Coalition parties would do things differently. Under a Coalition government, the Native Vegetation Conservation Act will be one of a number of pieces of legislation that will be replaced by a more integrated, clearer and more practical Resource Management and Conservation Act based on the principle of sustainability. In the short term, however, we will develop and implement a new native vegetation management regime. The key differences between our approach and the current legislation would be that we would have more genuine community participation, more incentives, more education, more trust of landowners, less regulation and less prescription. We would have increased representation of primary producers on regional vegetation committees.

Only community members on committees would have the right to vote should a vote be required. That is, the agency representatives would provide advice only. The bureaucrats would be on tap, not on top. All community representatives would need to reside in the area to which a regional vegetation plan applied. Community consultation would be much more open and inclusive of those most directly affected by the legislation. Proper consideration of the social and economic impact of the legislation would occur at the local, regional and State levels. Committees would be provided with sufficient quality data to make informed decisions. We would increase the money available to retain and enhance native vegetation from \$2.5 million per annum under the Labor Government to \$15 million under a Coalition government. This would involve the payment of stewardship fees and other payments to encourage the enhancement of native vegetation. We would also provide for compensation where appropriate.

Forestry operations on privately owned land will be removed from the Native Vegetation Conservation Act under a Coalition Government and made subject to a separate audited code of practice, much along the lines of what occurs in Tasmania. In general terms, we want to build a trusting relationship between land-holders and government agencies—a relationship that has been destroyed by the Sydney Labor Government. We want a genuine partnership, based on a co-operative approach, not one based on confrontation and distrust. This is important if we are to achieve positive outcomes, because more than 87 per cent of native vegetation in New South Wales is on private or leasehold land. The Coalition would do things very differently. Our proposals would be much fairer than those being presented by the Sydney Labor Government. [*Time expired.*]

Discussion concluded.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2002-03: Take-note Debate

Debate resumed from 3 September.

Ms ALLAN (Wentworthville) [4.58 p.m.]: I appreciate this opportunity to comment on the Government's very successful budget, brought down in the last session. This morning I set the Parliamentary Library an interesting task: to go back through the media archives for the past couple of months and extract ministerial press releases on the budget. I was not much interested in the shadow Cabinet team, but I was interested in the former shadow Minister responsible for Western Sydney, the honourable member for Baulkham Hills. I wanted to find out also whether that honourable member put out a press release in his former shadow responsibility. Even though the honourable member for Baulkham Hills is no longer on the Opposition front bench and enjoying the privileges of that particular portfolio, he is still making public utterances on behalf of the Opposition on this very issue. In fact, last week's *Sydney City Weekly* published an extremely interesting outline of the Coalition's strategy on the 15 seats it will win in western Sydney over the next seven months in the lead-up to the next State election.

Interestingly, however, the honourable member for Baulkham Hills has not issued a press release on what has occurred in Western Sydney in relation to this budget. And I am not surprised, given the absolute

wealth of material produced by the Carr ministry on the budget. It was an outstanding budget. Virtually all Ministers took the opportunity, through the media, to promote to the community the great successes of that budget. I do not intend to refer to all of those ministerial press releases, but I wish to refer to a couple of issues that are of importance to my electorate of Wentworthville. As you know, Mr Acting-Speaker, given that you come from south-western Sydney, the electorate of Wentworthville lies between Parramatta and Blacktown. Technically, it could be called a mid-western electorate.

This year there were a number of budget highlights for the western Sydney region, particularly for the area between Parramatta and Blacktown. My constituency is very happy with the announcements that were made. Firstly I refer to the construction of a new CityRail commuter car park at Wentworthville railway station. The car park will be constructed during the next financial year as a result of an allocation made available in the Transport portfolio. The car park is way overdue, and I know it will be well used and of great benefit to the local community. I think it will be designed along the lines of the Seven Hills railway station commuter car park.

Major budgetary allocations have been provided for the Parramatta to Rouse Hill bus transitway, which has been a matter of concern for a number of my constituents. Major infrastructure projects often cause some dislocation. As the bus transitway will traverse under Old Windsor Road, a number of homes in my electorate will be directly affected. I think the dislocation may be somewhat greater for my colleagues representing electorates further west: the honourable member for Blacktown and the honourable member for Riverstone. Nevertheless, some 100 homes in my electorate will be impacted by the transitway. I congratulate the transitway consortia, which is working very hard along with members of the local community to ensure that the impacts are minimised.

The environmental impact statement for the Parramatta to Rouse Hill bus transitway will probably be released before the end of this year, and I look forward to that. Next year, after the necessary environmental planning processes have taken place, the construction of the transitway will begin. The transitway will provide a much-needed boost to transport infrastructure in my electorate. Funding was also allocated in the budget for continued improvements to the M4 and other major roads in my electorate. The electorate of Wentworthville straddles the Great Western Highway and the M4. Even though funding needs to be expended for improvements right along that expanse of highway and motorway, an important part of that infrastructure falls within my electorate, so I am pleased that funding boosts will be provided. Even though the development of that transport infrastructure has been of major benefit to Sydney's west, there is still traffic congestion on that road. It is important that we continue to improve that transport infrastructure to ensure that travelling distances and times are minimised.

During the past couple of years there have been increased allocations of expenditure in the Education portfolio, particularly for maintenance. A number of schools in my electorate are very old indeed and have needed a constant injection of funds to ensure that maintenance levels are adequate. In recent years much funding has been expended on new capital works. I am delighted that next Monday the Minister for Education and Training will join me at Northmead Public School to officially open the school's hall. Admittedly, the funding allocation came from a previous year's budget, but it is important to ensure that in the years to come we have the opportunity to share with our communities the joy they feel when their long-term goals for capital works are realised.

A matter in the Education portfolio that is even more directly relevant and current is the announcement by the Minister for Education and Training of a pilot program to consider the impact of smaller class sizes in the early years of education. Mr Acting-Speaker, no doubt you and other members of Parliament have received many items of correspondence from teachers and parents who are very concerned about the size of classes in the K-3 years. Having been a former union official with the teachers union as well as a public school teacher, and currently a parent, it is quite obvious that this is a major issue of concern. Interestingly, it has been an historic issue of concern. Even in the late 1970s and early 1980s infants teachers and primary school teachers were very concerned about class sizes in the early childhood years. Many campaigns were spoken about, and some were commenced, to try to focus the minds of educators and the people responsible for education funding on smaller class sizes in the early childhood years. Mr Acting-Speaker, I think your good wife is a primary school teacher, so I am sure you would know what I am talking about.

The teachers union, in conjunction with parents, has managed to direct its energies in a focused way into the campaign to reduce class sizes. In the old days it was very difficult to get these singular campaigns going because it seemed that too many educational priorities were being pursued at one time. However, I am delighted that the teachers union and the parents organisations have decided to target this area of education. It is overdue that we have smaller class sizes. No K-3 class should have more than 20 students, but unfortunately class sizes exceed that number in some areas of our State.

I welcome the Minister's announcement of the pilot program, which will examine these issues. Obviously the program will result in recommendations to the Government that class sizes be further reduced. Historically it has always been State Labor governments that have been concerned about these issues, and about working conditions for teachers and learning conditions for students. I am delighted that teachers and parents have decided that it is an absolute priority to reduce class sizes. I strongly support their campaign, and I congratulate the teachers. I was delighted to receive a batch of cards from the staff of Girraween Public School in which they indicated their strong support for the campaign. I was the school captain of Girraween Public School, so it is my alma mater. I look forward to the outcome of the pilot program in the current financial year. Hopefully it will enable the Government to plan for the reduction of class sizes in the following financial year.

The Health portfolio has been another beneficiary of this year's budget. When I was the member for Blacktown, Blacktown Hospital was in my electorate. The Wentworthville electorate lies between Blacktown and Parramatta and does not have a public hospital, but I have a whole community that looks to two major public hospital facilities, Westmead and Blacktown hospitals, for their health services. It is absolutely great that following the recent announcement about the future of greater western Sydney health services, Blacktown Hospital will have a much more dynamic role.

As a result of the increased funding that has been made available in the last State budget the Government has decided to establish a new discrete stroke unit at Blacktown Hospital. We do not like thinking about strokes dispassionately, but many residents in my electorate have had strokes as they have aged and they really need high standard and dedicated care. Under the Government's plan following the increased money made available in the budget, Blacktown Hospital will have 24-hour access to CT scanners, a designated four-bed unit, a specialist team of stroke experts and senior doctors and nurses to co-ordinate care, education and training. The unit will have experts quickly able to diagnose and assess stroke patients and will have access to the full range of diagnostic and rehabilitation services required.

Blacktown Hospital is fairly new. Although we campaigned to have it rebuilt when I was the member for Blacktown, it was not opened until after I left that electorate. Nevertheless, we have a brand new hospital at Blacktown, with a recent announcement of nearly \$3 million to improve medical services at both Blacktown and Mt Druitt hospitals. When I first saw that press release I hoped that it did not mean a lessening of commitment in Mt Druitt and that Blacktown was benefiting at Mt Druitt's expense, but I was delighted when I read more closely to see that both Blacktown and Mt Druitt, which is further west and not quite on my political radar these days, will benefit.

Westmead Hospital is the other great hospital in my electorate. It is the hospital where my son was born, and I am pleased that Westmead Hospital is going to have a strong birthing profile. That hospital also received a major boost in the recent budget. Westmead Hospital's breast centre, for example, was a particular initiative in the State budget, with \$2.3 million dollars being allocated to a new statewide service including research, education and breast screening programs and networking with multidisciplinary breast clinics at Westmead as well as at other major hospitals. We also received a boost for an ambulatory procedure centre, and the western Sydney strategy will bring a major upgrade in teaching services at Westmead Hospital.

Having grown up in the area and having spent most of my adult life in this district, it is so exciting for me to see money being spent where people live. I know, Mr Acting-Speaker, it has been a priority for you with your involvement at Liverpool Hospital. The days are long gone when Liverpool and Westmead hospitals were the ugly sisters, although that is not being very politically correct these days. That is from the fairytale *Cinderella*, in case the honourable member for Coffs Harbour has forgotten. Westmead Hospital has been there so long that we have to redevelop it. We have to continue to spend money to make sure that it lives up to the expectations of people in the community.

We have major initiatives in community outreach health services. The Department of Health has quite recently run a major campaign for free breast screening for women in Western Sydney. I congratulate the department on that campaign. The department would not be able to do it without the funds that have been made available. Direct mailing women of an age category who should be having regular breast screening is an excellent initiative. Health remains a major concern within the community, but at the same time I congratulate the State Government on its injection of money, such as the \$12 million for Westmead Hospital, to ensure that we keep getting the services we deserve.

The other great issue of importance to my electorate remains law and order. Again, I was delighted with the news, not just in the budget but in the various announcements that have been made in the past three

months, about the reorganisation and restructure within the police service, the continued guarantee of police services in my electorate and the increase in the number of personnel on the ground. Now it is not unrealistic to see police on bicycles patrolling the central business districts in my local area. That is not something we saw in the years of the Greiner Government. It was not even discussed. At that time all we saw from the police portfolio were desperate attempts to promote volunteers to fund police services, and police community buses being offered to active community groups and sustained through voluntary raffle activity and considerable goodwill. There was no financial support to back them up. We are now seeing increased police numbers. Last Friday there was another graduation from the Goulburn academy. At least a dozen new police are operating within my electorate, fresh from the Goulburn academy.

[Debate interrupted.]

BUSINESS OF THE HOUSE

Routine of Business: Suspension of Standing and Sessional Orders

Motion by Mr Aquilina agreed to:

That standing and sessional orders be suspended to provide:

- (1) that private members statements be deferred until the conclusion of the current debate; and
- (2) that the honourable member for Wentworthville be allowed to continue her speech for a further period of 10 minutes.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2002-03: Take-note Debate

[Debate resumed.]

Ms ALLAN: People disparage some of these young police because they think they are too youthful. We in Western Sydney welcome these young police because they give a wonderful balance with the more mature police who we fortunately still have in the service. The younger police are the ones who can relate to the more youthful population in Western Sydney. I am talking to the regional commander at present about improving services at Wentworthville police station. We run a 24-hour operation there but it is also a home to State Transit Authority police. I would like it to be used not just for CityRail transit police but for other police as well, in addition to those who are on duty to make sure it is a 24-hour-a-day station. We are seeing more police in Wentworthville and increased co-operation between the Holroyd and Parramatta local commands. In the first week of October a new policing and community team task force will be launched. That will focus our attention yet again on how we can identify needs in our community and how the police portfolio can more adequately respond to them.

I also congratulate the Minister for Juvenile Justice. We also received some improved juvenile justice service for older children, teenagers, in relation to various issues. There was a considerable increase in the amount of money available under the youth partnerships program. Several of those projects are operating in my electorate and I am delighted that those people will continue to receive funding. I would also like to speak about the increases in Western Sydney arts provisions that were made in the budget. It is difficult when looking at the arts in Western Sydney to link them to one electorate. I do not have a particular arts theatre group operating from my electorate but a number of people in my electorate are very interesting in the arts and they are absolutely delighted with the various projects that were funded. When this Government came to office sufficient focus was not being given to arts projects in Western Sydney. Under the stewardship of the Premier there has been a refocussing of the arts portfolio so that it looks at Western Sydney initiatives. Honourable members from the Hunter would probably say the same thing, that there has been a greater focus on regional activities. I am pleased that Western Sydney has been designated as an art support area and has received deserved funding.

Now wearing my hat as chair of the Select Committee on Salinity I refer to the Government's commitment to salinity made in the 2002-03 budget. When the Treasurer gave his Budget Speech in this Chamber he highlighted the Government's commitment to the battle against salinity, as he called it. He announced a further \$23 million under our nearly \$200 million six-year salinity plan. Of course, that is in addition to the money being provided in partnership with the Federal Government under the National Salinity Strategy. The Treasurer indicated that the New South Wales Government, together with the Federal

Government, would begin a seven-year reforestation program, which in itself is worth up to \$100 million. Interestingly, the Treasurer also highlighted the \$15 million allocated in the budget this year to save the Snowy River from terminal degradation.

In some ways it is good that there has been a break between the budget announcement on 4 June and the opportunity to comment on them on 4 September, because we can already see outcomes from the budget allocations. I was not present when the Snowy River started flowing again last week but I have spoken to people who were there. Indeed, I even heard a National member in the Federal Parliament talk about being there last week, and I have heard people from the Labor side of politics talk about being present last week at the Snowy River when the environmental flows were finally released. It was great to see the money being well spent and the Snowy River flowing again. Now we can see actual outcomes from funding allocations.

The Select Committee on Salinity is pleased with the money being provided by the New South Wales Government to tackle the salinity problem. Our particular brief is to ensure that the money is spent wisely and is being spent on matters within the general salinity issue that everyone is talking about. Salinity is a fairly complex problem. It has almost become a slogan in terms of support as the greatest Australian conservation issue that we need to address. The select committee has already produced several reports. The latest report is on the impacts of salinity on local government and how local Government can manage the issue. The committee suggested that local government will need a slice of the resources allocated by State and Federal governments to ensure that they manage the issue as effectively as possible.

Currently, the select committee is working on two reports. It would be great if we did not have to spend all this money on fixing the problem, and that the problem could be fixed in other ways. At present the committee is working on the aspect relating to business solutions and opportunities to address the salinity problem. We may be able to make it profitable for industries to fix the problem, which would enable governments to spend less than anticipated. That is the subject of one report. Another report relates to the Commonwealth's whole salinity strategy. When the Treasurer announced his allocations for salinity, they were part and parcel of the national campaign to address the problem. I do not think we are attempting to be provocative, but the select committee is analysing the Commonwealth strategy to ensure that it is well managed and well directed to all the issues that must be addressed by the moneys that have been made available.

In conclusion, the 2002-03 budget is a great budget. As I said earlier in my speech, the library is overflowing with the announcements made by relevant Ministers following the budget. The budget received excellent coverage both centrally and locally. I still have vivid memories of the Premier, during question time the day after the budget was delivered, referring to some of the wonderful headlines we received. It is important that we continue to remind people about these announcements. We are dealing with an increasingly critical electorate. People do not simply want to hear announcements about what governments will spend money on; they want to see outcomes. Often they want to be directly involved in planning the expenditure of money so that the projects that eventuate, whether for new roads, new rails, transitways, car parking stations or whatever, are things that they want, and for which they feel a strong sense of ownership.

Those needs make planning, development, management and delivering on outcomes more complex than ever before. Also, projects eventually become more expensive because their development involves many more factors. The budget has been delivered, and a number of projects are in hand. There have been great outcomes from projects that were funded in previous budgets. One example is Northmead Public School, which I look forward to visiting next Monday. Also, I look forward to the outcomes of the projects announced in the 2002-03 budget. I congratulate the Government. I think honourable members should make more positive comments about this issue because we are here to ensure that we meet the needs of people, that we provide the money to do so, and that we ensure that the outcomes are eventually successful.

Pursuant to resolution business interrupted.

PRIVATE MEMBERS' STATEMENTS

HORNSBY ELECTORATE TOY LIBRARIES

Mrs HOPWOOD (Hornsby) [5.25 p.m.]: This evening I am pleased to speak about a visit I made to Berowra Toy Library, which is a wonderful resource for the local community and is nestled at the rear of the

Community Health and Resource Centre along Berowra Waters Road. This type of organisation forms the matrix of local communities—the selfless donation of time by a group of volunteers to provide a necessary service that brings children great joy and fills a gap in relation to access to vital learning and recreation tools. I observed the activities of the toy library and it was encouraging to see all the volunteers hard at work on their specific tasks and the children thoroughly enjoying the experience. I was welcomed by the president, Kerry Feneley, and shown the premises, which consist of a medium-size room full of great toys and a more than adequate outdoor area for the enjoyment of younger visitors to the library precinct. There was a sandpit in the play area. The yard had space to add a storage shed, as well as some sort of cover to protect the children in rainy or very hot weather. That is a future plan.

Berowra Toy Library is a non-profit organisation run by 24 volunteer librarians and 12 committee members. More volunteers are actively sought for 2003. Educational toys, puzzles and games are loaned to parents, carers and their children for three or four weeks. On average, four toys only can be borrowed per member unless the member has five or more children, or is a community group, and wishes to take one toy for each child. Membership is a one-off payment of \$30, with a \$25 renewal cost. Temporary members and grandparents can pay a donation fee of \$5 to \$10, depending on the length of time the toys are borrowed. The library has about 150 members. Public opening hours are each Monday of the school term, excluding public holidays, from 10.30 a.m. to 2.00 p.m. and on the first Monday of every month, when committee meetings are held, from 8.00 p.m. to 9.00 p.m.

The work involved in setting up and maintaining the toys is complex and means many hours for the volunteers, setting up the database, cataloguing, sorting and tracking the toys, as well as making sure that the sets are complete and the toys are clean and in good condition. Other local volunteers help out with general maintenance work such as fitting shelves and other resource needs. Berowra Toy Library relies on Hornsby Shire Council donations for financial assistance. I will be working on finding grant and other funding options for the working costs of the library. A number of organisations also give money to assist with the financial needs of the toy library. To its immense credit, Berowra RSL Bowling and Community Club recently gave a generous donation of \$1,000 through the Community Development Support Expenditure Scheme. That scheme provides community groups with donations from five clubs in the area, and the money is derived from revenue from poker machine expenditures.

Noah's Ark Toy Library is another group offering services in the Hornsby electorate, and is a resource for children with special needs. It was established in 1976 and is located in Artarmon. Predominantly, it is a mobile service utilising a donated van that travels to Baulkham Hills, Cherrybrook, Ryde, Wahroonga and Thornleigh. Membership is open to any child with a special need, whether physical, intellectual or sensory, temporary or permanent. There is no age limit but the toys are generally suitable for the developmental age range of nought to six years. There is a huge demand for the toys and puzzles offered by this service. The aims are to provide a variety of quality toys and play equipment to assist the development of children, to give advice to parents and professionals in choosing and using the toys, and to support and encourage families and children while the children obtain the optimum development and skills possible.

Membership costs \$50 per annum, or \$90 for a group, and three toys, three books and three puzzles per family can be borrowed each month. Acquiring enough funding to meet the costs of the library is an ongoing challenge and one that requires almost constant attention. Money comes from straight donations and grants as well as from other sources including fundraising. I speak about these two invaluable community services because they do so much good in the local areas they serve but are often invisible as they go about their work. I look forward to keeping in close contact with these toy libraries. I admire the tremendous work put into them so that the service can meet the needs of our children. Access to a toy library provides enjoyment for children and is a much-needed asset for parents and carers.

LAKE MACQUARIE CLEAN-UP PROGRAM

Mr ORKOPOULOS (Swansea) [5.30 p.m.]: Lake Macquarie is dear to the hearts of the people who live around it, to more than 180,000 people in Lake Macquarie municipality and less than 10,000 people in North Wyong Shire within the Swansea electorate. Part of the process that has been going on over the past five to six years has been estuaries management, which led to the Premier's task force and the allocation of over \$7 million by the New South Wales Government over the past three years, with matching funding from Lake Macquarie City Council and some monetary contribution from Wyong Shire Council. A further allocation of \$3.9 million was announced by the Premier on 10 May this year, a decision welcomed by the people of Lake Macquarie.

Hunter Water has spent millions of dollars in upgrading sewage outfalls and water quality improvement systems in Lake Macquarie. I have been spending a lot of time in negotiations and discussions with various community groups regarding dredging. Dredging is a major issue in Lake Macquarie given the variety of water craft and marine craft that use the lake. The channel is not functioning. Many yachts and other boats run aground and the voluntary coastal patrol has to pull them off the sandbank that has emerged there. I had the pleasure of meeting, through the RRR Group—a community group that is concerned about the channel and indeed the entire lake—Mr Michael Chapman, a former CEO of the Waterways Authority, who was invited to address the issue of what he believed was the responsibility of the Minister for Transport in dredging Lake Macquarie and ensuring the channel was properly dredged. I refer to a response from the Minister, part of which says:

It is acknowledged that pursuant to Sections 24 and 25 of the *Ports Corporatisation and Waterways Management Act 1995* the Minister for Transport has a responsibility to ensure the safety of navigation in ports and other navigable waters and to provide, or arrange for, marine safety services in accordance with the marine legislation, including the dredging and maintenance of channels.

It is noted, however, that the responsibilities imposed are limited to those identified in the marine legislation and it would appear that the requirement to dredge and maintain channels is only relevant in relation to the Ports Corporations as set out in Sections 10 and 11 (a) of the *Ports Corporatisation and Waterways Management Act 1995*.

Put simply, the marine legislation limits dredging and maintenance responsibilities to those specified in the Operating Licences issued to the Ports Corporations pursuant to the *Ports Corporatisation and Waterways Management Act 1995*. This restriction is supported by the fact that Section 13N of the *Maritime Services Act 1935* limits the minister's dredging powers to areas within the vicinity of areas vested in him.

It is noted that your reference to the proposed amendment of Section 25 of the *Ports Corporatisation and Waterways Management Act 1995* in relation to dredging is limited to the port areas administered by the Ports Corporations as is currently the case. In view of this, in New South Wales the Department of Land and Water Conservation (DLWC) is the lead Government agency for dredging outside the port areas of Sydney, Newcastle, Botany Bay, and Port Kembla.

Therefore, DLWC is the authority to whom we must turn. The Lake and Catchment Coordinator, Jeff Jansen, has retained WBM Oceanics to investigate problems with the Swansea Channel and they have identified some short-term and long-term solutions. Whilst the draft report is yet to be submitted to the lake management committee, he has authorised half a million dollars worth of short-term works to be undertaken, with the \$3 million project being identified as a long-term solution. I have undertaken to ensure that the remaining \$2.5 million, half of which will have to come from Lake Macquarie City Council and half from DLWC, will be committed by the Government to ensure Swansea channel is properly dredged so that all marine craft can safely access the lake.

Mr FACE (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.35 p.m.]: This matter has been going on for probably some two and a half decades and I think it is a bit like *Blue Hills*; it has got to a stage where people are sick of hearing about excuses in what is a major waterway within the Hunter region, a tourist asset, and all of the other reasons that can be raised. Yet the channel is still silting up constantly and creating difficulties not only for entry to and exit from the lake itself but from the safety point of view. Does it take an inquest by the Coroner after a loss of life to eventually introduce sanity into the equation? Expenditure of half a million dollars is being touted as another short-term bandaid solution for what has been a long-term problem for at least the past 25 years or so.

Some \$3 million must be found to rectify the problem properly, based on proper engineering rather than the ideas of somebody who in the past said, "If we do it here or we move it from somewhere else this will overcome the problem". Money has been wasted there in the past. It is about time somebody came up with a solution in a proper engineering strategic way. The lake is a tourist asset. During the summer months many people using the coastal waterways stay in those areas for weeks on end and enjoy using the lake. It is an asset in terms of dollars and turnover for those who eke out their living on the lake by providing provisions and the like. I think it is about time somebody sat down and thought about it rationally. As the member for Swansea said, as did as his two predecessors—and even back as far as Harry Jensen, which makes it three—this work needs to be done. The honourable member has ventilated his frustrations here tonight.

RURAL UNDERTAKER SERVICES

Mr SOURIS (Upper Hunter—Leader of the National Party) [5.37 p.m.]: I bring to the attention of the House a matter which deeply concerns Merriwa township and district and also affects many small country communities. It relates to the issue of the transportation of a deceased person to the nearest hospital mortuary. I received a phone call at home late one night from Dr Peter Rawlings of Merriwa who was very distressed that he had just tried unsuccessfully to have a person who had died from cancer transferred from the person's home

to the local hospital at Merriwa. He was first refused by the local ambulance, which had on previous occasions performed this function. He was refused admission both centrally through the co-ordination unit in Sydney and also by the local ambulance staff, who informed the doctor that they were unable, as a matter of State policy, to attend a home for the removal of a deceased person and transfer them to the nearest mortuary as this was not part of ambulance policy.

The doctor also contacted the Scone police. There is no active police station at night at Merriwa and the call was transferred to Scone, about an hour's drive away. The Scone police informed the doctor that it was not their responsibility as the matter was not a police matter. So the doctor then contacted the Coroner's office and was informed that a recent re-tendering of the government contract for the Coroner for the performance of this particular task had been let. The contract had been an amalgamation of previous regions and the contract covering all of the Hunter and the Upper Hunter out as far as Merriwa was let to a firm in Warners Bay. Driving at a fairly fast pace, it would still take 2½ hours to get to Merriwa after receipt of notification, which is, of course, absolutely ridiculous. The contract had previously been held by local undertakers, and it was a nearby undertaker from Muswellbrook who was able to be contacted and who graciously agreed to come out to Merriwa, despite an hour's drive, to perform the undertaking tasks.

The incident has exposed an unfortunate development within the New South Wales Labor Government, an economic rationalist approach. That approach has not only centralised the bureaucracy but also created a remote bureaucratic approach to the delivery of government services in small country towns. Can honourable members imagine the plight of a family whose father and husband had died and who had to remain in the home for 4½ hours with the deceased, as occurred in this particular case, while a doctor frantically scrambled through a telephone directory for an undertaker? The doctor first asked the Attorney General's Department for help, then repeatedly asked the Ambulance Service for assistance, as well as the police. The doctor was almost forced to perform the undertaking tasks himself. That would have been even more humiliating for all concerned.

During a time of bereavement when families are most vulnerable, surely a government can show compassion rather than indulge in an outbreak of economic rationalism. I call on the Government again to consider authorising the Ambulance Service to perform undertaking tasks in small country centres that are remote and do not have a local undertaker or a contractor attached to the Coroner's office. Merriwa is a classic example of the bureaucratic approach taken by the Government to the delivery of essential services to remote areas. The Government should authorise the Ambulance Service to perform tasks that ambulance officers have performed in the past.

In relation to the incident to which I have referred, an ambulance officer would have taken approximately five minutes to reach the home. There would have then been a five-minute journey to the mortuary at the Merriwa District Hospital. If that service could have been provided on this occasion, a great deal of suffering would have been avoided for members of the family, the distressed doctor and the entire community. I am thankful to Mr Alex Mitchell for reporting this matter in the *Sun-Herald* recently, to the family of Anthony "Tom" Rawlinson of Merriwa, and to the doctor for his assistance and willingness to relay information on this matter in the hope that the Government will change its mind and sort out this predicament so that many other families in the future will not be aggravated, aggrieved and distressed by this policy. [Time expired.]

Mr DEBUS (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [5.42 p.m.]: At the outset, I offer my condolences to the Rawlinson family. The Coroner's Court at Glebe investigated the circumstances surrounding the removal of Mr Tom Rawlinson's body from Merriwa and reported that contrary to the claims made elsewhere and in this House by the Leader of the National Party, Mr Rawlinson's death was not a case for the Coroner. It would, therefore, have been inappropriate for the Government contractor at Newcastle to have collected Mr Rawlinson's body. The true account of this unfortunate incident does not have any bearing on the Coroner or on the Attorney-General's Department.

Mr Rawlinson died at his home at approximately 4.30 p.m. on 18 July. His doctor contacted the local undertaking contractor at Muswellbrook, who was unable to attend. The doctor then contacted officers of the Ambulance Service at Muswellbrook, some 80 kilometres away, but they were unable to collect the body. Police were also contacted but, again, because it was not a coronial matter, it was inappropriate for them to become involved. It transpired later that evening that the local undertaker was able to attend, and he was engaged to remove Mr Rawlinson's body. As I have said, I offer sincere condolences to the family of Mr Tom Rawlinson, but newspaper claims of major delays in the Government contracting out for the transportation of deceased people in the Upper Hunter electorate, allegations repeated by the Leader of the National Party, are plainly wrong.

DAPTO POLICING

Ms SALIBA (Illawarra) [5.44 p.m.]: I draw to the attention of the House the positive events that are taking place in my electorate this week. One of those events relates to a matter that I have raised in this House previously: a petition with 4,000 signatures seeking changes in the hours of operation of the Dapto police station. Approximately two years ago a decision was made by the then local area commander to change the hours of operation of the Dapto police station from 24 hours a day to a 12-hour span from 6 a.m. to 6 p.m., with an Eaglephone being attached to the outside of the police station for use at times when the station was closed. Last Monday afternoon after the local Police Accountability Community Team [PACT] meeting I and the local area commander, Superintendent Gary Hodsdon, announced that the police station would revert to 24-hour operation. I mention this matter because I do not believe that a restoration of 24-hour operation of the police station would have been considered but for the efforts of my community.

A committee of residents organised a community safety group within the Dapto area. The committee comprised representatives from two local high schools—Kanhooka High School and Dapto High School—the Dapto Business Chamber and the Wollongong City Council, as well as community representatives and the police representative, Danny Sharkey. At those meetings issues related to community safety in Dapto were discussed. I am thankful that the local area commander in my electorate took notice of the need for extended hours of operation at the Dapto police station and has been able to make changes that will allow the station to operate on a 24-hour basis. When Ken Moroney took over as the Acting Commissioner of Police, he stated that the first thing he wanted to do was review the operating hours and the closure of police stations, and examine police numbers throughout New South Wales.

I took up the opportunity offered by his announcement and wrote to him about the hours of operation of the Dapto police station and the number of police officers in the Lake Illawarra Local Area Command. At that stage the number of police officers in my electorate who were off work on long-term leave or on stress leave was higher than the State average. That was a matter of great concern to me. Last Monday I was pleased to welcome 17 probationary police constables to the Lake Illawarra Local Area Command, and I look forward to the next police recruitment intake in December. It was great to meet police officers of different ages, at different stages of their lives and with different life experiences who came from different backgrounds. But they had two features in common, namely, enthusiasm for their job and a commitment to providing a safer community. I note the presence in the Chamber of the honourable member for Wagga Wagga and I take this opportunity to thank him for his contribution to the debate on the hours of operation of the Dapto police station.

It was through a commitment to ensuring that the station would be reopened on a 24-hour basis that the expanded hours of operation of the police station have become a reality. I also thank the Minister for Police for his commitment to policing in New South Wales, particularly in the local area command in my electorate. The Lake Illawarra Local Area Command has been a trial area for a number of programs, and the latest infringement notices project is currently being trialled there. I am sure that the residents of my electorate will notice a significant difference in policing in the future. I am pleased to inform the House that the police officers in my electorate have demonstrated a strong commitment and have worked hard to provide a safe environment while simultaneously taking into account the needs and wishes of the community. A prime exponent of that approach is Superintendent Gary Hodsdon, who has been looking out for the best interests of Dapto. I thank him for his efforts.

BARGO PUBLIC SCHOOL

Ms SEATON (Southern Highlands) [5.49 p.m.]: I refer tonight to an important meeting that occurred in my electorate last week at Bargo Public School. The meeting was a credit to the parents and citizens association and to the school council. It demonstrated the outstanding leadership shown by the school council and the parents and citizens association and their determination to improve facilities for young people at that school. I congratulate the president and Sue Colley, Kaylene Scrimgeour and David Morrison—all parents—on taking the initiative to invite to the school senior Department of Education and Training officials, including Acting District Superintendent Gary Walden and Property Department officer David Rowlings, to brief them on the future needs of the school and to commence a dialogue on how to achieve those necessary improvements.

The presentation was extremely professional, focused, well researched and, above all, it was compelling. If there was any doubt about what had been said a tour of key buildings around the school dispelled those doubts. Bargo, one of the fastest growing regions in my area, has a growth rate of around 11 per cent. Bargo Public School, a P3 school, now has about 300 to 450 students in that category. It is the only P3 school

with no library and no hall. Bargo has the third-highest population of all the villages in Wollondilly and it has the second-highest birth rate in the shire, with 64 births last year. I hope that all those children will enter kindergarten in five years time.

Questions have been asked about whether block C, one of the oldest buildings in the school, is structurally sound. A report on that issue is pending. Block C is troubled by damp and mould and there are power problems. The local substation is 22 years old. When I visited block C I saw an interview room which is used by teachers to talk to parents. That interview room, which is located at one corner of block C, is basically a divided toilet cubicle. About eight appliances were plugged into one socket in the wall. No toilet was available for disabled people. The disabled toilet is now used as a storage area for essential sporting equipment.

The school has had a demountable library since 1990. It has been told for some time that that is on the list. There is still no sign of a permanent library. There are ants in the rear wall, there is no cooling and heating equipment and no provision of a computer area. Parents have said that the Government should determine what constitutes a library if schools are to be given demountable buildings for libraries. There is no hall for the school. The council hall, which is located 1.1 kilometres from the school, is not appropriate for school events. It takes a couple of hours for all the students to travel in each direction. The school cannot reciprocate by holding events in which other schools can participate and students cannot participate in regional or district events.

New kit classrooms that were erected a few years ago are still experiencing some drainage problems. From time to time they need sandbagging in wet weather. As only one power point is located in kit classrooms there is a potential fire risk. A shipping container provides the only permanent storage for the school. Parents came up with some interesting solutions. They listed those solutions as developing a master plan, redesigning block A, addressing block C maintenance issues, improving storage, reinstating closed toilet facilities, planning for information technology infrastructure needs in the school, selling some vacant land attached to the school that was used for evaporation ponds, putting that money into building a hall or a library and negotiating for the use of railway land across the road as a more permanent and formalised car park.

David Rowlings responded to a couple of those issues. He said that he believed that block C was structurally sound, which was good news. He also indicated that if the vacant land was sold, up to 90 per cent of the value of that land would be returned to the school for reinvestment in capital facilities. I wrote a letter of support for the president of the school council to use when the school is ready to make that application to the Minister to ensure that the school obtains maximum value from the sale of that land. The school council said that the library was its first priority, followed closely by the hall. Obviously, the school would like both. Many other things on the list of identified solutions put forward by parents should be provided. I congratulate the parents of that school on taking a positive step towards setting out a future plan for the school. I hope that the Minister supports those initiatives and that they are implemented.

BANKSTOWN ELECTORATE MULTICULTURALISM

Mr STEWART (Bankstown—Parliamentary Secretary) [5.54 p.m.]: Over the past few months the community has witnessed the wide reporting of a series of gang rapes, court trials and the outcomes of those trials. Given that a number of the offenders involved in those horrific crimes reportedly reside in the Bankstown region, it is not surprising that a great deal of media and public attention has been focused on that region. It is now well known that a number of the gang rape offenders received lengthy sentences in line with the nature of their horrific crimes. The people of Bankstown and the wider community have applauded those substantial sentences, an issue that was highlighted when one offender received the maximum 55-year sentence. That sentence, which sent a strong message to the community, matched the horror of the terrible crimes for which the offender was convicted.

Those involved in committing those crimes were not in my opinion, or in the opinion of members of the community that I represent, motivated by religion or race. Those offenders, like others in their category, are social misfits and criminals, and nothing more. They were given sentences that matched their crimes. It was irresponsible of the media, and devastating to my local community, to stereotype those crimes and the subsequent trials. The Bankstown community is a great area. I am extremely proud of the Bankstown and Canterbury community. It is an area in which I grew up. People of 130 different nationalities reside in that community, which is Australia's best example of what multiculturalism is all about: people from different nationalities and religions living together as brothers and sisters in social harmony.

Despite that fact, people are still trawling Bankstown in an attempt to incite problems. If they cannot locate problems they are happy to invent them. I am saddened, extremely concerned and disappointed about

recent comments made by the Hon. David Oldfield relating to the Australian Muslim community, the majority of whom reside in the Bankstown-Canterbury area. The Hon. David Oldfield was quoted recently in a local newspaper as saying:

There is a view in the community that we already have too many Muslims in Australia and that the door should be closed.

Australia should stop the arrival of Muslim people so the Muslims already living here can be educated and taught to embrace the modern world.

I cannot believe that someone could make those comments in 2002. The honourable member went on to state:

Those 14 men—

he is referring to the rape trials—

did not come to the conclusion that Western women are 'sluts' and 'whores' by themselves, they were indoctrinated with these beliefs by Islamic leaders.

I deplore those comments. They are not in any way, shape or form relevant or true. In the same article, which was printed in a local paper on 24 July, the Hon. David Oldfield was also quoted as saying:

The socially primitive nature of Islamic society is evident... in the way they treat their women and, surely now, in the way they treat ours...

A city like Bankstown has a large Islamic community because of the influx of Muslims from overseas countries, rather than an increase in people converting to Islam.

A great many Muslims have migrated to Australia. Hindus, Maronites, Copts, members of the Orthodox church and Catholics have also migrated to Australia. To use religion for political opportunism is the lowest form of political comment. The Hon. David Oldfield also said, "Islam is stuck in the 8th century." He said he would like Muslims to become more modernised and tolerant of western society. I am saddened by the honourable member's statements, which bring One Nation to a new low. On behalf of the Bankstown-Canterbury community I say, "Shame." It is unfortunate that such an ignoramus is a member of Parliament.

On the positive side, the Hon. David Oldfield is a superb example of why One Nation is now politically irrelevant in Australia. The Bankstown-Canterbury community wants to deal with the concerns that have been raised in a structured and effective way. It wants to move forward to a productive and positive future. I look forward to moving with it and representing that community in the future. It is a shame that people in another place are so ill-informed. I hope that the community deals with that issue later.

BROKEN HILL NATIONAL PARTY CONFERENCE

Mr SLACK-SMITH (Barwon) [5.59 p.m.]: On 14 and 15 June the National Party of New South Wales held its annual conference in the wonderful city of Broken Hill. I place on record the thanks of the National Party to the people of Broken Hill for allowing us to share some of their wonderful city with us. The friendliness of the people, the local and unique attractions and history of the city all contributed to the conference being a huge success. I extend the thanks of the National Party, especially those of our leader, George Souris, to Broken Hill City Council, particularly the mayor, Ron Page, for a wonderful reception at the Trades Hall, which is truly hallowed ground in the history of Broken Hill.

Although members of the National Party are somewhat renowned for our conservative politics, we were most warmly welcomed. I think that proves how much we have shifted in both directions from the attitudes of the last 50 years. We left the Broken Hill Trades Hall with a sombre and greater understanding of what it was like for the miners working underground; it was no picnic, for sure. That was illustrated by the wall of remembrance in the line of lode, which recorded the names of the men killed in the mines in Broken Hill's past.

Today Broken Hill is a very different place; it is unique. Its unique attractions include the line of lode, which has been extensively promoted by Garry Redford; the BHP museum, which displays the interesting history of Broken Hill; the Musicians Club; and the world's biggest picture. Anyone who has not seen that picture has missed out on something absolutely spectacular. I believe it is worthwhile to visit Broken Hill simply to see the world's biggest picture. Other unique attractions include the nature reserve, which exhibits several overseas sculptures; Silverton, where there are various art galleries, including the gallery of Pro Hart, who is a great supporter of the National Party; and some fantastic pubs. The friendliness of the people of Broken

Hill made a lasting impression upon us. I, for one, have been to Broken Hill on several occasions, and I always enjoy going back there. The people are fantastic, and the reception they gave us was truly unbelievable. I would like to read a letter written to our leader, George Souris, by the Mayor of Broken Hill City Council, Councillor Ron Page. Councillor Page wrote:

Dear Mr Souris,

I write to thank you and the National Party for arranging to have your Annual Conference in Broken Hill in June 2002. I have received many favourable comments about the conference and I am sure that you would have had the same.

As many people now know Broken Hill has many opportunities and venues for organisations of varying sizes to hold conferences or meetings and I would be grateful if this fact can be relayed onto as many people as possible.

In October 2002, Broken Hill City Council will be hosting the NSW Local Government Conference where its many assets will once again be on display not only for the many people who will be visiting for the first time, but also for the regular visitors to our city.

I would be most grateful if you would encourage the many members who have not visited our fine city, or to remind the many members who have visited and would like to return, to take the opportunity to do so.

For someone who lives in Broken Hill, Sydney is a long way away. In one respect I think Sydney is remote and Broken Hill is not. Broken Hill is a unique part of Australia's history. It is filled with people who are very friendly. In a sense it is unfortunate that the slowing down of the mines in Broken Hill has meant that the city, which used to have a population of around 40,000, now has a population of 21,000. But there is still a lot of heart in Broken Hill. I think Broken Hill will survive. It is a wonderful place. I would like to place on record our thanks to the people of Broken Hill for receiving us in such a friendly manner, and I look forward to my return.

Mr STEWART (Bankstown—Parliamentary Secretary) [6.04 p.m.]: I join the honourable member for Barwon in acknowledging the importance of Broken Hill, the friendliness of its people and the important role it has played in the history of New South Wales. It is pleasing that the National Party has finally realised that Broken Hill is on the map. I point out that hardly a week goes by when a Cabinet member from the Carr Government does not visit Broken Hill. As the honourable member for Barwon would be aware, Cabinet members continually deliver goods and infrastructure to the great people of Broken Hill. Broken Hill has a terrific local member who has been extremely parochial in his approach to Broken Hill and the surrounding region. I refer to the honourable member for Murray-Darling, Peter Black. He is an absolute institution and a legend in his time in terms of what he has already achieved in infrastructure and services in that area. It is pleasing that the National Party is now acknowledging the efforts of the Labor Party in improving the infrastructure of Broken Hill.

BATEAU BAY PUBLIC SCHOOL

Mr McBRIDE (The Entrance) [6.05 p.m.]: On 22 July the school council and parents and citizens of Bateau Bay Public School, under the hand of Sharyn Kennedy, wrote to me with regard to capital works required at the school. The letter reads in part:

Our school accommodates more than double the number it was originally designed for and we currently have 15 demountable classrooms. When my son first attended Bateau Bay School the number of children and classrooms were approximately the same, he is now in year 10 so over the last 10 years our children have been in temporary classrooms, in a hall that accommodates half the children, in a library that is not big enough and of course all the associated storage problems. Some of our demountable classrooms have been here since the school was opened. Isn't it time that our demountable classrooms be upgraded ...?

The letter attached correspondence from the school principal outlining the issues. The principal's letter reads in part:

This school was built in the early eighties for an enrolment of approximately 400 students having fourteen permanent classrooms. Since it was first occupied there has been a necessity to accommodate a large proportion of the student population in demountable classrooms. Through most of the last fifteen years enrolment has been in excess of seven hundred students.

Current enrolment of 824 students makes it necessary for the school to have fifteen demountable classrooms. This is more than 50% of classroom accommodation.

While the library would do well in its intended role of serving 400 students it is at present undeniably inadequate to serve a school of 800+ students. It is grossly undersized and congested as the staff struggles to meet the needs of students and teachers. Its relatively small size and therefore lack of space ensures that student access is almost totally limited to weekly library lessons.

I should point out that the roll-out of computer programs throughout New South Wales schools has created an enormous demand for space in that library. On 29 July I replied as follows:

I am more than willing to work with the community to improve Bateau Bay Public. I would be happy to come out and visit the school with parents to look at these matters.

I also wrote to the Minister on 30 July. The letter reads in part:

I would like to strongly support inclusion of an upgrade of the library and new permanent classrooms at this primary school in a future capital works program. This is a project that I believe the Government needs to commit to.

Subsequently, on Monday 5 August, I met with the principal of Bateau Bay Public School, Bob Bourke, parents and citizens president Sharyn Kennedy, Ian Gregory, Robyn Stewart and other parents. The school recently received \$35,000 in funding for a covered outdoor learning area [COLA], which has made an enormous difference to the school. During my visit to the school a number of other issues were raised, including parking and traffic.

Mr George: Get on to Staysafe!

Mr McBRIDE: It was agreed that the school should contact Wyong council for the purpose of developing a traffic management plan for the site. I am sure the honourable member for Lismore would have given similar advice. As a result of Staysafe's work, school communities now have an awareness of the need to separate the traffic issue from other issues of concern. Airconditioning of the school was also raised during my visit. I made the point that in my opinion many schools in other areas of the State would have a much greater demand for airconditioning. There is a small variation in the temperature on the Central Coast; in fact, it is generally ambient. As a result, the Central Coast has an excellent climate.

In my mind I said that other areas, including Western Sydney and rural New South Wales, would have higher priority. We need to look at the extension of the school hall but we have to look also at the impact of the COLA and the cover it provides. The long-term demountables were part of a 1980s design, when schools had a very small core and expansion was handled by demountables. They need replacing with permanent accommodation, and I indicated that to the Minister. Because of the enormous roll-out of computer equipment, libraries and information technology facilities is an issue. We had to work out how to better integrate those facilities into the school. Teacher car parking is part of the traffic management plan and there is an issue with stormwater drainage running from the top end of the site into the development end of the site. Clearly something needs to be done there. I have arranged to meet with property officers from the Department of Education and Training later this week. I will take up these issues personally and try to work out a way forward for Bateau Bay Public School. [*Time expired.*]

MORUYA CRIME

Mr R. H. L. SMITH (Bega) [6.10 p.m.]: Tonight I bring to the attention of the House a serious social problem that has arisen within the town of Moruya in the Bega electorate. Over the past 18 months, according to the local community and as recorded in the *Bay Post* of 9 August, there has been a spiralling crime wave of anti-social behaviour. It seems that there has been a disruptive element in the town deliberately vandalising or stealing cars, and damaging other property. This started with people entering car yards and deliberately scratching the bodywork of cars. Every car yard owner that I have approached has had the same sad story to tell. However, the degree of vandalism has been steadily escalating, and culminated last month with cars being stolen and set on fire.

On 7 August I was invited to attend a meeting in Moruya that had been organised by Eurobodalla shire councillor David Laughler, whom I congratulate on taking this initiative on behalf of the community. More than 200 people attended the meeting, including Acting Superintendent Rick Mawdsley of NSW Police. Unfortunately, no representative of the Government accepted the invitation to attend and address the meeting. Concerns were raised at the meeting that there should be additional police resources to help combat this problem. I offered to write to the Minister for Police to gain these extra staff, but the local police were quite adamant that they had sufficient resources to tackle this problem and that they were at full strength. This raises the question of why this problem has been allowed to continue for 18 months without any resolution.

One Moruya businessman informed the meeting that the crimes were so common, with no police action, that people did not bother reporting them any more. Other people were concerned that the Moruya police station was frequently unattended, but others were full of praise for the police, saying they responded promptly to telephone calls for help. It seems that the local community know who the perpetrators are, and unfortunately they are young people. One can only guess why their parents are not aware what they are doing, or why they are taking no steps to control them. One young mother approached me after the meeting and said she believed that the people who committed these crimes lived in her street. She was continually being harassed, and she was fearful to leave her home.

It was stressed to the meeting that witnesses to crimes must be prepared to come forward and testify as to what they have seen. It must be understood that this is not an easy thing to do in a small community, and that many people feel intimidated, not only by the court system but also by the fear of repercussions. However, we cannot let fear and anarchy rule our streets, and I reinforce the message that the police need the support of the community in this matter. It is one thing for the police to arrest people, but it is something quite different for them to get enough evidence or witnesses to obtain a conviction.

One positive resolution from the meeting was the organisation of a Neighbourhood Watch group. In years gone by, people could automatically rely on their neighbours to keep an eye on their property. Unfortunately, even in country areas now, this is not always the case, and a more formal approach to vigilance is required. I am hopeful that with the community working with the police in this way, the current spate of vandalism and anti-social behaviour can be stamped out. We must always keep in mind that this anti-social behaviour is being carried out by a very small minority of people. I have been the State member for this area for almost 15 years and I know that the Moruya community is full of wonderful, caring people. It is time to get on top of this problem, and I call on the Minister for Police to give us the resources needed to resolve it. Then Moruya could once again enjoy the quiet, peaceful lifestyle which is so typical of most of my electorate.

SPIT BRIDGE WIDENING

Mr BARR (Manly) [6.15 p.m.]: One of the crucial issues for people in my electorate is road access across the Spit Bridge. In July this year, during the winter recess, I sent out a newsletter with a proposal to improve the traffic flow across the Spit Bridge by increasing the number of lanes on bridge by at least one, and two if it is possible. I followed up that newsletter with a letter to my constituents that enclosed a slip they could return to my office. I have had more than 3,000 responses to the proposal to increase the number of lanes and to reduce the number of openings of the Spit Bridge. I am pleased to say that my proposal was accepted by the Minister. On 1 August he announced that there will be a widening of the Spit Bridge by two lanes. It is a \$30 million project. Preliminary work will begin within the year and the project should be completed quickly. Widening the Spit Bridge will allow for flexibility along each side of the road corridor. At present the bridge has only four lanes. Six lanes will allow four lanes to be used in the morning peak hour for the traffic travelling in a southerly direction, rather than the three that are used now.

At present, as cars turn left or right from Sydney Road at the top of Balgowlah, nine lanes go into three, one of which is a bus transit lane. My proposal provides a 50 per cent increase in lanes for motor vehicles and allows for the extension of the southbound lanes during the morning peak hour across the Spit Bridge, up through Mosman, as far as Ourimbah Road; but there is no reason why that peak hour tidal flow could not be extended all the way along the corridor to the Sydney Harbour Bridge. The 3,000 responses by residents indicated the degree of interest in this matter. I am still replying to those letters. Overwhelmingly, people supported the proposal.

Many still like the notion of a high bridge or a tunnel as well. The notion of a high bridge has some attraction, but the cost of such a bridge would be up to \$200 million. The only benefit would be that yachts would be able to sail under the bridge without the bridge being opened. That is a lot of money to spend to benefit a handful of yachts passing under the bridge. My proposal is for a reduction in the number of bridge openings. Last year there were 13 openings of the Spit Bridge each day of the weekend—it is a weekend issue, not a weekday issue—and that was reduced to 11 openings at the start of this year. That is still too many openings, and I have asked the Minister to reduce that by half. I think the upshot will be eight openings each day of the weekend. If a reasonable compromise could be found, it would obviate the need for expensive bridge construction.

Another proposal is for a tunnel, which may have a superficial attraction to some people. I simply point out that the cost of a six-lane, six-kilometre tunnel would be up to \$2 billion. It would entail a toll of \$10 for the tunnel and the Spit Bridge, otherwise there would be a leakage of traffic travelling over the Spit Bridge; it would entail the installation of ventilation stacks in the Balgowlah-Seaforth area; and it would entail a toll booth plaza being constructed at Manly Vale. The proponents of a tunnel have a lot to answer to the people of my constituency about the impact of such a tunnel on the local amenity. [*Time expired.*]

Mr STEWART (Bankstown—Parliamentary Secretary) [6.20 p.m.]: The \$30 million project to increase the number of lanes on the Spit Bridge is a big win for the honourable member for Manly and for the people of Manly and the surrounding region. It shows the tenacity of the honourable member, who has represented his constituents well on this issue. As the Parliamentary Secretary for Roads, I am well aware of the

honourable member's representations and focus on the need to increase the viability for traffic movement on the Spit Bridge. As the honourable member said so succinctly, the best way to handle the problem is the Government's proposal. Widening the Spit Bridge will be of great benefit to motorists and to the region. The project is proceeding because the Minister listened and tuned in to the people of Manly and the surrounding region. Once again I thank the Minister for delivering service and infrastructure for this great State. The honourable member for Manly is a diligent local member who has done his best to represent the needs of his constituents, and he has had a big win as a result.

BREAST CENTRE WARATAH MEDICAL INDEMNITY INSURANCE

Mr GAUDRY (Newcastle—Parliamentary Secretary) [6.22 p.m.]: The spectre of breast cancer causes great concern and fear in families and communities across New South Wales. In Newcastle the issue has had great public attention and support through the NBN telethons and the opening last year of the Breast Cancer Institute and the wonderful research being done in that area by Professor Forbes and other researchers at the Mater Hospital. Another centre in Newcastle doing vital work on breast cancer is the Breast Centre at 219 Christo Road, Waratah. However, this private clinic is facing a crisis in terms of medical indemnity insurance; it has no security beyond 31 December this year. At the moment the centre is insured by the crippled insurer United Medical Protection, for which the Federal Government has extended cover until 31 December this year. I have received a letter from Janelle Pritchard of the Breast Centre in which she has provided the following information:

The Breast Centre is a private breast cancer/problem clinic. We are totally self-funded. We undertake (from generous donations from the public) breast cancer research. Our patient numbers over a 15 year period have reached 30,000. We see/have seen 55% of all breast cancer patients in the Hunter area. Our centre boasts a 4 day new patient waiting time.

Our services on site at the time of consultation include radiology, pathology and obviously clinical examination by a breast cancer specialist, psychological counselling, physiotherapy as needed and follow up of surgical procedures as necessary.

We are the only private breast centre as such from the Queensland border to Sydney and out West. We feel the loss of this extremely important Centre to the people of the Hunter and further afield would be devastating and the added burden to the public system would be devastating.

Once again thank you for your concern.

That clearly sets out the problem in a nutshell. It makes it clear that the Federal Government needs to act—I am sure the State Government is happy to work with the Federal Government—to maintain the Breast Centre and all the other services dependent on United Medical Protection so that in future years there is security for the centre and the wonderful work it does for women and men in the community. This problem has been highlighted in articles in the *Newcastle Herald* in the past week. The front page of yesterday's *Newcastle Herald* has a picture of Ms Grace Harrington, who has received enormous support from the Breast Centre during and after her treatment for breast cancer.

It is clear from that article and from letters of support from women across the Hunter that the Breast Centre service is vital. It provides quick access for women not only for actual treatment for breast cancer but for all the support services outlined by Ms Pritchard in her letter which are so important to people who have suffered the trauma of the diagnosis and treatment of breast cancer, as well as the impact on not only the patient but also their family and extended family. This vital issue needs to be examined. The Breast Centre must be able to continue to operate; the loss of this vital service would place undue pressure on public services. The Federal Government needs to address this issue well and truly before 31 December so that the Breast Centre and other similar groups can obtain insurance at a reasonable cost for the protection of women and the community. [*Time expired.*]

Mr FACE (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [6.27 p.m.]: I thank the honourable member for Newcastle for raising this important issue. As the regional Minister I am concerned about the issue now confronting the Breast Centre in Christo Road, Waratah. The fact is that the region will find itself in a difficult and strained situation if the services provided by the Breast Centre are discontinued. We have time between now and the end of December to address the problem. Nevertheless, there are many worried people in the community. I doubt there would be one member of Parliament, certainly not in my age group, who has not had a member of their family or somebody they know who has been stricken with this insidious disease. There is nothing more traumatic to a female than to find she has breast cancer. Indeed, over the years the Government has encouraged women to have mammograms regularly. Speed is the essence with breast cancer: the longer one waits to be diagnosed, the less chance one has for a full recovery.

The Breast Centre is in a dilemma with its cover with United Medical Protection. I am seriously concerned about the strain that will be placed on other areas in the region if the Breast Centre is forced to close. The centre is vital not only in quickly detecting and treating breast cancer but also in the post-operative period. I repeat: being diagnosed with breast cancer and then dealing with post-operative treatment has a serious effect on a person. Unless a woman is extremely strong, she goes through a very bad period because her chances of the cancer re-visiting her are very high. The Breast Centre plays an important role during the post-operative period. I appeal to the Federal Government to at least try to bring some sanity to the situation with the Breast Centre. *[Time expired.]*

Private members' statements noted.

BILL RETURNED

The following bill was returned from the Legislative Council without amendment:

Courts Legislation Further Amendment Bill

[Mr Acting-Speaker (Mr Mills) left the chair at 6.29 p.m. The House resumed at 7.30 p.m.]

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2002-03: Take-note Debate

Debate resumed from an earlier hour.

Mr TRIPODI (Fairfield) [7.30 p.m.]: It is with pleasure that I speak about the 2002-03 Budget because it contains great news for the Fairfield electorate, which I have been most happy to report to my constituents. I take this opportunity to detail some of the projects in the budget that will advantage the people of Fairfield. Probably the most significant project to be announced is the \$8 million upgrade of The Horsley Drive, which will be undertaken in two parts, with \$3 million spent this financial year and \$5 million allocated for the next. It will involve almost the entire stretch of road that passes Fairfield Patrician Brothers High School. I have initiated discussions with the high school with regard to the necessary transfer of some land to the Roads and Traffic Authority [RTA] during the consultative process.

The Horsley Drive project will create a two-lane carriageway in each direction from the Hume Highway through to the Wetherill Park industrial area, thus widening a 150 metre to 200 metre stretch of the roadway that at present provides only one lane in each direction. The project will address a source of major traffic congestion in the city of Fairfield. An enormous number of cars and trucks travel along this stretch of road daily, and this project will ensure improvements to safety and travel time. Local residents will obviously be cautious throughout the process to ensure that they are not be adversely affected by the change. All road widenings have some adverse implications for local residents. I will ensure, however, that all residents affected by this project will have their rights protected. I will be proactive in the management of the project, working with Fairfield Patrician Brothers and local residents to ensure the design will guarantee the welfare of those people affected.

The budget has allocated \$135,000 for the road maintenance and upgrade of Derribong Street, Lansdowne. That street is actually located in the Bankstown local government area, but the foreshadowed upgrade and maintenance of the road has been well received by the adjacent Villawood residents. Derribong Street is a small road that runs from the Hume Highway into Villawood and has always needed attention. I was quite happy that the Minister for Roads was able to make available \$135,000 for its upgrade. Another big project causing much excitement in south-west Sydney and Western Sydney is the provision of a bus transitway, which will benefit my electorate because it will run close to the suburb of Wakeley. The total cost of this project will be \$90 million of which \$32 million will be utilised this year.

The Fairfield electorate will benefit enormously as the transitway will travel along Smithfield Road and Canley Vale Road and close to Wakeley, which is a relatively new suburb in my electorate. It will add enormous value to adjacent properties. The project will have significant planning implications for prospective medium density housing development because the transitway will be equivalent to a railway line passing through the suburb—but without the noise. This suburb, like many suburbs in the Fairfield local government area, has suffered from poor public transport services and I am happy and proud to be part of a Government that is allocating funds and providing infrastructure for such purposes for the suburbs of the Fairfield local government area.

For as long as I can remember the Fairfield RTA has operated out of an old office, but through the generosity of the Minister for Roads a new office will be constructed on the old car park site. When construction is complete the present RTA building will be pulled down and the land on which is presently stands turned into a car park. The project will result in an increase in available office space, but even more importantly it will provide more parking spaces for visitors to the RTA office. I am happy that this important part of the Fairfield infrastructure was retained as it will continue to support the range of small businesses that are connected to RTA operations, for example, the private driver learning schools that cluster around RTA offices. I am happy that such businesses will remain in Fairfield and continue to trade in the area.

Another big infrastructure project for Fairfield is the \$3.1 million easy access upgrade, for which the budget has allocated this year \$1.8 million. Construction has begun on a design that resulted from substantial consultation negotiations between Fairfield City Council and the department that took into account the fact that Fairfield railway station is, if not the oldest, one of the oldest railway stations in New South Wales. Consequently its buildings have heritage listing. Quite some time was taken to achieve a sensible and balanced outcome to incorporate the upgrade of this important piece of infrastructure.

Chester Hill railway station also will receive some benefit from the budget. On Monday night I met some elderly people who expressed excitement about the elimination of the problem that passengers face negotiating the gap that confronts them when boarding or alighting from services between the platform and train carriages. An amount of \$420,000 has been allocated to eliminate the problem so that elderly people now can safely board or alight from trains. We will continue to focus on more upgrades to Chester Hill railway station because of the nearby medium high-density housing development and the increasing ageing population.

The budget allocated \$80,000 for upgrade work to Carramar railway station and \$220,000 to improve the bus shelters at Canley Vale railway station. The bus shelters are quite old and local residents have approached their members of Parliament, the honourable member for Cabramatta and me, seeking improvements to the shelters. Much work has been done in this regard by the honourable member for Cabramatta. Together we were able to secure \$220,000 to upgrade those bus shelters. Westfield Sports High School, which was my old high school—it was not a sports high school when I attended—is in the process of receiving major attention from this Government.

Approximately \$2.36 million is to be spent on the stage two upgrade of Westfield Sports High School, including refurbishment of classrooms and the construction of a new school hall-gymnasium and a new administration building. The school, which has broken almost every public school sporting record, is finally receiving the attention from the Government that it deserves. It continues to create great sporting champions, such as Harry Kewell. The children of the school are an inspiration to all others in the region. The school continues to attract people from outside and inside the catchment area. When I attended that school it was a disadvantaged school. Real estate prices in the area surrounding the school have increased as parents try to buy property within the boundary in order that their children can attend Westfield Sports High. I am very happy that the State budget continues the Government's commitment to that school.

Next Friday I will visit Fairfield Heights Public School to meet with the parents and citizens committee, the principal and representatives of the department and will hand over the designs for a new school hall, canteen and shade structure worth \$200,000. Fairfield Heights Public School is a very old school and I am happy that the Government is giving it attention in recognition of its service to the local community over many years. It too is finally getting the attention it deserves. Canley Vale Public School, although in the electorate of Cabramatta, is located near the boundary of my electorate with Cabramatta electorate, and many of my constituents' children attend that school. It will receive a new school hall, classroom refurbishments and an outdoor covered learning area, at a cost of \$4 million. That allocation is also a celebration of the school's service to the community. It is a special school in many ways; it has a high concentration of Asian students, who have special needs, and there is an enormous sense of community around it. The school's buildings are used on weekends for the conduct of language courses. The school is an integral part of the Canley Vale community. The attention it has received is appreciated by the local community.

A new mental health centre is to be built at Carramar at a cost of \$1.57 million. The Carramar health centre will be expanded to include the Adult Mental Health Service, the Adolescent Mental Service and the Fairfield/Liverpool Youth Health Team. In my view mental health has long been the single biggest issue plaguing the Fairfield area. Mental health is strongly related to the serious drug problem in the area, and schizophrenia—of which there is a high incidence in the electorate—is often triggered by drug abuse. The Government has recognised that mental health is a big problem in the Fairfield local government area. For a

time there was some dispute and debate among the board members of the local area health service about whether that service should be located at Liverpool Hospital or in the community health centre at Carramar. The centre has been secured for my electorate of Fairfield and it will play a very important role in servicing the community.

But Liverpool has not missed out: Liverpool Hospital will receive a major and significant upgrade of its mental health services. I am happy to report that the Minister for Health has exerted considerable effort to progress that much-needed upgrade. The Minister for Health, who represents an electorate in that region, understands that mental health is a major issue in south-west Sydney and has committed significant funding to address the problem. A development application for the Wetherill Park drug treatment facility is being prepared and will be lodged very soon. More than \$1 million will be spent on moving drug treatment services away from shopping and commercial centres into the industrial area. However, the services will be accessible because they will be located on the bus transitway—further evidence of how benefits can be generated in south-west Sydney when appropriate infrastructure is provided.

The major drug treatment facility will be part of a multipurpose facility and will provide detoxification and other treatment for people who have substance abuse problems. The centre will be the product of a long process of negotiation with NSW Health. I am very happy that many citizens will be provided with the services they need in this regard. Benefits will be generated for not only the people who receive treatment but also the people who live with them. Often it is the families and neighbours of people addicted to drugs who suffer the fallout of drug addiction and drug abuse. Through the Drug Summit process the Government proved that it cares enough to spend money in that area. That the western and south-western areas of Sydney will receive such a major drug treatment facility is testimony to the Government's commitment to serving the people of the area, and to the Fairfield local government area in particular.

Debate adjourned on motion by Mr Whelan.

GOVERNOR'S SPEECH: ADDRESS-IN-REPLY

Take-note Debate

Debate resumed from 27 June.

Mr IEMMA (Lakemba—Minister for Public Works and Services, Minister for Sport and Recreation, and Minister Assisting the Premier on Citizenship) [7.45 p.m.]: I wish to draw attention to some of the issues referred to by Her Excellency the Governor outlining the Government's program in her very comprehensive address at the opening of the present session of the Parliament. First, I refer to jobs growth and investment—a key part of the Governor's Speech—and how they relate to the construction industry. The construction industry will play a key role in delivering the targets that have been set—the ambitions that have been sought for job growth and investment in New South Wales. Currently the construction industry employs 9 per cent of the State's work force and can play a key role in any commitment to job growth and investment.

The Government is working with stakeholders in the construction industry to deliver on its commitment in job growth and investment for New South Wales. That commitment can be seen in the comprehensive capital works program that was presented in the budget and in the massive investment that is taking place in reviewing the State's infrastructure, whether in road or rail or hospitals and schools. As the Treasurer outlined when he delivered the budget, the capital works program for the next four years is the most comprehensive capital works program ever delivered in the history of New South Wales.

To ensure a viable, strong construction industry that can deliver those jobs and investment growth, part of the task will be to ensure that players can participate with certainty and security whether they are on government jobs or private sector jobs. That was the reason the Government introduced the Building and Construction Industry Security of Payment Bill in 1999. That is also why, later this year, the Government will bring forward amendments to strengthen that legislation for subcontractors to make it easier for them to obtain payment for work that they have done when they have been victims of unscrupulous operators in the construction industry who fail to live up to their legal and moral obligations.

The amendments will ensure that the tens of thousands of small businesses that operate in the construction industry are not discriminated against and do not suffer as a result of unscrupulous operators who do not meet their payment obligations. The legislation has been in force for some time and has worked quite

successfully to reform payment practices in the construction industry. The proposed amendments are designed to strengthen the legislation and ensure that subcontractors can continue to receive payment for work that they have done.

As the Governor outlined, an important part of the Government's program is to deliver jobs and investment to regional areas. The biggest move in the extensive program to decentralise public sector workers is the move of WorkCover to Gosford, which will provide 440 permanent jobs. However, that does not include the many hundreds of jobs created during the construction phase of the project. I am pleased to note that a large number of regional businesses secured subcontract work on the project, which is on schedule.

The Department of Mineral Resources will move to Maitland, taking with it 160 positions. The relocation of the Infringement Processing Bureau to Maitland will create 150 positions. The State Debt Recovery Office will generate 132 jobs when it moves to Lithgow. Not only has the site been selected, but the plans have been submitted to Lithgow City Council and are now on public exhibition. Dubbo will gain 150 positions to create a Centre of Excellence in Land and Water Management. The Department of Local Government will take 58 jobs to Nowra. The Fire Brigade will create 84 new positions on the Central Coast. Wellington will gain 24 positions when the Sustainable Systems Farming Branch of the Department of Land and Water Conservation is relocated. These relocation projects are the most extensive move of public sector jobs from Sydney to regional areas that any government has undertaken.

The Governor referred to the Government's program to renew the State's infrastructure. I will elaborate on her remarks with particular reference to my electorate of Lakemba, which has benefited from the program. The major project is the M5 East, which will cost almost \$800 million and will be completed in December. It has revolutionised travel from the inner south-western parts of Sydney to the Sydney central business district and also for those travelling on the M5 West. It will of course also benefit people in outer south-western places like Macarthur who rely on the M5 West and now the M5 East to get to work in the city, the southern Sydney industrial area or the airport at Mascot. The massive investment in that project has been of enormous benefit to the people of Lakemba and the local areas of Canterbury and Hurstville, as well as to people in Liverpool, Campbelltown and other parts of the south-west. It is an enormous project and a very proud achievement of this Government.

Investment has not been in road projects only. The East Hills rail line has been upgraded as part of a \$109 million investment to double its capacity. Stage one of the duplication project—Kingsgrove to Turrella—has been completed. The people of my electorate and the people on the East Hills rail line are benefiting from a better service as a result of increased capacity for rail commuters. Those who have benefited most are commuters in the Macarthur area. Express trains now run straight through to the city. This is a significant boost to commuters in the outer south-west, not just the inner south and inner south-west in my area.

Part of the project has been to renew the facilities around our old stations. Riverwood railway station has been redeveloped at a cost of \$3 million. The Easy Access project is only weeks away from completion and its official opening by the Minister. Beverly Hills railway station is also part of the Easy Access project and has benefited from an investment of \$2 million. It, too, is only a matter of weeks away from completion. Kingsgrove railway station has also benefited from significant investment. Kingsgrove, Beverly Hills and Riverwood are the three key railway stations along the East Hills line in my electorate. Other railway stations on the East Hills line have also been the subject of significant renovation, particularly in the electorate of the honourable member for East Hills.

The Governor referred to the community action plan to deal with some of the problems in Cabramatta. I will restrict my remarks to Lakemba and a similar project in the Canterbury local government area for young Arabic-speaking people. The Arabic Youth Partnerships Plan was launched to try to resolve some of the social problems encountered by young people in the Canterbury-Bankstown area. The partnership has been active for some time. The major part of the program is an initiative whereby youth liaison teams that consist of respected members of the Arabic community, mainly clerics but also other community leaders, move about public places where young people gather. The teams try to remove the young people from situations where they may get into trouble, and redirect them to their families or community support networks.

A significant number of positive contacts have been made with young people of an Arabic background. The program has received a positive response from members of the Arabic community and also the police. It is working quite well. Another aim of the program is to direct young people into more sporting and recreational activities. In June a significant community meeting was held with sporting organisations from the Canterbury-

Bankstown area. The Government is keen to establish partnerships with those organisations and encourage young people to participate in sporting and recreational activities. The response from the sporting organisations and young people in the Arabic community was significant.

Another important part of the program is to use high profile people in the Arabic community, often sportspeople, as mentors for young people. I am happy to report that that part of the program is working well. The mentors are establishing positive contacts with young people from an Arabic-speaking background. As with the Cabramatta plan, which the Governor outlined in her address, I am happy to report that the Arabic youth plan is having similar positive results in Lakemba and the Canterbury Bankstown region. The plan and program are worthy of support and demonstrate the government's commitment to good social outcomes.

In conclusion I place on record that this Government, over the past three years and for the remainder of what is left of this year, will put to the forefront policies aimed at generating jobs and investment, to ensure that our infrastructure is renewed to meet needs created by population growth and by the economic growth that is generated by our investment encouragement policies. On the social side, particularly with a very localised social program such as the Arabic youth partnership plan, it does highlight the Government's commitment to decent social outcomes for disadvantaged people in the community.

Mr McGRANE (Dubbo) [8.03 p.m.]: I speak in reply to the Governor's address. Professor Marie Bashir AC is certainly a Governor of the people. She is the first lady to become Governor of New South Wales. She has shown in the short period of time since her appointment that she is an extraordinary, compassionate human being. The Governor's Speech touched upon many subjects crucial to regional New South Wales that broadly fall into a number of categories: the continued provision of services in health, education, law and order, and transport; and the provision for road, rail and other infrastructure as well as environmental infrastructure. Unfortunately, expenditure in some regional New South Wales areas has been lacking for a long time. People in regional New South Wales have been subject to fewer services and opportunities than their Sydney counterparts. Regional members of Parliament must ensure that past funding injustice will be addressed long term during this the term of this Parliament. A strong State of New South Wales needs strong regions in New South Wales.

In the past six months my electorate has been very fortunate to have had two visits by the Hon. Carl Scully, Minister for Transport. During the past three weeks he visited for a second time. He was involved in a number of major road development and transport infrastructure undertakings. Only two weeks ago the Hon. Carl Scully announced the upgrading of the Geurie rail crossing, which has always been a problem in the village of Geurie. Geurie is a village built beside and on either side of the rail. It is split not only by the rail but also by the Great Western Highway. Unfortunately, the school is on one side of the rail and the ovals et cetera are on the other. The rail crossing area is a very busy intersection. For a number of years a Geurie community group and Wellington Council have lobbied for flashing lights at that very important rail crossing.

After the second visit the Minister announced a \$350,000 jointly funded project: the State Government would provide \$240,000 and the Wellington Shire Council would provide \$110,000. The Minister then travelled on to a little village called Baldry, which is halfway between Parkes and Wellington. A road links these two vital parts of my electorate, but it has been neglected for a very long time. In fact, for 52 years an action group has been trying to get have that vital road upgraded.

Some four years ago the three councils involved—Wellington, Cabonne and Parkes—decided to rename the road the McGirr Renshaw Way. It was a very astute political move: the Labor Government was in power then and it is in power now. McGirr Renshaw Way was named after two very prominent Premiers and members of the Labor Party: the Hon. James McGirr was born in Parkes and the Hon. Jack Renshaw was born in Wellington. Another Premier, the Hon. Barrie Unsworth, was born in Dubbo,. My electorate has been fortunate to have three Labor Premiers born in the three key places in my electorate.

McGirr Renshaw Way has received very little funding for 52 years, because it is a border road between three council areas. It is always very difficult for councils to agree on funding priorities. However, by lobbying and naming the road the McGirr Renshaw Way, I and the Hon. Tony Kelly from Wellington, with the help of the action group and the councils, all united, were able to put a submission to the Minister for Transport. He announced that \$10 million would be spent on upgrading the road to an all-sealed surface. People will be able to travel by bitumen road to either Wellington or Parkes, two very vital and progressive communities. City people take it for granted that they can get to a main town on a bitumen road. It was a great day for this community along the McGirr Renshaw Way when the Minister turned the first sod to upgrade this very vital road.

The Minister then moved on to another important road in my electorate, Main Road 354 that links Narromine and Tullamore. Main Road 354, again, is a border road between the Narromine council area and

Parkes council. It is also a road that has been neglected for probably a longer of time than the McGirr Renshaw Way. Through the efforts of an action group ever since I have been the member we have been able to pursue the Minister with great vigour to provide funding to upgrade the road. This is the second time that the Minister has been to Main Road 354 and announced further funding for a vital link road. Local people appreciate that we have a Minister for Transport who is willing to get out in the country and look at roads in regional areas. The Minister has announced a further grant of \$200, 000 on top of half a million dollars that he had announced earlier, in addition to the normal expenditure by council for the upgrading of this important road.

When the Minister announced the further funding, I asked him to complete the roadworks and pointed out that for a total expenditure of \$5.8 million the road could be completely sealed from Narromine to Tullamore. The road is a vital transport link in my electorate, but it is also very flat. Just three years ago, during one 28-day period, the road was inundated by floodwaters and became impassable. After heavy rainfall the road virtually becomes a creek and road transportation ceases, with the result that school bus schedules are unable to be maintained in Narromine and Tullamore, and farmers who engage in employment away from their farms to augment their incomes are unable to get to work. That is not good. In spite of all those difficulties however, the people of my electorate greatly appreciate the efforts being made by Minister Scully.

The provision of adequate health services is of great concern to all honourable members of Parliament and I am no exception. My electorate is fortunate to have the Dubbo Base Hospital and several multipurpose services [MPSs] have been built. MPSs are also proposed to be built at Tullamore and Peak Hill in the near future and there is a proposal to upgrade the Parkes District Hospital. It is very important for Peak Hill, which has a population of 1,300 and a nursing home and is situated on the Newell Highway, to have a doctor. But attracting doctors to small communities has always been a problem. The previous general practitioner in the Peak Hill community area retired, and it was only by dint of the combined efforts of the community, the Parkes Shire Council and Mid West Health that the services of a doctor were able to be secured for Peak Hill. Communities such as Peak Hill need a doctor and a pharmacist to retain essential community services.

State and Federal governments should provide adequate resources and conditions that will encourage doctors to settle in smaller communities in New South Wales. Peak Hill has been fortunate to attract a doctor who has been extremely happy over the four months that she has been in practice in the area. It is great to have a lady doctor in Peak Hill because, although I suspect it is quite a common occurrence in larger communities, it is a new experience for many people in Peak Hill. The doctor is a delightful lady, and the local community has accepted her extraordinarily well. The Dubbo electorate is heavily reliant on export industries and boasts one of the largest sheep meat abattoirs in Australia. The success of that industry is very much linked to the existence of a reliable transport service and a system of decent roads. My electorate also has a very large mining venture at North Parkes Mine, which is one of the largest mines in the region.

Under current drought conditions, it is a battle to ensure that sufficient water resources are available to meet the rather large quantities used in the mining process. An agreement has been reached with the Parkes Shire Council to supply sufficient water to the mine. As a result of recent changes brought about by the introduction of the Water Management Act, in-depth discussions have taken place between the Parkes Shire Council and the Department of Land and Water Conservation to ensure that the department does the right thing by Parkes in ensuring that this world-class mine has sufficient water resources. It is vital for rural electorates to retain mining industry ventures where they currently exist, and no barriers should be placed in the way of their further development because of a water shortage. I am hopeful that discussions will result in a guaranteed water supply for the North Parkes Mine.

Transportation by road and rail is of major importance to rural areas. I have held many discussions with Treasury officials over my concerns related to the sale of FreightCorp. I am pleased to note that after representations from the New South Wales Farmers Association, grain growers and grain handlers, a compromise has been reached over the sale. Recently my electorate was honoured by a visit from the Governor, Professor Marie Bashir, and her husband, Sir Nicholas Shehadie. The Governor visited my electorate from 16 to 18 August and had an extraordinarily busy time. Her Excellency commenced her round of engagements with a community breakfast at Parkes that was co-ordinated by the Quota Club ladies and later moved to Cooke Park to participate in a great ceremony that is held in Parkes every year, and is known as the "Birth to Kindergarten Reading Day". The celebration is an excellent way of encouraging young people to become involved in reading.

This year the main street of Parkes was closed to traffic. Older people, young people, grandparents, and mums and dads—all 1,091 of them—linked arms and formed a human chain. Hopefully, the event will set a world record for the number of people who linked arms while each was reading a book. It is a great concept and

a tremendous way of encouraging very young children to develop a love of reading. The Governor then visited the Parkes High School to address the assembly and participate in an open discussion with students. After lunch, Her Excellency visited the Southern Cross Retirement Village in Parkes and met carers and senior citizens at the centre. Later the Governor unveiled a plaque at the site of the Sir Henry Parkes Cottage, which is currently under construction. I am confident that the cottage will prove to be a mecca for students throughout New South Wales who are interested in seeing the many artefacts of Sir Henry Parkes that are housed in this regional museum that receives support from the Parkes Shire Council.

Her Excellency also performed an investiture at a ceremony at the Parkes Shire Council Chambers where Jack Scoble received his Medal of the Order of Australia. Jack Scoble, OAM, has been a leading light in the Parkes community for a number of years, and I regret that time does not permit me to list all the wonderful contributions he has made to the Parkes community. On Saturday 17 August the Governor attended a reconciliation ceremony at Peak Hill and gave her imprimatur to a reconciliation agreement between the Wiradjuri people of the Peak Hill area and the Parkes Shire Council. It was a moving ceremony. I inform honourable members that Ray Keed, an Aboriginal leader in that region—a great gentleman and a mover and shaker for the Wiradjuri people—passed away on Monday. Ray, a true citizen and a great bloke in the Dubbo region, will be sorely missed.

Over the next day and a half the Governor was involved in a number of other activities in the city of Dubbo. Saturday was another 14-hour day—a day similar to the day that the Governor spent in Parkes. The Governor became involved with communities and organisations wherever she went. New South Wales is fortunate to have as its Governor Professor Marie Bashir. The Governor and her husband, Sir Nicholas Shehadie, are great ambassadors for New South Wales. The Governor, who has great empathy for the people of New South Wales, is aware of all the injustices in our community. I admire her greatly.

Mr ORKOPOULOS (Swansea) [8.21 p.m.]: It is with great pleasure that I speak in the Address-in-Reply debate. Her Excellency Professor Marie Bashir, who opened the third session of the Fifty-second Parliament, referred in the final part of her Speech to the New South Wales economy and said:

None of the plans outlined today are possible without a strong State economy.

Honourable members, the New South Wales economy is strong.

In five of the last six years, the New South Wales economy has grown faster than the national economy.

With Gross State Product at \$251 billion, New South Wales has never been more prosperous.

The State's public sector—the assets we own together as a community—is worth an unprecedented \$93.5 billion net.

Careful fiscal management has seen healthy Budget surpluses for six years in a row, plus a \$10 billion reduction in budget-sector debt and liabilities.

In this climate of confidence, New South Wales retains the nation's lowest unemployment rate at 6.4 per cent.

The Government will continue to responsibly manage the State's finances, ensuring continued long-term growth.

Given this positive economic environment, the Government has enjoyed significant success in attracting investment to New South Wales.

The latest Department of State and Regional Development assessment shows 200 major investment projects committed or under way.

These projects, worth \$33.4 billion, will create 110,000 jobs across the State.

They confirm New South Wales as the engine room of the Australian economy.

I am increasingly of the view that the Hunter and Central Coast regions have a sound economic future. More than ever we can see that those two great regions in this State are clearly taking full advantage of their respective strengths to attract investment, develop tourism and sustain jobs. I am optimistic because all communities in both regions have experienced significant changes in the past decade or so. With prudent, quality private and public sector investment we will recast the image of Newcastle as a smokestack city. The region is being transformed and new industries are emerging. On Saturday 23 March 2002 Premier Bob Carr, at the official launch of the \$330 million expansion of the Port Waratah Coal Services coal loader, said:

If people had the view that Newcastle was still a smokestack town with a rusting manufacturing industry they had better look about them.

That expansion has lifted capacity at Kooragang from 77 million tonnes to 89 million tonnes in 12 months. The Hunter region supplies 13 per cent of the world's seaborne coal. It was recently reported in the *Newcastle Herald* that the coal industry would undergo some pressure, with the increase in the Australian dollar and the inevitable downward pressure on coal prices by Japanese coal buyers—our largest market. I am heartened, nevertheless, by recent reports that the Japanese domestic economy is stabilising and reporting growth for the first time in years.

An encouraging trend that has emerged in the coal industry is the consolidation of mine ownership, which has blunted somewhat the buying tactics of the Japanese to target smaller mine operators, which then sets the benchmark price for the entire industry. In the Swansea electorate the coal industry is undergoing its own restructure. Two Powercoal mines—Munmorah and Wyee collieries—were sold to Centennial during the parliamentary recess. I am particularly pleased that Centennial—the new mine owners—indicated that it would consider reopening the Wyee colliery, which was closed by Powercoal because of a fault in the seam. I understand that a solution may exist requiring a level of investment that the former owner was not prepared to make.

I have previously raised the issue of LakeCoal, the new owners of the Wallarah, Moonee and Chain Valley mines, as well as coastal and lake foreshore land from Coal Operations Australia Ltd [COAL] a subsidiary of BHP Billiton. COAL closed the Wallarah mine because of flooding difficulties, which is understandable. What was inexplicable was that LakeCoal closed the Moonee pit in June after the extraction of a longwall panel. I am advised that the longwall mining plan, which is registered with the Department of Minerals, has been based for some time on mining to block 14, with the most recent plan foreshadowing mining to block 20. With each block comprising between 500,000 and 900,000 tonnes of coal, the mineable resource was, therefore, between 6.5 million and 11.7 million tonnes of coal. In other words, I am not convinced that there is a reason for LakeCoal to close the Moonee mine with the resultant loss of mining jobs.

In my discussions with LakeCoal management I was not convinced by its argument for the closure of the mine. During my discussions I expressed concern about reported statements by management that the rehabilitation of the two closed mine sites and that of the now dismantled coal washery at Catherine Hill Bay would be consistent with the requirements of the owners of the land. I remind honourable members that part 2, divisions 2, 3 and 4 of the Mining Act 1992, which cover sections 239 to 246, make it patently clear that rehabilitation of former mining lands must be strictly adhered to and not partially entered into as a means of preparing the subject land for housing development.

That leads me to the next concern. The land on which LakeCoal has its mining leases is owned by Catherine Hill Bay Development, the majority owner being Bob Rose, a highly respected developer from Sydney. Lake Macquarie City Council made recommendations in the draft revised local environmental plan that is currently on exhibition that coastal lands be zoned 7.1—the highest environmental protection that one could have—and that there be one dwelling per 100 hectares. It is therefore impossible under that zoning for any housing to be constructed in that area. On the lake side council has proposed a mixed zoning of 7.1 and 7.3, and a housing to land ratio of one dwelling per 40 hectares.

My colleague the Minister for Gaming and Racing and I made a joint submission to Lake Macquarie City Council outlining our opposition to the lakeside land being given a mixed zoning classification. We believe the lakeside land should be zoned in the same way as coastal land. In other words, we believe that the placing of environmental restrictions on those 250-hectare parcels of land should be given absolute priority. We also made submissions to the Minister for Planning outlining our concerns about further coastal development. I understand that, nevertheless, Mr Rose is pursuing a long-term strategy, which is designed to ensure that the land is ultimately rezoned so that he can develop the housing he proposes for it.

This is the third occasion on which I have spoken about this and declared my opposition to further coastal or lake foreshore development. I do not believe that the catchment can sustain that level of housing development, especially given that over the next five to 10 years the current coastal land to the north of the land I have referred to can expect an influx of some 5,000 residents. Council and the Minister have approved a zoning application for a large subdivision with 2,500 homes.

Of further concern to me and my Hunter colleagues, including my Central Coast colleague the honourable member for Wyong, is that the new owner of the mines, LakeCoal, has decided to run a cut-price outfit and not have anything to do with transporting coal from the remaining stockpile of 90,000 tonnes at Catherine Hill Bay and the estimated 700,000 tonnes of coal a year from the mine that remains open at Chain

Valley Bay. The company has decided to dispense with the services of the *MV Wallarah*, a matter canvassed earlier this year by my colleagues the honourable member for Newcastle, the Minister for Gaming and Racing, the honourable member for Wallsend and the honourable member for Lake Macquarie. The owner of the ship, BHP, decided to sell it before it sacked the Australian crew and, with the permission of the Federal Government, installed an all-Tongan crew for the Australian domestic sea trade. That has resulted in a further reduction of Australian maritime employment in domestic shipping.

Even worse, we are under threat of having hundreds of coal trucks going through our communities. It appears that the larger companies have co-operated with the policy of successive governments over the last 10 to 15 years of transporting coal by rail and ship. But this little ant of a company, this \$2 shelf company, is threatening to send hundreds of coal trucks rumbling through our communities because it does not want to bear the costs that its competitors are forced to bear. The company wants to push the social and economic costs onto the community. I do not believe our communities want that.

Members representing electorates in the Hunter region have been negotiating not only with LakeCoal but also with the various local mayors and government departments for the past three months. We are rapidly coming to the conclusion that if this company wants to be a fair dinkum player in the coal industry it must bear the same costs as any other player in the valley. It should not push the social and economic costs onto the community, thus impacting on the highly urbanised areas around the lake and in the city of Newcastle. It must also consider investing in transfer stations and other such infrastructure so that the mine can be connected to an off-road system. Today a meeting was held with the leaders of all the relevant departments at which we sought clarification of these issues. I believe that coal trucks will be a major issue for the communities of Lake Macquarie and Newcastle, as well as the community of the north Wyong shire.

Tourism is also changing the nature of the local economy in Lake Macquarie. Over the past couple of years the investment in tourism in my electorate has been comparable to the investment in coalmining. There has been a deal of investment in hotels and by small entrepreneurs seeking to provide services. There has been an explosion in bed-and-breakfast establishments around the lake, which is welcome because it brings a different sort of tourist to the lake. Many people come to Lake Macquarie to fish. After careful consideration, Minister Obeid declared Lake Macquarie a recreational fishing area. There is evidence to suggest that there will be an explosion in fish-related tourism, which will be of benefit to small-boat operators, and restaurants and cafes that provide services for tourists.

The health of the lake is extremely important. The Government has clearly responded to the needs of the lake by agreeing to a further \$3.5 in annual funding, to be matched by Lake Macquarie City Council, for a clean-up program to improve the water quality of the lake, provide better environmental outcomes for the its marine life, and give the increased number of fishers an opportunity to catch fish. Part of that allocation is annual funding of \$1 million to control the spread of the noxious weed *caulerpa taxifolia*, which is found in seven waterways across New South Wales. The weed is currently taking hold in Lake Macquarie, and it is extremely important that it be eradicated. I am pleased that the Lake Macquarie catchment co-ordinator has announced funding of \$500,000 for the first stage of the dredging of Swansea channel, which has been in a disastrous state for a long time. On many occasions people in yachts, large boats or cruisers try to use the channel to enter or exit the lake, but their craft get stuck and the voluntary coastal patrol has to be called to pull them out.

The first \$500,000 that was announced last week will help to prepare the design of the dredging program and straighten out the channel. I intend to lobby the Government for a State contribution of \$1.25 million to match the council's contribution of \$1.25 million. That will ensure that the full, long-term dredging of the lake can be achieved in the most effective and cost-efficient way possible. Boats will then be able to enter and exit the lake with greater ease, and their occupants will not have to be afraid of being stuck on a sandbar. That will help the tourist industry that is flourishing around Lake Macquarie and give jobs to our younger people, who for so long have been unemployed or have had to go to Sydney to find jobs.

Mr ANDERSON (Londonderry) [8.40 p.m.]: With many others, I sat in the other place on 26 February to listen to the speech of the Governor, Her Excellency Professor Marie Bashir. While she was addressing both Houses of Parliament I could not help but think that she was talking particularly about my electorate. All the programs she spoke about and all the Government's commitment seem to be focused on my electorate, the Mount Druitt area particularly. Any part of the speech could have been, and probably was, addressed to programs that the Government has committed to the people of Western Sydney, to the Mount Druitt and Londonderry areas in particular.

Her Excellency spoke about the Government spending \$7.6 billion in the year 2002-03 on education but in effect this year the Government will spend \$8.3 billion. There will be an even greater allocation of funds than the amount referred to by the Governor when she addressed the joint sitting of Parliament. Over four years more than \$1.7 billion has been invested in capital works programs and upgrades in maintenance. That figure has also been increased. The Governor spoke about a number of programs that are particularly relevant to my electorate. She spoke about \$70 million that had been committed to the priority funding program for security upgrades at schools across the State. The schools in my electorate benefited greatly from that commitment. Indeed, some 22 of the schools in my electorate received significant funding.

During the recent parliamentary break I had the pleasure of visiting 15 of the 22 schools. I sat with the principals and addressed assemblies. I sat with the teachers and talked about issues in our schools and what they would like to happen. A number of them had complaints and gripes. I took those complaints on board. I will meet with the area superintendent to talk about the issues that the teachers and principals have raised. In all the schools the feeling was positive: classrooms had been painted and new carpet had been put in. Some significant repairs had been carried out to some of the older schools. It made the students and teachers feel that they were valued and that we were creating a better learning environment. They appreciated it very much.

The next jag was: How are you going to pay us, what are you going to give us when the wage case comes up? That will be addressed as it has been in the past. There will be some robust debate between the parties but no doubt there will be an amicable settlement. The fact that the teachers felt so confident in the upgraded environment in their schools made for a positive time. Not once in all the schools that I went to was any animosity expressed against the Government. It was all about the Government doing things and making things happen. The people involved in our schools and the school communities believe it is all worthwhile.

Since the Governor's Speech the Government has committed additional funds to the Priority Action Schools Program, and \$16 million has been committed to a pilot program that will involve 70 schools. At least 14 schools from my electorate and the adjoining electorate of Mount Druitt have been invited to take part in that program. We have appealed on behalf of one, possibly two, other schools to have them included in the program and we will await the hearing. These two schools do not know why they have been left out. They are in the Mount Druitt area and have the same socio-economic problems as all the other schools. This program will target the most vulnerable and disadvantaged kids in our education system in my electorate and in the electorate of Mount Druitt. The Government is acting on requests, looking at the need and doing something about it.

I have attended a number of school breakfast programs. I have sat and had breakfast with kids. The teachers have told me how important that is, because so many children attend school without a solid meal. They are listless and do not participate as well as they should or could in the education programs. These breakfast programs have been an outstanding success. This new round of funding for the Priority Action Schools Program will assist such programs. It will make it easier for the kids in our schools. These programs are not only related to educational matters. The education outcome is the important thing but to get that educational outcome there are many other things we need to do. This funding will go a long way towards helping us come up with solutions to the problems that need to be addressed urgently.

The Governor also spoke about the Count Me in Too and Counting on Numeracy strategies in schools. Schools in my electorate are participating in those programs. During the visit I spoke about earlier, teachers told me that they are extremely pleased with the way things are going. They are extremely pleased that initiatives have been put in place to address deficiencies that have been in the system for some years. They have been identified and acknowledged and now action is being taken to correct the problems. That can only be good for our children and for the education outcomes we are looking for.

If we do not give the children a full understanding of what the system is about at an early age they will not be able to appreciate and participate in the higher levels of education we want them to aspire to. The initiative the Governor spoke about is worthwhile and welcomed. I have also had the pleasure of visiting a number of tutorials. In my electorate there are two tutorials. These are school facilities for children with disruptive tendencies. Such children need special attention and all the help we can offer. Additional funding for the new specialist teachers and staff in those facilities will greatly help those children. If those facilities are given the necessary resources, we will get excellent results.

I refer to the Obley Education Centre in my electorate. I have driven by St Dominic's school from the Catholic Education Office. Some 16 young people who have been expelled from other schools in the region and who cannot get back into the school system attend the Obley centre, and the results are outstanding. Out of last

year's intake alone of 16 students—and we have a waiting list of 28—one young fellow got an apprenticeship in airconditioning, one young fellow got an apprenticeship as a panel beater, one young fellow is working not as an apprentice but as a painter in a car repair facility and two young people have gone back to St Dominic's high school. That shows that if the effort, resolve and resources are put in place we can do things for these young people who would otherwise be thrown on the scrap heap and then come back to haunt us with social problems in the future. That program is very worthwhile, and it is important that we pursue it and do all that we can to expand it.

The Governor spoke about healthier communities. Earlier this year in my speech on the budget I spoke about the Government's commitment to health matters in my electorate. The Wentworth Area Health Service serves the Penrith part of my electorate and the Western Sydney Area Health Service serves the Mount Druitt-Blacktown part of my electorate. The Government has committed additional funding over and above that which the Governor spoke of in her speech to the joint sitting of Parliament. Additional and better services are being provided in the new hospitals to which I referred earlier in my budget speech.

People in this part of Western Sydney have a new hospital at Blacktown worth \$88 million. Nepean has seen \$105 million invested in a new hospital—even more since the figures were released. That clearly indicates the Government's commitment to providing good, state-of-the-art health services in Western Sydney. As I said, the need is great and we must do other things to meet the increasing requirements of hospitals. A number of private health services in my electorate have closed or now work restricted hours. The people who were using those 24-hour health services are returning to the public hospitals for service. Because of insurance difficulties and the problems that private health services are facing, the State must pick up the responsibility and provide services that it did not plan to deliver some two or three years ago—the need was not envisaged but it is certainly real. We must appreciate that the Government is providing many additional resources to meet the health needs of our community.

The Governor's Speech referred to building healthier communities and providing better health care for the majority of people of this State. The Government's plan is working particularly well. The Government can be justly proud of the Menadue and Sinclair reports, and congratulations must go to the Minister for Health on bringing down such a significant report that has implications for the whole State. The Governor went on to speak about safer communities. She talked about how the Government must act to make our communities safer and mentioned initiatives that have been applauded by the police service. The Governor referred to the legislation that seeks to remove the presumption in favour of bail for repeat offenders. When I spoke at local public accountability community team [PACT] meetings organised by the Minister for Police, the police told me that this great initiative is already helping them although the legislation has only just been put in place. It has given police the opportunity to address major community safety issues.

At a meeting held two Thursdays ago the patrol commander for the St Marys area, Superintendent Alan Harding, told us that the problems in our area are caused by a few repeat offenders. Some 80 break and enter offences were committed by four habitual offenders who had been released on bail. If those people are arrested they will need to make a very good case to be released on bail. We hope they will not be released on bail but held in custody. This will remove recidivist offenders from the community.

The Governor referred also to the State-run drug programs and initiatives that are having an impact on my electorate. Funding has been provided for an additional nine drug treatment beds in Nepean Hospital. Drug problems in Western Sydney are significant. We have a number of methadone clinics. One clinic in St Marys, which is located near the station, has caused problems for the business community for many years. When we looked to solve the problems by identifying the drug offenders, we had difficulty getting them into treatment. I remember well during the Drug Summit travelling with James Wood to Cabramatta. We spoke to the advisers and the workers in establishments who told us that they try to help many people but they cannot find treatment beds for them. The waiting list to get into Dunsmore House at Rooty Hill was significant: Staff had to ring before 6.00 a.m. to see whether there was a treatment bed available for these young people.

That situation will be helped by the additional funding for these nine extra drug treatment beds at Nepean Hospital. That will help us to address an issue that impacts significantly on the people of Western Sydney. During the tours of inspection undertaken as part of the Drug Summit, James Wood told us that some 2 per cent of people are causing probably up to 90 per cent of the problems, which are drug related. He was spending a fantastic amount of time trying to address the problems created by that 2 per cent of the community. The Government's commitment is one step towards finding a solution to the problems. The Governor also spoke about crime prevention. She emphasised that it was not only an issue for the police; the community must get involved. I totally agree with that sentiment. The Government has put a number of initiatives in place, and we are seeing the benefits of some of them.

Key elements of the Cabramatta strategy include the Families First program, and some of its initiatives are being implemented in Mount Druitt, North St Marys and Werrington, which are all in my electorate. Those significant initiatives certainly will help us. Families there have been left on their own to solve their problems, but they will now have an opportunity to call upon professional workers for assistance. Assistance that could have been and should have been provided some time ago, but was not, is now being provided. Families First will provide tremendous benefits for Western Sydney. I shall refer quickly to the Government's package on revitalising police and community youth clubs, something that again needs to be supported. District youth clubs provide great assistance to young people by providing them with activities to fully occupy their leisure time. I thank the House for the opportunity to make this speech.

Debate adjourned on motion by Mr Whelan.

MISCELLANEOUS ACTS AMENDMENT (RELATIONSHIPS) BILL

Bill received and read a first time.

Second Reading

Mr WATKINS (Ryde—Minister for Education and Training) [9.02 p.m.]: I move:

That this bill be now read a second time.

This bill was introduced in the other place on 18 June and the second reading speech appears at pages 3212 and 3213 of *Hansard*. The bill is in the same form as it was when introduced in the other place, and I commend it to the House.

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

PRIVATE MEMBERS' STATEMENTS

Mr WATKINS: I seek the leave of the House for private members' statements to be noted for a period of up to 90 minutes.

Leave granted.

BATHURST ELECTORATE DERELICT MINES REHABILITATION PROGRAM

Mr MARTIN (Bathurst) [9.03 p.m.]: The Bathurst electorate has a rich mining history as coal has been mined in the Lithgow area since the 1830s. Honourable members would be aware of the household names of some important goldmining villages in my electorate, including Sofala, Hill End and Rockley, which all celebrated their 150th anniversary this year. Sunny Corner is another important gold and silver mining village in my electorate. However, the many derelict mine sites in the Bathurst electorate are the legacy of mining. Since the last century, many mining companies have disappeared into history and the villages have been left with major land contamination problems. I am pleased that in the past couple of days the Minister for Mineral Resources announced a funding package for derelict mine rehabilitation in my electorate.

The rehabilitation of derelict mines is being carried out in a number of stages. Projects are selected by the Derelict Mine Committee, which is administered by the Department of Mineral Resources, with assistance from the Environment Protection Authority [EPA], the Department of Land and Water Conservation [DLWC] and the New South Wales Minerals Council. Six projects being funded this financial year include the allocation of a further \$85,000 for safety work at the Sunny Corner mine, which operated in 1849 and then for a period from 1865 to 1922. The New South Wales Government has spent \$220,000 already on site assessment and remediation of this mine. The Big Hill Mine at Sunny Corner became part of the Government's derelict mine rehabilitation program this year, with \$14,000 being provided for safety and bat surveys. Abandoned mines often are favoured sites for rare species of bats, so it is important to recognise those species. Surveys of a number of other areas, including the Paddy Lackey Mine, the Mitchell Creek Mine, and the Crown Ridge Oil Shale Mine, and the historic Hill End goldmine further to the west, will be completed and will allow us to identify earlier mine works and undertake safety work.

As I said, one of the legacies of mining is that many villages now have land contamination problems. This is particularly so at Sunny Corner village, which is halfway between Lithgow and Bathurst. Residents find

they are being heavily penalised by lower property values as a result of arsenic and lead contamination. Evans Shire Council has been forced to register on its section 149 certificates the presence of contamination, and there is a consequent implication for property values. A number of residents, including Graeme Fish, Tim Galli, Jan Finlay, Pauline Collins and others, have tried to organise a program to overcome this problem.

I have made numerous representations to Ministers over the past couple of years, and a recent petition to the Premier garnered a whole-of-government approach to this serious problem. Joanne Laurence from the Premier's Department's Dubbo office is doing a great job in co-ordinating the project. It is hoped that all government departments with an interest in the matter, including the EPA, State Forests, the DLWC, and the Department of Mineral Resources, will join in identifying the contamination hot spots. Much of the contamination results from mine tailings that, due to ignorance, were used as fill in the construction of the village. Many people affected by this problem are on fixed incomes or pensions and cannot afford the extensive survey work needed to identify affected areas.

I hope this whole-of-government approach will result in the Government or government agencies putting in place a program to identify those hot spots and identify a process by which sites can be decontaminated. Many of the people affected have their life savings tied up in their properties. The companies that were the original perpetrators of this pollution cannot be traced, so we need to work together to overcome the problem. I thank the Premier and his department for putting together this whole-of-government approach. I will watch it closely and keep local people informed so that they can secure the value of their properties.

COFFS HARBOUR HEALTH CAMPUS PINK LADIES

Mr FRASER (Coffs Harbour) [9.08 p.m.]: I support the Pink Ladies at the Coffs Harbour Health Campus, formerly known as the base hospital. The easiest way to show my support is to read a letter I received from Mrs Joy Hallett. She states:

Dear Mr Fraser,

I have a story which I am sure will interest you greatly. It concerns the Pink Ladies Auxiliary at the Coffs Harbour Health Campus, (who were also at the old Hospital.)

For many years these lovely Ladies have worked as Volunteers as either coffee shop attendants, wards helpers, snack trolley attendants, also doing washing for newborn babes, their mothers and patients with no support. The entire proceeds of all these activities going to the Pink Ladies Aux. who, in return have provided the Hospital (old and new) with millions of dollars of extra equipment necessary for the running of the Hospital, but never provided by the State Government.

All of this work has been entirely volunteer with no paid workers, however, since moving to the new Health Campus the Coffee Shop has been extremely busy, and resulted in the necessity (or so the general manager said) of us (the Pink Ladies) employing a Supervisor for the Coffee Shop. This resulted in the President (Mrs Helen Meers) deciding with others at a meeting, to employ an ex-hospital employee from the kitchen. The position was advertised quietly but only this person was interviewed and got the job. As time went by another person was also employed to assist in the full-time work again without the consultation of the committee. This completely changed the attitude of the volunteers who were not happy working for nothing and being ordered about by a person of lesser ability, thus resulting in the loss of several Pink Ladies. All the while this was going on the Staff Kitchen and the Main Kitchen remained closed because the hospital management would not pay out the wages. Both of the Coffee Shop employees are being paid by the Pink Ladies Auxiliary.

Now Mrs Meers has decided we must employ two more workers for the Coffee Shop, as the Pink Ladies are leaving in droves; and the general manager, Mrs Julie Colvin also wants the Pink Ladies to employ a volunteer coordinator to oversee all of the volunteers at the hospital. So, as you can see, the Pink Ladies are being exploited by the Mid North Coast Health Service, and as far as being known as volunteers, that no longer pertains.

I am sure you will be interested in these goings-on as I speak for at least 20 ex Pink Ladies who are absolutely disgusted with the goings-on, and these people should be exposed.

This is an absolute disgrace. These ladies have said in their own letter that they have spent millions on this hospital in terms of hours worked and donations given. Yet the mid North Coast Area Health Service, led by a general manager who is directed by Mr Terry Clout, who has absolutely no credibility within the local organisation, is employing full-time workers to do work that the Pink Ladies would quite willingly do for nothing. I suggest that this is a case of jobs for the boys or the girls, as the case may be. It has destroyed the morale of volunteers who for generations have worked at this hospital and the previous hospital.

It is an insult to these ladies personally and to their intelligence to demean them by forcing on them employees picked by hospital management to run the auxiliary volunteer group that they have run so capably for so many years. I cannot accept it. I ask the Minister for Health to intervene and ask for a full report on why these volunteers are, in the words of Mrs Hallett, leaving in droves. These are the people who took nappies home and

washed them in years gone past, and will continue to do it; they are the people who always had a kindly word for bereaved relatives or for people who were severely ill in the hospital. These people are being driven away from a health service that was proud to have them there in the past but now does not want them because of the mismanagement at the Coffs Harbour Health Campus—which should be known as the Coffs Harbour Base Hospital. I demand that the Minister resolve this matter and support the volunteers who have served the community so well for so many years.

CESSNOCK GREASE MONKEYS YOUTH PROGRAM

Mr HICKEY (Cessnock) [9.13 p.m.]: I wish to draw to the attention of the House an innovative youth program targeting car theft and joyriding at Cessnock which is funded by NRMA Insurance to the tune of \$10,000. Cessnock City Council and the NRMA are working together to consider staging a project aimed at young people at risk because they are involved in car theft, joyriding and other risk-taking activities, and to implement a program that will teach these young people skills. The group will have on-the-job training as they work on rebuilding a minibus that ultimately will be returned to the local community to help ease chronic transport shortages within the Cessnock community.

I have spoken in the House many times about transport in my electorate. It is an issue that my community constantly raises with me; it is a problem that will be ongoing for years. The 12-week program is designed to teach mechanical and associated skills to a selected group of six to eight young people considered at risk of involvement in car theft and related antisocial risk-taking behaviour. A damaged minibus will be purchased and the participants will undertake the necessary repairs, under supervision, to make the minibus roadworthy. It is anticipated that the repaired vehicle will be sold by tender to a community organisation that will use it for a range of community transport needs and thus will help to alleviate the transport problem.

A local car dealer has given an in-principle commitment to allow the group to use its facilities: A fully accredited mechanic will instruct the youth workers and an experienced local youth worker will assist in delivering the program. Having learned mechanical and other skills, participants will be encouraged to further develop those skills in a workplace environment. Stage two will be an informal but supervised community-based mentoring program in which participants will be encouraged to undertake work experience linked to a local car-related business where owners and staff will act as informal mentors. This later stage would create further pathways to further education and training, and potentially to employment opportunities.

Grease Monkeys is the name of the program. It incorporates many of the recognised features of effective programs aimed at young people with a tendency to offend. It is community-based, it uses a learning style that requires active participation, but it is also carefully structured and skills oriented with a view to teaching problem solving and social interaction. The partners in the project are: Cessnock City Council, the New South Wales Crime Prevention Division, Cessnock Youth Centre and Outreach Service, Kurri Kurri Youth Centre, Cessnock Youth Development Project, Youth on the Move to Ride for Education Project, Samaritans Foundation Cessnock Youth Activity Service, Samaritans Foundation Jobs Placement Employment and Training Program, Links to Learning, Hunter Valley Training Company, Hunter Institute of TAFE, Cessnock Toyota, and local businesses.

I must acknowledge Mr John Jowett, a local smash repair dealer, who, at his own expense, will provide space at his workplace to allow the minibus to be repaired and brought up to standard. Mr Jowett has a very strong commitment to the community; he is an example of what a positive attitude can achieve. This diversionary program will promote positive behaviour, teach skills such as team building and self-esteem, and help to alleviate some of the antisocial tendencies within my community.

Car theft in my community is extremely high; it has become such a problem that the Cessnock community considers that it is paramount that something be done to solve it. Last year Cessnock was ranked in the top 20 hot spots for car theft in New South Wales, according to the Bureau of Crime Statistics and Research. Unemployment in the area is 12.5 percent, more than double the New South Wales rate. Youth unemployment is much higher, but we are addressing it through the Tompalin Estate. [*Time expired.*]

BALLINA ELECTORATE COUNTRYLINK COACH SERVICE

Mr D. L. PAGE (Ballina) [9.18 p.m.]: The Labor Government is cutting an important Countrylink Coach Service in my electorate and I have received many letters from concerned residents who will be adversely affected by the withdrawal of what little public transport is available in my electorate. Most country members

know that we have very little public transport in country areas, and it really is totally unacceptable that this Government is withdrawing what little we have. Effective from 1 October the Minister for Transport will withdraw the Countrylink coach service that takes passengers arriving at Lismore railway station on the 7.00 p.m. train to their homes in Goonellabah, Wollongbar, Alstonville, Ballina and Lennox Head. Likewise, the coach service which currently picks up passengers travelling in the opposite direction from Lennox Head and connects with the night-time train travelling from Lismore to Sydney at approximately 11.30 p.m. will also cease.

The alternative that has been offered for Ballina and Lennox Head residents who depart the XPT at Grafton is to board a coach, but that will add another three hours to a journey that already takes approximately 10 hours. No other alternative has been offered for people who live in areas between Ballina and Lismore. The people who are most affected by these cutbacks are elderly, and some of them live alone. They rely heavily on connecting coach services to meet their train and return home safely. Many do not have family members living locally—a quite common occurrence on the North Coast—hence their need to travel to Sydney or Melbourne for family visits up to three or four times a year. The withdrawal of connecting coach services has destroyed their independence and their ability to freely organise travel arrangements. The changes have caused considerable distress to people who use the train service to visit their families.

I wrote to the Minister for Transport, and Minister for Roads on 16 July and on several occasions since to obtain a review of the decision. At this stage I have not received any response from the Minister, but I am optimistic and remain ever hopeful that Minister Scully will recognise that, as the National Party's parliamentary representative for Ballina, I am standing up for the battlers. Minister Scully must do something to demonstrate that he will not abandon the battlers who live in my electorate. It has been suggested that a minibus or maxi-taxi could be used if the current service is not sufficiently patronised to make the retention of the service viable. State Rail personnel have told me that the reason for withdrawing the service is a lack of patronage. I would like to know what the passenger figures are, because a number of people have written to me expressing concern over the loss of this service. Quite a number of people must be affected directly; otherwise they would not write to me.

Even if providing a CountryLink coach service cannot be justified, perhaps a minibus or a taxi service could meet the train instead of people having to leave the train at Grafton to catch a bus that goes all the way out along the Pacific Highway to Evans Head, Ballina and Lennox Head. More importantly, without this service people who live in areas between Lismore and the coast will have no public transport whatsoever after they leave the train. Many elderly people rely on the train as a means of contact with their families, and vice versa. I feel sure that if the Minister were aware of this situation he would not support such a heartless decision. Labor members ought to stand up for the battlers, as I do. If the New South Wales Labor Government is not prepared to reinstate some sort of connecting service which will enable people to meet their train, Labor policies are nothing but rhetoric. The elderly people who rely on the service will be especially disadvantaged by its loss.

I call on Minister Scully to reinstate the service. If patronage levels do not warrant a normal size CountryLink coach on the route, a minibus, a maxi-taxi, or some other form of transport should be provided to assist people who rely heavily on public transport to access their rail service. The reality is that many people who live in my electorate do not have family members to take them to and from the train—a distance of up to 40 kilometres. I urge the Government not to abandon these people, but to seriously examine this problem and do something about it.

ST JOHN'S ANGLICAN PARISH, PARRAMATTA, BICENTENARY

GRANVILLE AND DISTRICT SOCCER FOOTBALL ASSOCIATION CENTENARY

Ms ALLAN (Wentworthville) [9.23 p.m.]: There is a popular misconception that western Sydney is a very young region of this State, whereas it has a great deal of rich history. During the parliamentary recess two very important anniversaries were celebrated. The first was the bicentenary of St John's Anglican Parish at Parramatta, and the second was the Centenary of the Granville and District Soccer Football Association. On 28 July 2002 I had the pleasure of attending St John's Anglican Parish for a celebratory service that was indeed a magnificent occasion. The Anglican church at Parramatta was proclaimed by His Excellency the Governor of New South Wales, Governor King, on 23 July 1802. The proclamation stated:

His Excellency is pleased to direct that in all spiritual, judicial and parochial proceedings, deeds, instruments and registers that the districts of Sydney, Petersham, Bulanaming, Concord, and Liberty Plains be comprised with a parish to be henceforth named 'Saint Phillip'.

Among the districts that were included in the parish of St John's at that time were Parramatta, Bankstown, Prospect Hill, Toongabbie, Seven Hills and Castle Hill—and a number of those suburbs currently form part of the Wentworthville electorate. The first rector of St John's was the infamous Reverend Samuel Marsden, who was there from 1802 to 1838. Reverend Samuel Marsden certainly put St John's on the map. His legacy and the legacies of other rectors since 1802 was celebrated on 28 July 2002. The Governor-General was in attendance as well as the current rector, the Reverend Canon David Gray Mulready, whom I congratulate on the service he delivered. Ruth Apps, who is a former lay canon of the Anglican church at Parramatta, is the mother of Julie Apps, with whom I went to school. Both women played a very important part in the service on that special day.

When reading the current edition of the *Southern Cross*, which is the newspaper published by the Anglican Church, I noticed a wonderful article which highlighted the celebration of St John's bicentenary. I concur with two features of the article—praise for the contributions made on the day by the Reverend Irene Mok, who ministers to Parramatta's 16,000 Chinese-speaking members of the Anglican community, and commendation of the Farsi-speaking Persian congregation's pastor, Edmund Bagheri. Both Edmund and Irene spoke most impressively at the service.

The other important celebration that was held over the past couple of months was the centenary of the Granville and District Soccer Football Association. The contemporary association currently has more than 10,000 players, including the under six group, in which my son participates, and the ladies competition, which includes the under-16 group and the over-35 group. The Granville and District Soccer Football Association's representative teams participate very strongly in many statewide competitions.

Lots of Granville officials are among my long-term constituents, including Michael Briggs, who is the association's secretary; Alan Pont, the senior vice president; Glenda Pont, the assistant secretary; Frank Howieson, the representative convener; John Simmons, the representative secretary; Lal Byers, who is the women's coach; and many other longstanding volunteers. I am very impressed that Granville and District Soccer Football Association is 100 years old, and that soccer was first played in Parramatta in 1880, largely because of the establishment of a strong engineering community centred on the Clyde Engineering works.

The Granville and District Soccer Football Association was founded in 1882 and was in existence long before clubs such as Arsenal, Chelsea, Coventry City and others. The first club formed in 1880 was the Parramatta-based Wanderers Club, but since then a number of subgroups have formed within the association. The Pendle Hill Junior Soccer Club, with which my son played and for which I was a team manager, was formed in 1966. The Greystanes Soccer Club was formed in 1971, and Winston Hills was formed in 1963. Soccer is a very popular sport in our community, and I am delighted to be associated with a sporting club that is more than 100 years old. It is worthwhile noting that the people of western Sydney were playing soccer long before people in other parts of Sydney even thought of it.

KINCUMBER POLICE STATION

Mr HARTCHER (Gosford—Deputy Leader of the Opposition) [9.28 p.m.]: The Kincumber police station, in my electorate, is the focal point of an important issue. I will read to the House a letter I received from a constituent who complains that the police station is not operating effectively, but ought to do so. The letter states:

Dear Sirs,

I am writing to you concerning Kincumber Police Station.

On Tuesday 20th August 2002 my daughter, Shannon almost 8 years and her friend Elizabeth whom has just turned 8 years went missing for over one and a half hours after school. Both girls attend Green Point Christian School and on this afternoon both Shannon and Elizabeth went to catch the school bus home. The girls were standing in line talking when they somehow managed to get onto the wrong bus. They did not realise this until the bus drove past their usual turn. When they both realised what had happened they were too embarrassed to speak so decided to get off at the next stop. Unfortunately the bus did not stop until after the Avoca Drive, Empire Bay round a bout. They got off then started walking back to Green Point Christian College. After walking for some way Elizabeth and Shannon decided to go to the Police Station. They crossed Avoca Drive outside Kincumber Shopping Centre and over to Kincumber Police Station. After knocking on the Police Station's door and receiving no answer they saw the notice attached to Station's wall that informs people to press the button if the station is unattended. One of the girls pressed the button. Shannon then told the lady that had answered the intercom that she was lost and she knew her phone number and where she lived. The lady officer responded with "I'm sorry we are busy, we can't help you". Shannon looked at Elizabeth and then Elizabeth pressed the button and then said "we got the wrong bus, we are lost, I know my phone number and address". The girls then tell me that the lady repeated the same answer "I'm sorry we're busy, we can't help you" (these are two 8 year olds). The girls then walked away from the Police Station and continued along Avoca Drive (where there are no footpaths) until they reached the Saratoga, Davistown round a bout—over one and a half hours after they left school. A teacher from their school

noticed Shannon and wondered what she was doing there. She pulled over, parked her car and went to the girls. After ringing Elizabeth's parent and then myself she drove both girls home. It was 5.10pm. Our girls had been missing since 3.50pm, the time when we would normally expect them home.

This situation with the girls pressing the button and NOT being helped has raised a number of concerns about Kincumber Police Station.

1. Most important is the fact that at about 4.30pm on a Wednesday there was no one working at the Police Station.
2. When our girls used the 'press button' system they were not heard properly and not understood, as a result no action was taken.

As a mum of three children (two at school) I have always expressed the importance of trusting police and if needed go to them if they are in trouble. Those two girls walked to the one place they believed to be safe. When no one answered their knock on the door they thought clear enough to ring the after hours button. It is only after they were not helped that they became 'AT RISK'.

3. It is unacceptable that the lady officer who took their call twice (via the intercom) did nothing to respond to the girls...
4. Finally, I believe both girls were more 'AT RISK' standing alone together in an empty Police Station... with 2 school bags looking a little lost and scared at about 4.30pm.

I am a protective mother and maybe a little over protective at times but considering all the news headlines the previous days concerning two 10 years old girls missing in England now dead, the actions of the Police Officer who took the girls call is absolutely inexcusable and unacceptable.

I have taken this matter to Gosford Police Station and I am bringing this to your attention as I want to know, I want to see that something is going to be done about this problem so that it does not happen again. I believe also that the government should be aware of the danger of an unmanned Police Station in a very busy Community Centre. I would like to see the station permanently manned.

This station, which was constructed in 1996, has never been manned. The station is idle with no-one in attendance. From time to time the station is used by police for special operational purposes, and never for the purpose for which it was constructed. It is an embarrassment to this Government. There is a crying need for a manned police station in Kincumber—at one time the fastest-growing area in Australia, with a massive 18 per cent population increase every year. That area is now settled but the Bensville area is about to be opened up.

The police station, which is designed to service about 8,000 to 10,000 people, is permanently unmanned. The police station, which cost \$1.4 million to build, was opened by this Government but never staffed by it. The people of Kincumber have taken out petitions and frequently demanded that they be given what they were promised, that is, a manned police station. The plight of these two young girls, coming so soon after the tragic loss of two girls in England, makes everyone realise the dangers of having an unmanned station in the community. The Government must act. On behalf of the people of Kincumber I demand that the Government act now.

LIVERPOOL ELECTORATE MOBILE TELEPHONE SERVICE

Mr LYNCH (Liverpool) [9.33 p.m.]: I advise the House of a problem relating to mobile telephone services that is occurring within my electorate, in particular in the Green Valley area. There has been a great deal of public discussion and media commentary about the inadequacy of various telephone services and mobile telephone services in rural and regional Australia. Whilst I do not want to downplay those problems, I make the point that rural and regional Australia do not have a monopoly on these problems. Not only is there a significant issue about these services in a portion of my electorate; the position is exacerbated considerably by the lack of any meaningful response from the various authorities to whom I have written and with whom other people have made contact.

The first constituent who raised these problems with me was Mr Allen Purse who lives in Thredbo Street, Heckenberg—a street in Green Valley which is located off South Liverpool Road. He spoke to me earlier this year about the difficulties he had with mobile phone reception in his street and in his house. He had previously attempted to pursue this problem and he had gone to one of his representatives who had written to Telstra. He received a letter dated 26 April 2002 from Mr Michael Patterson, Acting Corporate Affairs Manager, New South Wales. That letter read in part:

As a result of this complaint, we asked our technicians to assess the coverage in Heckenberg and particularly the area surrounding Thredbo Street (Mr Purse's residential address) for both our mobile phone networks—Digital CDMA and GSM. The analysis has provided positive results, showing that there is a robust handheld coverage in this area and that customers should not be experiencing any connection problems.

To enable us to investigate further, we require specific information as to the location when experiencing difficulties (ie if there are problems when calling from a particular residential address and/or certain locations in Heckenberg) this will help us identify any possible causes.

You should also note that besides the mobile network, there are other factors which can interfere with the performance and coverage of a mobile phone. For example, if the handset is faulty, this can significantly impact on the performance of the service.

Mr Purse took that as an invitation to go away and leave Telstra alone. That is not something that Mr Purse was prepared to do, and nor should he have had to. Accordingly, he discussed the matter with me. To try to make the best possible case we could for Mr Patterson, Acting Corporate Affairs Manager of Telstra, I went to Mr Purse's address and I experienced exactly the same problems that Mr Purse had experienced. I took with me my Telstra phone. I experienced problems getting any coverage at all in Tumarumba Crescent, which is located at the end of Thredbo Street. There was no coverage at all.

Once I was inside Mr Purse's house I had considerable difficulty making any contact with my mobile phone. That problem continues to this day. Earlier this evening I rang Mr Purse on his mobile phone. He happened to be at home and, frankly, he could not hear me. We had to cease our conversation and I had to ring him on the landline. I again wrote to Mr Patterson, and part of my letter to him, which is dated 15 May, states:

I have now attended Mr Purse's house and his surrounding area. I took with me my Telstra mobile which experienced the same problems as did Mr Purse's.

Specifically:

1. In one section of Tumarumba Crescent there was no reception at all on my phone.
2. There were extreme difficulties in Mr Purse's house.

I would be pleased if you could take appropriate action in relation to this.

Regrettably, I received no reply. I have not received anything back from Telstra, notwithstanding the fact that that letter was sent on 21 May. It is bad enough to have inadequate services, but it simply adds insult to injury when one does not receive a response. I went to some trouble, including going to Mr Purse's house with my mobile phone, to confirm the problems that he was experiencing. Mr Purse is not the only person in this area who has experienced difficulty with mobile phones. At the end of June I conducted a community survey in my electorate. Certain people living in Starling Street, Green Valley, experienced the same problem.

About a month ago I wrote to the Federal Minister and I have not received an acknowledgment from him. On Saturday 24 August when I was in the area I drove into Jugungal Place, Heckenberg, which is quite close to South Liverpool Road. I was on my way to a community function. The Deputy Mayor of Liverpool council rang me on my mobile and we were discussing an article that had appeared in the *Sydney Morning Herald* that morning. In the middle of our conversation the phone dropped out. I travelled a little further and again rang the deputy mayor, who said, "You must have been on South Liverpool Road." It is well known that there are mobile reception problems in that area. As I said earlier, this is a significant issue. What is even more aggravating is the fact that no-one is prepared to take this issue seriously. People think that because they are not in regional and rural New South Wales the issue is not important, which quite clearly is nonsense.

HUME HIGHWAY UPGRADE

Mr MAGUIRE (Wagga Wagga) [9.38 p.m.]: On numerous occasions I have referred in this House to issues relating to the Hume Highway. Most recently, I referred to the proposed Tarcutta interchange. Tonight I refer to an issue that is of enormous concern to me and my community, that is, the Hume Highway and the unduplicated sections of that highway. Between Sydney and the Sturt Highway, a distance of 364 kilometres, only two sections totalling 12 kilometres are yet to be provided with dual carriageways. They are Coolac bypass, north of Gundagai, and Sheahan Bridge duplication at Gundagai. Between the Sturt Highway and the Victorian border, a distance of 153 kilometres, 94 kilometres of road are yet to be provided with dual carriageways.

For the purpose of my contribution I asked the Parliamentary Library to compile a booklet on the history of the Hume. That is its title. After reading the information contained in it, I think the booklet should have been titled "The Killing Fields" or "The Highway of Horror", because that describes the unduplicated section of the Hume Highway between Tarcutta, the Sturt Highway turn-off and Albury. I know that the honourable member for Albury shares my concern, as does Greg Aplin and many citizens who live along the Hume Highway. I put questions to the Minister's department. One of those questions was:

Has the state government submitted a forward strategy report with a proposal to duplicate those sections of the highway which are currently unduplicated?

- (a) Has this been done on an annual basis?
- (b) Has a cost benefit analysis been submitted for such project(s)?

I received the following reply:

- A condition of federal funding of National Highways in NSW is that the state government is required to submit annually a National Highway forward strategy. A purpose of the strategy is to assist the federal government in its budgetary deliberations.
- For many years, the strategy has promoted completion of dual carriageways on the Hume Highway.
- Cost benefit analysis has been submitted to the federal government on three projects: Coolac bypass, Sheahan bridge duplication, and Albury-Wodonga bypass. Cost benefit analysis on other projects to complete dual carriageways (ie. Tarcutta bypass, Kyeamba Hill, Little Billabong, Holbrook bypass, and Woomargama) have not been prepared.

The next question was as follows:

Are forward strategy report available to the public?

The answer from the Minister and the Roads and Traffic Authority [RTA] was "No." I question why forward strategy reports are not available to the public and why they have not been prepared. The information provided in the document I have had prepared is extremely alarming. The number of accidents and deaths that have occurred on this section of the highway can clearly be demonstrated. I appeal to the Minister and the RTA to put forward the information in their possession. I ask them to tell us about the planning that they have or have not done. If they have not completed that information, I ask why not. What is so secretive about the information they hold that they will not make it available to the public?

This is an important issue for all members of the travelling public who use the Hume Highway. We have seen on television and read in the media about the horrendous accidents, the loss of life and the great cost to our community that the unduplicated section of the Hume Highway has caused. Indeed, I have had to assist with a fatality on that unduplicated section of road, and it was not a pretty sight. I want the travelling public and the people of my electorate to be able to avoid such instances in the future. I call on the Minister to advise the Parliament why forward strategy reports are not available if they have been completed, and when he will initiate strategies that will clearly indicate to the Federal Government the need for funding for improvements to the Hume Highway. I also asked the following question:

Is the RTA responsible for preparing forward strategy reports or is it some other department?

I was provided with the following answer:

- RTA is responsible for preparing forward strategy reports which are submitted to the federal Minister for Transport and Regional Services by the state Minister for Roads.

Nothing can be clearer than the correspondence I have received, which clearly indicates that there has been a lack of forward planning and a lack of strategy by the RTA and the Minister's department to address the issue of unduplicated sections of the Hume Highway. I call on the Minister to rectify this problem and work with the Federal and State members to have the dual highway completed.

JOHN HUNTER CHILDREN'S HOSPITAL RESEARCH FOUNDATION GRANTS

Mr MILLS (Wallsend) [9.43 p.m.]: I would like to report to the House a very good news story, about a range of new children's medical research projects that are set to proceed in the Hunter, with the awarding of \$100,000 in funding. The John Hunter Children's Hospital Research Foundation announced four recipients of its 2002 grants at a ceremony held at Wests Leagues Club last week. The successful projects involve research into childhood and juvenile absence epilepsy, juvenile diabetes, predictions of early labour in pregnancy, and the connection between cigarette smoke and middle-ear infections in Aboriginal and non-Aboriginal children.

A grant of \$28,000 went to Dr R. L. Smith and Dr M. Hunter for research into quantitative EEG analysis of the maturational changes associated with childhood and juvenile absence epilepsy. A grant of \$24,000 went to Dr G. Anderson and Sister E. Nunn for research into a randomised control trial comparing diabetic children provided with fortnightly phone support to a control group receiving regular support. A

\$24,000 grant went to Dr T. Zakar and Dr I. Wright for research into the prediction of birth by prostaglandin metabolite levels in urine. A \$24,000 grant went to Dr J. Stuart and Professor C. Blackwell for research into the effects of cigarette smoke on immune and inflammatory responses in Aboriginal and non-Aboriginal children with middle-ear infections. The \$100,000 in funding was raised by the John Hunter Children's Hospital Research Foundation and the Hunter community, including businesses and individuals. The foundation has been in existence for about seven years. As at July this year the foundation had raised just over half a million dollars, funded grants totalling \$310,000 for research carried out at John Hunter Children's Hospital in Newcastle, and funded equipment purchases totalling \$80,000.

The John Hunter Children's Hospital Research Foundation arose from a set of happy circumstances. You, Mr Deputy Speaker, would be aware of the key people involved in the foundation. Lorraine Gardner and Phil Gardner, who is also the general manager of Wests Leagues Club, were the strength behind the project, along with the then director of the John Hunter Children's Hospital, Dr Cliff Hosking. They said, "We are not able to raise funds easily because we do not have an identity." Funds raised for children's medical research tends to go to the large institutions in Sydney and to the Sydney medical schools that work in conjunction with them. Yet, we have a medical school in Newcastle and an important children's hospital, the third largest children's hospital in the State. So an identity was established, with the help of the local community. I congratulate the committee of the John Hunter Children's Hospital Research Foundation, which is chaired by Janelle Shakespeare. The committee comprises Maree Anderson, the assistant treasurer; Lorraine Gardner, the secretary-treasurer; Judy Hogan and Sandra Jackson; and Natasha Beyersdorf, the fundraising and public relations manager of John Hunter Children's Hospital. Bev Anastasiou retired from the committee earlier this year.

The current rate of fundraising is more than \$100,000 a year. Funding of \$32,000 was raised at the recent John Hunter Children's Hospital Research Foundation ball held at Wests Leagues Club. The foundation has a wonderful aim of raising funds to benefit children from all over the State, where the research is carried out using funds raised through the local community in support of research carried out by the University of Newcastle at the local children's hospital. I am afraid that the Newcastle people were not able to break into the former Sydney-centric research institutes and funding streams.

We are looking after ourselves, and there is great recognition for many of the research projects being undertaken by the members of the University of Newcastle medical school working through the John Hunter Children's Hospital Research Foundation. Last week the children's health services in the Hunter were rebadged as "kaleidoscope". As a result, the John Hunter Children's Hospital Research Foundation is changing its name to the Hunter Children's Research Foundation. I am sure we will hear more about that in the near future. I commend the foundation committee for its great effort in raising funds, and I also commend the local businesses and individuals in the Hunter for their generosity in supporting research into children's health.

LOCAL GOVERNMENT FINANCIAL RESOURCES

Mr CULL (Tamworth) [9.48 p.m.]: I have been approached by several councils in my electorate that are concerned about the totally inadequate financial base and resource capacity they are required to operate under. This particularly affects small rural councils with high operating costs and lower funding bases. It is critical that local government becomes increasingly relevant, efficient, and viable and maintains the services that its local communities expect and demand. The functions, responsibilities and governance of local government have a significant impact on the economic and social future of communities—particularly in rural and regional areas.

The need for effective local government has never been greater, with many local and regional communities facing great uncertainties. These uncertainties are being exasperated by the current impact of the drought and the increased financial burden this places on local communities. Major challenges include maintaining the quality of community life, ensuring adequate services and maintaining environmental quality, promoting local and regional economies, and maintaining efficient and effective use of resources. Local government's rate and scope of responsibility have expanded significantly, placing ever-increasing demands on financial resources.

Increased demands on local government include significant devolution of functions from other government spheres, market deregulation, national competition policy, introduction of new technologies, industrial relations reform, withdrawal of services by other government spheres and increased service delivery standards. The ability of local government to deliver services and maintain essential infrastructure is at a low

ebb. A comparison of rate pegging against award wage increases in Parry shire highlights the cost squeeze councils are operating under. In 2001-02 income from rates raised \$75,000. The cost of award wage increases was \$147,000, leaving the council \$72,000 out of pocket. In 2002-03 rate income raised \$90,000. The cost of award wage increases was \$194,000, leaving the council \$104,000 out of pocket.

Many council services and products are social goods and therefore cannot be provided on a cost-recovery basis. The financial position of local government is coming under increasing pressure from direct cost shifting where local government agrees to provide a service on behalf of another sphere of government, and indirect cost shifting where another sphere of government ceases to provide. The New South Wales Government continues to refuse to allocate a share of the State's competition policy payments, yet local government is expected to make a direct contribution to the reform process. The New South Wales Government is at odds with advice from the Federal Government which suggests that a proportion of the national competition policy payments to each State Government is intended to offset any up-front costs borne by councils in implementing competition policy reforms. These smaller councils are indicating that their current financial situation is not sustainable and needs to be urgently addressed by Government. The full financial impact of devolved responsibilities without commensurate resources, or unfunded mandates as they are commonly referred to, is taking its toll on local government.

There is a long list of recent legislation, introduced in New South Wales, that directly impacts on local government. These include environmental and local government regulations. More specifically, the Government has withdrawn funding support for vital infrastructure. The State Government has abolished its 50 per cent bridge subsidy scheme. It has reduced funding for regional roads, and local government must now meet 50 per cent of all improvement works. The State Government contribution for water and sewerage has been reduced from the previous 50 per cent. The State has increased bulk water charges via the Independent Pricing and Regulatory Tribunal and provides rebates to pensioners for land, water and sewer charges, of which local government must fund 45 per cent. It is evident that local government functions and responsibilities have increased without a corresponding increase in funding or access to additional revenue. Unless this situation is addressed, many local councils will be unable to meet community expectations.

Mr McMANUS (Heathcote—Parliamentary Secretary) [9.53 p.m.]: As a former alderman on Wollongong City Council I acknowledge that some of the issues the honourable member Tamworth has raised tonight have some validity. However, since I have been in Parliament I have travelled New South Wales regularly and have talked to many councils, particularly Parry Shire Council which has been mentioned tonight. These days smart councils, particularly the smaller councils, have a tendency to work with each other to ensure that they provide services for their communities on a regular basis. The honourable member has blamed the State Government, but perhaps the councils should look within and talk amongst themselves about how they can share resources to make sure they meet their responsibility to provide the services they are supposed to provide to their constituents, and not continue to shelve those responsibilities back onto the State Government. Many of the smaller councils in New South Wales have worked smarter. I suggest it may be wise for the honourable member to go back to those councils and talk about the sharing of resources.

ILLAWARRA COMMUNITY HOUSING TRUST TWENTIETH ANNIVERSARY

Mr CAMPBELL (Keira) [9.55 p.m.]: On 15 July I had the opportunity to attend the celebration of 20 years of the provision of public housing in the Illawarra by what is now known as the Community Housing Trust, once known as the Illawarra Community Housing Trust. It has spent 20 years serving people with low incomes and those doing it a bit tough. Providing housing accommodation is no mean feat. This community-based, non-government organisation has done a sterling job over those years. The organisation has been supported by a number of bodies. One of the main supporters has been Wollongong City Council. I acknowledge the past two chairs of the Housing Trust. One is former alderman Norma Wilson, who taught me a great deal about local government and who pulled me back from walking the plank a couple of times in my early days on the council. More recently the body has been chaired by councillor Vicky King, someone I also served with in local government. Councillor King has been the chair now for 11 or 12 years, and that is no mean feat. In a foreword to a document that was published as part of the celebrations, councillor Vicky King made the following comments:

The Housing Trust would like to thank the Illawarra community for its continuous support, particularly those with whom it has worked in partnership and cooperation over the years, and especially:

- NSW Office of Community Housing
- Wollongong City Council

- Shellharbour City Council
- Kiama Municipal Council
- NSW Department of Housing
- Illawarra Disability Trust
- Illawarra Area Mental Health Service ...
- Southern Illawarra Family Support
- Northern Illawarra Family Support
- Emergency Family Housing
- Wollongong Women's Refuge
- Southern Youth and Family Services
- The National Australia Bank
- Local Real Estate Agents

These achievements would not be possible without the strong commitment of successive Boards of Management, including the current one, and my thanks also go to them.

Special thanks and recognition is due to the dedicated and creative staff of The Trust, and particularly to be Manager Housing Services, Jennifer Stewart, who has been with The Trust from its beginnings, and overseen its development to the organisation it is today.

By the end of this year the housing trust is likely to be manager of 500 properties and will provide housing for many families. The trust provides a range of housing styles and accommodation, including a guesthouse known as the Ellen Street guesthouse, which is a former boarding house in the ownership of Wollongong City Council but managed by the trust. The guesthouse is home to 13 men who are 34 years of age or older and who were homeless at the time of their applications. It is located close to the Wollongong central business district and has provided much-needed suitable accommodation for homeless men for a long time. The other important point is that the most recent property that the trust has under management is in William Street, Balgownie. It was completed only in February. The project consists of one two-bedroom villa and four two-bedroom townhouses. The total project cost is \$1.2 million.

This was a privately constructed development that the trust had purchased. In an innovative way of financing and acquiring the property, the trust used section 94 funds from Wollongong City Council which had been collected over the years under the old State environmental planning policy 10. The trust also used some of its own accumulated funds from non-grant sources and, because of its reputation as a sound financial manager, was able to obtain loan finance from the National Australia Bank.

That has ensured that the trust now has its own exclusive title and ownership to the property, which provides it with a sound base to move forward. The trust, over the 20 years of its existence, has been an innovative organisation. It has been prepared to take risks and to work with external partners. Often it has piloted the means of funding and providing community housing to those less advantaged in our broad community across the Illawarra. As I said, the trust has 500 properties under management. I congratulate all the boards over the years and the organisations they have supported, and the staff of this non-government organisation deserve recognition as well.

TRIBUTE TO Dr JOHN ANDERSON

Mr GEORGE (Lismore) [10.00 p.m.]: It is with great sadness that members of the National Party learned of the passing of Dr John Anderson. I note that he was a friend to many members on both sides of this House. I thank John Malouf for providing me with some background about Dr Anderson, which I will place on the record. John was originally a graduate from the University of Sydney with a degree in pharmacy, and he practised in this profession for some years. Later he returned to further tertiary studies, including degrees in psychology and social science, followed by a Master of Letters from the University of New England and finally a Doctor of Philosophy through the Department of Psychiatry at the University of Sydney.

John will be remembered for his more recent work as a clinical psychophysiological. After 20 years experience in pharmacy, he turned to the intensive study of psychophysiological responses with a particular fascination for pharmaco-electroencephalograms and exposure and ritual prevention. John's professional interests included helping people with schizophrenia, attention deficit hyperactivity disorder [ADHD] and the associated drug use, especially marijuana and its deleterious effects on the brain. Dr Anderson worked in the field of other challenging behaviours. Until the time of his death he was studying the interactive effects of stimulant medication, antidepressants and illicit drugs.

Outside his clinical occupation, John was a founding member of the Schizophrenia Fellowship Organisation and worked tirelessly for many other organisations in which he had a passionate interest, such as

those involved in drug education. Realising that many young people had been drawn into experimental and social use of marijuana through misinformation and propaganda from the drug culture, Dr Anderson worked tirelessly to destroy the myth of the harmlessness of cannabis, which was erroneously promoted as a soft drug. He never ceased to be amazed about how many influential persons continued to promote the harmlessness of marijuana and defended its use.

John's scientific background and training had led him into attempting to teach others the differences between scientific fact and prejudiced opinion. Not long ago Dr Anderson submitted to the State Government an excellent paper destroying the myth of the medical use of marijuana. There will always be those for whom cannabis, for one reason or another, is important, and they will choose to attempt to ignore or denigrate his work. They will do this at their own peril and, sadly, to the peril of others whom they may influence. It was also with great sadness that the secretary, Margaret Orr, and members of Parents in Pain Incorporated received the news of John's death. He came to the attention of the executive of Parents in Pain Incorporated in Lismore, which was incorporated in 1997, when they heard him speak at a drug forum. John spoke with great passion about the effects of drug use and abuse based on many years of research.

John was most supportive of the group's work and travelled on numerous occasions to the far North Coast to deliver his message both to school groups and to evening forums. Indeed, John travelled extensively throughout Australia assisting many groups similar to Parents in Pain, imparting his knowledge with the same passion. The group had the pleasure of having John in their area early this year. During his visit, John touched many people. Dr Anderson will be sadly missed by all those he helped, especially those with drug dependencies and ADHD. John is survived by his wife, Gail, his son Matthew, his daughter-in-law Rebecca and grandchildren Jack and Lauren, together with his much-loved extended family of Ben, Leesa, Simmone, Dwaine, Simone, Justin, David, Ben, Neil and Joy Falconer. John had many other close family members and friends who will all miss him greatly. John, you fought the battle for what you knew was right. Australia will be poorer for your passing.

WYONG SHIRE COUNCIL DEVELOPMENT APPROVALS

Mr CRITTENDEN (Wyang—Parliamentary Secretary) [10.05 p.m.]: On Sunday 18 August I returned to my home in Noraville after attending a Long Tan commemoration at the Keith Payne VC Hostel. I was having a cup of tea when two of my constituents, John and Maureen Flanagan, arrived. They were horrified that they had received notice from Wyong Shire Council of a development application for a property at 32-34 Fravent Street, Toukley, being lots 255 and 256 on deposited plan 21154. The application was for a seven-storey residential flat development comprising 26 units at the corner of Hargraves and Fravent streets, Toukley. Furthermore, if approved by council, this will be the first seven-storey development in the Toukley area.

I immediately had concerns about this development. My major concern is that any development approval on this site would inevitably set a precedent for bigger and higher developments in the entire Toukley, Canton Beach, Noraville and Norah Head district. As a local resident I do not want the same type of development at Toukley that has occurred at The Entrance. Last April Wyong Shire Council organised a meeting about development in Toukley. About 120 local residents who attended the meeting made it clear that anything more than three storeys was totally inappropriate for our area. There are worrying signs that Wyong council may approve this development, given its past support for high-rise development in the shire.

On that basis I wrote to all the residents of the Toukley, Noraville, Norah Head and Canton Beach areas on 20 August. I am pleased to report that more than 2,300 people returned the objection addressed to Mr Dawson, the General Manager of Wyong Shire Council, expressing their individual concerns about the impact on the general amenity of the area if this development were to proceed. They were concerned about the bulk and scale of the proposed seven-storey flat development, and that it was totally out of character with the locality. The height of the development would have a massive impact visually and would include overshadowing. Parking and traffic flows would be detrimentally affected.

To advise the House and, indeed, my constituents, I have undertaken both title searches and company searches at my own expense. It is interesting to note that the applicant in this matter is D and R Architects. The documents provided to the council, which have been forwarded to residents in the immediate vicinity, show that the applicants are acting for Seaside Property Developments Pty Ltd. A company search shows that one director of Seaside Property Developments Pty Ltd is John Assaf, who was born on 12 December 1973 and lives in Kellyville.

Another director is Edmon Ramia, who was born on 20 May 1964 and lives at Westmead. I do not think there are too many seven-storey developments in Kellyville. The results of the title search I undertook

through the Land and Property Information Service were even more interesting. That search revealed that one Patricia Pia Ramia holds the title to lots 255 and 256. That concludes the sorry tale in this regard. This most inappropriate development will have a massive impact in the Toukley area. Wyong council should listen to the objections of 2,300 of my constituents.

In fairness to those who support the development—and there were three. However, when there are 2,300 people opposed to a development versus three who support it, it is overwhelmingly clear that the vast majority of people in Toukley do not want inappropriate development. About four months ago on 8 April, before the development was lodged, council consulted with 120 local residents. Those residents made it perfectly clear that they did not want any buildings higher than three storeys in Toukley. I urge all Wyong shire councillors—Labor, Liberal and Independent—to reject this development application in its entirety.

DEPARTMENT OF COMMUNITY SERVICES PORT MACQUARIE STAFFING

Mr OAKESHOTT (Port Macquarie) [10.10 p.m.]: Port Macquarie has a need for more Department of Community Services [DOCS] staff. In a recent round of staff allocations the Port Macquarie community was extremely disappointed to have missed out. Because of rapid population growth on the mid North Coast and the entire North Coast there is a desperate need for DOCS staff in the area. The growth in population puts pressure on front-line staff in all government departments and the bureaucracy of government is often slow to react to that need. There is a questionable argument that resources are provided to areas of population decline so that government is not regarded as assisting in the decline. It is equally questionable, if not more so, to leave areas of rapid population growth with inadequate resources, because those resources are being used to prop up areas where the population is declining.

The services provided by the Department of Community Services, which has dealt with some horrific cases, are greatly needed on the North Coast. Front-line staff should not be called on to prioritise emergency cases, as they do now. I am sure that every member of this House would agree that that is an inappropriate way to deliver government services and protect and help the community in this important portfolio area. At a local level there was great concern at having missed out on the 60 additional departmental staff positions. When the Helpline was introduced in Port Macquarie it was obvious that it was not working. Organisations such as the women's refuge and the department itself were frustrated in their attempts to deliver services.

I call on Minister Tebbutt to review the departmental staff numbers in the Port Macquarie electorate, particularly in the town of Port Macquarie, and to increase them to the level that the community deserves and needs. The front-line staff are working hard. They are working overtime and, indeed, some are being pushed to the point where they are leaving. They are not being replaced. If staff are being pushed to prioritise emergency cases—to play God, if you like—government services are not being delivered appropriately.

Private members' statements noted.

The House adjourned at 10.15 p.m.
