

# LEGISLATIVE ASSEMBLY

Tuesday 6 May 2003

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**Mr Speaker (The Hon. John Joseph Aquilina)** took the chair at 2.15 p.m.

**Mr Speaker** offered the Prayer.

## VARIATIONS OF PAYMENTS ESTIMATES 2002-03

**Mr Knowles** tabled variations of the payments estimates and appropriations for 2002-03 under section 24 of the Public Finance and Audit Act 1983 flowing from the transfer of functions from the Community Services Commission to the Ombudsman.

## DISTINGUISHED VISITORS

**Mr SPEAKER:** I acknowledge the presence in the gallery of the Hon. Mal Sandon, the former Victorian Minister for Police and Emergency Services.

## PETITIONS

### Local Government Planning Control Reform

Petition requesting the 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**.

### White City Site Rezoning Proposal

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

### National Accident Scheme

Petition praying that a national accident scheme be established to cover all injured patients, received from **Mr Brogden**.

### Freedom of Religion

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

### Speech Therapy Services

Petition praying for a review of speech therapy services funding, received from **Mr George**.

### Mental Health Services

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

### Surry Hills Bus Services

Petition praying that the State Transit Authority reinstate the old 301 bus route, extend the 352 bus service, provide bus shelters and seats at all stops, reinstate the Market Street bus stop, and provide better information, received from **Ms Moore**.

### Bus Service 311

Petition praying that the Government urgently improve bus service 311 to make it more frequent and more reliable, received from **Ms Moore**.

### **Surry Hills Policing**

Petition seeking increased uniformed police foot patrols in the Surry Hills Local Area Command and the installation of a permanent police van or shopfront in the Taylor Square area, received from **Ms Moore**.

### **Underground Cables**

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

### **Hawkesbury Electorate Sewerage Services**

Petition praying that funding be provided to construct a reticulated sewerage system for Glossodia, Freeman's Reach and Wilberforce, received from **Mr Pringle**.

### **Department of Agriculture and Mrs Kath Day**

Petition requesting that the Department of Agriculture not prosecute Mrs Kath Day, of Collins Creek, received from **Mr George**.

### **Circus Animals**

Petition praying that the House end the unnecessary suffering of wild animals and their use in circuses, received from **Ms Moore**.

## **QUESTIONS WITHOUT NOTICE**

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### **MENANGLE BRIDGE CLOSURE INDEPENDENT COMMISSION AGAINST CORRUPTION INVESTIGATION**

**Mr BROGDEN:** My question is directed to the Minister for Roads, and Minister for Housing. As Commissioner of Police Moroney has referred the Minister's cover-up regarding the Menangle Bridge to the Independent Commission Against Corruption why will the Minister not stand down, given that his cover-up has now been referred to the Independent Commission Against Corruption by the Opposition, the Government and Commissioner of Police?

**Mr SCULLY:** This matter was canvassed fully last week. I do not think the Leader of the Opposition was listening. Everyone on this side of the House was listening, and I stand by what I said in that debate. The Leader of the Opposition wants us to believe that there was a cover-up. I am sorry, ladies and gentlemen, but no cover-up exists. I stand by what I said in the House last Thursday.

### **IRAQ RECONSTRUCTION PROGRAM**

**Mr TRIPODI:** My question is directed to the Premier. What is the State Government's response to community concerns about international efforts to rebuild Iraq following the war and related matters?

**Mr CARR:** The honourable member for Fairfield has more former Iraqi citizens in his electorate than any other member of this House. Whatever one's politics or view of the war, our first responsibility is to rebuild Iraq for its 24 million people. This morning the State Government supported an Iraq reconstruction program hosted by Austrade at the Hotel Intercontinental. A number of New South Wales companies are working with the State Government and the Department of State and Regional Development, in particular—whose head, Loftus Harris, has extensive Middle Eastern experience—on preliminary investigations of opportunities in Iraq.

These companies include the Snowy Mountains Engineering Corporation in Cooma, which is seeking work in the construction sector; AusHealth International, a New South Wales Government agency that currently offers health project management services in a total of 14 countries, involving anything from setting up health clinics to the complete reconstruction of national health systems already well known and respected in the Middle East; TAFE Global, which co-ordinates international bids and projects for the New South Wales

education sector and which is looking at opportunities to help rebuild Iraq's education system; Serck Controls, which provides services in the Middle East through its Hunter water tech office in Dubai and which plans to use its expertise in control systems and automation to rebuild Iraq's energy sector; and the Illawarra Technology Corporation International, established by the University of Wollongong to develop and manage a range of international services in education, health and governance.

There is enormous expertise in this list of New South Wales-based companies, many of which have a record of effective work in regional New South Wales. There is enormous potential for involvement in the reconstruction of Iraq. We are lucky to have in Loftus Harris, head of the Department of State and Regional Development, a public servant who represented Australia for three years in Teheran and who has worked extensively throughout the Arab world. It is also worth noting that, while the three-power Office for Reconstruction and Humanitarian Affairs is headed by an American, retired general Jay Garner, his secretariat is headed by an Australian diplomat, Mr Andrew Goledzinowski, together with six other Australians. The former Chair of the Australian Wheat Board, Mr Trevor Flugge, will also help to reconstruct Iraq's agriculture ministry.

This is about two things: a humanitarian contribution to the people of Iraq and opportunities for jobs and contracts for people based in this State. That is why last week my colleague the Minister for Agriculture and Fisheries called on the Federal Government to protect Australia's wheat sales to Iraq from subsidised United States grain. It is this side of the House, not the other side, that speaks up for the interests of the farmers of New South Wales.

**Mr SPEAKER:** Order! The Leader of the Opposition will come to order. I call the Leader of the Opposition to order.

**Mr CARR:** Wheat growers of Australia deserve to have their interests protected. They will have their interests protected by Country Labor. It is interesting that representation by Country Labor in this House and by the Independents from country New South Wales beats that of the National Party hands down.

**Mr SPEAKER:** Order! The Chair has been patient so far in question time, but I warn those on the Opposition benches that I will not tolerate the behaviour the Chamber has just witnessed. Although this is a robust Chamber, nothing is to be gained from that behaviour. If members of the Opposition persist with that behaviour one or two of them may leave the Chamber early.

**Mr CARR:** All of this hard work on behalf of jobs and opportunities for New South Wales based companies—

**Mr Hartcher:** Point of order: I draw your attention, and the attention of the House, to Standing Order 135, which allows honourable members to ask questions about public affairs, that is, public affairs relating to the State of New South Wales. We are not concerned with Iraq. George Bush worries about that.

**Mr SPEAKER:** Order! There is no point of order. The Premier clearly stated that he is talking about the impact of the war in Iraq on the citizens of New South Wales.

**Mr CARR:** If one ever wondered why the once-safe Liberal seat of Gosford was almost lost, it has just been explained. One would think he would be shamefaced for a bit longer. By the way, the Leader of the Opposition recently complimented all of this frontbench team. There was one name dropped from the list: the name of the honourable member for Gosford. Everyone else was on the list but the poor old swamp fox was not included. The *Central Coast Express Advocate* noticed this snub and said:

The snub was pointed at a time when Mr Hartcher was fighting for his political life.

**Mr SPEAKER:** Order! The Leader of the Opposition will come to order.

**Mr CARR:** The article continued:

The man who played a hand in the political assassinations of former Leaders Collins and Chikarovski fell on his sword when he realised he did not have the numbers to run for Deputy Opposition Leader for a third year.

Enough of these distractions!

**Mr Hazzard:** Point of order: I am not sure whether it was your enthusiasm to cut question time short, but the time on the clock has just jumped from 40 minutes to 10 minutes.

**Mr SPEAKER:** Order! The Clerks have that matter well in hand. There is no point of order.

**Mr CARR:** Time goes fast when you are having fun. The one group that cannot be overlooked is Australians of Iraqi background. That is why the Government, through the Community Relations Community Commission, met with the Iraqi community last Friday night to help them set up a formal community council to address its needs. The proposed organisation will be known as the Iraqi Community Council and will comprise representatives of the Islamic, Sunni, Shi'ite, Christian, Assyrian, Chaldean and Kurdish communities. In Australia some 50,000 people have a connection to Iraq, including 16,000 Iraq-born Australians who live in this State, three-quarters of whom reside in the Liverpool and Fairfield areas. The Government will keep in close touch with them and contribute—the very success of our multiculturalism is, of course, based on this—to the continuing harmonious working of these communities.

### RURAL IMPACT STATEMENTS

**Mr STONER:** My question is to the Premier. Given the Premier's promise in August 1996 that Cabinet would undertake impact statements in rural communities for proposals affecting regional and rural New South Wales, what is the Premier's response to timber industry estimates of 1,400 direct timber jobs lost as a result of his forests-for-preferences deal on the North Coast?

**Mr CARR:** It may have escaped the attention of the new Leader of the National Party, but there is a bill before this House on that very subject and he is entitled to debate it. We announced this policy in the election campaign. It was there in all its detail and, as I said throughout the campaign, there will be no jobs lost. The Government has a clear mandate to implement this policy. It was put to the people of New South Wales and when I last checked the two-party preferred vote we got was 57 per cent. Here we go again! Every conservation initiative that has ever been achieved through State legislation has been opposed by the other side of the House. The Wran Government saved the rain forests of New South Wales. That was opposed by the Coalition. We saved the south-east forests. That was opposed by the Coalition. We created 330 new national parks. That was opposed by the Coalition.

**Mr Stoner:** What about bushfires?

**Mr CARR:** Where is your great fighter on that issue who gatecrashed my press conference on bushfires during the campaign? Where is his handlebar moustache now? He is not here. Don't get angry; accept the verdict of the people. Each one of these conservation initiatives was opposed in its time by the Coalition, but we have one of the five best national park systems in the world because of the initiatives of Labor governments. Every time a park is declared the Opposition says there will be a terrible loss of jobs.

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

**Mr CARR:** The biggest investor in the timber industry in New South Wales, Boral, backed our policy. It said that with the change of the buffer-on-buffer policy, which did not require legislation and which we have already regulated and gazetted, the future of the industry was secured. Why all this caterwauling from the Opposition? The fact is we went to the people at the election with this policy and they endorsed it. We have got a mandate for this balanced package that secures the timber supply and, at the same time, secures these 15 forest icons. I thank the House for its attention.

**Mr Stoner:** Point of order: My point of order relates to relevance. The question was purely and simply about impact statements in rural communities and the loss of 1,400 jobs. The Premier got nowhere near answering the question.

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

### AGE OF CONSENT

**Mr PEARCE:** My question without notice is to the Attorney General. What is the latest information on the age of consent in New South Wales?

**Mr SPEAKER:** Order! Before the Attorney General answers the question, I again point out to members of the Opposition that they are flagrantly contravening the standing orders. I refer particularly to the honourable member for Gosford, who interrupted the question by yelling out an inane interjection. I call him to order. I warn the honourable member for Gosford and all members of the Opposition that they are testing the patience of the Chair.

**Mr DEBUS:** In 1999 the Legislative Council debated a bill to create in this State a uniform age of consent. On that occasion the private members bill of the Hon. Jan Burnswoods failed by one vote at the second reading stage. At the time, reservations were expressed about the need for safeguards to protect children and young people within the context of such a bill. This week the Government intends to introduce a new bill to remove the discriminatory aspects of the Crimes Act to ensure equal treatment before the law in respect of the age of consent. The effect of the bill will be to achieve consistency in penalties for child sexual assault as well as a uniform age of consent. The bill will contain provisions that address the concern about the need for safeguards to be in place.

First, where the victim is between the ages of 14 and 16, the bill will remove the defence that makes it possible for defendants to claim a reasonable mistake of age. That defence will, as a result of the bill, no longer exist. The age of consent will be 16, regardless of gender or sexual orientation. Second, the bill will contain two new aggravated offences that will incur tougher penalties—where an assault is committed by people in positions of trust, such as teachers or sports coaches, and where the alleged victim is under the influence of alcohol or drugs. Third, the bill will bring greater consistency to child sexual assault laws by removing the differential penalties that now apply to heterosexual and homosexual offences. New South Wales lags behind the rest of the country in relation to the age of consent. Western Australia, Victoria and the Australian Capital Territory have an equal age of consent of 16. In South Australia and Tasmania the age is 17.

**Mr O'Farrell:** It will weaken child protection provisions.

**Mr DEBUS:** The honourable member says the bill will weaken child protection. I have just explained the provisions that will significantly strengthen child protection. The only other jurisdiction to have an unequal age of consent is the Northern Territory. New South Wales also lags behind the rest of the world. The United Kingdom, Switzerland, Portugal, New Zealand, Norway, Finland and many other countries have an equal age of consent of 16.

**Mr Hartcher:** Point of order: Mr Speaker, there are numerous rulings by your predecessors on ministerial statements. Ministerial statements relate to future Government policy. The question relates to a future Government item of legislation, notice of which was given today, and the Minister has been outlining that legislation to the House. The response is appropriate for a second reading speech or a ministerial statement, enabling the Opposition to reply. This was not a question seeking information. I ask that the Attorney General's response be ruled a ministerial statement.

**Mr Scully:** To the point of order: Clearly the question is within the leave of the standing orders. It sought information about a matter before the House.

**Mr SPEAKER:** Order! I remind members of a ruling of former Speaker Ellis that it is not out of order to seek information regarding the Government's intention with respect to the implementation of a bill. The Minister's answer falls clearly within that ruling.

**Mr DEBUS:** In addition to the other countries that I have pointed out as having an equal age of consent of 16, in France an age of consent of 15 has existed since 1810. In Italy the uniform age of consent is 14. Even the conservative jurisdiction of Georgia in the United States of America has an equal age of consent of 16. Both the Premier and I have publicly indicated in-principle support for a uniform age of consent, provided that adequate safeguards exist to protect young people from sexual exploitation. And I welcome past expressions of support by the Leader of the Opposition for reform in this area. The bill will be a matter of conscience for members of the Labor Party.

This is not a radical proposal. It is simply a bill to remove glaring anomalies in the existing law. It is reform that will see New South Wales catch up with other States and other jurisdictions around the world. There is no discernible benefit in maintaining an unequal age of consent. There is, however, a substantial social cost in allowing this inequity to be perpetuated. Studies show that young gay men are 300 per cent more likely to commit suicide than are their heterosexual peers. Introducing a uniform age of consent will bring New South Wales into line with other States. As I have said, the additional provisions contained in the bill will provide important safeguards to protect young people and children from sexual exploitation.

### BAIL LAW REFORM

**Mr TINK:** My question is to the Premier. Will he apologise to the public for claiming "no bail for repeat offenders" during the election campaign, given that the documents in my hand show that in January his Government was aware of major shortcomings in the bail laws for repeat offenders which would not be fixed until July at the earliest?

**Mr CARR:** There are 300 extra people in gaol now—that is, on remand—because we tightened the bail laws in the middle of last year. If the Opposition's proposed legislation were in fact law, there is no guarantee that in this case the murderer would have been denied bail. We are going to overhaul the Bail Act in two stages. This session we will amend the Bail Act to make it more difficult for serious violent offenders to get bail. Violent repeat offenders charged with a serious offence involving personal violence will be refused bail unless there are exceptional circumstances. This is in fact tougher than the legislation proposed by the Opposition.

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

**Mr CARR:** Our stage two reforms will be introduced next session, and they will implement the final recommendations of the working parties established by the police commissioner and the Attorney General's Department.

### GOVERNMENT SCHOOLS OCCUPATIONAL HEALTH AND SAFETY

**Mr McLEAY:** My question without notice is to the Minister for Education and Training. What is the latest information on Government efforts to improve safety at government schools?

**Dr REFSHAUGE:** I thank the honourable member for his first question, a very good question. Last August the Government set up the SchoolSafe steering committee to improve the occupational health and safety of all State schools in New South Wales. The former Minister established the committee along with the Department of Education and Training and WorkCover. On the committee were officers of the Teachers Federation, the Public Service Association—a very august body, as the member who asked the question would know—the Secondary Principals Council and the Primary Principals Association. The committee has overseen the safety audits of some 60 schools throughout New South Wales. This information will be very useful in ensuring all schools improve their occupational health and safety practices. It will help identify systemic trends that we would want to change.

I am advised that already 97 per cent of the WorkCover notices have been complied with and that rectification work has been completed in 258 of the 266 improvement notices issued. For the remaining eight cases, interim safety measures have been implemented to ensure that all risks are controlled while permanent remediation work is completed. Two areas accounted for more than half of the improvement notices issued: the safe use and guarding of equipment and machinery and the safe use and storage of hazardous substances. WorkCover improvement notices should be regarded as a process that helps the department with its ongoing efforts to improve school safety. These notices can relate to relatively minor matters, such as the circulation of minutes of an occupational health and safety committee meeting, which is important and I can relate to that.

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

**Dr REFSHAUGE:** Equally, it can relate to larger-scale matters that require capital expenditure. Typical examples include moving flammable liquids to a safer storage area, repositioning corridor furniture to ensure good access along the corridor for those in a wheelchair, refining manual handling practices to reduce the risk of back injury, and repositioning electrical extension cords away from a thoroughfare. All these issues are important. A breakdown of the audit revealed that 45 per cent of notices related to the safe use of equipment, including the appropriate guarding of machinery; 17 per cent related to the safe use of hazardous substances, including the labelling of containers, and the safe storage of mower fuels and cleaning agents; 17 per cent related to safe systems of work, including supervision and personal protective equipment; 10 per cent related to safety of premises, including access, egress and signage, such as an appropriately positioned exit sign; 8 per cent related to hazards known as slips, trips and falls, including uneven surfaces, exposed tree roots and broken paths in the playground; 2 per cent related to manual handling, including the safe lifting of students in special schools; and 2 per cent related to psychological hazards, including the conduct of risk assessments.

Most of the actions to comply with WorkCover improvement notices were undertaken at the school level. Others were facilitated with specialist support from the State or district office teams. In the majority of cases notices required important, but relatively minor, action. In addition to the establishment of the SchoolSafe project, the Government has taken steps to ensure that all school teachers and staff receive appropriate information and support. In September last year, following the establishment of the SchoolSafe committee, the Government sent out to all principals information detailing their need to support occupational health and safety compliance, as well as information contained in the SchoolSafe audit program and occupational health and safety consultation memorandum. Further safety information was provided to schools on 29 October 2002, and at the beginning of this school year the department issued to all principals a memorandum on the safe use and guarding of plant in schools. The memorandum contained detailed advice for principals to ensure compliance in that area.

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

**Dr REFSHAUGE:** Each school holds a comprehensive information package entitled "Chemical Safety in Schools", which details the safe use and storage of hazardous substances. Principals have been referred to the appropriate sections of the package in managing any local rectification action. In addition, the Government is continuing its program to train teachers and staff in occupational health and safety issues. Already, 600 teachers and staff have completed this important training. Our schools are one of the safest places in the community.

**Mr SPEAKER:** Order! I remind the honourable member for North Shore that she has been called to order.

**Dr REFSHAUGE:** The SchoolSafe program will make the safe places even safer.

#### WESTERN SYDNEY JOB CREATION

**Ms GADIEL:** My question without notice is to the Minister for Western Sydney. What is the Government doing to create jobs for the long-term unemployed and disadvantaged in Western Sydney?

**Ms BEAMER:** First, may I say that it is wonderful to have so many talented women join us in this House. I am proud to have been given the portfolio for Western Sydney, the place in which I grew up. I have the privilege of representing a Western Sydney seat. I am very honoured and excited to have taken up this portfolio. Western Sydney is Australia's third-largest economy. It is a knowledge region. An extra 30,000 people a year from other parts of Australia and Sydney want to come to live and work in Western Sydney. The Government delivered a record budget of \$5.7 billion to Western Sydney in 2002-03. We are delivering infrastructure while looking after the environment, finding people jobs and giving them a better place to live. The Western Sydney Orbital has created more than 1,200 construction jobs. The Liverpool to Parramatta bus transitway has created more than 300 jobs. The private and public sectors have invested \$6 billion in Western Sydney, which has resulted in the creation of 19,000 long-term jobs.

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

**Ms BEAMER:** These jobs are not just for the well trained, the well qualified or the well educated. Last Friday I had the privilege of meeting someone who demonstrates the Government's care of and commitment to the people of Western Sydney. Debbie Burns, a 40-year-old mother of three from Narellan, has always wanted to be a nurse.

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

**Ms BEAMER:** But Debbie was unemployed and she thought that she was too old to undertake training, to find a career and change her life. Debbie also needed to care for her family. Now, just three months after joining one of the Government's training and job schemes in Western Sydney, Debbie has new skills and a new career. Members of the Opposition might think that this is a joke, but I can assure them that for Debbie Burns, whom I met last Friday, it was exciting. The scheme provides training and sustainable career pathways for the people of Western Sydney, many of whom come from disadvantaged backgrounds. The Corporate Partners for Change program develops partnerships with industry and the community to provide training, and then matches the course graduates with jobs.

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

**Ms BEAMER:** Debbie completed the prevocational training for nursing assistants. She is now a successful aged-care trainee with the Hammond Care Group in Hammondville at Liverpool. The Assistants in Nursing program has a 94 per cent job placement success rate. It is a partnership between the Office of Western Sydney, the YWCA and the Hammond Care Group. The New South Wales Department of Education and Training funds the training. Debbie is not alone—a further 16 jobseekers from Sydney's south-west recently graduated from the latest nursing assistants training. Some 80 graduates from the training course are in careers in the local aged-care industry.

Gail Bruckner from Campbelltown has never had a job. She does not have a resume. After her 28-year marriage ended, Gail found it difficult to enter the work force. She joined the nursing assistants program. On Monday she started work as an assistant nurse at the Frank Widdon Nursing Home in Minto. Solo mother of six, Kay Langford from Rosemeadow was unemployed for four years after losing her long-term job of 14 years. Kay, another graduate of Corporate Partners for Change, now works as an assistant nurse at the Hammond Village Nursing Home. Father of two, 22-year-old James Edwards of Macquarie Fields lost his job in the building industry and was facing long-term unemployment. James now works at the Kilbride Nursing Home after graduating from the community care prevocational training course in September 2002. Twenty-one year old Andrew Russell from Penrith had never previously been employed. Andrew enrolled in the scheme's digital technology course; he graduated and secured a traineeship at Minolta Australia Ltd.

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

**Ms BEAMER:** More than 300 graduates, who were all unemployed, now have new skills and a future—a future that has come from partnerships between this Government, the business community and communities of Western Sydney. Like the region, this scheme is growing; a further 90 long-term unemployed people are expected to graduate and take up new jobs. This is just one of the initiatives that the Government has delivered to the people of Western Sydney—one example of the many jobs and initiatives made possible by a \$5.7 billion allocation in this financial year alone.

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

**Ms BEAMER:** That is why I am proud to be part of the Carr Government, and I am proud to be the Minister for Western Sydney.

#### **PUBLIC HOUSING RENT INCREASE**

**Mr PAGE:** My question without notice is directed to the Minister for Roads, and Minister for Housing.

**Mr Carr:** Come on, Don, ask me a question.

**Mr PAGE:** Tell the truth. I will ask the Premier a question if he tells the truth. Why did the Government deliberately withhold notification of rent increases in public housing tenancies until after the recent State election whereby pensioners will have to pay \$9.44 in extra rent per fortnight out of their recent \$10.90 pension increase? Will he apologise to those pensioners for the Government's cruel deception?

**Mr SPEAKER:** Order! The honourable member for Ballina has asked a question. The Opposition will listen to the answer in silence.

**Mr SCULLY:** This Government did not. The question is therefore irrelevant.

#### **LUCAS HEIGHTS NUCLEAR REACTOR WASTE TRANSPORTATION STORAGE**

**Mr McGRANE:** My question without notice is directed to the Minister for the Environment. What is the Government doing to pursue its February election promise to set up a parliamentary inquiry into the Federal Government's plans to store and transport nuclear waste from Sydney's Lucas Heights nuclear facility through country New South Wales?

**Mr DEBUS:** I thank the honourable member for Dubbo for that entirely pertinent question.

**Mr Brogden:** Are you ready for it? That is incredible.



**Mr DEBUS:** Does the Leader of the Opposition expect that I would not be ready for it? As honourable members would appreciate, this is an issue of great concern to my Blue Mountains electorate constituents.

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

**Mr DEBUS:** It is almost certain that the Commonwealth Government's proposed route to transport nuclear waste across New South Wales will go through my electorate as well as many electorates in the south and west of Sydney and through the Bathurst, Dubbo and Murray-Darling electorates. I am sure that I may speak for the constituents of all of those members of Parliament whose electorates I have mentioned when I assure the Prime Minister that I have not spent many years fighting for the Blue Mountains to become a world heritage area to see it exposed to the considerable risks associated with the transportation of nuclear waste. This is not a parochial issue. As I have said, it affects the entire community. It explains why on the one hand I have received many representations from members of this House, including the honourable member for Menai, the honourable member for Murray-Darling, the honourable member for Bathurst, and the honourable member for Dubbo, whereas the Opposition has been strangely silent. For example, I wonder what the people of Orange think about the tacit support that their local member has been giving to the Prime Minister's plan to transport nuclear waste through the Orange electorate, putting that community at risk.

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

**Mr DEBUS:** The honourable member for Orange has nothing much to say at the present time. The concerns expressed by all of my colleagues, except the honourable member for Orange but including members of the Government and members of the crossbench, echo the questions that are persistently raised by my colleagues the Minister for Emergency Services and the Minister for Health. This House needs to be clear that the Commonwealth's proposal involves people's health, safety and quality of life. It potentially compromises their environment and will involve the expenditure of not inconsiderable amounts of New South Wales tax dollars. There can be no doubt that the people of New South Wales are very tired indeed of being kept in the dark about this proposal by the Federal Government. There are many good reasons for their cynicism.

**Mr SPEAKER:** Order! The Leader of the Opposition will come to order.

**Mr DEBUS:** The Commonwealth Government's record on consultation and public information about the new nuclear reactor at Lucas Heights has been dismal. Throughout the entire process of the environmental impact statement into the new nuclear reactor at Lucas Heights, serious questions have gone unanswered. Rather than engaging the community, the Commonwealth Government has ignored important issues and has pushed through various planning and tendering processes. The Commonwealth Government is again ignoring community concerns about its proposed siting of the nuclear waste dump and about concerns over the plans for transportation of hazardous nuclear waste to that site.

The people of New South Wales want to know whether the waste dumped is to be sited in New South Wales or in another State. They want to know how much waste will be transported, its exact route and the dangers that in truth are involved. They also want to know what plans are in place in the event of an accident and how much it will cost to adequately protect the community from the transportation of hazardous nuclear material. Obviously, these are not unreasonable questions, yet the Federal Government has refused to publicly debate its proposal. In contrast, prior to the most recent State election, the Premier announced that New South Wales would do everything in its power to call the Commonwealth Government to account for its plans.

The Premier wrote to the Prime Minister asking him to clarify the plans for the transportation of waste and to reveal whether New South Wales was under consideration as a possible site. To date the Commonwealth Government has made no response to those inquiries. The Carr Government previously stated that if the Commonwealth Government refused to respond to these concerns, the New South Wales State Government would establish an inquiry to properly scrutinise the Commonwealth Government's plans, and it will now deliver on that promise. Tomorrow I will move to establish a joint select committee to inquire into Federal Government plans to establish an intermediate level waste dump.

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

**Mr DEBUS:** This inquiry will call Australian Nuclear Science and Technology Organisation officials and those involved in the transportation and storage of waste. It will subject the Commonwealth Government to rigorous scrutiny. The committee will examine logistical arrangements, such as sourcing, transport and storage

of waste, health and safety issues, and possible resource implications associated with the transportation and storage of nuclear waste within New South Wales. The public will be invited to make submissions. The inquiry will report before 5 December this year.

The New South Wales Government has long-held concerns about the Federal Government's plans for the new reactor at Lucas Heights. We believe that New South Wales, as home to this country's only nuclear reactor, is already carrying the burden of the nation's nuclear waste. Now the communities of Sydney's south and west as well as communities in the State's central and far west face having potentially dangerous nuclear waste trucked through those communities, with little idea of the possible impact or consequences.

**Mr SPEAKER:** Order! The Leader of the National Party will come to order.

**Mr DEBUS:** I believe that the Government's inquiry will go a considerable way toward answering the issues. Hopefully the Opposition will find a little courage, get behind the inquiry and side with the community of New South Wales against the Opposition's arrogant Federal colleagues.

### **TOURISM INDUSTRY ADVERTISEMENT BILLING SCAM**

**Mr NEWELL:** My question without notice is directed to the Minister for Tourism and Sport and Recreation. What is her response to community concerns about bogus billing and invoicing that are targeting tourism operators?

**Ms NORI:** Mr Speaker, I take this opportunity to congratulate you on your appointment as Speaker. Every member of Parliament, and certainly every Minister for Tourism, would have been asked at one time or another for a photograph or a welcome statement, or to write a foreword to be included in industry magazines or travel guides for promotional purposes. As the Minister for Tourism I regularly comply with such requests. However, it is quite another thing for a company seeking to run an advertisement scam to include an unauthorised photograph of a Minister and a foreword purportedly written by that Minister to give credibility to a bogus magazine. Unfortunately, it appears that some unscrupulous people have done just that.

The magazine in question features an unauthorised photograph and so-called foreword claiming to be authorised by me. It appears that the foreword was copied from the 2001 edition of the *Caravan and Camping Guide*, published by the reputable Caravan and Camping Association of New South Wales. Approximately 20 tourism operators in New South Wales have been the victims of what appears to be a false billing scam. A company that is known by several names is under investigation in regard to the scams. Businesses in regional areas, including Merimbula, Port Macquarie, Armidale, Forster, Narooma and Taree have been billed by people running this alleged scam. It is never a good time to run such a scam, but it is particularly unkind to run it at a time when regional New South Wales and the tourism industry have had to deal with drought, bushfire and terrifying international events. Fortunately, many affected businesses have refused to pay, but some have paid out amounts as high as \$1,600. This matter is under investigation by the Office of Fair Trading.

Those under investigation claim to publish a magazine called *Club Guide*, which they also claim is the official publication of the Institute of Club Managers and Secretaries Ltd. The bona fides of that so-called institute are questionable, as it is not listed in the telephone book and no-one answers calls to its published telephone number. The advertising in question is, in fact, nothing more than a photocopy of legitimate advertisements previously appearing in other official regional visitors guides. Staff in tourism businesses are being asked to sign off on this advertising proof copy on the pretext that it has been authorised by office managers. Of course, that is not the case. An invoice for the advertising soon follows.

**Mr SPEAKER:** I call the Deputy Leader of the Opposition to order.

**Ms NORI:** In many cases operators have been subjected to intimidation and threats of legal action if the accounts are not paid. Tourism New South Wales has issued a general warning: all tourism operators are put on notice to talk to Tourism New South Wales or the Office of Fair Trading if approached.

**Questions without notice concluded.**

## DISTINGUISHED VISITORS

**Mr SPEAKER:** I acknowledge the presence in the gallery of the Hon. Eric Bedford, a former Minister for Education.

## CONSIDERATION OF URGENT MOTIONS

### Police College Graduates

**Mr STEWART** (Bankstown) [3.14 p.m.]: My motion is urgent because yesterday 546 probationary constables took up positions in local area commands throughout the State. My motion is urgent because it gives the House the best opportunity to congratulate them as they begin their work. It is urgent that local communities be made aware of the growth and strength of the New South Wales Police Force at the same time as their effects are felt in reducing all major crime categories across the State. This matter is urgent because—

**Mr Armstrong:** Point of order: The honourable member would be well aware that at this stage in the process he must establish the urgency of this motion, not debate the substance of it. It is up to him to do that. He cannot canvass its content.

**Mr SPEAKER:** Order! The honourable member for Bankstown has been speaking for only 25 seconds. I doubt that he has had time to do anything other than refer to the theme of his motion.

**Mr STEWART:** This motion is urgent because it will give the community confidence in the highly visible, thoroughly trained, record numbers of probationary constables who were sworn in over the past 12 months at the Goulburn Police College. The motion is urgent because members of this House must show their support for our New South Wales Police Force.

### Government Schools Disrepair

**Mrs SKINNER** (North Shore) [3.15 p.m.]: I am sure that this House will totally reject the proposition put forward by the honourable member for Bankstown that his motion take precedence. How could members of this House possibly vote for his motion rather than for an urgent motion dealing with crumbling school buildings, the transfer of teachers who have become sick because of rotten carpets, and children suffering from asthma or pneumonia? The president of the parents and citizens association at Newtown North Public School told me about such incidences. She also told the Minister for Education and Training, and the Leader of the Opposition. This matter is of great urgency because at other schools teachers and children have become so sick they cannot attend the school; they have been kept at home or transferred to another school.

**Mr Brogden:** Where is their local member?

**Mrs SKINNER:** That is a good question. The local member, the Minister for Education and Training, is not in the Chamber. Furthermore, he did not even visit the school.

**Mr Gibson:** Point of order—

**Mr SPEAKER:** Order! The honourable member for North Shore will come to order.

**Mrs SKINNER:** I am in order. This is about urgency, safety, health and security of children and teachers.

**Mr SPEAKER:** Order! The honourable member for North Shore knows better than to contradict the Chair when she is asked to come to order. When the honourable member for Blacktown sought to take a point of order, I asked the honourable member for North Shore to come to order. I warn her that I will not tolerate a repetition of her behaviour. She will remain seated until I have heard the honourable member for Blacktown's point of order.

**Mr Gibson:** I am reluctant to take this point of order, but the standing orders of this House are important. Most of the standing orders, particularly this one, were introduced by the former Coalition Government. The honourable member for North Shore must establish by her motion should have precedence.

**Mr SPEAKER:** Order! The honourable member for Blacktown will state his point of order.

**Mr Gibson:** The honourable member for North Shore must establish why her motion is more important than that of the honourable member for Bankstown. She is not entitled to debate the substance of the motion.

**Mr SPEAKER:** Order! At this stage the Chair has probably not heard enough of the contribution of the honourable member for North Shore to determine whether she is in order.

**Mrs SKINNER:** That point of order has taken up a good 45 seconds of my time; that is why the honourable member for Blacktown took the point of order. I will tell him why my matter is urgent: 2,225 schools in this State. There are thousands of students in those schools are becoming sick and they are trying to learn in appalling conditions: buckets on the floor collecting rainwater that is coming through the roof, rotten and smelly carpets, and the danger of the roof falling in because of termites in the timber at schools such as Mulgoa.

**Mr SPEAKER:** Order! The honourable member for North Shore will be heard in silence.

**Mrs SKINNER:** The stormwater system at Bargo Public School is completely inadequate. This motion is urgent because students are—

**Mr Stewart:** Point of order: Under the standing orders the member has to establish urgency. What we have heard is the substance of the debate. She has not established urgency and has not established why her motion is urgent. She should make it clear to the House, and to you, Mr Speaker, why she is trying to establish urgency.

**Mr SPEAKER:** Order! The honourable member for North Shore must establish why her motion should have priority.

**Mrs SKINNER:** That makes a mockery of democracy in this Chamber. I was talking about mouldy carpets that are making kids sick. It is urgent that this House considers that and other issues that are affecting our schools and not some self-congratulatory motion moved by this Government in an attempt to pat itself on the back. Government members do not care about kids or teachers in our schools. It is urgent that this House have an opportunity to debate this motion so that we can tell the Government and the Minister to get on with fixing our schools, drains that are overflowing and toilets that do not have doors and expose kids to all and sundry. Teachers who work in schools—and parents and others who visit those schools—have had to be moved because the schools are not safe. It is a joke. [*Time expired.*]

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

**The House divided.**

**Ayes, 51**

Ms Allan	Mr Greene	Mr Pearce
Mr Amery	Ms Hay	Mrs Perry
Ms Andrews	Mr Hickey	Mr Price
Mr Bartlett	Mr Hunter	Dr Refshauge
Ms Beamer	Mr Iemma	Ms Saliba
Mr Black	Ms Judge	Mr Sartor
Mr Brown	Ms Keneally	Mr Scully
Ms Burney	Mr Knowles	Mr Stewart
Miss Burton	Mr Lynch	Mr Tripodi
Mr Campbell	Mr McBride	Mr Watkins
Mr Collier	Mr McLeay	Mr West
Mr Corrigan	Ms Meagher	Mr Whan
Mr Crittenden	Mr Mills	Mr Yeadon
Ms D'Amore	Mr Morris	
Mr Debus	Mr Newell	
Ms Gadiel	Ms Nori	<i>Tellers,</i>
Mr Gaudry	Mr Orkopoulos	Mr Ashton
Mr Gibson	Mrs Paluzzano	Mr Martin

**Noes, 37**

Mr Aplin	Ms Hodgkinson	Mr Roberts
Mr Armstrong	Mrs Hopwood	Ms Seaton
Mr Barr	Mr Humpherson	Mrs Skinner
Ms Berejiklian	Mr Kerr	Mr Slack-Smith
Mr Brogden	Mr McGrane	Mr Souris
Mr Cansdell	Mr Merton	Mr Stoner
Mr Constance	Ms Moore	Mr Tink
Mr Debnam	Mr Oakeshott	Mr Torbay
Mr Draper	Mr O'Farrell	Mr R. W. Turner
Mr Fraser	Mr Page	
Mrs Hancock	Mr Piccoli	<i>Tellers,</i>
Mr Hartcher	Mr Pringle	Mr George
Mr Hazzard	Mr Richardson	Mr Maguire

**Pair**

Ms Megarrity

Mr J. H. Turner

**Question resolved in the affirmative.****POLICE COLLEGE GRADUATES****Urgent Motion****Mr STEWART** (Bankstown) [3.30 p.m.]: I move:

That this House:

- (1) welcomes the new 546 probationary police constables across New South Wales;
- (2) notes the State Government has deployed 2,277 officers in the last 12 months—setting an Australian record for the most trained in a year; and
- (3) congratulates the Goulburn Police College for its professionalism.

Last Friday 546 new probationary constables were sworn into the New South Wales Police Force at the Goulburn Police College. This is an outstanding achievement and represents a huge increase in the number of constables sworn in at the college compared with the number in previous years. Over the past 12 months we have seen some of the biggest attestations in the State's history: 410 in May 2002, 637 in August, a record-breaking 685 in December and a further 546 last week. This means that NSW Police has trained and deployed more than 2,200 officers in the past 12 months. This is a new Australian record for police training achievements in a single year and one that the Carr Government is proud to have initiated. This achievement means that the Government reached, and in fact exceeded, its commitment to provide 14,407 police by December last year.

Staff of the New South Wales Police College are to be congratulated on their outstanding efforts in getting so many new recruits to the point of attestation. This has involved not only marking more exam papers and teaching more students but also finding extra accommodation, more uniforms and additional appointments for these recruits. None of these are small or easy tasks when such large numbers of students are involved. These educators have carried out their duties with the utmost professionalism. They have produced fine quality recruits, who will take their place this week in police stations throughout the State.

This is an exciting time for policing in New South Wales. We are setting Australian records for the number of recruits trained and deployed in 12 months. Those students who attested last Friday will join the biggest police force in the country at a time when crime statistics are extremely encouraging. Aside from shoplifting, the incidence of crime is stable or decreasing in most major categories. In my electorate of Bankstown the incidence of crime is at its lowest point in the past 10 years. Statistics from late 2002 show that assaults are down 7 per cent compared with 2001, theft of motor vehicles is down 24 per cent, robbery is down 30 per cent, break-and-enter crimes are down 17 per cent, malicious damage is down 11 per cent and stealing is

down 16 per cent. This is a fantastic result and shows that my local area commands are doing a terrific job maintaining high-visibility, high-impact policing. As even more probationary constables join their ranks, we can look forward to more of the same during this Government's term in office.

I am pleased and proud to point out that the local area commands that cover my electorate have received 34 additional new police. What a difference this will make to my local area! I have already described the difference that has been made in my electorate in the past 12 months and now we have 34 new officers who are rearing to go, ready to fight crime and, importantly, ready to defend local families. In conjunction with highly successful police operations such as Operation Vikings, the community has a sense of increased police presence on local streets—officers are working to keep them safe. I must point out that the Opposition condemned Operation Vikings at its inception and claimed that it was simply a knee-jerk reaction to policing concerns. If that is a knee-jerk reaction we want more of them because it has not only resulted in hundreds of arrests but also made communities such as Bankstown much safer.

We have witnessed a flood of new officers through local ranks, including the 34 new officers in my local area command whom I have mentioned already. The local area commands covering the Blacktown-Mount Druitt area will receive an additional 35 officers. The honourable member for Blacktown and the honourable member for Mount Druitt are very pleased about that strong intake from the college. Local area commands covering the Canterbury electorate will receive an additional 30 officers, and the honourable member for Canterbury has told me how pleased she is with that result. I could go on but time does not allow it.

I can inform the House that the 546 new officers have been stationed across the State, making it a better place. Many of the probationary constables who started work yesterday have toiled not just over the past few months but for years to reach the level of fitness and competency required to attain a place in the course. They are highly qualified probationers in whom the community can have strong faith. They have shown dedication and perseverance in achieving their goals. More than that, they have chosen to dedicate their working lives to serving and protecting the New South Wales community. On behalf of the people of New South Wales, I thank them for their choice. I also welcome the 34 officers who have been stationed in the Bankstown area.

The people of my community welcome with open arms probationary constables who will be serving and learning alongside incredibly dedicated, and often very experienced, local officers such as the Bankstown area commander, Superintendent Mick Plotecki, who has been around for many years and has a history of many fine achievements. He can now use his experience to help these probationary constables to focus and achieve their goals in the New South Wales Police Force. They will be afforded many opportunities to learn throughout their careers as police officers. We all know that policing is difficult. We know it is a choice that people make when they are committed both to doing the right thing and to ensuring that the right thing is done to others and when they choose to serve what is right and just. That is by no means an easy task. It is a task for the courageous, the agile and the alert.

The officers who attested last Friday and have joined local area commands in Bankstown and elsewhere throughout the State have already displayed fantastic qualities that will help them to make our communities safer and better. Those probationary constables will work hard not only to enhance their personal qualities but also to relate to younger people in our communities. That is a special and necessary task. We have certain policing challenges in my electorate that officers are meeting in an adequate, forceful and constructive manner. Police are relating particularly to young people in my area, demonstrating that policing involves tiers of government—State and local—and the community working in partnership. This will ensure that members of the Police Force work together in harmony to achieve a common goal: safer streets and a better community.

I commend the latest group of graduating officers. They are fine young people who have focused their lives and efforts on attaining the qualities that we expect of our police officers. On behalf of the people of New South Wales, I thank them sincerely for choosing what is without question one of the toughest, most courageous and most rewarding careers imaginable. I encourage all honourable members to express similar gratitude.

**Mr DEBNAM** (Vaucluse) [3.38 p.m.]: I welcome the opportunity to speak on this motion, although it was moved simply to prevent the honourable member for North Shore from initiating urgent debate about the state of schools in New South Wales. The Opposition will continue to push the issues to which the honourable member for North Shore referred. I congratulate the recruits who graduated from the Police College last Friday on completing their course and I look forward to their starting work in the community and assisting the people of New South Wales. As the honourable member for Bankstown said, we all applaud those who put up their hands to serve the community, especially on the front line as our police officers do. However, the honourable

member should have congratulated the Coalition for putting the issue of increased police numbers on the agenda in a very big way during the 1999 election campaign—we had raised the matter several times before that. The Premier argued strongly against the policy at the time, and I think the community will not forget that.

In the end the Coalition won the day and the Government was forced, under the weight of public opinion, to put forward a proposal to substantially increase police numbers. As a result, during the past couple of years the Government has worked rapidly to dramatically increase the number of police going through the Police College. Obviously, we are all pleased with the number of police who are graduating and we are interested to see where they are going. The honourable member for Bankstown said that 34 police were going into the commands that service his electorate. The Bankstown local area command has been allocated 15 of the new graduates, which is not enough to make up the shortfall. I assume that the Minister for Police receives a weekly letter from the honourable member for Bankstown about the fact that the authorised police strength in Bankstown in March—the month of the election—was 275, but the actual number of police was only 247. On the figures issued by the police, Bankstown is getting only 15 police from last week's graduation, which is a shortfall of 13. I assume that the honourable member for Bankstown will continue to write letters every week to the Minister of Police on behalf of his community pointing out that that is not good enough.

In March Green Valley had an authorised strength 124, with the actual number of police at 115. Green Valley will get six police from this graduation. Green Valley police and the local community are concerned about this issue, so much so that it has hit the headlines a number of times in the past 12 months. On 17 April 2002 Kara Lawrence of the *Daily Telegraph*, under the headline "Police Industrial Action", referred to the problems police had with Michael Costa's plans and referred in particular to Fairfield and Green Valley. The article said that police there were under great stress. On 21 October 2002 the *Daily Telegraph*, under the heading "Police off the beat in staff blue", stated:

Police in high crime areas are refusing to walk the beat or issue traffic tickets.

Officers in Green Valley and Fairfield ... are refusing to do any "proactive" police work.

The last two paragraphs of the article stated:

NSW Police management is understood to want to freeze any return of police from Fairfield to Green Valley until after a workload analysis is completed.

Police areas were linked to local government boundaries from July 1, precipitating a shift in staffing levels which has sparked anger in some stations.

In the run-up to the election, Green Valley had an authorised strength of 124 police but had only 115. It will get six from this graduation, so it will have a shortfall of three. That would probably explain the article that appeared in the *Sun-Herald* on 30 April headed "Green Valley blues". It stated:

Police officers in the besieged command of Green Valley have done it tough in the past four years—

that is, under the Carr Government—

The region has one of NSW's highest unemployment rates, a drug problem, shootings, stabbings and critical staff shortages, and was the scene of a stoush between former police commissioner, Peter Ryan, and ex-police minister Michael Costa. No wonder members of the Green Valley police social club have issued a rather doleful tie for members. The two-tone green neckwear bears the epigram, "Green Valley: it's not green and there's no valley."

I am delighted that the honourable member for Murray-Darling has entered the Chamber. Considering what is happening out west to police numbers, I can only assume that when the Minister for Police goes back to his office he will see that the honourable member for Murray-Darling has written a letter a week about this issue.

**Mr Black:** I wrote one a day.

**Mr DEBNAM:** The honourable member said he wrote Michael Costa one letter a day complaining about police numbers. Good on him! He should do that on behalf of his community because he has a real problem with crime in his area. I will ask Walt Secord to arrange to send the letters to me. Under freedom of information, I will get a copy of all the letters that the honourable member for Murray-Darling sent to the Premier and the former Minister for Police, Michael Costa, and for the past month has been sending to the new Minister for Police. His letters would say, "I need police in my area." I assume they are there—aren't they?

**Mr Black:** I would say there is less crime in western New South Wales—

**Mr SPEAKER:** Order! The honourable member for Vacluse will not ask questions; the time for questions has expired. If the honourable member for Murray-Darling wishes to participate in the debate he should seek the call.

**Mr DEBNAM:** I will give the honourable member for Murray-Darling the answers. The authorised strength of Barrier is 100, actual strength is 92 and it is getting six out of last week's graduation, so it will have a shortfall of two. The authorised strength in Castlereagh is 63, actual strength is 54 and it is getting four out of last week's graduation, a shortfall of five. The authorised strength of Darling River is 82, it has 76 and it is getting only one from last week, a shortfall of five. Western local area command should have had 10 police, has six and is getting none from last week's graduation, a shortfall of four. I assume that there are plenty of letters that complain about police numbers. I was not surprised to see the honourable member for Murray-Darling sneak into the Chamber to talk on this motion. His community has a real problem. I admit that I have not heard the honourable member for Murray-Darling talk in the Chamber about problems relating to police numbers and crime in his electorate. I can only assume that when I access those letters under freedom of information a lot of them will highlight the problems.

The honourable member for Bankstown and the honourable member for Murray-Darling should be delighted that they are getting some police. However, they should apologise to their communities because they have not been able to achieve more—there is still a major shortfall. I agree with Commissioner Ken Moroney, who said on the day of graduation that it is impossible not to feel exceptional pride on such a special day. Our police are having a tough time on the front line. Whenever people see beat police they should introduce themselves—very few people do. Although there are very few beat police as it is not a priority of the Carr Government. As I said at the beginning of my speech, the Coalition has been leading the agenda on policing, and on law and order issues generally. We have done it in a responsible way when compared with the way in which the Premier has done it over last few months.

In 1996 I introduced the car hoons impounding legislation, which the Premier and Paul Whelan fought for a number of weeks. Eventually, through the weight of public opinion, the Government embraced my legislation. The legislation became law on 20 December 1996 and was effective for a number of years. Unfortunately, because it was not used well in the past couple of years, it is no longer as effective. The Coalition has been leading the debate on bail laws. We have been pushing that issue very hard. It is always pleasing to see the Attorney General do a backflip, but we are yet to see whether he does something in this regard. The Coalition is also leading the agenda in relation to the Director of Public Prosecutions, an issue raised by the honourable member for Epping. The Coalition will continue to push the agenda and continue to lead the Government in the right direction. However, in relation to police numbers the Government has a long way to go.

**Mr BLACK** (Murray-Darling) [3.48 p.m.]: Thank you, comrade Speaker. It is an honour that I should be here to support my sister-city colleague, the honourable member for Bankstown. I also recognise my chalkie comrade, the Minister for Police. I am amazed by the comments of the honourable member for Vacluse. I do not suggest for one moment that Vacluse is the centre of crime in Sydney. However, his assertion that western New South Wales is the centre of crime in New South Wales is not correct. I refer to an erstwhile colleague of the honourable member for Vacluse. Marsha Isbester, the National Party aspirant for the electorate of Murray-Darling, was an interesting candidate. It would be wrong of me to talk about her personal attributes. She said repeatedly during the election campaign that there was something wrong at Nymagee because it did not have—

**Ms Hodgkinson:** Point of order: Mr Speaker, I ask you to bring the honourable member for Murray-Darling back to the urgent motion: it refers to the number of police constables and congratulates the Goulburn Police College on its professionalism. The honourable member is clearly outside the margins of the motion. I ask you to bring him back to the topic of this debate.

**Mr SPEAKER:** Order! I am sure the comments of the honourable member for Murray-Darling were a preamble to his contribution.

**Mr BLACK:** The National Party candidate for Murray-Darling said during the election campaign, "We must have a police presence in Nymagee." Can honourable members imagine a police presence in Nymagee? This is a comparison between western New South Wales and Vacluse. They wanted a policeman stationed at Nymagee, where the greatest crime was stock theft—someone had stolen a couple of chooks from a neighbour! That was the great crime. But we have satisfied the National Party's concern; there is now a constable at Nymagee. We have worked overtime on this issue. We have sent police from northern Bourke and elsewhere to Nymagee to make everybody happy. We just cannot believe the figures put forward by the honourable member for Vacluse because most of those who wind up in gaol are not there for stock theft; they are in gaol for taxation, insurance and Telecom offences, and that sort of thing.



I ask honourable members to listen to these figures. Twenty-two new probationary constables from the Constable Education Program, class 15, attested on Friday to the local area commands covering Murray-Darling. We have lots of police out there. We may not have what I might call real jobs for them—they spend more time in Mildura than in Wentworth because the latter is crime-free. The young blokes get across to Mildura, where the night-life is—but I will leave that point. And don't we welcome the 22 new probationary constables with open arms! There is in the bush a theory about why we send teachers to the bush. Let me tell honourable members that policemen and young constables are just as welcome, because they stimulate the local economy.

The total number of police now in New South Wales—irrespective of what the honourable member for Vacluse might say—is at a record level. Why? Because four years ago we put measures in train to achieve that. Four years ago 26 police were out there in the west. Can we imagine the use to which they would be put in Vacluse, and all those police screaming around? Is it a drug capital or something? What is the honourable member talking about? In western New South Wales we have an additional 26 police, with relatively low crime figures. That is a fact. I must add that these 22 new officers for the local area commands—I have five local area commands in my electorate—come on top of the 32 new rural crime investigator positions created by the Government in 2002. We are doing very well in my electorate.

The honourable member referred to me writing one letter a day to the Minister for Police. However, I did that when I was Mayor of Broken Hill and the Coalition was in office. At the time we were talking about the pathetic concern being expressed by the Coalition Government, with the National Party selling out the bush, as it has done for the last umpteen years. The honourable member for Lachlan was not interested in the safety of the citizens of western New South Wales. Now we have the honourable member for Vacluse trying to defend the honourable member for Lachlan. I will defend the honourable member for Lachlan; the honourable member for Vacluse should not try to do that because he is just not capable of doing so. This Government has delivered for western New South Wales. We are proud of western New South Wales. Congratulations to Bankstown, my sister city. We have the confidence of the people of western New South Wales. [*Time expired.*]

**Ms HODGKINSON** (Burrinjuck) [3.53 p.m.]: What an extraordinary performance by the honourable member for Murray-Darling! I recognise the great work that Marsha Isbester did in Murray-Darling during the election campaign. She has, at least, brought the focus back to a few key issues in Murray-Darling that have been lacking in attention over the past few years. I was pleased to join the honourable member for Mount Druitt and the honourable member for Ryde at the attestation parade for the Constable Education Program, course 15, last Friday. It is great to see the reappearance of the NSW Police pipe band. The band gave a quite stirring performance as it strode onto the parade ground to the tune of "Scotland the Brave". I do not think I have missed any attestation parades since I became the member for Burrinjuck. I was particularly pleased to be able to attend this most recent event, as last September the former Minister for Police, Michael Costa, said that that would be my last parade. I was really pleased to highlight his lack of vision. I would also highlight how rude he is.

I consider my attendance at these parades important for two reasons. First, it demonstrates my ongoing and strong support for the important work that police officers do in protecting the community. Second, it highlights the importance of the Police College to the community of Goulburn. In 1981 the Lusher report called for a variety of changes to police training in New South Wales, including recommendations for a residential college, the appointment of some full-time academic staff, a longer recruit training period, and a change of teaching methods to a greater understanding of social issues and the police role in the community. In 1984 a residential college was established in Goulburn, on the site of the former college of advanced education. Specialised facilities at the college include the driver training school, computer records, the police library and the chapel. I recognise and commend the important work done by the uniformed and academic staff at the college. Charles Sturt University has played a main role in the development and implementation of the Diploma in Policing Practice taught at the college. We have a great relationship with that university.

While I have been a strong and unwavering supporter of the college in Goulburn, the same cannot be said of the current Government. On at least two occasions in the last session of Parliament I had to write to the then Minister for Police strongly urging him not to downgrade the functions and courses at the college. I trust that the promises made by the Premier during the election campaign to invest an additional \$2.8 million in improvements to the college by 2005—only two years away—will be honoured. I will look very carefully at the forthcoming budget to make sure that he delivers on those promises made during the election campaign. I look forward to the day when this Government demonstrates as strong a commitment to the Police College remaining in Goulburn as has the Coalition. I look forward to the comments of the Minister for Police in that regard.

I still have concerns about the facilities that are available at the Police College. Police driver training is important and, as I highlighted last year, there is a need for a second driving track to ensure adequate training facilities are available. The situation that the Government allowed to develop last year, where police officers were sometimes unable to respond to emergency calls because of inadequate driver training, is just not good enough. In fact, late last year 1,600 police were eligible for silver certification training, but it was expected that only 650 would be trained in 2002. Obviously, this leaves a severe shortage. The more police able to respond urgently, the better the local community will be. I call on the Government to look at this issue seriously and to urgently allocate funding for construction of a second track.

There are also safety concerns as wildlife stray onto the driver-training track. I visited the facility last year and saw at least three kangaroos grazing within 20 feet of the track. Obviously, that would be of great concern for anybody driving vehicles at high speed while learning how to drive police response vehicles. A safety fence is an urgent priority for the facility, especially in light of the wildlife problems. There is a need for more student accommodation at the college. I highlight something that happened at the police attestation ceremony last Friday. I commend the attestees who passed through the attestation parade. They raised in the order of \$17,000 to donate as financial support to a lady who has two young children. Her husband was killed during training. For the attestees to work to provide that amount of money, as a gift of love to this lady—who will now go through the course again, starting training again next week, I believe—demonstrates a real commitment by them. [*Time expired.*]

**Ms GADIEL** (Parramatta) [3.58 p.m.]: The police local area commands covering the electorate of Parramatta welcome the arrival of 39 new probationary constables from the Constable Education Program, class 15, which attested on Friday. Those 39 new officers will build on a better-resourced and equipped police force in the Parramatta area. These 39 police officers join 507 others throughout the State in the largest ever police force in the country. I note that the honourable member for Vacluse attempted to take credit for increasing the police numbers—that is, he tried to take credit for Labor's achievements. That is an absolute outrage, because the Coalition had the opportunity to deliver increased police numbers when it was in government but it failed to do so.

The Carr Labor Government delivered the largest police force in Australia. It is an impressive achievement by the Government and an impressive delivery of quality service to the people of Parramatta. The community is now, more than ever, united in its support of NSW Police under the steady, forthright leadership of Commissioner Ken Moroney and his team. In these troubled times the community looks to the police to provide stability. But regardless of what is happening on the world stage, some things about their chosen job do not change. The fact remains that policing is dangerous, it is tough and, above all, it matters. It changes lives and it saves lives. Remarkably, all of the probationers who attested on Friday know the risks and dangers. They are prepared in mind and body. The challenge today is even greater than it has ever been, but they are better prepared than ever.

Commissioner Moroney has provided high-visibility policing strategies that are working in places like Parramatta. More police are on the streets, deployed in the right places and at the right times, especially at night. This matters to the people of Parramatta. I welcome the 39 new officers to the local area commands covering the electorate of Parramatta. I wish them well in their new roles and every success as they continue to learn on the job. I add my thanks to the staff of the Police College at Goulburn who have worked diligently to prepare these officers for their new careers. These new recruits have signed up for one of the most difficult jobs in our society, but they will also benefit from the recent announcements of new uniforms, new vehicles, better forensic capabilities and tougher laws. They carry on the proud tradition of New South Wales policing, and I welcome them to Parramatta.

**Mr STEWART** (Bankstown) [4.03 p.m.], in reply: This motion substantiates the support of this House for the New South Wales police force, which is very well deserved. It is a very noble cause. In the past few days the new recruits have demonstrated what policing is all about. But I am perplexed and surprised by the comments made by the honourable member for Vacluse, the shadow Minister for Police. It was quite disturbing to hear him whine, whinge and harp in trying to prove the unprovable. Contrary to his view that the Government has failed police, it has achieved a great deal. His suggestion that we should apologise only mocks the police in this State. Bankstown police local area command, which has more than 275 officers, is the largest in Australia and one of which I am very proud. The Bankstown local area command is now experiencing the lowest level of crime across all major categories for the past 10 years. Assaults are down 17 per cent, stealing of motor vehicles is down 24 per cent, robbery is down 30 per cent, break and enters are down 17 per cent, malicious damage is down 11 per cent and stealing is down 16 per cent.

Yet the honourable member for Vacluse has the audacity to say in this House that we should apologise. I assure him it will not come from us. The only apology should be from him to the New South Wales police force. The Coalition must recognise the veracity of expressions of support for New South Wales police. Yesterday 546 probationary constables joined the New South Wales police force: a significant achievement for the Government by any standard. We are justifiably proud of the record number of students trained and deployed in the past 12 months. We must do more, but we are heading down that track. The Minister for Police has been to Bankstown to meet new recruits and to talk to frontline police officers. I assure those opposite that I have received tremendous feedback about the Minister. He is doing the job. More than 2,200 officers have been deployed in the past 12 months, which is a new Australian record for one year's training achievements. We are proud of the quality of the men and women who have chosen to serve the community. There can be no more nobler a cause.

I applaud the Government's commitment to police numbers. The strategy is in place and it is reaping results. I remind the House that these numbers, the commitment of 14,407, were achieved and exceeded in December last year. I again take this opportunity to thank the staff of the Police College in Goulburn for the professional manner in which they have fulfilled, and continue to fulfil, their duty in training and deploying such large numbers of students. They are to be congratulated. The community owes them a lot. I also congratulate our new probationary constables. I trust that they look forward to delivering justice for the people of New South Wales. I trust that they take the oath of office, sworn on Friday, extremely seriously. I have no doubt that they will. I trust them and the people of New South Wales trust them. The Opposition should also trust them. I am very proud of them. I thank them for their choice. I welcome the 34 that have come into the local area commands in my electorate. I look forward to working with them for the benefit of the people of Bankstown. On behalf of the Government, I welcome all 546 probationary constables to the New South Wales police force. They have taken on this job seriously and they will do it well for the people of New South Wales.

**Motion agreed to.**

## **ST GEORGE ILLAWARRA DRAGONS HOME GROUND**

### **Matter of Public Importance**

**Miss BURTON** (Kogarah) [4.05 p.m.]: It is a great honour for me to bring to the attention of the House the return of the St George Illawarra Dragons to Kogarah oval. I note that a few members of the Opposition are leaving the Chamber. I would too, because after the last election it is obvious that there is no place for them in that area. I also know that they have given no support whatsoever to this project. Who is the shadow Minister for Sport? Whoever it is that person is not here. If we knew who it was we might have invited that person to the game on Sunday. The return of the St George Illawarra Dragons has been a hard-fought campaign by the local community since they last played there four long years ago. The Dragons have a long and proud history in the St George area, which was reconfirmed last Sunday with the attendance of the St George legends: Johnny (Chook) Raper, Johnny King, Graham Langlands, Eddie Lumsden, Reg Gasnier, Billy Smith, Norm Provan, Noel Pidding, Kevin Ryan, Matt McCoy, Rod Reddy, Mark Coyne, Ian Walsh and Craig Young. The legends were honoured on the field prior to the match. They will be inducted into the inaugural legends walk, to be built outside the main turnstiles.

Prior to the amalgamation of St George and Illawarra, St George was one of the most successful Sydney-based teams. Between 1954 and 1966 the club did not lose one single game at Jubilee, our home ground. The success of this project was due to the hard work and dedication of the St George community. Kogarah oval, now officially known as OKI Jubilee Stadium, is the only major sporting facility in the St George region. On Sunday morning 16,000 people crammed into the stadium to watch this history-making return. Tickets for the match sold out two days prior to the event. Fans came from South Australia, Perth, Victoria, Queensland, New Zealand, and as far away as Hawaii, New York and England. Such was the determination of the locals to see the old blood and bandages back at their rightful home that when fans were told tickets had sold out they cut a hole in the fence and opened their own gate at the back of the oval.

Although the fight to bring the Dragons back to Kogarah began four years ago, the project did not begin in earnest until 18 months ago because the ground needed an urgent upgrade to be maintained as a community facility. The necessary work was assessed and the total cost of the project to upgrade floodlighting and the scoreboard, improve facilities for patrons, those with disabilities and the media, and improve corporate facilities was assessed at \$1.85 million. Kogarah Municipal Council immediately kicked in \$70,000 for urgent maintenance, and contributed \$278,000 in total. The State Government put in \$800,000, the St George Leagues Club put in \$538,000 and the local community raised an additional \$55,000.

As the money started to roll in, work began. The community project was not without incident. We had a deadline of 4 May and the weather was playing havoc with construction. A whole heap of pavers fell off the back of a truck at Newcastle and our crane, which became bogged at the oval, had to be dug out. With only weeks to go before the first match much work still had to be done. It was then that we once again saw the great spirit and dedication of the St George community. Workers on the site worked through Easter and Anzac Day. They also worked nights and weekends. People came off the streets and offered to make coffee, and 20 dozen doughnuts were donated to keep the workers going so that they could finish the job. Locals were dropping in to help.

The general manager of St George Leagues Club, Danny Robinson, was there too, sweeping, cleaning toilets and pulling out weeds. Yesterday I spoke to Robert Stone, who was primarily in charge of the project, to ensure that it was delivered on time and was ready for the fans. He said that the way the project was pulled together was amazing. A few weeks earlier he had pondered the scale of works that still had to be completed—the concrete pours and the seats that still had to be installed—and he said to me, "We thought we had no chance of getting through it. Not only was it a community project—and it was marvellous to see the community coming behind us—but I am sure that God is a Dragon."

I pay a special tribute to people who kicked in and helped. Kinsley Constructions was represented by Roger Kinsley and Greg Weeks. Steve Le Breton did all the things that the builder was unable to do, such as painting. The leagues club's electricians and carpenters put in an enormous amount of overtime to ensure that the project was completed. Right from the beginning R2K supporters were real campaigners for St George to come back home. They attended on weekends to clean and rake up grass and they swept and flattened their own hill, ready for the game on Sunday. I thank also Stuart Collins, the groundskeeper, for the sensational job he did on the grounds; Workforce International, who organised security and traffic plans; my colleagues the former Minister for Sport and Recreation, Morris Iemma, who was very supportive, the honourable member for Georges River, Kevin Greene, and the Minister for Energy and Utilities, Frank Sartor. I also thank the General Manager of the Kogarah City Council, Gary Sawyer, and the mayor, Jim Taylor, both of whom are great supporters. They made sure that the project came to fruition and were instrumental in the council getting behind the project.

I thank also the entire board of directors of the St George Leagues Club, the club's Chief Executive Officer, Peter Doust, and Robert Stone, Danny Robinson, and Warren Lockwood. I thank also the Rockdale City Council and the Hurstville Council. I thank also the caterers on the big day, Fit for a King Catering. I especially thank BHP Lysaght, which donated \$70,000 worth of the building materials. I thank also Oki Australia, the naming rights sponsor, and all the builders who pitched in and donated their time to ensure that the project was completed. I also thank Frank Bates, who was employed by the council to raise money. He was able to arrange special deals on the tiles and fencing. The project was a real community effort. Many people donated not only materials but also their time and money.

I also thank the government agencies involved, particularly the Roads and Traffic Authority and St George police, which did a sensational job in organising crowd control and in the getting more than 16,000 people from Oki Jubilee Oval across to the St George Leagues Club, which is also known as the Taj Mahal. I express my appreciation to the State Rail Authority for organising trains to stop at Carlton so that all the Illawarra fans could travel to the game. I also thank the local residents and the Carlton South Public School.

I emphasise that the oval is a community facility: it was a community project and the community was united behind it. All the motels in the area were booked out because the game attracted a lot of people and a lot of money to the area. There is a local shop in Carlton that is usually known as "Sharkies". About a week before the game in which the Dragons played the Cronulla Sharks, it smartly changed its name, bearing in mind that all the Dragons fans would have been visiting the area. As a result of the stadium becoming available, rugby union has moved back into the area and this weekend Randwick will play Southern Districts. Soccer has also come back into the area. The Dragons Soccer Club needed a facility so that the team could participate in the State soccer league. The Dragons football team invited the soccer team to come to the Oki Jubilee Stadium, and the soccer team will now be able to meet the State league criteria and participate. The Carlton Public School and Carlton South Public School will also be able to hold their school carnivals at the complex. Zone athletics carnival will also be held there.

In conclusion, I point out that because of the support of the State Government and the local councils, and the hard work of the St George Leagues Club and the local community, the people of St George now have a top standard regional facility. They will not only be able to see their beloved Dragons play; they will also have a

facility available for soccer, rugby union and local schools. The stadium is a great asset for the community. I commend all those who have supported the project. I particularly thank one of my good friends, Michelle Fowler who is a member of the Dragons army. She came into my electorate office four years ago and said, "Cherie, if there is one thing we have to do for the St George area, it is bring the Dragons back home." She stuck by that and was involved in the project. Along with everybody else, she worked hard. It was a real honour to be present on the opening day and see all the Dragons supporters on the hill, waving the red and white.

**Mr KERR** (Cronulla) [4.15 p.m.]: It is a great pleasure to participate in the debate on this matter of public importance. Before the Sharks, there was the Dragons.

**Mr Greene:** And there still is.

**Mr KERR:** That is right, but before the Sharks, Sutherland shire was very much Dragons support territory. We all grew up hearing names like Johnny Raper, Reg Gasnier and Kevin Ryan. It was probably appropriate that the match on Sunday took place between the Sharks and the Dragons. Not long ago I attended a dinner at the Novotel. The honourable member for Kogarah was there; I think it was a fundraising dinner.

**Miss Burton:** R2K.

**Mr KERR:** That is right. For a moment I was a bit frightened, because I thought the honourable member said that I took her there. Let the record show the true position so that there will be no misunderstanding. The old ground holds a lot of memories, especially the trees where the spectators who did not pay their admission fee used to stand. One of those was Ross May, who was known as The Skull. He used to go around in a St George jacket and often used to stand by the trees on the northern side of the grandstand.

**Mr Greene:** Good haircut.

**Mr KERR:** Quite so. Every time he went to the barber, he had to pay a search fee! The ground represents an enormous tradition and it is tremendous that it now offers a range of sports and community facilities. Let there be no mistake: The ground exists because of the marshalling of public demand. If my memory serves me correctly, St George took out 11 premierships.

**Mr Greene:** From 1956 to 1966.

**Mr KERR:** That is quite right. Nobody will ever forget that era in rugby league. The whole of Sydney and the whole of this State followed the matches avidly. St George had a monopoly on the grand final because it was a team of champions and a champion team. Although the fortunes of St George have fluctuated, the loyalty and dedication of its supporters never have. The team has always commanded intense loyalty.

**Miss Burton:** John Stanley was there. I saw John Stanley.

**Mr KERR:** John Stanley was there? I think he has the Ross May haircut too. The team has lots of great fans: I could mention the Minister at the table, but I do not know whether he was at the game.

**Mr Sartor:** I was.

**Mr KERR:** You were?

**Miss Burton:** I took him.

**Mr KERR:** In that case, I should ask the Minister whether Kevin Ryan has conceded defeat yet in Rockdale.

**Mr Sartor:** He never will.

**Mr KERR:** He probably never will! Kevin Ryan is one of the legends of rugby league, and probably one of the legends of this House. He is a former Labor member for Hurstville and was defeated in the 1984 election. He parted company somewhat with the Labor Party after that. Perhaps he will try again next time.

**Mr Sartor:** He has lost his way ever since.

**Mr KERR:** He has lost his way every since, the Minister for Energy and Utilities says. Kevin Ryan found his way back to Kogarah Oval and the people were probably happier to see him than they were to see the Minister on that day. Kevin was a great footballer and a great sportsman.

**Mr Sartor:** I have never played for St George, I'm sorry.

**Mr KERR:** The Minister might be sorry, but there is no way the people of St George are sorry. I was interested to hear what the Minister said about playing for St George. As he became a resident of St George only recently, he may have had residential qualification problems if he had wanted to play for St George at an earlier time. We will wait and see how many free kicks he gets in this House in the next few years. He will probably get a few from his own side.

I return now to the substance of the motion, which is very much a bipartisan issue. Sunday's celebrations were very much about the achievements of people power. The return of rugby league to Kogarah Oval was not brought about by politicians, it was made possible by the people of the St George area. The people kept the flame of sportsmanship alive. Unless one lived in the St George area and experienced the years of the grandeur of St George one would not understand the identity that that team provided to the St George and Sutherland areas. People felt great pride for Kevin Ryan and Johnny Raper, whose successes were as admirable as those of Mark Coyne. Their qualities and the character that they added to their teams provided role models for people in the area, which has been well served by those who strapped on football boots and carried the name of St George.

The honourable member for Kogarah mentioned people who were involved in the celebration, so I will not repeat them. However, I am disappointed that the Minister for Tourism and Sport and Recreation did not come into the Chamber to listen to the acknowledgements contained in the speech of the honourable member for Kogarah. Last Sunday's nostalgic festivities were well conducted and included many tributes to those who gave so much to the area.

**Mr GREENE** (Georges River) [4.22 p.m.]: In 1966, when I was aged seven, my father and grandfather took me to see my first rugby league game. It was at Jubilee Oval, where St George, at the end of their great reign, defeated Manly. That St George team included Johnny Raper, Reg Gasnier, Ian Walsh, Billy Smith and Johnny King, all legends of the St George football era, as announced last Sunday. From that moment in 1966 I became a proud member of the sporting fraternity of the St George district. The St George sporting fraternity is wider than rugby league, and it is probably the greatest sporting district in the world. That fact was reinforced last Sunday as the St George Illawarra Dragons returned to the district's spiritual home of rugby league, Kogarah's Jubilee Oval.

The St George district is renowned in many sports. In cricket, the Team of the Century included four players from St George in its 12-player team. They were Arthur Morris, Sir Donald Bradman, Bill O'Reilly and Ray Lindwall. That is a magnificent achievement. In soccer, Australia first participated in the World Cup in 1974 and the team included six players from the St George- Budapest Soccer Club. In rugby union and Australian rules the St George area has been well represented. Last year the St George Hockey Club celebrated its seventy-fifth anniversary. It is worth noting that the St George Hockey Club was the first team to wear the red V, way back in 1930. I have a photograph of that team—with the club's founder, Sid Packham, and the McNeill brothers, both of whom played hockey for Australia—in my office.

The St George district has also produced one of the world's greatest tennis players, Ken Rosewall, and one of the world's greatest motor racing drivers, Sir Jack Brabham. It has also produced Albie Thomas, the multiple world record holder in athletics. Last Sunday, after attending another function, I parked my car on the western side of Carlton railway station. That brought back memories of 1976, when, as a student for the Higher School Certificate, I parked regularly at that spot and went to the oval, although I was supposed to be at home studying. However, when I needed a bit of relaxation I would arrive at the station, and walk down Jubilee Avenue—as I did last Sunday—to watch the mighty Dragons. As I walked past the Carlton hotel towards the oval and saw the new grandstand, I thought about the old Jubilee Oval of 1966, when I went there for the first time. I thought about Gordon Lowrie selling tickets for junior league raffles and about the doubles sellers—it brought back many memories of great St George administrators, including Frank Facer and Len Kelly. They were the heart of St George.

As I entered the ground last weekend all those memories came flooding back, as I am sure they did for many of the crowd of 17,000 who had the joy of being part of the return of the Dragons to Jubilee Oval. As the

honourable member for Kogarah said, that was a great day for the local community. It was about not only rugby league and sport but community involvement. That community had a sport that drew many footballers to the area. Last Sunday was also about bringing the community together; it was about people supporting people. I congratulate Robert Stone, Peter Doust and the chair of the St George Illawarra Dragons, Warren Lockwood. I thank also Gary Sawyer and Jim Taylor from Kogarah council.

I thank all the workers who did so much to make sure that the planned celebrations for last Sunday became a reality. In particular I congratulate the St George Illawarra Dragons coach, Nathan Brown, and all the great players on their return to Kogarah's Jubilee Oval. On Sunday I thought about Ron Hayes, the announcer at Kogarah's Jubilee Oval during the 1970s and 1980s, who came out with some memorable words. Most importantly, I reflected on the great tradition of the St George team that will undoubtedly continue now that it has returned to its spiritual home. Go the Dragons!

**Miss BURTON** (Kogarah) [4.27 p.m.], in reply: I thank the honourable member for Cronulla and my colleague the honourable member for Georges River for their contributions. I was not born until 1968, so I missed that great sporting era. However, throughout the 1970s and 1980s my grandfather would take me to watch St George play every weekend. On Saturdays I would play netball and on Saturday nights I would stay at my grandparents' house. We would rip up newspapers and put them into bags to take to the game. In the old days people were allowed to throw ripped-up newspapers when the Dragons scored a try. I agree with the honourable member for Georges River that the celebrations were a community effort. From the time the team left the oval in July 1999 the whole St George community never stopped fighting to get their beloved Dragons back home. It has been our long-held view—and it will continue to be our view—that the Dragons are not the Dragons unless they are playing at Kogarah.

Once again I thank all the members of the community, the club, the council and local members of Parliament who took the time to ensure that these celebrations were a success. It would not have happened if it were not for the dedication of companies that supplied equipment and gave of their time. It was an amazing effort by the whole community. It just goes to show what a great area St George is. I am proud to be part of it and I am proud to represent a part of that community in this House. I again thank Peter Doust, Robert Stone and Warren Lockwood, fantastic supporters who helped to put this project together. As I said earlier, this ground will not just be the home ground of the St George Dragons; it will be a community facility where sports such as rugby union and soccer will flourish. Our schoolchildren can use this ground to develop their sporting prowess. The oval, which looks just fantastic, is second to none—although I am sure I am a bit biased.

It was good to see John Stanley from 2UE, an avid long-time supporter, at the ground. He was over the moon when he sat back at Kogarah Oval and saw the Dragon army back on the hill. It made me proud to see all that red and white. It would be hard for those who are not St George fans to understand the attachment that the St George community has to its team and to the ground at Kogarah. I have never seen a bunch of happier people filing back into the Taj Mahal to celebrate with players. I congratulate Mark Riddell, who ploughed over the try line taking three Sharks players with him. The whole team and the coach, Nathan Brown, put in a sterling effort to ensure that the crowd was not disappointed. Jim Taylor, the mayor of Kogarah, was the driving force behind this whole project. Gary Sawyer, who was very jovial on the evening, had quite a few beers on this joyous occasion.

Community spirit is alive and well in St George. There are four more games to be played. It was great to see the community come alive again after such a hard-fought campaign. Being a great lover of sport, I will utilise the ground quite a bit when I go there to watch local boys playing soccer and rugby union. The police play their grand finals on that ground so it will get a lot of use. I congratulate the community and all those who put in such an amazing effort to make the day a success. I thank all those who worked so hard on the slab, the big lump of concrete at Jubilee Oval. A marquee was erected on the slab on the day and there were a few sore heads on Monday, so I do not think much work got done. I pay tribute to the council, the leagues club and the whole community. It made me proud to sit there on the day and watch our team march back onto the ground.

**Discussion concluded.**

## **BUSINESS OF THE HOUSE**

### **Private Members' Statements: Suspension of Standing and Sessional Orders**

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

That standing and sessional orders be suspended to permit private members' statements to be taken forthwith.

## PRIVATE MEMBERS' STATEMENTS

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### LAKE MACQUARIE CAULERPA TAXIFOLIA CONTROL

**Mr HUNTER** (Lake Macquarie) [4.34 p.m.]: This evening I wish to speak about the Government's actions to control the noxious weed caulerpa taxifolia, which is infecting parts of Lake Macquarie and a number of other waterways up and down the coast of New South Wales. The Government is providing nearly \$1 million in annual funding to help control the spread of this noxious weed. The 2002 budget announcement was welcomed by me and my parliamentary colleague the honourable member for Swansea, whose electorate shares the waters of Lake Macquarie. The budgetary amount of \$923,000 in extra funding is also being used to employ four specialist staff to work with the local community on that control program. Caulerpa, a noxious weed, has been found in a number of waterways in New South Wales and throughout Australia, including Lake Macquarie. If it is left untreated it could adversely impact on the habitats of juvenile fish.

The eradication of large patches of the weed started in September last year when 140 tonnes of swimming pool salt were applied to four large beds of the weed to try to control it before summer. Over a two-week period scientists and divers spread salt on the weed around Pulbah Island, Mannering Park and Dobell Park along the Wangi Wangi shoreline. They were targeting the areas of Lake Macquarie where the weed may be more easily dislodged and spread around, such as shallow areas popular with boat users. These areas were surveyed by NSW Fisheries using a boat-mounted video camera, a depth sounder and a global positioning system to define the boundaries of each of the outbreaks. Salt, one of the most effective tools to control caulerpa, was trialled earlier in 2002 on a few small patches. That first major work in September last year was followed up during summer. In March this year 252 tonnes of salt were spread over about 5,000 square metres to control the weed growing in waters along Wangi peninsula and other areas.

I was pleased to attend the first day of the spreading of salt by NSW Fisheries. The commencement of the project was attended also by my colleague the honourable member for Swansea. That work continued over a three-week period. A new \$30,000 specially designed boat was used to spread salt more effectively across the infestations. Caulerpa can smother seagrass beds, which are important to fish nursery areas. Caulerpa grows rapidly and it easily regenerates from pieces that break off existing plants. The Minister for Fisheries has advised me that diver surveys and mapping in the summer of 2002-03 provided an estimate of approximately two hectares of this weed in Lake Macquarie in water depths of one to six metres. The coverage of the weed is likely to be less than two hectares because the weed is patchy in many places.

Between March 2002 and March 2003 a total of 684 tonnes of salt were applied to beds of caulerpa at Mannering Park, Dobell Park, Pulbah Island and Wangi peninsula. Of the total amount, 252 tonnes were applied in a concerted effort to treat all remaining caulerpa taxifolia in March this year. In all, salt was applied to approximately 1.4 hectares of sea floor. By the end of March 2003 all known areas of caulerpa taxifolia in Lake Macquarie had been treated with salt. Follow-up surveys indicated a successful kill rate of 90 per cent to 95 per cent, with only isolated plants and small clumps remaining.

In April 2003 further surveys revealed a couple of small patches in a previously unsurveyed area near Mannering Park. New outbreaks near Mannering Park will be treated in the near future. All areas treated with salt in the summer of 2002-03 will be checked again in spring 2003 and retreated, if necessary. I congratulate the previous Minister for Fisheries, the current Minister for Fisheries and the Government on their efforts to control this noxious weed. I congratulate the local community and the people involved in NSW Fisheries on their excellent effort and a successful campaign.

### SUTHERLAND SHIRE DEVELOPMENT

**Mr KERR** (Cronulla) [4.39 p.m.]: For the past five years development and overdevelopment has dominated the political landscape in the Sutherland shire. The independent candidate for the electorate of Cronulla at the last election, Ms Sonda, and Labor have been trying to take the political high ground on this issue. As their campaign unfolds, so does their credibility. Ms Sonda sought to politicise the Meriton development in Caringbah, which has come under intense scrutiny since it began to take shape last year. The Minister for Energy and Utilities, who is at the table, will be familiar with Meriton. Ms Sonda focused much of her advertising and propaganda during the past election campaign on the development and sought to pin the blame on the former Liberal council, which gave the initial approval.



The facts are that in December 1998 the former council, in compliance with the Carr Government's planning laws, approved a development application for an 11-storey apartment development. The approval was to expire in 24 months. There was no substantial commencement of the development during that time and the approval lapsed after a Labor-Shire Watch coalition took control of Sutherland Shire Council in the 1999 local government elections. Any councillor could have brought the matter before the council but none did so. Ms Sonda said that she was not aware of the issue.

One would think that, having been elected to the council on an anti-development platform and subsequently appointed deputy mayor, she would have asked—as I am sure the Minister would have done in that situation—"What major projects exist that I believe do not conform with my platform and which I can change or prevent?" That would have been the normal reaction from someone upon which high executive office, and therefore power, was bestowed. It is very simple. Ms Sonda was subsequently elected mayor on Labor votes. In that capacity she met in the council's boardroom with local businessmen who were interested in purchasing the Caringbah site, with the attached development application.

During that meeting the businessmen advanced two proposals: the extension of the development application and a four-storey development with half the number of apartments. Following that meeting, Ms Sonda ruled out any extension of the development application and dismissed the four-storey concept as being crude overdevelopment. Let me reiterate my point: Councillor Sonda, who stood for election on a platform of anti-development, said that the four-storey concept constituted overdevelopment yet allowed, with Labor's full approval, an extension of the development application that will see the construction of an 11-storey apartment tower in Caringbah. Ms Sonda, with her overdevelopment rhetoric, has been trying to con the people of the Cronulla electorate. It is just as well she was not mayor for longer or she might have changed Caringbah's name to Meritonia.

#### TRIBUTE TO MS ANNE VON BERTOUCHE

**Mr GAUDRY** (Newcastle) [4.42 p.m.]: Last Friday at Christ Church Cathedral in Newcastle the arts community, city political and civic leaders, environmental and heritage campaigners and a host of Newcastle and Hunter residents gathered to celebrate the life and contribution to our community of Anne Von Bertouch, art gallery owner, arts patron, author, environmentalist, seafarer and inspirational role model to so many of us in Newcastle. Anne was, in all ways, a remarkable and somewhat eccentric person. She passed away on 26 April 2003, two months short of her eighty-eighth birthday, after a life filled with adventure, inspiration and passion.

Anne established Von Bertouch Galleries in Laman Street in Newcastle in 1963, soon after the establishment of the Newcastle Regional Art Gallery. It quickly became a mecca for art lovers in Newcastle and launched the careers of many successful artists. Throughout her time as director of Von Bertouch Galleries Anne was both an inspiration and a mentor to young artists in Newcastle. Anne moved to her present gallery in 1969, transforming it from a derelict terrace to the centre of the arts community in Newcastle. She began the annual Collectors Choice exhibition in 1963—a tradition that continues today. It involves offering the exhibited works of renowned artists at very affordable prices, and every year art lovers queue for up to a week to access the wonderful artwork.

Anne was a very strong environmentalist. She was a founder of Tree-towners and campaigned to establish the Stockton Bight National Park. She inspired others to take up the environmental cause. She was an ongoing patron of all the arts in Newcastle—the visual arts, fine arts, performing arts, drama, ballet and repertory theatre—and continued to attend as many such events as she could, even into her later years when both her eyesight and hearing were failing.

Anne had a remarkable life before she established the gallery. She lived for a time in the early 1950s at Mungo Brush in Myall Lakes, where she and her husband established a home completely isolated from creature comforts and lived an alternative lifestyle before the term became popular. Anne was also an author, writing of her time at Myall Lakes in her novel *February Dark*, for which she was runner-up in the *Sydney Morning Herald* Literary Award. She also wrote *The Ride Home* and *The Voyage Out*, which recounted her experience of joining the First Fleet re-enactment at the age of 72 and sailing from England to Australia as a trainee crewman on the flagship *Soren Larsen*.

Anne's life was celebrated at Christ Church Cathedral, where Barry Whittle, her nephew, paid tribute to her and talked of her early life. She was born in Eastwood to George and Jean Whittle, and used to accompany her father on excursions to the Art Gallery of New South Wales and the Mitchell Library, which were followed

by ferry trips to Manly. This was viewed as the kernel of Anne's interest in art and the sea. Dr Caleb Firkin, a long-time friend, and Nick Mitzevich, Director of the Newcastle Region Art Gallery, also paid tribute to Anne. She was recognised in our city as a Freeman of the City, and last year Newcastle University recognised her services to the arts and the community with an honorary doctorate of letters. In all ways Anne Von Bertouch inspired people in our community. She was a patron of the arts and a great environmentalist, and we honour and remember her today.

### **RYDE STATE EMERGENCY SERVICE HEADQUARTERS**

**Mr TINK** (Epping) [4.47 p.m.]: I draw attention today to the state of the Ryde State Emergency Service [SES] headquarters located at Talavera Road, Macquarie Park in the Ryde local government area in my electorate. I drive past the building frequently and noticed about three weeks ago that its roof was covered by several tarpaulins, with sandbags hanging from their corners. We became used to such sights in the eastern suburbs of Sydney during the crisis about 18 months ago. I assumed that the staff of Ryde SES were undertaking some sort of training exercise that involved tarping the roof of their headquarters. However, when the tarpaulins remained in place for about three weeks—I had driven past the site on numerous occasions—I took it upon myself to make further inquiries and discovered that the building is leaking like a sieve.

I wrote to the Hon. Tony Kelly, the Minister for Emergency Services, on 15 April drawing attention to this state of affairs and today I place on record in the House my serious concerns about the state of the headquarters. I think every member of the House has located in his or her electorate SES units that do a fabulous job during times of flood, bushfire and all sorts of other emergencies. The least we can do is provide them with suitable accommodation, which is not being provided in the present case. An official undated memorandum from the immediate past Director-General of the State Emergency Service, Major General Howard, headed "The standard for State Emergency Service unit accommodation", states:

An adequate unit headquarters is fundamental to the morale and well being of the volunteers and is essential for effective recruiting and retention. It also has a major influence on the operational effectiveness of the unit.

I am sure the Minister for Police agrees that the Ryde SES, very ably led by Graham Craig, soldiers on and does a fabulous job, despite its facilities. It has a high morale, effective recruiting and retention policies, and practical training programs and, despite the leaking roof, works very well. Its members should not have to work in such facilities. Major General Howard specifically referred to adequate unit headquarters being fundamental to morale. The Government, and in particular the Minister for Emergency Services, have been made aware of this state of affairs, and there is no excuse for it not being fixed quickly. The tarpaulins should be removed in the next two or three weeks, and the Minister for Emergency Services should employ roofing contractors quick smart to make temporary repairs to the roof. Major General Howard's memo continues:

The facility must be in a relatively flood free location.

By inference, it must be a leak-proof facility—that is part of the duty of care that the Government owes all volunteers. The SES has communications equipment, electrical leads, connections to radios, fax machines, computers, chain saws and all sorts of other equipment, which should be stored where they will not be water damaged, and until the roof is repaired that cannot be assured. Not only is it a problem within headquarters, but any water-damaged equipment that is taken out and used in the field is a risk to its operators, the volunteers who protect us, and to the public generally. I implore the new Minister for Emergency Services to ensure that these leaks are repaired temporarily before the end of this week.

### **KOTRANAKIS FAMILY HEADSTONE COSTS**

**Mr GIBSON** (Blacktown) [4.52 p.m.]: The Kotronakis family of Blacktown are having difficulty coming to terms with the devastating loss of their two daughters in the Bali bombing. One wonders whether they will ever get over their loss. The bodies of the two girls were brought back to Australia and buried at Rookwood Cemetery. The Kotronakis family is a working-class family. Peter, the father, erected a white picket fence 100 millimetres high around the perimeters of the two graves but authorities at Rookwood told him it had to be pulled down because it was not appropriate. He was heartbroken because he could not afford the \$20,000 to place two headstones on the graves. Peter and his family made representations to me, and I wrote to the Prime Minister seeking help for this family. On 24 April I received a reply from Peter Slipper, Federal Member for Fisher and Acting Parliamentary Secretary to the Prime Minister, who said:

Regretfully, no further financial assistance is currently available to them from the Commonwealth ...

The Commonwealth paid for the funerals, but could not compassionately contribute any further. The Prime Minister puffs out his chest and says, quite rightly, that Australia is building new schools and hospitals in Bali. But we should also be helping the families of victims here. The Bali bombing was Australia's ground zero, and the Kotronakis family suffered a terrible loss. Both Sunday newspapers carried articles about the family and their plight. On Sunday I made a public appeal to raise \$20,000 to cover the cost of two headstones at Rookwood Cemetery. I have regained faith in human nature because by 10 o'clock yesterday \$20,000 had been raised. I thank the community for its great support in this regard.

It was heartening to receive offers of donations from as far away as Alaska, but I could not get an extra cent from the Prime Minister or the Federal Government. The two victims used their credit cards to pay for the trip so they could be with their sister Maria, who was on her honeymoon. There is still \$15,000 owing on the credit cards, which we also hope to raise. If enough money is raised we hope to pay for Mr and Mrs Kotronakis to travel to Bali to see where their daughters spent the last few hours of their lives. It is hoped that an event such as the Bali bombing will never occur again. It is cold-hearted of the Federal Government and the Prime Minister to say that no more money will be provided to help this family. Governments of all persuasions—whether Liberal, Labor or callithumpian—must realise that people are our most important commodity. The Prime Minister is currently receiving a lot of glory as he talks about what Australia will do in Timor and other places—and good luck to him—but he should be compassionate in this matter. I am not being political on this issue. The sorrow of this family will never fade. I hope that the Prime Minister and the Federal Government learn a lesson from the Kotronakis family.

### **MS JACKIE GRAY MOTOR VEHICLE ACCIDENT**

**Mr ROBERTS** (Lane Cove) [4.57 p.m.]: On 22 January 2000 Jackie Gray, who is a young constituent of mine, was riding her motorbike along Boundary Road, Chatswood when a Tarago with a mounted bullbar, driven by a 19-year-old P-plate driver, turned in front of her, and changed her life forever. As a result of this accident Jackie received a below-knee amputation, a 12-centimetre compound fracture of her right femur, a broken hip, a broken pelvis, a lacerated bowel and liver, a collapsed lung filled with blood, a lacerated finger and a close head injury. Australian Design Rule 42.9.1 states:

No vehicle shall be equipped with any object or fitting, not technically essential which protrudes from any part of the vehicle so that it is likely to increase the risk of bodily injury to any person.

This is a Federal law, and it prevails over all State and Territory law. But it is rarely, if ever, enforced. This law has never been tested in court. Most claimants usually settle before setting a precedent. In September last year Standards Australia released its long-awaited bullbar standard. The short report by FORS, the former Federal Office of Road Safety, now the ATSB, the Australian Transport Safety Bureau, examined the Australian fatal crash data for pedestrians for the year 1992.

It states that bullbars were involved in 12 per cent of fatal pedestrian crashes in 1992, but it was estimated that bullbar involvement could be as high as 20 per cent, due to the large amount of missing information on bullbar statistics in the fatality crash database. It included all the major stakeholders, among them being five representatives from the bullbar manufacturers. The standard, in simplified form, sets out three essential requirements. Bullbars should have no sharp edges; slope backwards towards the driver, not forward, so a pedestrian or bike rider is not forced under the vehicle; and fit within the profile of the vehicle. To quote Mr Harold Scruby of the Pedestrian Council of Australia:

It will not be good enough for governments to simply adopt this standard for new vehicles. All new vehicles must comply without delay. But, more importantly, this standard must be prospectively regulated, like gun laws, seat-belt laws and environmental laws and require ALL bullbars to comply with this standard within a reasonable period of time—but no longer than 3 years. From then, it must be vigorously enforced and stiff penalties must apply.

This is not an attack on bullbars, or their essential use, particularly in rural and remote areas. This will achieve compliance with Federal standards, to ensure that this sort of injury never happens again to someone like my constituent Jackie, whose life has changed forever. I thank Jackie for taking the time to come into this place. It is about time this Government took a firm stand on the issue. Finally, this begs the question: Why did not the Roads and Traffic Authority implement this standard for all new vehicles as from 1 January 2003, particularly as the standard was released in September 2002? And what has the authority done since? I pay personal tribute to Jackie, who has come back after this accident to make a strong and worthwhile contribution to the community, and particularly for having the guts to come and stand before this Parliament today to show us how important these standards and regulation changes are.

**Mr SARTOR** (Rockdale—Minister for Energy and Utilities, Minister for Science and Medical Research, Minister Assisting the Minister for Health (Cancer), and Minister Assisting the Premier on the Arts) [5.02 p.m.]: I assume the House shares the concerns expressed by the honourable member and expresses its sympathy to Jackie Gray for what she has had to endure. It is a horrible thing to happen. She has been marvellous in the courage she has shown in dealing with this matter. I am not familiar with the law or the practice in this area. I know that it is a vexed issue in country areas, and that bullbars are designed for protection from kangaroos and other wildlife that might otherwise crash through windscreens. I will ask an appropriate question of the Minister.

### KOGARAH HIGH SCHOOL STUDENTS ACHIEVEMENTS

**Miss BURTON** (Kogarah) [5.03 p.m.]: I draw to the attention of the House, and pay tribute to, the achievements of some students of Kogarah High School. First I note the achievements of the dux of the school for 2002, John Zhu. John was placed in band 6 for all his subjects: English as a Second Language, Physics, Chemistry, Extension 2 Maths and IPT. This resulted in John gaining a university admission index of 99.9 per cent. He was also placed on the Higher School Certificate All-round Achievers List and received the Premier's Award for All-round Excellence in the 2002 Higher School Certificate. On behalf of the entire community of Kogarah, I congratulate John on a remarkable achievement. It shows, once again, that students who work hard and focus on their studies, as well as taking advantage of the wonderful opportunities that are offered in our State school system, can achieve great things. John should be an inspiration to all students at Kogarah High School. I wish the students studying for this year's Higher School Certificate all the best.

I would also like to talk about the Arabic Youth Quiz, which is organised by the Australian Arabic Communities Council as part of the Arabic Carnival, which is held every year. The carnival is today viewed as one of the most significant cultural festivals in Australia. Its program features a range of cultural, educational and artistic events and activities, of which the Youth Quiz has been an integral part. The Youth Quiz was first established in 1998 to provide a positive forum for high school students to showcase their general knowledge. It focuses on the Arabic culture, history, geography, and contemporary issues, and the contributions of the Arabic civilisation to the world, as well as the sporting, literary, artistic, scientific and other contributions made by the Arabic immigrants in their new homelands.

Twenty-four high schools from all over Sydney, including Kogarah High School, took part in this year's quiz. A team of three students—Ali Jaafar, Samir Mustaph and Ahmed El-Hage, the youngest contestant in the quiz—were nominated, and Ali Jaafar was elected as the team captain to represent Kogarah High School, supervised by the Arabic teacher in the school, Mr Mekhail. The quiz was held over two days. It is similar in format to game show programs. The preliminary rounds took place on Wednesday 13 March 2003. Twelve schools, at the top of which was Kogarah High School, all qualified to the semifinals. Not only the audience but the referees were fascinated with the performance of the Kogarah High School team, their profound knowledge and their incredible self-confidence.

On Wednesday 26 March the school competed in the semifinal round and easily qualified to the final, to compete with Bankstown Senior College and Granville Boys High School. The final round started at about 9.00 p.m., when a galaxy of community leaders and the representatives of the quiz sponsors were present. The questions were really challenging and confusing, but with well-organised teamwork and deep thinking, Kogarah High School managed to win the competition. At the end, awards were handed to the teams, and valuable prizes were given to team members, in a very joyful atmosphere. I congratulate Ali Jaafar, Samir Mustaph and Ahmed El-Hage, from year 7, who defeated students from the 24 other high schools to become the winners. That was an outstanding performance.

In addition, the Kogarah High School senior basketball team reached round four of the State knockout competition. I congratulate also the teams of the girls Year 8 mini soccer, junior B volleyball, 15A boys basketball and 15B boys basketball for being zone champions, and their senior debating team, who performed with distinction against Sydney Girls High School. I note the comment of a year 8 boy who said after the dux presentation, "I want to be John Zhu." After John's performance in the Higher School Certificate this year, that boy has shown himself to be very wise. Congratulations to the school, the teachers and the principal, Fred Carosi. This is a very dedicated school. Teachers go out of their way to ensure that all students get the best opportunities and the best quality education.

**Mr SARTOR** (Rockdale—Minister for Energy and Utilities, Minister for Science and Medical Research, Minister Assisting the Minister for Health (Cancer), and Minister Assisting the Premier on the Arts)

[5.08 p.m.]: I very briefly respond by congratulating Kogarah High School students on their fantastic achievements. Kogarah High School, of course, services a catchment that covers some of my electorate. I congratulate also the honourable member for Kogarah, who does an absolutely phenomenal job. Every day she is noted doing things for the local community.

### ORANGE ELECTORATE POLICING

**Mr R. W. TURNER** (Orange) [5.09 p.m.]: I draw the attention of the House to the Orange police station and the Canobolas police local area command. In the 3 May edition of the *Central Western Daily* Acting Canobolas Local Area Patrol Inspector Greg Pringle announced that the local area command now has a record 113 police officers. Although most police stations in the Canobolas local area command—which covers Orange, Molong, Manildra, Cudal, Eugowra, Cowra, Woodstock, Koorawatha, Cumnock, Gooloogong and Canowindra—are one-man police stations, Orange is a reasonably large station. Unfortunately, the facilities at Orange are not up to scratch. Part of the station in which the officers are housed was built in 1954 and designed to accommodate 14 police officers. On 3 May in the *Central Western Daily* Inspector Pringle said that Orange-based officers had shown a great deal of patience and co-operation in working in a limited area. He stated:

Everyone is very much aware that we need a new police station and they are working together to the best of their ability to do a good job.

The article further stated that the Orange police station was built in 1954 when the city's population was 18,247 and that it was designed to house 14 police officers. Today the population of Orange is some 38,000. There is currently a police station building, an administration building across the road for detectives, a couple of demountables, and a house in Anson Street that accommodates the area commander's office and the highway patrol. A couple of weeks ago police resources were wasted because police had to take an impounded vehicle to Wellington because there was no room for it in Orange. I have called for a new police station on a number of occasions. In consultation with a number of police officers who work out of the Orange police station, I have called for it to be situated on the present site, where the old station was built in 1954. I believe that to be the preferred site.

The site would provide adequate room for a three-storey building with underground parking. It is a desirable site because it is alongside the new courthouse, a wonderful building that has been built in sympathy with the architecture of the old courthouse. Likewise, the new police station could be built in architectural sympathy with the courthouse. The area could become a justice centre. If the Minister for Police decides to build a new police station in Orange I will settle on wherever site he might suggest, within reason. If the site were over the road it would be a compromise, but at least we would have a modern, new station similar to those in most other cities in the Central West.

I call on the Minister for Police to make a commitment not only to a new station in Orange but also to 24-hour policing in Cowra. We have been told that there is a lack of resources and officers. However, the Government is now boasting about record police numbers in the Canobolas local area command. There is no reason why Cowra, a city with a population of nearly 9,000, cannot be provided with 24-hour policing, particularly on Thursdays, Fridays and Saturdays. I also ask the Minister to consider the one-man stations in the Canobolas local area command, many of which need to be upgraded. If we are to attract and retain quality officers within the Canobolas local area command we must provide good residences for their families and children, and good facilities within the one-man police stations.

### LANDFILL WASTE REDUCTION STRATEGY

**Mr BARTLETT** (Port Stephens) [5.14 p.m.]: I would like to fire a shot across the bows of the quangos running Metropolitan Waste Treatment in Wollongong, Sydney and Newcastle, and perhaps provide an eye-opener to councils in rural New South Wales. In 1995 the Carr Government set a reduction of 60 per cent waste going into landfill and allowed councils throughout New South Wales to decide how to achieve it. Port Stephens Council blew that target out of the water and now has an 80 per cent reduction of waste to landfill that is converted to compost. The waste compost plant at Raymond Terrace, which I opened in 2000, has operated successfully for three years. Every day the plant processes 100 tonnes of garbage into usable compost. The amount going into landfill has been reduced to something like 20 per cent—80 per cent comes out as compost. The compost has found a range of end uses, such as landscaping at a local golf course, soil mix and conditioner on a tree plantation. The success of the Port Stephens plant is now exported to other areas of Australia—for example, Cairns and Perth.

On 27 March I was delighted to attend, on behalf of the Parliament, the opening of the Regional Resource Recovery Centre at Canning Vale, Western Australia, the biggest composting facility in the Southern Hemisphere. Seven councils work together as a regional community. The \$35 million in-vessel composting facility is the cornerstone of the Southern Metropolitan Regional Council's \$70 million regional waste management strategy, which recovers 85 per cent of domestic waste as a resources for reuse, diverting it from landfill, and setting new benchmarks for sustainable waste management both nationally and internationally. The plant services a land area of 656 square kilometers. It processes waste material in the northern and southern areas of Perth, which represent 25 per cent of the metropolitan area. It services a population of 362,000 people and looks after the households of 151,000 families. The Port Stephens plant processes 100 tonnes of waste per day into compost, but the new plant in Perth processes 350 tonnes a day. Port Stephens Council and the Bedminster composting plant are now considering converting the plastic that goes into landfill into plastic poles for use in the vineyard industry. If that plan is successful, waste material going into landfill will be reduced by about 90 per cent.

In 1999-2000 New South Wales set the target and, with the help of the Bedminster composting plant in Port Stephens, was leading Australia. My visit to Perth highlighted that we have lost that advantage. The plant in Perth is aiming for a 95 per cent reduction of waste to landfill by 2007 and a 100 per cent reduction by 2020. Perth is now setting targets way above the 60 per cent reduction set by the New South Wales Government in 1995. At this stage Port Stephens Council is the only council to have achieved the 80 per cent to landfill. A 60-metre long turning drum, some 4½ metres in diameter, is turning out waste as compost in a three-day period, which eliminates seagull-infested and rat-infested pits. The advantage of the drum is that no greenhouse gases are emitted from the breakdown of the waste. [*Time expired.*]

#### DEATH OF MR IAN ROBERT GATES

**Mr GEORGE** (Lismore) [5.19 p.m.]: It is with some sadness that tonight I note the passing of Ian Robert Gates—more affectionately known as Bob—the former mayor of Lismore City Council. The community was saddened and disappointed that he had to resign as mayor of the council after being diagnosed with motor neurone disease. The disease progressively paralyses the body and it is always terminal. Its cause is unknown but it attacks nerve cells that control the movement of voluntary muscles. According to the Motor Neurone Disease Association of New South Wales, when there are no nerves to activate muscles they gradually weaken and waste, creating a body with no movement while leaving the mind and senses intact. As patron of the association's branch in my electorate, it is a matter of significant concern to me that the disease kills approximately 370 Australians annually. There are approximately 1,200 diagnosed sufferers at any one time.

Bob Gates was born in Lismore and spent most of his life there. He was a former Lismore council engineer. In 1995 he was elected as a councillor and he served in that capacity for four years before being elected as mayor in 1999. In February this year he resigned, soon after receiving his devastating medical diagnosis. He will be remembered mostly for his outstanding contribution to the construction of the Lismore flood levee and Lismore Lake. His wife, Helen, has spoken of her relief that his death came swiftly and that he had been able to maintain his critical faculties until the last week of his life. Just before Bob's death, he and Helen returned from a three-week campervan holiday in New Zealand, fulfilling a long-time dream. The acting mayor, Councillor John Chant, praised Bob's 35 years of service to local government, including many years as the council's deputy engineer. He said:

Bob was respected, well-liked, outgoing, approachable and one hell of a guy who stood by his principles.

Bob's contribution to the council, community and Lismore is unequalled and will be sadly missed. The staff, businesses, ratepayers and residents have benefited from his contribution, which assisted in bringing the council to its current position. I always admired Bob's proficiency in getting the job done, in making sound decisions, in giving guidance to the council's planning, in his communication and negotiating skills, in his understanding of the principles of management, and in his ability to supervise and deliver. These qualities have contributed to the history of the Lismore City Council. I also acknowledge that Bob's achievements would not have been possible without the love and support of Helen and his sons, Chris, Michael and Matthew, and their families. As a family unit they have contributed to the wellbeing of the Lismore community. I trust that God will continue to bless the family. It is with thanks that I say: Vale, Bob Gates.

#### SURF-LIFESAVING CLUBS LIQUOR LICENCES

**Mr ORKOPOULOS** (Swansea) [5.23 p.m.]: I address a matter of serious concern to a surf club in my electorate: Swansea-Belmont Surf Life Saving Club at Blacksmiths Beach. However, the problem is not

confined to the Swansea-Belmont surf club, as it affects three other clubs in the Hunter region: the Dixon Park Surf Life Saving Club in the Newcastle electorate, the Redhead Surf Life Saving Club in the Charlestown electorate and the Fingal Surf Life Saving Club in the Port Stephens electorate. The Hunter branch of surf-lifesaving also has serious concerns regarding this matter. In fact, if this matter is not addressed soon it will have an effect on surf clubs throughout New South Wales. I refer to surf clubs that seek to expand fundraising activities by obtaining what is referred to as a 74A liquor licence. Applications for such licences seek an addition to the arrangement under which most surf clubs operate at present—that is, a permanent functions licence to serve surf club functions only.

Until recent years surf clubs had no licence to serve liquor. Clubs usually obtained what is termed a booth licence for their annual surf carnivals and some clubs probably used that licence for their annual presentation nights. However, I would say that more often than not surf clubs operated illegally in this regard. Liquor trading operated in surf clubs in this way many years ago. Most clubs used to hold coldies or sippies, as they were called—usually after patrol on Sunday evenings. Because liquor was sold those functions were illegal. In recent years many surf clubs have taken advantage of what is referred to as a permanent functions licence, which allows 26 functions a year to be held provided they are associated with the club only. However, many clubs have sought to extend the number of functions beyond those for which the licence was usually granted because surf-lifesaving is now a whole-year sport not just a summer sport, as it was years ago.

In recent years Parliament has amended legislation to make the coldies and sippies legal, and those measures partly overcame the legality problem. However, the current situation needs to be addressed. For some time a number of surf clubs have sought a category of licence that enables them to trade for functions other than those directly associated with surf clubs. Surf clubs are attempting to supplement their incomes. In recent years it has become increasingly difficult for charities and non-profit organisations to raise money in the traditional ways—that is, by raffles, benefit nights, galas, et cetera. Difficulties arise in relation to fundraising because people have many alternatives on which to spend their disposable income. Surf clubs and financial arrangements have changed substantially in recent years. Inflatable rescue boats [IRBs], other rescue equipment, mobile phones, et cetera, are extremely costly.

The section 74A licence is regarded as a suitable way for clubs to achieve an end result without obtaining a certificate of registration, which is known as a club licence. The Government—that is, the Premier and the former Minister for Gaming and Racing, the Hon. Richard Face—made it quite plain to the surf-lifesaving movement that it would not allow every surf club to be licensed because it was undesirable for a whole host of reasons, including the effect it would have on juniors, who are an integral part of surf clubs. Surf Life Saving NSW agreed. Seminars were conducted by the Education Unit of the Department of Gaming and Racing which, in most cases, were attended by the former Minister. Local government appeared to be supportive of this approach, in contrast to registered clubs.

The Australian Hotels Association [AHA] has adopted a very unusual role against surf clubs. It has gone to great lengths to make an issue out of this matter by writing to all local government councils along the New South Wales coast. The contents of its communication are misleading and many parts of it are incorrect. The AHA appears to be on the trail of appealing the section 74A applications, knowing full well that its actions will generate considerable legal costs for surf clubs. I have a letter in my possession from the Redhead Surf Life Saving Club which indicates that one of the hotels involved in an appeal against the club's section 74A licence does not even know about the application. In regard to the responsibilities of the AHA to advise the applicant—Dixon Park Surf Life Saving Club, in the Newcastle electorate—of its objections to a full bench hearing, the AHA has not complied with the return date of 28 April, and will probably use that as a further excuse to delay and to create additional expenses for the surf club. I have had a good relationship with the AHA over the years, but, I believe it is being mean-spirited on this issue. It has had a good relationship with surf clubs until recently. I believe that the line being taken by the AHA is not a true reflection of the feeling of individual hoteliers, as evidenced by the letter to which I referred earlier. [*Time expired.*]

#### MOSS VALE HIGH SCHOOL

**Ms SEATON** (Southern Highlands) [5.28 p.m.]: One of the great local schools in the Southern Highlands electorate is Moss Vale High School. Unfortunately, the state of the high school's facilities and building does not do justice to the great work that is being carried on inside by the dedicated staff and the hardworking, creative and high-achieving students. I have referred on a number of occasions to the state of the facilities at Moss Vale High School. On 20 June 2002 I made a private member's statement on this topic, to which I refer the Minister for Tourism and Sport and Recreation. I hope that when the Minister for Education

and Training reads my comments he will also refer to my previous private member's statement. I have issued a number of media statements in support of the strong efforts by staff and parents of the Moss Vale Parents and Citizens Association to have these much-needed improvements made to the school. This issue has been raised at public meetings, including one at Bowral in February or March at which I addressed a number of public education issues in my area.

I have met on site with parents and the local Federal member for Gilmore, Joanna Gash. The Federal Minister for Education, Science and Training also visited the area and met with me at the school. Last year the Federal Minister wrote to the State Government strongly urging it to prioritise funds from Federal education allocations to Moss Vale High School. However, nothing has happened. This week the Moss Vale High School Parents and Citizens Association wrote to the new Minister for Education and Training. The letter outlined the neglected state of the school and invited the Minister to visit the school to see for himself the seriousness of the conditions that its 770 students have to endure. The association stated that there is a lack of insulation in A block. The original insulation was removed 10 years ago but it was not replaced. In Moss Vale we enjoy robust temperatures and weather, and we all love that. However, the students would concentrate better if their classrooms were warmed in cold weather and cooled and properly shaded on hot summer days.

The awnings that have not yet been removed are unsafe; they are hanging off the side of the building. The industrial arts rooms have numerous problems. Some time ago I visited those rooms and learnt about problems with catching wood dust and other unhealthy elements. Concerns were expressed about whether WorkCover inspectors would pass the industrial arts rooms. The same is true of the art demountables, which I have referred to many times in this House. The students are not protected from the pottery kilns. As the classes are large, a student could brush against a very hot kiln or against articles coming out of it. It is very dangerous. The windows in the art demountable buildings cannot be properly propped open. Students have experienced injuries, and some near misses, when the sharp aluminium windows slammed shut. Teachers have to work in what could only be described as a cupboard on the side of the demountable building.

Overhead projectors, which have to be plugged into a power point, are situated in an area that floods when it rains. Electricity connection in puddles of water is a recipe for disaster. The association has nominated the student toilets as a health hazard. I have visited the canteen and toilet areas. As with Bowral High School, the area is a disaster; it would not pass muster today. The school hall is too small and the parents have come up with a master plan for a bigger multipurpose hall and sports facility that they would like the Government to consider. Many of the old demountables should be replaced. The association has invited the Minister to visit the school. I would like him to do that so he can see these appalling conditions himself. I could take him to see the unsatisfactory conditions in schools at Bargo, Douglas Park, Appin, Picton, Bowral, Mittagong and many other areas. Our public schools are much neglected by the Government. The students and staff are being let down.

### HOME WARRANTY INSURANCE SCHEME

**Mr TORBAY** (Northern Tablelands) [5.33 p.m.]: I welcome the announcement by the Minister for Industrial Relations of a new inquiry into the New South Wales Home Warranty Insurance Scheme. Many honourable members have been concerned about the lack of home warranty insurance. However, it is important that the process be delivered with some urgency. No doubt the electorate offices of many members have been besieged by builders, as has mine. This morning, in discussion with my colleagues—including the honourable members representing the electorates of Tamworth, Port Macquarie, Dubbo and Lismore and the Leader of the National Party—I determined that they have similar stories: that is, builders are struggling to get insurance. Honourable members have commented on that fact many times. The latest inquiry, announced yesterday by the Minister, must deliver a positive outcome. These issues have been raised previously. Builders home warranty insurance is in crisis, and has been for some time. I hope the inquiry does not simply reinforce the fact that the system is in a mess. We have all commented on that.

Last year the Master Builders Association conducted a report into the scheme, which appears to have been ignored by the Government. According to the Master Builders Association, only 42 per cent of licensed builders in New South Wales are now eligible for insurance—that statistic is down from the 75 per cent of just two years ago. No doubt this inquiry will be welcomed by many people—my colleagues and I certainly welcome it. However, I hope it is pushed through quickly. My colleagues to whom I referred earlier indicated to me that they hope the report comes to Parliament as a matter of urgency. I believe that is important. Commentary by the Master Builders Association included a recommendation that support be given to adopting a scheme similar to that currently operating in Queensland. The master builders have already recommended a Queensland-style scheme, which works well in comparison to that operating in New South Wales. It is time the Government took up that recommendation. The honourable member for Port Macquarie has called publicly for that to occur.



I hope that the Queensland system is considered by this inquiry and recommended for implementation. It seems that people are searching for solutions from all cross-sections of the debate. That is welcomed; people are not looking to score political points. Across the State builders are not only struggling to obtain insurance but are laying off sub-contractors. The economic and social flow-on effects have had negative impacts on the community. It is critically important that this inquiry not simply be a talkfest, and that it quickly delivers on its recommendations. These issues have been around for a long time. In supporting this inquiry I hope that we will not be supporting a process that will not deliver hard, fast and prompt recommendations. As I have said, the Home Warranty Insurance Scheme is in crisis and we need to consider new solutions.

### **TRIAL BAY BAIT FISH NETTING**

**Mr STONER** (Oxley—Leader of the National Party) [5.38 p.m.]: I draw the attention of the House to an issue at South West Rocks, and in particular Trial Bay, in my electorate of Oxley. No doubt many honourable members have visited that area of the mid North Coast, a delightful area that owes its existence to tourism and population growth, particularly of retirees. Tuna boats visit Trial Bay and use nets to catch live bait fish. A large part of the economy of South West Rocks is based on fishing-related tourism. I have no doubt that the Minister for Tourism, who is at the table, is interested in that issue.

People from all over Australia travel to South West Rocks to go fishing. With the Macleay River located just opposite the township, it is one of the best fishing areas in the State. Seaward reefs towards the end of the subtropical area and dive sites such as Fish Rock make for a tourist mecca in terms of fishing. Many residents and visitors to South West Rocks have drawn to my attention the fact that since tuna boats arrived in Trial Bay—and this dates back to earlier this year—netting of large quantities of live bait by tuna boats just off South West Rocks in the Trial Bay area is seriously depleting bait stocks and ultimately affecting recreational fishing and tourism in South West Rocks.

There has been some level of dispute between amateur fishermen and tuna fishermen in South West Rocks. That dispute has apparently arisen because of their desire to use live bait on set lines when they fish for tuna further out to sea. Local fishermen, amateur fishermen and those visiting the area have found it difficult to obtain any bait fish because they are being taken by netting. Apparently, that is all within the rules. NSW Fisheries is aware that tuna fishermen who are not resident in this area—they travel from Queensland and from northern parts of the State—are netting within Trial Bay, one of the areas where bait fish congregate. Unfortunately, netting of bait fish, has not been banned. I have received many letters from, and have had contact with, constituents and people visiting South West Rocks who have asked me whether I can do something to take the pressure off bait fish stocks because of netting by tuna fishermen.

A compromise position has been proposed. If tuna fishermen are targeting live bait fish they could do that by line—hand line, fishing rod or whatever—or, alternatively, they could pursue bait fish shoals in other areas and not right in the middle of this tourist town, which depends so greatly on fishing and on access to bait fish. I have raised this issue this evening to seek a response from the Minister for Fisheries. I understand that the Minister has received some correspondence from both local residents and visitors to South West Rocks. I trust that the Minister will pursue this issue, liaise with amateur fishermen and tuna fishermen, and achieve a satisfactory outcome.

**Ms NORI** (Port Jackson—Minister for Tourism and Sport and Recreation, and Minister for Women) [5.43 p.m.]: I will take up this matter with the relevant Minister on behalf of the honourable member's constituents. If the honourable member has documents other than those to which he referred I would be grateful if he could provide me with copies and I will write to the relevant Minister on his behalf.

### **Private members' statements noted.**

*[Mr Deputy-Speaker left the chair at 5.44 p.m. The House resumed at 7.30 p.m.]*

## **BUSINESS OF THE HOUSE**

### **Inaugural Speeches**

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

That the business of the House be interrupted to permit the honourable member for Canterbury, the honourable member for Clarence and the honourable member for Willoughby to make their inaugural speeches forthwith.

## INAUGURAL SPEECHES

**Ms BURNEY** (Canterbury) [7.30 p.m.] (Inaugural Speech): Ballumb Ambal Eoragu yindyamarra. Ngadu—yirra bang marang. I pay respect to the Ancient Eora. I say this—good day. The Parliament of New South Wales is the oldest in Australia. It contains its own important tradition and ceremony and is an integral part of the culture of our State. In that context, I observe the significant Aboriginal protocol of acknowledgement of country. We conduct our business on the traditional country of the Gadigal people. The Gadigal people are part of the great Eora nation. The Eora are forged into Australian history as the first nation to experience the brunt of British colonisation or invasion, depending whether you were standing on the shore or on a ship in Botany Bay.

Acknowledgement of country reminds us that we are a place of many stories. It reminds us that there are many maps of Australia. The original map is one of more than 300 nation states—all sovereign, all different and all legitimate. It tells the Aboriginal story. It is a map that should be as well known as the modern map of eight States and Territories. It reminds us that our country is endowed with the wonderful gift of the oldest living culture on earth. Our collective stories weave the blanket that embraces all of us and create the narrative of the whole nation.

Standing here to make this speech this evening, like all first-timers I am awash with many emotions: in debt and empowered by the generosity of people; reinforced and reminded of the importance of loyalty; tremulous about the responsibility of our role as lawmakers and the effects of those laws; humbled to be afforded the task of representing many thousands of people; grateful, wanting desperately to do a good job; and slightly stunned that I am actually in this place. There are some people who cannot be here this evening: my two fathers, Noni Ingram and my dear old step-dad, Fred Stracke, and my best mate, Michael Riley—or, as my kids, nieces and nephews call him, Uncle Mickey. Noni passed away a couple of years ago, Fred passed away during the campaign and Michael is in hospital, too ill to attend. My sister, Kim, and brother, Rodney, could not make it either. But all of them are here in spirit.

I want to share with you this evening a picture of Canterbury through the stories of some of the people who live in this deadly part of Sydney. Now listen, you fellas, in Koori English the word "deadly" means "fantastic; fabulous". So if I ever call you "just too deadly", then look out! I will share a little of my story. I would also like to share some thoughts on what I have learned and believe to be important issues and finally recognise the people, organisations and communities that have played an important role in my life, education and election.

The electorate of Canterbury, like this area of Sydney, is part of the mighty Eora nation. The local group is the Badigal people. It was abundant country: there was the river and the forests. A journey through what is now the electorate of Rockdale to the country of the Thurawal people gave access to trade and the ocean. Of course, in those days permission was sought to travel through someone's country. Perhaps the member for Rockdale might take note of that. Much of this part of the narrative of Canterbury has, sadly, been lost. But you do not have to look far to find the footprints of the Badigal. The first land grant was given to Reverend Richard Johnston, the Chaplain of the First Fleet.

Urban myth has it that blood flows blue and white in Canterbury. No matter what anyone else says, we love the Duggies—and don't you forget it! Reading through the profiles of that illustrious rugby league team gives me such a sense of what Canterbury is about. Six of the players in first grade were born overseas. Probably the best known, Hazem El Masri, is a young Muslim man born in Lebanon. And can he kick goals! The honourable member for Monaro has reminded me several times of the Canberra Raiders' lucky two-point win over the Bulldogs a weekend or two ago—and lucky it was. All I can say to the honourable member is: What goes around comes around. But I must admit that seven on the trot ain't bad.

There are two major geographical features that define the seat: the good old Cooks River and the infamous Canterbury Road. Some of you might say that they are both pretty crook. In fact, much of the river would be unrecognisable to the Badigal and to Reverend Johnston today. But they are ours and we love them. The \$4.9 million announced by the Deputy Premier, Dr Andrew Refshauge, prior to the election will do much to improve the Cooks River further. The stunning thing about Canterbury is its people: they are its excitement and its spirit. The single most important consideration and capacity for anyone in a representative position is leadership. One of the keys to leadership is the ability to take off your own shoes and to stand comfortably, intelligently and sensitively in the shoes of others. So, my friends, take off your heels, your flatties, your loafers and, in the case of a number of you blokes—especially those of the country variety—your RMs. Put on the shoes of some of the people of Canterbury and come for a stroll.

Let us start in Beamish Street, Campsie. You will pass stores bearing goods from all over the world. You can buy saris in colours that are so brilliant they do not seem real. Stop to sample Indian sweets or the wonderful cakes from the Greek cake shop. Eat Vietnamese, Chinese or Lebanese but save some room for the best Korean barbecue you will ever eat. Shop for tomorrow and buy fish, vegetables and halal meat. Walk down Anglo Parade and visit the RSL club and the Korean Resource Centre, sitting comfortably side by side. Drive through Croydon Park and pop into the Aussie rules football club for a beer—and none of your flash variety either!

Picnic in Wolli Creek Reserve at Earlwood on food from the most amazing delicatessens I have ever seen. Visit the churches and the Iman Hussein Cultural Centre. Buy the newspaper from the Hurlstone Park newsagency run by Linda and David Tran. Catch a show at the Hurly Burly, as the RSL club is affectionately known. If anyone has ideas about changing the village of Hurlstone Park they should think again. Just ask the owner of the Dakar Market or Patrick and Paul who run the nursery. Suggest it to Con, who has had his shoe repair shop there for 35 years, and you will not get out of town in one piece!

Keep those shoes on and let me introduce you to a few of the people of Canterbury. Their stories sum up the heart and soul of my electorate. Sam and Hejevah Iskander left Tripoli in 1977 after the two-year war in Lebanon. Like most people who decide to leave their home country, it was for reasons of peace and safety and a better life. They are from the Alawi group. They work at Marrickville High School. They and the Iskander clan are part of the backbone of the Arabic community in our area. They have six children who are all strong in their Islamic faith. I recall eating a meal with Sam and Hajeveh. They spoke about their work at Marrickville High and the enormous courage and struggle of the kids from a refugee background at the school. I asked Sam what was important to him about the Labor Party. His response was clear and immediate. It is the party for social justice, for the disadvantaged and for Aboriginal reconciliation. He also said to put a plug in for the Cooks River. I admire the Iskanders. They are as solid as a rock in every way.

Navid and Minaaz Diwan are from Mumbai in India and came to Australia in 1991. They own and operate a small business in Campsie. They have two little girls—Arafah and Suhemah. The Diwans came to Australia because it is a country that is peaceful. They gave me a beautiful scarf to wear this evening, which I have left in my bag. The significance of the colours of the scarf—red, black and yellow—did not escape Navid. He told me yesterday how tough small business can be. They are committed to and feel a part of Canterbury. It is their place. The best political advice I have been given so far came from one of our senior Ashbury branch members. It was, "Girl don't you change." Bill O'Reilly is a man of that ilk. He is a native of South Australia and has lived in Ashbury for eight years. Bill tells me his heritage is mostly Irish. This dignified older man is in our party because he wants to make things better.

One of the great sayings of the Labor party is "rusted on". I just love it. Rusted on—it makes me feel really good just to say it. Two-thirds of the voters in Canterbury are rusted on. Why? Because it was the Labor Party nationally that introduced Medicare—a universal and just health system now under threat from the Coalition. It was Labor that abolished the white Australia policy. It was Labor that introduced the Racial Discrimination Act and the native title policy. It was Labor in New South Wales that introduced a mandatory Aboriginal education policy. It was Labor in New South Wales that was the first government to apologise for the horrendous policy of forcibly removing Aboriginal children from their families. That is why Canterbury is rusted on to the Australian Labor Party, and that is why I am too.

The imperative of social justice is keenly felt in Canterbury. The Australian Bureau of Statistics identifies it as one of the poorest electorates in the State. Despite this, it sets an example for the rest of Australia in terms of social acceptance and cultural diversity. So what of my own personal narrative? I take the lesson of standing in the shoes of others from a book many of us would have studied at school—Harper Lee's *To Kill a Mockingbird*. I went to our library to reacquaint myself with this book, to discover it had been out for a very very long time. I am a member of the mighty Wiradjuri Aboriginal nation. Wiradjuri country embraces the Lachlan, Macquarie and Murrumbidgee rivers. The Wiradjuri, like the Eora, were the first of the inland nations to experience the brutality of British occupation. The mighty Wiradjuri leader, Windradyne, and his warriors' resistance were so fierce that martial law was declared in Bathurst in 1823. It is estimated that two-thirds of the Wiradjuri were dead after that four months of martial law. Many of the most brutal recorded massacres in the colony's history happened to my ancestors. I was born in 1957. For the first 10 years of my life, like all indigenous people at that time, I was not a citizen of this country. We existed under the Flora and Fauna Act of New South Wales. [*Extension of time agreed to.*]

Growing up as an Aboriginal child looking into the mirror of our country was difficult and alienating. Your reflection in the mirror was at best ugly and distorted, and at worst nonexistent. I did not grow up knowing

my Aboriginal family. I met my father, Noddy Ingram, in 1984. His first words to me were, "I hope I don't disappoint you." I have now met 10 brothers and sisters. We grew up 40 minutes apart. That was the power of racism and denial in the fifties that was so overbearing. I now have two sets of brothers and sisters. I was raised by my old aunt and uncle, Nina and Billy Laing. They were brother and sister. These old people gave me the ground on which I stand today—the values of honesty, loyalty and respect. Racism was never far away in my youth. I remember being told that we were the closest example to Stone Age man. The life expectancy for a non-Aboriginal woman in Australia is 81 and for an Aboriginal woman it is 66. No-one in this room would agree that that is okay. The core issue is to work with communities to develop capacity and to focus on economic development so that Aboriginal people can move away from the vicious cycle of poverty and welfare. This can only happen in partnership.

Education is the pillar, the cornerstone of social justice. It is what equals us out whether we are from Canterbury Boys High School, Penrith High School or the Kings School. It is education that can bring about equity—equity of outcomes. Many people have said, "What got you into this place?" It is simple: I could read. Education is also about truth-telling. In 1999 in Wollongong, the Premier pointed out that today's generation is the first generation of young people growing up with the truth. Despite our best efforts, we still have work to do here. Throughout the campaign I was struck by young and old people. They want to be included. The young are our future and the older are our wisdom. We must find better ways to meet their needs and deal them into the decisions. The area of disability services is near and dear to my heart. The responsibility of every government is to look to this group of people as being able to make a valuable contribution, and to provide an opportunity for meaningful lives.

We only have one earth. It is the source of our wealth and our communities. It is a complex task but we must look after it. Unless we manage our natural resources sustainably, we are simply passing on the problems to our children. The issues are enormous and we will work through them with co-operation between government and the community. I am determined to make the point that Aboriginal people are part of the everyday life of this State and have views just like everyone else. The days of fringe dwelling are over. The imperative of reconciliation is upon us.

I want to acknowledge Kevin Moss, who joins the distinguished list of those who have represented our electorate, with people like Kevin Stewart and I believe Sir Henry Parkes. There is also the likes of Phil O'Neil, who sat for many years in that other place. I also recognise Maria Acuna and Janice Dufficy, who have spent many years working for Kevin Moss and have knocked me into some sort of shape in the last little while. I do not have time to mention the many politicians who have played an important role in the campaign. At the top of the list is Anthony Albanese. I also mention Leo McLeay, Michael Egan, Kayee Griffin, Ian Macdonald, Meredith Burgmann, Tony Stewart, John Hatzistergos, Carl Scully and many more. But the person from whom I took lessons was, of course, Paul Keating. He said, "You have to be prepared to step up into the big ring and to always assume that you're in charge." I also acknowledge Maurie O'Sullivan and Jack Munday—good men—and Canterbury Councillors Mark Adler and Fadwa Kebbe. Thank you Warren Mundine for your quiet confidence, and Col and Melissa Markham who are here this evening: old friends.

I want to mention EMILY's List. EMILY has linked up Labor women in this place before we even came in. They taught me the value of "we" and "us", not "I" and "me". There are not enough women in our Parliament in any of the parties. Affirmative action is everyone's business. All I can say is the girls are in town, and there are plenty more where we come from. In everyone's life there are special people who are in it with you for the long haul. Many of you are here this evening—Kay, Bob, Wendy, Janice, Skelly, Jules, Sue, Fergo and Joan, and Jack, Neita, and many more. Thank you for being part of my journey. The Ingram clan: to my elders, Auntie Silvia and Millie, and to my brother Colin, one of the 10 children I spoke of earlier, it would not have been right if you were not here this evening. Thank you for coming. To the members of the Aboriginal and non-Aboriginal communities, keep guiding me. Let me assure you that you do not stop being black just because you walk up a new set of stairs.

I thank DAA and the Tranby mob for being here. I thank Helen Nazerittis, Damien O'Connor and Verity Firth from head office. Many individuals and organisations contributed to the campaign. Every contribution, no matter what size, was valued. Of course, some was spent on the old corflute. Mine became famous, not because it was a good photo but there were so many of them. A running joke was that we should change Canterbury Road to Canterbury Road. I do not know what comedian came up with that one. I thank our wonderful, wonderful campaign team led by Emanuel Tsardoulis. I will not do a roll call; I have thanked you all individually. I now count you all as friends. Your generosity has been overwhelming. It was not my campaign; it was really and truly ours. Rick Farley, my partner—not a bad political adviser to have in your back

pocket, let me tell you—was on my side. Thank you, Rick. To Willurei and Binni, my babies who have grown into adults: I love you. Finally, to the rainbow people of Canterbury, I have made you two promises. First, that I will work hard and, second, that I will always do my best. You came on this journey. You trusted, and we created a little bit of history in Canterbury on 22 March: the first indigenous person into this place and a woman—and not the last of either.

**Mr SPEAKER:** I extend my personal congratulations to the honourable member for Canterbury on her inaugural speech and wish her well for a long and illustrious career as a member of the Legislative Assembly. I also acknowledge the presence in the gallery of a large number of family members and friends as well as local constituents, and also the presence in the gallery of the member for Grayndler.

**Ms BEREJIKLIAN (Willoughby)** [7.58 p.m.] (Inaugural Speech): Mr Speaker, I stand tonight in this Parliament knowing how important families and communities are in allowing individuals to grasp their potential and the opportunities our great nation almost uniquely offers its citizens. Increasing pressures on families, exponential rates of technological change and continuing global uncertainty have meant that more than ever before we turn to our local communities to offer and to receive support, to effect necessary change and to define and express the type of society we are.

Residents of the Willoughby electorate have every right to place high expectations on me as their newly elected member of Parliament. In this, my first speech, I wish to pledge to all my constituents that for as long as I have the honour and privilege to represent them in this place I will always put my local community first. I will strive at all times to remember the words of Edmund Burke, who said, on being elected the member for Bristol in 1774, that a representative should:

... live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinion high respect; their business unremitted attention.

I will dedicate the next four years and beyond to proving to my constituents that their trust in me is well placed, because for me, first and foremost, politics is about people. Willoughby is a richly diverse electorate, from the bustling central business district of Chatswood to the quieter suburbs along the foreshores of Middle Harbour. In Willoughby we have an extremely strong sense of community. We have prominent chambers of commerce, Rotary clubs, progress associations, Lions clubs, church communities, Neighbourhood Watch groups and sporting clubs. Informal street meetings and gatherings amongst neighbours are frequent.

In Willoughby we have a strong and proud tradition of revering and supporting our ex-service men and women. The Chatswood RSL Club, Willoughby Legion Club and Anzac Memorial Club in Cammeray remind us that so much of what we have today is due to the men and women who defended our nation's honour in times of war. For me, it was also of a great deal of personal interest to learn that the fifth member for Willoughby, Edward Larkin, who was sworn into this Chamber in 1913, died on the battlefield of Gallipoli in 1915, alongside thousands of other young Australians. The plaque behind me in this Chamber recognises his ultimate sacrifice.

In Willoughby we are passionate about our natural heritage and environment. When in 1788 Governor Phillip set out to explore Middle Harbour he found a very beautiful and rugged foreshore unsuitable for settlement. Due to the rough terrain much of that foreshore was not touched for over 100 years and fortunately for the most part it remains in the same pristine state today. Willoughby Falls at Flatrock Creek, the unique architecture and streetscape of Castlecrag—ably protected by the local Walter Burley Griffin Society—the famous bridge at Northbridge, 1920s California bungalows and Federation homes dispersed throughout Willoughby, Naremburn and Artarmon are but some of the other unique heritage and environmental features within the area.

In Willoughby we welcome cultural diversity. Locals of many backgrounds contribute in every facet of community life. According to the 2001 Census, 55 per cent of constituents in Willoughby have at least one parent who was born overseas and 32 per cent speak a language other than English at home. Despite these natural attributes and a great sense of community, regrettably many State government services are deficient in Willoughby. Our police in Chatswood, in the centre of Sydney's fourth-largest central business district, should not be forced to work from an old home and demountable buildings which comprise the current police station. It is not even deemed fit enough to be opened to the public on police open days. The Coalition committed \$1.5 million to fund the shortfall between private sector development of the site and the total amount that is required. I urge the Government to match this commitment. I put on notice that I will be pursuing it vigorously on this issue until the new station is built.

The unique character of our local neighbourhoods in Willoughby is being threatened by this Government's heavy-handed approach to planning and development. The wishes of the local community and the character of our neighbourhoods need to be considered in the wake of inappropriate blanket policies such as State environmental planning policy [SEPP] 5 and SEPP 53. Chatswood train station is one of the busiest on the northern line, yet there is no access for the elderly or disabled from the platform up to the station. How much longer must we wait for this basic service?

If you travel around the Willoughby electorate during peak hour you will notice frustrated bus commuters who spend too long waiting in long queues, especially in Naremburn, Cammeray and North Cremorne. Other areas such as Castle Cove require new routes. I have also recently learned about the cancellation of services from Willoughby bus depot and will demand that the Government reinstate these services. Traffic congestion throughout the electorate is a serious problem. But what incentive is there to alleviate some of the stress through encouraging public transport usage when current services are so lacking? This situation cannot be allowed to continue.

I will be vigilant also to ensure that Willoughby receives its fair share of public education funding. Thanks to the efforts of my predecessor, Peter Collins, and the local community, Chatswood High School remains, notwithstanding the Government's earlier decision to close it. But there remain grave concerns regarding access to public education throughout the electorate, especially in relation to class sizes, special needs education and general resourcing issues. I intend to set a rigorous pace in communicating with my constituents, in working with the many local organisations, in being accessible and by being an effective voice in this place on their behalf. The recent election in Willoughby was hard fought and the result was close. I want to take this opportunity to place on the public record that I look forward to developing strong working relationships with both Willoughby and North Sydney councils. I thank the Willoughby councillors who are here this evening.

From a very young age I was imbued with a great appreciation of all the opportunities I had and how fortunate I was to be born and raised in a country like Australia. My parents each migrated to Australia in the 1960s, met in Sydney and were married in the Armenian Orthodox Church in Chatswood, in the heart of the Willoughby electorate, in 1969. Our family involvement in the activities of the local Australian-Armenian community cemented my growing interest in community life. Many of my childhood memories are of attending Armenian Saturday school at Willoughby primary school, as well as being involved in other activities, such as the 2<sup>nd</sup> Willoughby Girl Guides and local sporting groups. This experience taught me to be proud of my cultural background but, more significantly, to value the importance of being a good Australian. This includes being proud of my surname. I thank the good people of Willoughby who voted for me, even though they could not pronounce it.

I am deeply thankful for the support I have received from my friends in the Australian-Armenian community, many of whom are here tonight and many of whom I have known since childhood. I take this opportunity to salute the contribution they continue to make to New South Wales and Australia, just as I salute the contribution made by all the culturally diverse communities in Willoughby.

Whilst I did not realise it at the time, my upbringing and the values instilled in me were core Liberal values. In a society increasingly cynical about the political process and organised institutions, I believe it is more imperative than ever to have a constant point of reference, a core set of ideals and guiding principles to rely on, an anchor when one's mettle is tested and tough decisions need to be made. For me, that anchor has been, and always will be, the tenets of modern liberalism. For me, the essence of liberalism is having the opportunity to pursue and achieve your life goals, irrespective of your background, and then give something back to society by ensuring that this opportunity is created for others.

Liberalism ensures that government will always support those in need and allows individuals to live freely so long as they do not impinge on the freedom of others. I believe the challenge of modern liberalism and the challenge of governments all around the world can best be summed up by John Stuart Mill, whose following statement is as relevant today as it was two centuries ago. He said:

There is a limit to the legitimate interference of collective opinion with individual independence; and to find that limit, and maintain it against encroachment, is as indispensable to a good condition of human affairs, as protection against political despotism.

I stated at the outset my principal belief that politics is about people. I strongly believe that governments should strive to achieve the liberal principle of equality of opportunity as opposed to the Labor Party's ideological position of equality of outcome. Labor's position thwarts innovation, and engenders mediocrity and conformity.

In the context of modern State government, a key component to equality of opportunity is a strong education system—both public and private. I deeply appreciate the opportunities I have enjoyed as a product of the New South Wales public education system. I will fight hard so that all schools in Willoughby have the necessary resources to educate our successive generations.

The people we represent in this Parliament will have access to equality of opportunity only if they are provided with adequate essential services such as education, health, public transport, safety and security. To provide these services we need fiscally responsible governments and sound economic management. A well managed economy means that adequate services are provided where they are needed. It is therefore frustrating today, in 2003, to see that Labor is failing to deliver better services and standards of living to the people of New South Wales. Whereas the Federal Government made the tough but necessary decision to address taxation reform by introducing the GST and allowing the abolition of several State taxes, the State Labor Party has tried to sweep the issue of taxation reform under the carpet. [*Extension of time agreed to.*]

Despite record State Government revenues and budget overspending, services in New South Wales are deficient. Furthermore, the Labor Government has failed to create a climate conducive to business growth. And the result? The average taxpayer is now left bearing the burden of funding this Government's inefficient economic management. It is high time that State taxation reform was firmly on the public agenda. When the Labor Party came to power in 1995 it stated that there would be no new taxes and no tax increases. Since that time, Labor has introduced the insurance protection tax, the owner occupied land tax, the parking space levy and now we even have to pay tax when we go fishing.

It has also increased land tax on investment properties and registration on motor vehicles, and payroll tax has increased by 58 per cent during Labor's eight years in power. Alongside these taxes, revenue has exceeded the budget estimates by more than \$3.3 billion in the past two financial years alone. In fact, in the past eight financial years the Government has increased its revenue in real terms by more than 34 per cent. It is of great concern that against this backdrop of rising State Government revenue streams, increasing taxation and the successive budget spending overruns, the people of New South Wales have had an inadequate return on their hard earned tax dollar. Waiting lists continue to blow out, our transport infrastructure is at breaking point, our classes are too large, and the list goes on.

My constituents in Willoughby have every right to demand to know why Chatswood cannot have a new police station or why the elderly and disabled cannot have escalators at Chatswood railway station, or why residents have to pay land tax on the family home they have owned and lived in for 30-odd years. But again the question beckons: If these additional revenue sources are not fixing the many problems we have in the delivery of essential services, or if they are not being used to ease the tax burden on the people of New South Wales, where exactly is the money going? For the sake of the hard-working taxpayers in Willoughby and across the State the Government must urgently address these legitimate questions. Furthermore, the Labor Government can ignore genuine tax reform for only so long, particularly with respect to payroll tax and land tax.

Payroll tax is a disincentive to job creation and business growth, particularly for smaller and medium businesses. The New South Wales payroll tax rate of 6 per cent is uncompetitive with the rates in Victoria and Queensland. The Government should have worked harder to stay within budget and delivered a program for reduction of, at the very least, a full percentage point on the payroll tax rate. As for land tax. Land tax on the family home needs to be abolished and the burden of land tax on investment properties needs to be reduced. The land tax on investment properties is indirectly a tax on tens of thousands of renters because landlords are inevitably forced to pass the increases to their tenants. Such increases also affect small business operators. There also needs to be greater transparency in the land tax valuation process to address concerns about massive and inconsistent fluctuations.

Beneath the Government's spin about its record of economic management lurks a series of time bombs, highlighting the need for more comprehensive budget reporting standards. Honourable members should compare this situation to where New South Wales could be today. We have the people, we have the resources, but we lack a State Government which can make the necessary tough decisions and which can manage the economy efficiently. Working in the financial services sector for the past five years has given me an insight into the many pressures placed on business. I thank the senior management of the Commonwealth Bank for taking a risk in entrusting me as the general manager for a core part of the bank's retail business, with business responsibility for over 2½ million customers Australia-wide. I leave behind many friends and dedicated colleagues.

In politics it is almost impossible to achieve anything on your own. I would like to thank my friends in the Liberal Party, many of whom are here tonight, who through their loyalty, honesty and counsel have assisted in my development over the past decade. In this category I place my predecessor, the Hon. Peter Collins, QC, who served the people of Willoughby with great distinction for 22 years. His contribution to the good governance of this State has been outstanding, particularly in relation to the arts, health, Treasury and his leadership of the Liberal Party. I extend a special thanks to the two Federal members covering my electorate—Joe Hockey and Brendan Nelson for their mentorship and continuing support.

I would not be here were it not for the training I received in the New South Wales Young Liberals movement, and I will forever be proud of having served as the President of the New South Wales Young Liberals in 1996. The Young Liberals play a major role in the leadership of our country, and it is a testament to the organisation that both our Prime Minister, the Hon. John Howard, and State Leader, John Brogden, are former New South Wales Young Liberal presidents. I thank the Liberal Party Women's Council for assisting me to take my seat in Parliament—without quotas I might add—and for preparing me for what lies ahead. A special thanks to my friends on the State Executive, especially Sam Witheridge, to the staff at the State Secretariat, the party membership at large, and to my personal staff for their unstinting support.

To all the members of my campaign team, led brilliantly by Deborah Klika, and to all the members of my local conference, under the exceptional leadership of Peter Davidson, you were all with me every step of the way, including those long 13 days after the election. In the first instance you bestowed upon me the great honour of being your candidate and then worked tirelessly to ensure that I became the member. I regard you all as part of my extended family and am excited by what we can achieve together for our local community in the years ahead. It is special to have former Premier Nick Greiner here this evening. I thank him for continuing to inspire a new generation of Liberals. I also note the presence in the gallery of two former members of this Parliament and distinguished Ministers in Robert Webster and Wendy Machin, who I am proud to call my constituents and who have been of enormous support. As you see, the Coalition is alive and well in Willoughby!

To my father Krikor and mother Arsha—whose birthday it is today—thank you for making me believe, ever since I can remember, that the sky is the limit. A special thanks to my sisters, Rita and Mary, who have always been my strongest supporters. Thank you also to my uncle, Father Razmig, who continues to be a constant source of inspiration. I stated at the outset my core belief that politics is about people. At the end of my parliamentary career I would like to look back and believe that I have contributed to improving the opportunities and standard of living of the people of Willoughby and the people of New South Wales.

I am particularly moved by the words of Johann von Goethe (1749-1832), who said, "Treat people as if they were what they ought to be, and you will help them to become what they are capable of being." I am proud and humbled to be here tonight to represent the values of my family, my party and my community of Willoughby. These are things that will always guide my words and actions in this place. Thank you for your courtesy.

**Mr SPEAKER:** I extend to the honourable member for Willoughby my congratulations on her inaugural speech. I note the presence in the gallery not only of a large contingent of her family, friends and constituents but also the former Premier, the Hon. Nick Greiner; the Federal Minister for Small Business and Tourism, Joe Hockey; former Ministers Robert Webster and Wendy Machin; and the former member for Ryde, Michael Photios.

**Mr CANSDELL** (Clarence) [8.22 p.m.] (Inaugural Speech): It is a privilege earned by few to be able to present a maiden or, to be politically correct, inaugural speech in the Legislative Assembly. It is also a tremendous honour to represent the electorate of Clarence in the New South Wales Parliament. In taking up that position I must acknowledge the people of the electorate who have given me a clear and overwhelming responsibility. In public life, as in business or social life, we have to be doers. I assure the constituents of Clarence that I will be a strong voice on their behalf in the New South Wales Parliament and that I will fight for their interests fearlessly and energetically. For those who did not vote for me at the ballot box I say, "Thank God for our democracy, a democracy that gives us the right to choose our political representatives, the right to choose our religious beliefs, the right to live alternative lifestyles and the freedom to express our views in the public domain without fear of recrimination or repression."

I am proud not only to be the member for Clarence but also to be part of an old and distinguished party. The National Party has long been a strong voice for rural, regional and coastal communities. We will continue to fight for our communities to ensure that they get their fair share. Members of the National Party worked hard for



me during the recent election campaign, as they did for the previous one, and I extend to them my sincere gratitude for their untiring efforts. I thank the people from business houses, fishing, timber, cattle and all our natural resource industries, local councils and all those who believed in me. I will not attempt to name all those who have made it possible for me to be here. Their major thanks will be the effort and results we achieve in the years ahead. However, I must mention my wife, Della, and my family for their support and the sacrifices they made. I thank them for being here tonight on this special occasion, one that I will treasure for the rest of my life.

I would also like to recognise my good friend and mentor, Ian Causley, a true statesman whose encouragement and advice will always be welcomed. I also thank his wife, June. Please bear with me for one minute while I acknowledge the efforts of Rod and Janet Gould; Harry Green; Jeremy and Sue Challacombe; my gals—I got into a lot of trouble from one of the papers when I mentioned my gals—Debbie Newton, Holly Kelsey-Henry and Sharon Davidson; Graham McKellar; Noela Powell; Sue Doust; Eddie Cox; Michael Griffin—thanks mate; my colleagues Andrew Fraser and Melinda Pavey; the Federal member for Cowper, Luke Hartsuyker; the entire Coalition team from John Brogden and George Souris to Bryce, Scott, Suzanne, Tanya and crew; and Michael Priebe and his team at head office. Your support will always be remembered. All of you worked hard to ensure that I was elected. I would also like to pay a special tribute to the late Frank Glasson, a tireless worker for the National Party and a good friend. He will be sorely missed. I wish my predecessor, Harry Woods, all the best in his retirement.

My early years were spent in a happy environment with devoted parents and three sisters in Dubbo. As I was the youngest and only son I was given a lot of attention and a lot of love. As fate may have it my childhood was brought to an abrupt end at the age of 11. With the sudden death of my mother I was sent to a Legacy school at Baulkham Hills, then back to Dubbo High School for a while and, finally, I finished my schooling at an English orphanage at Molong, where rising at 3.30 a.m. to milk cows and feed pigs was almost compensated for by riding horses and chasing rabbits on weekends.

When I left school at 16 I took up a position as a commercial artist. Around the same time I also developed an avid interest in boxing, a sport I took to like a duck to water, or as my little grandson Willow would say: Winnie the Pooh to a honey pot. As I climbed the ratings as a professional boxer the contradictions of my two lines of work were highlighted by the media with headlines such as "Painter with a Punch", "Steve and the Noble Art" and, after one resounding defeat, "Artist on Canvas". I should have been a comedian! I remember clearly one fight in 1970 when I was 19 years of age and up against a top-rated Australian boxer. The referee was former world bantamweight champion Jimmy Carruthers. By the fifth round I had been knocked down five times. The referee held my gloves, looked into my eyes with some concern and asked, "Are you all right son?" I was not, but I gave him a wink and replied, "I'm okay, Mr Carruthers." He reluctantly let the fight continue. I was fortunate enough to win on a knockout in the sixth round. I can assure the House that I was not always as lucky.

All my successes in life, in and out of the ring, have been hard fought and hard won. I have never walked away from an issue that I believe is worth fighting for. This is one of the reasons the people of Clarence supported me and why I am here tonight to highlight the concerns and the opportunities we have in this part of New South Wales. In speaking of the Clarence electorate we should be mindful that its history goes back far beyond the 200-plus years of European settlement. Aboriginal people have occupied the area for thousands of years. I reaffirm my commitment to support and promote indigenous culture and heritage. The Clarence electorate is a dynamic area, and its future depends on thriving industries. As the name suggests, the Clarence electorate covers almost all of the catchment of the mighty Clarence River and some of the Richmond River. The region has great traditional rural industries, including timber, fishing, beef, sugar cane and dairying, which are of enormous importance to the State as a whole.

The Clarence electorate has an abundance of tourist attractions, including many famous beaches, seaside ports, and historical and natural attractions. The New South Wales economy remains dependent upon agriculture. The rural sector, though a minority grouping, is of fundamental importance to the standard of living of all Australians. The people of my electorate of Clarence, along with many other country Australians, are suffering from the environmental correctness forced on country people and farming families by extreme groups and governments purporting to act on the community's behalf.

Country people practise sustainable development and conservation. Unfortunately, their sacrifices are ignored and their achievements go unrecognised. Present policies are damaging the Clarence electorate's vital industries, such as timber and fishing, and selling the community short in jobs, aspirations and regional prosperity. The North Coast of New South Wales is an area of high unemployment, yet the New South Wales Labor Government continues to bring in legislation that serves only to exacerbate the problem.

It was with interest that I read Ian Causley's first speech, made in this very Parliament on 8 May 1984—almost 19 years ago to the day. The speech was on the Forestry Revocation Bill. Labor was in government then, as it is now, and it was attempting to lock up huge productive areas of forest that were invaluable to local economies. Ian's speech was quite prophetic. He spoke about the problems that adjoining land-holders would face with feral animals and noxious weeds as more and more national parks were declared wilderness areas and access to them was denied, and he outlined the risk of bushfires with the enormous build-up of combustible fuel. It sounds familiar, doesn't it? He mentioned the loss of jobs and whole communities being destroyed by legislation put together by academics and city dwellers who had no grasp of the economic implications of their holier-than-thou ideals.

Trees are important, but people are too. Reserves have been set aside, but we also have to provide security for people, their families and country towns. We need fewer tree-huggers and more management. Forestry and grazing have been the economic backbone of the Clarence electorate since European settlement, and there is no reason why they cannot continue as the mainstay of the economy with careful management. The Regional Forest Agreements [RFA] legislation was designed to help the timber industry prepare for the future by securing resources and providing the right support to face the challenges of the new decade. The bill was based on scientific facts embracing areas of generic species, and the process would honestly assess areas to be put aside for wilderness, national parks and working, sustainable forestry.

Once completed, the RFA process would allow long-term resource agreements to be signed, effectively guaranteeing resources for up to 20 years. However, the Labor Government has manipulated the RFA process in New South Wales by reducing available resources, thus also removing certainty and security and undermining confidence in this vital industry. It has done this without conducting a socioeconomic impact statement as it promised it would. The timber industry cannot be expected to invest millions of dollars to allow value-adding if it cannot be guaranteed long-term access to resources. I believe it is time the New South Wales Labor Government started listening to people who know and understand the industry, instead of playing politics, because it is not helping the State and it is certainly not helping workers or their communities.

Another important issue that is affecting the future viability of industry in my electorate is the need for dredging of the Clarence and Evans rivers. The present poor state of the rivers is impacting greatly on all users and many businesses. If maintained, these rivers have huge potential for increased trade, fishing and tourism. The Evans River is in desperate need of dredging to maintain a safe channel for the passage of commercial and recreational fishing craft. The river is the lifeblood of Evans Head. It provides access to the sea for the commercial fishing fleet and recreational fishermen. The failure to maintenance-dredge shipping lanes has driven many commercial fishing vessels, such as the tuna fleet that once went into Evans Head, into Queensland and is denying export and tourism opportunities. Some 1,200 families derive their income either directly or indirectly from the Clarence River alone. One business being affected is the Clarence River Fishermen's Co-operative, which is the largest fishermen's co-operative in New South Wales, turning over some \$30 million and supplying 21 per cent of fresh seafood marketed through the Sydney Fish Markets. [*Extension of time agreed to.*]

The co-operative is a significant exporter through the port of Yamba, earning valuable export dollars and reducing impacts. With more than 80 full-time staff, it is estimated that more than 600 individuals and their families rely on the co-operative as their main source of income. Yamba Shipping is another company experiencing problems. Waiting for high tides to move freight in and out of the port causes delays and incurs time and dollar penalties. This is having a negative impact on the port's ability to procure and sustain business.

Koppers Timber Preservation is the largest single exporter remaining in the region, and 50 per cent of its business in Grafton is dependent upon being able to export out of Yamba. Last year, delays caused by lack of depth for one shipment incurred a substantial loss. To be forced to use another port, such as Brisbane, would put Koppers out of the export market and out of business in the Clarence. This is not acceptable. The dredging of the Clarence and Evans rivers is the single most effective activity that can be undertaken to turn around the economy of this region. The answer has always been readily available, but the New South Wales Labor Government has not been prepared to take the initiative and apply solutions. I call on the Government to declare the Clarence and Evans rivers as high-priority jobs, and to take positive, preventive action to rectify this situation.

I also support calls from Clarence councils for higher priority to be given to funding of local roads. As I travel around the electorate I find that the local road network is badly run down. People continuously tell me that more resources need to be put into fixing and maintaining local roads. Greater investment in infrastructure

is required so our communities can secure the viability and competitiveness to provide a stronger platform for regional development. It is impossible to ignore the deterioration of local roads and bridges in the electorate, and it is patently obvious that local government authorities do not have the resources to meet the community's needs. Governments at all levels need to improve infrastructure and new policies must be developed to stop further deterioration.

We have the people resources and natural resources to make our region grow and provide more jobs, but we must have the right policies and willingness from government. Seeing our young people leave the Clarence in search of work is a tragedy, and we must fight to reverse that state of affairs. We have to offer them a future and a career that is more viable than the dole. Youth unemployment can only be addressed through the creation of real, long-term, sustainable jobs. TAFE institutes in the Clarence electorate play a critical role in the educational and economic infrastructure of the region. However, the New South Wales Government needs to acknowledge that there are difficulties and extra costs involved in delivering regional courses, and that the institutes face significant burdens, which are not sufficiently recognised in the present funding provisions.

I urge the Premier and the education Minister to recognise that the system has been seriously underfunded, that it continues to carry unmet demand and that it falls far short of the kind of investment that TAFE directors have been calling for. While on education I would also like to bring to the Premier's attention the dire financial state of our community preschools, particularly in rural areas, with many struggling to keep their doors open and only doing so by staff working for lower than expected wages. In fact, expenditure per child on preschool services in New South Wales has been approximately half the national average for the past five years.

Health and dental care is another area in which the New South Wales Labor Government has held expenditure below the optimum level, with waiting lists in Clarence for elective surgery and dental care alarmingly high. Surgeons in my electorate have resigned in protest over funding cuts that threaten to increase elective surgery waiting lists to four years. People who require urgent dental treatment are being assessed by a computer. The pressure is building. The Government simply cannot put off more spending in these areas because Australians have legitimate expectations that, in a society such as ours, governments will deliver the level of goods and services they believe a modern first world society is entitled to. We must create new jobs and provide people with confidence and skills through enhanced educational and training opportunities. At the same time, we must continue to support and encourage our existing sustainable natural resource industries as they are not only our past and present, they are the platform for tomorrow. That is what the people of Clarence expect. That is what they deserve. To my dad, Radiator Bill Cansdell: You are one of Australia's true heroes. Thank you.

**Mr SPEAKER:** I extend my personal congratulations to the honourable member for Clarence.

### **SPECIAL ADJOURNMENT**

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

That the House at its rising this day do adjourn until Wednesday 7 May 2003 at 10.00 a.m.

### **APPROPRIATION (BUDGET VARIATIONS) BILL**

#### **Second Reading**

#### **Debate resumed from 30 April.**

**Mr BROGDEN** (Pittwater—Leader of the Opposition) [8.43 p.m.]: As this is a money bill the Opposition will not be opposing it, but it is yet another example of the lax fiscal management of the Carr Government. The mid-year financial review shows that this Government has already spent \$1 billion more than was budgeted for, on top of \$1.6 billion in overspending in 2001-02 and \$1.75 billion in overspending in 2000-01. The bill seeks approval for a total of \$1.27 billion in expenditure over and above what the Government budgeted for at the commencement of the financial year. The bill proposes to do five things: first, to account for the way in which the Treasurer's Advance, some \$286 million, has been spent to date; second, to seek parliamentary approval for a further \$845 million that the Government has already spent under section 22 of the Public Finance and Audit Act; third, to seek parliamentary approval for an additional \$425 million in additional expenditure; fourth, to seek parliamentary approval for budget variations, including to the Treasurer's Advance, and to seek parliamentary approval for expenditure under section 22 of the Public Finance and Audit Act for the 2001-02 financial year; and, fifth, to validate interim payments to new agencies, pending the transfer of 2002-03 budget allocations to those new agencies.

This Government displays quite an extraordinary approach to budgetary management—one that raises questions about its accounting standards but, more especially, about how the public at large and the Opposition in particular will be able to effectively compare the budgetary performance of government agencies that are presently in the process of being abolished and reformed, and the performance of new agencies that will be developed. The Opposition has expressed its concern. It is quite extraordinary that a Government that has been in power for eight years is unable to deliver a full and comprehensively detailed budget for the 2003-04 year. Honourable members have come to this Parliament with a re-elected Government that is unable to outline in full detail its new approach to governing. I appreciate that the Minister at the table, the Minister for Infrastructure and Planning, and Minister for Natural Resources, has taken responsibility for a significant restructuring of government, but his inability and the inability of his colleagues and of senior government bureaucrats to have this restructure in place for the budget period means that we are faced with a budget in two parts.

**Mr Knowles:** It is good to be on the Government side.

**Mr BROGDEN:** The Minister displays the Government's arrogance. The Carr Government has used a Treasurer's Advance as a slush fund, whereas it should be used as a rainy day fund. It should be used by government to put programs in place in response to natural disasters or unexpected catastrophes. In contrast to that, year after year the Carr Government has simply used it as a slush fund. Over eight years the Treasurer's Advance has ballooned from \$75 million in the 1995-96 financial year to \$290 million this financial year. This year the advance has been used for \$50 million for metropolitan rail track maintenance—emergency funding for a rail system in crisis. Once again, that demonstrates that the Government is not prepared to put its dollars in the right place for important infrastructure investment.

The Government has paid \$4 million to install more fixed speed cameras. This is a Government which, in the run-up to the recent State election, broke the community's expectation: namely, that the link between speed camera revenue and general revenue raising did not exist. For many years people have abided the creation and installation of speed cameras provided they were not simply used as revenue-raising devices. This Government has well and truly dispelled that myth. Indeed, the revenue raised by a number of speed cameras will be dedicated solely to fund stem cell research—the Premier's pet area of government policy. In addition, \$1 million was allocated to upgrade security at Governor Macquarie Tower, and \$6 million was allocated for Opera House security and regional cultural infrastructure. Despite \$6 million being allocated from the Treasurer's Advance to upgrade security at the Opera House, the Government could not stop two protesters from climbing it and painting "No war" on it.

**Mr Orkopoulos:** They wanted to feel the breeze.

**Mr BROGDEN:** The honourable member for Swansea flagrantly supports that sort of activity, such is the inability of the left wing of the Labor Party to stay in touch with community expectations. Not one member of the Coalition would oppose individuals having the opportunity to protest; but we oppose individuals who deface the most significant public building in this city, a building that is well known around the world. An additional \$6 million has been allocated for Opera House security, but it was obviously not sufficient in the first instance. An amount of \$300,000 has been allocated for redundancy payouts to the Rail Infrastructure Corporation—that is John Cowling's pay off. The Government said, "Go quietly. Here's the dough." The Government paid \$300,000 to keep the former head of the Rail Infrastructure Corporation quiet. What about the victims of accident after accident? They receive nothing from this Government.

The Government has allocated \$6.4 million for office refurbishments and relocations. To which agency did the Government allocate \$517,000 for an upgrade? I will stop the suspense: the State Electoral Office and its electoral systems! That was money well spent! Without a doubt, it is clearly the most poorly resourced, unprofessional and incompetent electoral office in the country. It is an appalling electoral office. It could not count the Upper House ballots in time. The electoral office made many attempts to get it right, and it failed time and again. More money has been allocated to the electoral office, although it was obviously not enough. Extra money was allocated from the Treasurer's Advance because not enough money was allocated in the budget. It is of concern that the Treasurer's Advance has been used to top up money for agencies that have been underfunded.

For example, \$10.4 million has been allocated for a shortfall in funding for the Department of Ageing, Disability and Home Care; \$3.56 million has been allocated for a shortfall in funding for the Office of the Protective Commissioner—obviously a matter on which the honourable member for Swansea will comment—and \$2 million has been allocated for a shortfall in funding for the Director of Public Prosecutions [DPP]. As the

shadow Attorney General will note, despite having received an additional \$2 million the DPP is facing cutbacks that mean it may have to suspend legal action against criminals in this State. The DPP is not properly resourced and financed to date. An amount of \$1.47 million has been allocated for a shortfall in funding for the Royal Botanic Gardens and Domain Trust; and \$1.5 million has been allocated for a shortfall in funding for the Sydney aquatic and athletic centres. Section 22 of the Public Finance and Audit Act 1983 will provide for payments in anticipation of appropriations by the Parliament. The Government is seeking to have approval for money it has already spent. Key expenditures in this area include \$519 million—

**Mr Tripodi:** Do you support the bill?

**Mr BROGDEN:** Your sister-in-law got a pay increase when she became a member of Parliament. In addition, \$519 million has been allocated as a grant to the Treasury Managed Fund [TMF] to cover the fund's recognition of incurred but not reported public liability claims; \$100 million has been allocated for bushfire relief; and \$57.5 million has been allocated for the pay increase for nurses. We know the Labor Party game in relation to the pay increase for nurses.

[Interruption]

The honourable member for North Shore is rightly criticising the honourable member for Fairfield in regard to this matter. The Government promptly said, "Yes, we will support the pay rise", but it then sent the officials from NSW Health into the Industrial Commission to vigorously argue against a pay increase. The Government was playing a game, and it is proven by this point: money was not in the budget; there was no anticipation of a nurses' pay rise. The Government has had to clean up the mess afterwards in order to give our hard-working, overworked and underpaid nurses a pay rise. The Government was not prepared for it.

An amount of \$20 million has been allocated to reduce waiting times for emergency services and elective surgery. That is part of the trick of this Government: before an election the Minister for Health pulls money forward to reduce hospital waiting lists. Despite this extra funding, last week we saw the extraordinary example of the Government referring itself and its practices to the Independent Commission Against Corruption. Morris Iemma, the new Minister for Health, blamed Craig Knowles, the former Minister for Health. Craig, we are on your side—and we were very concerned to see Iemma sending you to ICAC. They are obviously pushing for a Scully faction or is it a Sartor faction? We are not sure. But Iemma exposing Knowles to the ICAC could mean eruptions within the Australian Labor Party.

**Mr O'Farrell:** ICAC gets \$1.4 million extra!

**Mr BROGDEN:** It is going to need it with this Government. While much of this expenditure was desperately needed, it should not be forgotten that many of these expenditures should have been budgeted for. A poorly performing Government cannot put money aside and cannot budget in a manner that provides a surplus. Year after year the Government has been able to blow the budget and not affect the operating surplus for only one reason: it has a stream of tax revenue that is unprecedented in this State.

[Interruption]

We know that the honourable member for Fairfield represents the hard dry right of the ALP on these issues; we know that his calls for tax reform have been ignored in caucus; we know that he sits alone on this issue. Tony Harris said in the *Australian Financial Review* on 28 January:

New South Wales is one of the highest taxed states in Australia, but the government has not used its strong revenue base to reform New South Wales's tax system or, better, to restructure government programs.

Instead, the government routinely underestimates its revenues so that it can use its hidden reserves for emerging pressure points. These "unplanned" revenues have allowed the Carr government to buy its way out of political problems as they arise, without disturbing the planned surpluses of the Treasurer.

This Government has blown its budget year after year. It has to stop. As the honourable member for Willoughby stated in her inaugural speech, tax reform has to be on the agenda. In the true tradition of the parties to the left, the Carr Government is a tax and spend government. It will continue to do so. The honourable member for Port Stephens nods in appreciation of the praise I have just given to the ALP! The Government is asking Parliament to approve an extra \$425 million in additional expenditure this financial year for two purposes: \$305 million as an additional contribution to the Treasury Managed Fund due to recent negative investment returns and \$120 million to retire debt. The poor management of the Government's investments is a serious concern. Last

year the State Super Fund lost more than \$2 billion on its investments. It is one of the most poorly performing superannuation funds in the country. The honourable member for Fairfield has gone quiet—he knows the State Super Fund has performed badly and that the Government has managed it poorly. It does not make sense, even during a time of global downturn on investments, that the State superannuation corporation should perform so poorly. The TMF's investments are underperforming their benchmarks and New South Wales taxpayers are topping up the fund.

What is more concerning is that if poor investment returns continue, higher insurance premiums will need to be paid by government agencies to ensure that the Treasury Managed Fund remains fully funded. As I said earlier, the Government is seeking to introduce interim payments to the new agencies. This is a core restructure of government that we are led to believe is unplanned, as if the Government, over eight years, had not had forward vision. The final part of the bill approves interim payments to new government agencies, pending the transfer of 2002-03 budget allocations from the agencies they have replaced. While this is necessary to ensure the continued running of government, I have very serious concerns about the Treasurer's decision to exclude the details of 12 major agencies from the 2003-04 budget, at a total of \$4 billion.

The agencies include the newly formed Department of Urban and Transport Planning. That department, a new agency of government, has as its head—possibly on a temporary basis—one of the real star performers of the New South Wales bureaucracy, one of its winners, Michael Deegan. Out of Transport, across to the new department, but for only one reason: they have to keep his mouth shut. Michael Deegan is concerned that he will have to wear the rap for the failure of the former Minister for Transport, the current Minister for Roads. So, keep him on the payroll for a little longer, groom him for a while in the new Department of Urban and Transport Planning. The Opposition will look with interest to see whether he continues in that role.

The other agencies are the Department of Sustainable Natural Resources, the Department of Lands, the Department of Commerce, the Department of Sport and Recreation, the Department of State and Regional Development, Treasury, the Environment Protection Authority, the National Parks and Wildlife Service, the Ministry for Transport, the newly created Transport Safety and Reliability Regulator, and the Ministry for Energy and Utilities. It is concerning that Treasury is an agency that does not outline its expenditure in the budget. It is news to the Opposition that Treasury will be restructured, along with other government agencies. It is disappointing that after eight years in government—

**Mr Orkopoulos:** And eight surpluses.

**Mr BROGDEN:** That is eight surpluses off the backs of families who are taxed at the highest level in this country. Living in Sydney is becoming less and less affordable and New South Wales is becoming a less and less affordable State in which to live because people are being taxed to death by the Government.

**Mr Orkopoulos:** Ever heard of the GST?

**Mr BROGDEN:** We have all heard the GST story. John Howard has told me, and I am sure he has told everyone else, that after the obligatory performance from the Labor Premiers, the Premier of New South Wales tripped over John Howard to sign that document. He said, "I'll sign that, John, I'll sign." The good citizens of New South Wales had an expectation that as the GST was introduced New South Wales would relieve the burden of tax on small business, farmers, families and individuals. That has not happened. They are being taxed to death by the Government. The Opposition knows that it is more expensive to live in the Sydney Basin than elsewhere in the State. It does not follow, therefore, that transfers through property sales should be such an impost on families. Only through the generous benefit of the \$7,000 increase to the First Home Owner Grant in recent years, many families were able to achieve their dream of homeownership. However, as they did so, as they crossed the threshold of their own home for the first time, they were taxed heavily by the Government through its stamp duty on the transfer.

It is a little known fact that when the Commonwealth Government increased the grant by another \$7,000 it wrote to the States claiming that it was providing a property boom in New South Wales and the opportunity for families to purchase homes. The Commonwealth Government was putting more money on the table and asked the States to cut back on stamp duty. But the greedy little Treasurer, Michael Egan, said no. He refused to accept the opportunity for families to be relieved of that burden. He would not do it. The State Government was happy to take the GST revenue and continue to heavily tax the families and businesses of this State. I make it very clear that the Coalition stands for tax reform in New South Wales. It is our desire to pursue tax reform and to hound the State Government to relieve the tax burden on families, businesses and individuals.

No longer should we have a government that revels in the title of being the highest taxing government in the nation, which is what the New South Wales Government does. From election to election and from year to year, the Government has boasted about the budget. Indeed, the diminutive Treasurer, having been rejected by the people of Cronulla, needs to come into this Chamber once a year. In this Chamber he boasts, in one form or another, about his budget being "a great Labor budget". Indeed it is, because it is like a house of cards, based on the businesses, families and individuals of New South Wales being progressively taxed to death.

I put the Government on notice: The Opposition will pursue tax reform. We will make the Government accountable for making the citizens of New South Wales live in the highest taxing State in the Commonwealth. We will pursue that reform with vigour and will expect to see some relief over the next four years, but not through the sort of sham we saw in the last budget. The Government relieved payroll duty on apprentices but expanded the base across the board. As my colleague the honourable member for Upper Hunter will recall, the Government gave \$10 million in tax relief but took \$100 million back by expanding the base. That is the sort of two-card trick we have seen from this Government. But, no more. No more will we be conned by a government that wants to make it harder and harder for families and businesses to get ahead.

As is appropriate with a bill of this sort, the Opposition will not oppose it. However, we criticise the Government's poor financial management record. The Government boasts about its great financial record, but no government could have blown its budget with the revenue this Government has received over the past eight years. This year it is expected that there will be \$1.2 billion in revenue over and above the Government's budget. A 1 per cent cut in payroll tax is equal to about \$1 billion. The families and businesses of New South Wales have not received any tax relief from the Government, yet there are still leaking classrooms, unsafe railway bridges, trains that are unable to be put on the tracks because they are unfit for duty, and second-class roads. The list of woes continues.

The Government has been unable to take on the heavy burden of financial responsibility while governing in eight years of unprecedented economic sunshine. It has done that with a two-card trick of moving debt from the inner budget sector to the outer budget sector, putting more and more pressure on government business enterprises. Let me make it abundantly clear: The Government will be pursued by the Opposition over the next four years on its poor financial record and management, and on its failure to provide families, businesses and individuals with meaningful tax reform.

**Mr ORKOPOULOS** (Swansea) [9.08 p.m.]: The cat, sir, is out of the bag. Not only has the Leader of the Opposition put taxation reform on the agenda, but the honourable member for Willoughby, in her inaugural speech, disappointingly revealed that the Opposition will look at abolishing land tax, payroll duty and a whole set of taxes that have sustained and underpinned the revenues of this State. It is interesting that during the recent State election the Coalition had a whole list of promises, including the provision of six new partially selective high schools at a cost of \$34.25 million, a new police station in the Homebush-Flemington area at a cost of \$7.2 million, air scrubbers for the cross-city and Lane Cove tunnels, extension of Jet Cat services until 9.00 p.m. at a cost of \$8.8 million, and a six-lane highway over the Blue Mountains at a cost of \$800 million. How was the Coalition going to pay for all of those promises? By abolishing land tax.

The abolition of premium property tax was another of the Opposition's promises. The figures do not add up and the upshot is that the Opposition was going to slash the budget of the Department of Community Services. The Appropriation (Budget Variations) Bill acknowledges that circumstances change and the budget needs to be adjusted. It takes into account unexpected events that demand extra government funding, such as additional expenditure of \$126 million to tackle bushfires and drought, events that the Government could not foresee. Other major unexpected expenses were the increased insurance costs of \$106 million due to higher actuarial assessments of insurance claims. The Government could not be expected to make provision for those types of things. I am pleased to note extra funding in the bill for community services. I note the inclusion of a further \$24 million for community-based residential care, and a \$7 million increase in foster care payments. How could the Opposition be critical of that funding?

The Treasurer's Advance provides funding of \$5.8 million for the employment of an additional 100 caseworkers. This is the beginning of a process in which \$1 billion of extra funding will be provided over five years to the Department of Community Services. The protection of children is a high priority for this Government. The Government's continuing commitment of extra funding for child protection stands in stark contrast to the cowardice and hypocrisy of the Leader of the Opposition. It should never be forgotten that in the lead-up to the 2003 State election the Leader of the Opposition and his Treasury spokesman, the member for Upper Hunter, ran a campaign of wild and reckless promises worth \$7.3 billion, but they had no idea how they

would pay for them. However, just two days before the election they proposed as a cost-cutting measure the slashing of \$700 million from child protection. They displayed their cowardice by hiding this heartless cost-cutting measure until just two days before the election.

**Mr Hazzard:** Point of order: The honourable member is lying his head off and he knows he is.

**Mr ACTING-SPEAKER (Mr Mills):** That is not a point of order.

**Mr Hazzard:** I was coming to the point of order. I was just giving a short preamble, indicating that the member was lying his head off.

**Mr ACTING-SPEAKER:** Order! Short preambles are not allowed. The member will state his point of order or I will ask him to resume his seat.

**Mr Hazzard:** The member is misleading the House, which he does quite regularly.

**Mr ACTING-SPEAKER:** Order! That is not a point of order. The honourable member for Wakehurst will have an opportunity to contribute to the debate and counter the matters raised by the honourable member for Swansea.

**Mr Hazzard:** That was never a promise, and what he is saying now is a lie.

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

**Mr ORKOPOULOS:** The Opposition displays hypocrisy in pretending to care about the protection of children when at the same time it planned to cut \$700 million from child protection. The Leader of the Opposition was prepared to put his own political survival ahead of the safety of children. Over the next four years the Government will not let him forget that. That reduction of \$700 million in funding would have meant scrapping the recruitment of 675 front-line caseworkers, scrapping \$469 million to support foster children and foster carers, scrapping \$150 million to help high-risk families and scrapping more than \$40 million for legal and political positions to support caseworkers, for investigation teams and for intensive support for Aboriginal families. On child protection the Leader of the Opposition has as much credibility as the Governor-General.

I note that an extra \$13.4 million has been allocated in this bill for disability funding and a further \$20 million has been set aside for measures to reduce waiting times for emergency services and elective surgery. An amount of \$57.5 million is included to fund the 6 per cent award increase for nurses. The Opposition does not oppose that. The Government is putting money where it matters. I support the bill.

**Mr SOURIS (Upper Hunter) [9.14 p.m.]:** The Appropriation (Budget Variations) Bill represents virtually an eight-year overrun of budget expenditure in New South Wales. It is a sustained overrun of unprecedented proportions, adding up to more than \$7 billion, averaging 4 per cent of budget outlays per annum. This year it represents 3.15 per cent of budget outlays. The Treasurer's Advance for the year 2002-03 includes an appropriation of \$286 million and, under section 22, an allocation of \$845 million for recurrent expenditure, together with a further appropriation of \$425 million. The Treasurer's Advance for the previous year included an appropriation of \$213 million.

In the past couple of days this bill has been referred to in the corridors of Parliament House as the normal appropriation bill that comes before the House at this time of the year. The only thing normal about it is the overrun of expenditure and the magnitude of those overruns. I assure the House that the former Coalition administration would not regard this as normal fiscal management or budgeting. However, the bill does highlight the paltry amount of money that was provided for the drought, despite the ridiculous claims made by the Premier and Ministers during the drought, particularly during the election campaign, of expenditure two or three times the amount revealed in this bill.

The bill seeks to provide funds for additional liabilities that have emerged in relation to the Treasury Managed Fund. They include additional liabilities of \$519 million and additional contributions required to fund negative returns on investments of \$305 million. These negative returns on investments and funds management provide a characterisation of the way this Government does business. It is also typical of this Government's management of the State Superannuation Fund and the management of funds by the WorkCover Authority. It also provides an opportunity to retire \$120 million worth of debt, an opportunity that arises through unbudgeted revenues and, therefore, windfall revenues.



I ask how the Government can substantially understate both its revenue and expenditure during each and every year of office. If that is the norm for this State it is a very strange norm for budgeting. It is unacceptable for the Government to claim some kind of fiscal prudence in delivering a sequence of surplus budgets, which we all know results from the sustained property boom over the past eight years, yet is seemingly unable to provide proper budgeting of those revenues and expenditures, having understated both in each and every year. The Carr Government incumbency has been characterised by the greatest sustained growth in revenue the State has ever seen. It took 150 years for the New South Wales budget to reach \$22 billion yet it took a mere eight years for it to reach \$33 billion.

Seven budget surpluses are the result of seven years of unprecedented growth in revenues, a doubling in stamp duty, payroll tax, land tax and gaming taxation. The goods and services tax, which is expected to peak in 2007, will produce a budget in New South Wales of the order of \$40 billion. So in approximately a decade there has been virtually a doubling of the size of the New South Wales Government's budget. The Australian Labor Party has had the ability to fund any initiative it has wanted to fund, to solve any emerging problem that it has wanted to solve and to retire debt in any way that it chose to retire debt. Thanks to the Federal Government that has been possible because interest rates have been sustainable—between 5 and 10 per cent—there has been a low unemployment rate of 6 per cent, a low and sustained inflation rate of 2.75 per cent, and a growth rate of 4 per cent.

**Mr ACTING-SPEAKER (Mr Mills)** Order! The Minister will cease conversing in the Chamber.

**Mr SOURIS:** The indiscipline of using much of this revenue in recurrent expenditure growth will result in serious pain when the revenues taper off. With revenues of that magnitude and that growth in an eight-year period, why is public education in its present state, with a flight of students from the public sector? Why do hospital lists continue to grow? Why do accident and emergency wards continue to remain in chaos? Why is there a shortage of police? Why is the Department of Community Services, in particular the child protection aspects of that department, in such crisis? Government members should hang their heads in shame because of the way in which they have failed the critical test of government, the basic test of keeping the important areas of policing, health and education at full staffing strength.

With the revenues that have been flowing into this State, why have these services failed the modern tests of deliverability? In fact, the Government does not have any benchmarks in service delivery, a significant area of reform. If the Government is looking for something to reform it should start benchmarking its service delivery. Surely the Government realises that the boom cannot continue forever. Productivity cuts are undoubtedly on the agenda. This departmental restructure and the creation of superministries are likely to be coupled with both service reduction and government employment reduction. There are also likely to be significant regional repercussions in this government restructure. Impacts on the trading enterprise sector of government are likely to be evident, with greater dividend demands, greater government trading enterprise debt and, therefore, debt servicing justified increases in charges.

The local government reform bill that is soon to be debated in this House will expose the Government's thinking in this area in relation to the water and sewerage services that are provided by local government. Under that legislation local government will be able to charge those businesses dividends, which undoubtedly will be obtained through increased debt. No doubt the charges that flow to consumers as a result of the Government needing to service the debt to finance dividends will provide justification for increased charges. This bill highlights the precarious state of New South Wales finances, which are now hooked on seemingly unrelenting revenue growth and an unwillingness by government to invest in capital infrastructure such as rail, health, education and water resources. It is also evidenced by collapsing service delivery and other off-budget crises, including losses in the State Superannuation Fund, which exceeded \$3 billion over a 15-month period, the WorkCover Authority deficit, which is now of the order of \$2.8 billion, and WorkCover fund management losses, which are in excess of \$200 million. This State's finances are out of control. The chickens will come home to roost. It will be the task of the Coalition in its future term in office to manage the incompetence evidenced by the Carr administration.

**Mr BARTLETT** (Port Stephens) [9.25 p.m.]: Before speaking to the Appropriation (Budget Variations) Bill I wish to comment on a number of issues that were referred to by the Leader of the Opposition. Opposition members now claim they will reduce taxes but will never go into deficit. The Leader of the Opposition, who has never heard of Keynes' theory, obviously thinks it is a holiday resort in Queensland. In the good years when a government has a surplus it pays off its debts, but in the bad years it has a deficit. The overview of the bill reads:

The object of this bill is to appropriate additional amounts from the Consolidated Fund for recurrent services and capital works and services for the years 2002-03 and 2001-02...

The additional amounts appropriated for 2002-03 are:

- (a) \$286,267,000 in adjustment of the vote "Advance to the Treasurer, " and
- (b) \$845,273,000 for recurrent services and capital works and services... and
- (c) \$425,000,000 for additional recurrent services and capital works and services.

Additional funds have been allocated to cope with problems caused by the drought. I refer to the problems being faced by the Government and what it is doing about them. Five years ago \$14 in every \$100 of government spending was required to service the debts and liabilities of New South Wales. That is now down to less than \$9 in every \$100, which means that each year we have \$1.6 billion more to spend on improving services and reducing taxes. I am pleased to be a member of a Government that has made a commitment to completely eliminate general government debt by 2020. The net financial liabilities of the general government sector declined from \$33.6 billion in 1995, which is 19.8 per cent of gross State product [GSP] to an estimated \$22 billion in June 2002, or 8.8 per cent of GSP.

There are about 100,000 employees in the New South Wales public service, double the number of employees in the Australian defence forces. The Federal Government's liability for its public service superannuation scheme is \$84 billion. I refer now to those projects that have received additional funding. An amount of \$7 million has been allocated to the fire ant eradication program. No-one expected fire ants from Queensland to arrive on the doorstep of electorates in the northern part of New South Wales. Because New South Wales is in the grip of the worst drought for 100 years this Government allocated \$12 million in 2002-03, and an additional \$16 million has been allocated to assist drought-affected farmers in New South Wales.

An amount of \$5 million has been allocated for the employment of an additional 100 Department of Community Service caseworkers. An amount of \$11.5 million has been allocated for the social and community services award, which was to be funded jointly by the State Government and the Federal Government. However, the Federal Government did not come to the party. The New South Wales Government had to pick up the Federal Government's component of the award by allocating \$11.5 million to assist those hard-working people.

I turn now to some other events during the year. The education and training budget of \$8 billion was overspent by \$27.9 million. The Minister thought \$8 billion would be necessary. The amount of overspending, \$27.9 million, is an absolute pittance. When \$8 billion is being spent one cannot predict that far ahead, and an extra \$27 million was necessary for unexpected matters. I turn to the liabilities of former statutory insurance schemes for residential building work. Remember the collapse of HIH? Some \$13.5 million was picked up by the State to keep the builders in New South Wales going. That was unexpected, but the money had to be found to keep the building industry turning over. I will conclude as I started, that is, with debt. Under retirement of Crown borrowings the bill shows that for the 2001-02 year the Government retired debts of \$363 million. Members opposite did not mention that. This is how one gets a surplus. This is how the Government is reducing its debts, and it is why the Carr Labor Government has returned surplus after surplus while I have been a member of it. I commend the bill to the House.

**Mr STONER** (Oxley—Leader of the National Party) [9.31 p.m.]: This bill is intended to appropriate additional funding for 2001-02 and 2002-03 to give effect to certain budget variations required because of the exigencies of government. And the exigencies of this Government have been considerable! Amongst the additional funding provided by this bill is some \$500 million for the so-called Treasurer's Advance. The 2002-03 budget states that the Treasurer's Advance is for contingencies such as those associated with natural disaster and with the costs of unanticipated policy responses that may be required in the budget year. Unfortunately, the Government has made a mockery of the Treasurer's Advance, in line with its continuing failure to account for its actions. The Treasurer's Advance has become a slush fund for a lazy Labor administration.

After eight years, Labor's hallmark is lax fiscal management, despite record revenues, and a lack of accountability. On an accrual basis, over the past three years the Government has overspent the budget by a total of more than \$4.3 billion. The additional appropriations for 2002-03 contained in this legislation amount to 2.4 per cent of the total budgeted expenditure for this financial year. This bill highlights poor or deliberately misleading budgetary assumptions and a continued lax attitude to fiscal discipline with major overexpenditure. This bill seeks an appropriation of \$286 million in adjustment of the Treasurer's Advance for 2002-03, of which \$247.6 million is recurrent expenditure and \$39.7 million is capital expenditure. We must not forget that in 1995-96 the recurrent Treasurer's Advance was budgeted to be \$75 million. There was no capital allocation. According to the 1996-97 budget, only \$20 million of it was spent.

In 1995 Labor made a commitment to cut the Treasurer's Advance. However, it is now clearly out of control. In 2001-02 the Treasurer's Advance was used for so-called emergencies such as \$435,000 for the Sydney Festival; \$973,000 for the Royal Botanic Gardens and Domain Trust associated with an alleged revenue shortfall due to the impact of September 11 and the global economy slowdown; a \$350,000 Commonwealth Games team contribution—given that the Commonwealth Games happen every four years, the Government should have anticipated that—and \$100,000 for Tourism New South Wales to sponsor the ANZ golf championship. Once again this spendthrift Labor Government comes into this House asking for more cash to cover its spending binges. It should be noted that Parliament only has the opportunity to scrutinise this expenditure months after it has been spent, so the Treasurer's Advance is often used to conceal unpopular and profligate spending.

I turn now to some of the identifiable reasons for this unplanned and unmanaged expenditure. I note that the major purposes of the 2002-03 additional appropriations for the Treasurer's Advance include \$50 million for metropolitan rail track maintenance. What about the country rail network? As I highlighted just last week with the Wauchope viaduct, Labor's attitude to rail maintenance is out of sight, out of mind. The Stony Creek bridge is just one example of many rail safety problems throughout country New South Wales. Another item is \$12.8 million for the drought. What a pittance, especially in comparison with the Federal Government's commitment of more than \$300 million. This is the worst drought in our lifetime and, despite much rhetoric and noise from Labor, that is the best it can do to assist farmers and country communities devastated by this disastrous dry.

In relation to the additional \$100 million for bushfire relief, that expense could have been at least partially avoided if the Government had properly conducted hazard reduction. Instead of spending that amount of money on bushfire fighting, why not invest some money in bushfire prevention? Imagine if just a fraction of that amount had been spent on improving the National Parks and Wildlife Service's pathetic 0.7 per cent worth of hazard reduction across its estate in 2001-02 to the approximately 15 per cent achieved by State Forests. Unless the Government learns the lessons of hazard reduction, these expenses will recur every drought year.

The task of scrutinising this bill and other financial indicators produced by the Government has been made unnecessarily difficult by Labor's failure to present data which enables direct comparison between new and old departments and agencies. This is a deliberate omission which not only frustrates oversight by bodies such as the media and the Auditor-General, but which effectively covers up the true picture of financial management in this State. In relation to accountability, an Access Economics report last year raised concerns about the Carr Government's lack of financial transparency and bias in forecasting, and called for a charter of budget honesty for New South Wales. The Access Economics report into New South Wales finances found that the Carr Government gets:

... brickbats for its fiscal reporting. The State is overdue for fiscal transparency legislation such as the Commonwealth's Charter of Budget Honesty Act.

Access Economics also stated that taxes grew more than expected again, with New South Wales to:

... benefit from a nearly \$1.2 billion windfall in tax collections and Commonwealth grants. Stamp duties in particular are up yet again ... insurance tax collections are on the rise in the wake of premium increases ...

The Access Economics report confirmed:

The pattern of revenue windfalls underpinning increases in government spending has been evident for several years now ... and that pattern is unsustainable.

It also found that the current fiscal reporting obligations in New South Wales:

... are outdated and fell well short of the standards suggested by the IMF's Manual on Fiscal Transparency or the discipline imposed by the Commonwealth's Charter of Budget Honesty Act ...

The simple facts are these. New South Wales is the highest taxing State in Australia yet the level of services continues to fall. Why do our hospital waiting lists continue to grow? Why does crime keep increasing? Our roads are in an appalling condition and small business is under increasing cost pressure. This bill confirms the Government's continuing financial mismanagement of this State in an environment where robust revenues enabled by the good economic management of the Federal Coalition Government have overshadowed State Labor's undisciplined and profligate spending.

**Mr COLLIER** (Miranda) [9.40 p.m.]: The Appropriation (Budget Variations) Bill is about running a \$33 billion budget and it is about flexible economic management—something about which Opposition members obviously know nothing. On the one hand, Opposition members say that we are a spendthrift Government, but on the other hand they point to the seven successive budget surpluses in this State. One could also point to the triple-A credit rating and the reduction in government financial liabilities of \$5 billion since Labor came to office. Unforeseen matters—exigencies such as drought, the collapse of HIH and global downturns, to which those opposite referred—will always arise. But imagine what would happen to this State if it were left in the hands of the mob opposite.

I refer honourable members to an interview on *Stateline* broadcast a week before the State election. The Leader of the Opposition was asked whether there were any circumstances in which he would budget for a deficit and he said no. He wants to turn back Keynesian economics 70 years. Any year 11 economics student in any high school in this State could correct the Leader of the Opposition by suggesting the circumstances in which one would perhaps budget for a deficit—when the economy is in recession, for a start. They could then inform the Leader of the Opposition that in good times it is perhaps appropriate to budget for a surplus. I can see a future chairman of the Higher School Certificate economics exam committee formulating the question: "According to John Brogden, the Leader of the Opposition, there are no circumstances in which you would budget for a deficit. Comment." The kids would go berserk; they would write pages and pages in response, contradicting the Leader of the Opposition. And the mob opposite wants to run this State. What a disgrace!

The honourable member for Upper Hunter—the same bloke who lost \$55 million or thereabouts on Luna Park—said, "Let's face it, the surplus is due to low interest rates under the Howard Government." For our amusement, let us consider the following. Low interest rates do not occur overnight; they occur when certain processes are set in train. In this case, the economic policies and programs of the Hawke and Keating governments—their monetary, fiscal, wages and international policies—laid the framework for the good economic environment being enjoyed by the Howard Government. Opposition members should never forget that. We have a choice between sensible, responsible economic management in the hands of the Carr Labor Government or the irresponsible programs of the mob opposite. They do not understand that exigencies occur from time to time. This bill is about flexible economic management and a \$33 billion budget. I commend it to the House.

**Mr HAZZARD** (Wakehurst) [9.43 p.m.]: The Appropriation (Budget Variations) Bill is an indicator of the Government's failed economic management, which has unfortunately continued for the past eight years. This Government has been very lucky. As quite a number of financial commentators have noted, the Government would be in deep trouble if there were to be a recession or economic downturn as it has lived off excessive stamp duty and land tax. That is the basis for the Government's substantial revenue flow.

**Mr Tripodi:** You are going a bit slow.

**Mr HAZZARD:** I am pitching it at your level. Against that background, one must consider exactly what the Appropriation (Budget Variations) Bill allows for. An issue dear to my heart was raised at the outset regarding the Department of Community Services [DOCS]. I must set the record straight. The honourable member for Swansea exhibited the same exuberance as demonstrated by the Premier on the first day of this Parliament when he attacked the Opposition on the basis that—he has been putting this remarkable lie around the community since just before the election—we somehow walked away from our commitment to fund DOCS and the additional caseworkers that it requires. That is a totally preposterous lie. I have spoken to front-line DOCS caseworkers who well understand that the Government is playing a game. Sadly, that assertion was supported by senior members of the Public Service Association [PSA] who had been remarkably vocal in their demands of the Government in the preceding three years but who, only weeks out from the election, determined that they should support the Government.

The Coalition made it clear—I was shadow Minister for Community Services at the time—that we were very concerned about the lack of funding for the Department of Community Services but that we would not commit beyond 200 additional caseworker positions until there was a royal commission. Maurie O'Sullivan, the General Secretary of the Public Service Association, gave evidence before the upper House inquiry into DOCS and said that we would be throwing money into a black hole if we did not first determine the department's systemic failings. On the basis of the advice that we received from the esteemed general secretary of that union and from across the community services sector, the Opposition said—it was a fair and reasonable proposition—that we would ensure that a complete review of DOCS occurred immediately after the election in the form of a royal commission and that we would commit whatever funding that inquiry determined necessary.

It is disappointing to hear the Premier and the honourable member for Swansea trying to rewrite history by giving veracity to the lies that the Premier told in the two days before the election. I would not want the community to think those lies have substance when they do not.

I am also concerned that the Appropriation (Budget Variations) Bill indicates that only \$5.883 million has been spent on employing an additional 100 DOCS caseworkers. This reveals that the Premier has been telling some fairly substantial porkies about what he and his Government have done for DOCS. I am informed that many of the additional 100 caseworkers have yet to be employed and that temporary workers have simply been rebadged permanent caseworkers. It is amazing that the bill allocates any funds, and those it does are only a fraction of those promised by the Carr Government. It gave a substantive commitment to employ additional caseworkers and the bill does not appear to verify that detail.

I find it extraordinary that this Government seems to have a fix-when-fail mentality. We have heard quite a bit about the recurrent expenditure needs of the Government but right across the public sector there appears to be a fix-when-fail mentality in regard to infrastructure. Recently we heard quite a bit about the problems with the Menangle railway bridge and other bridges across the State. The Government's belief in its fix-when-fail concept, rather than putting preventative funds into infrastructure, is causing serious difficulties right across the board. That is evident not just in railways, where the problem is serious, but in hospitals, schools and even in the corporate sector, such as in energy suppliers, in which the Government has a major interest.

I now have the responsibility of being the shadow Minister for Energy and Utilities, amongst other things. In the half-yearly statements of Energy Australia and other energy suppliers that were tabled in Parliament today there were further indications that substantial amounts of money were taken into the Government's coffers in company dividends. Going through the records of Energy Australia and Integral Energy only last week I noticed that about \$300 million has been taken by the Government out of those two energy suppliers.

**Mr Knowles:** Nick Greiner made it an art form.

**Mr HAZZARD:** Of course, there is a transference of debt back to those companies as well, to make the problem even greater. The Minister says that Nick Greiner made that an art form. There is justification for governments to seek dividends from these sorts of companies provided those companies are being run according to a reasonable standard whereby their income can be applied to necessary expenditures, including renewal of equipment and infrastructure. Last week I was speaking to Energy Australia workmen who were fixing switching boxes not far from here. They said that the reason so much electricity is pumping through street lights during the day in many parts of Sydney is that they do not have the authority to spend the money preventatively by fixing the old infrastructure. What they are instructed to do is to go out when, for example, a switching box fails. That course is remarkably silly for a major supplier such as Energy Australia, but it is forced on the company by the Government. There needs to be a rethink by the Government. Sadly, it is in office for another four years, and it needs to rethink the way it deals with energy providers and suppliers. The Government has to ensure that some of that aged infrastructure is not dealt with on a fix-when-fail basis.

I find it remarkable that something like 10 officials are here tonight. While I acknowledge their excellent accounting skills, and one day I hope to have the benefit of one or two of them providing that expertise, it is remarkable that over the past four or five hours at least 10 have been in the House—officials from the Treasury. If they are all being paid in the order of \$50 or \$60 an hour, we are looking at something in the order of \$4,000 or \$5,000 being expended to make sure that these Ministers can read the right sections in the appropriation bill.

**Mr Knowles:** Point of order: In defence of people who cannot speak for themselves it is worth pointing out for *Hansard* that the people behind the Chair are not all representatives of the Treasury—in fact, far from it.

**Madam ACTING-SPEAKER (Ms Andrews):** I uphold the point of order.

**Mr HAZZARD:** The Minister has had given to him a signal that a number of people are here from Treasury. I am not having a go at the individuals. An enormous amount of resources and money is wasted across a whole host of government departments, including Treasury. This Government has made an art form of that and Minister Knowles, as the Minister in charge of hospitals, was one of the people at the forefront of abusing that process. For him to state that hypocrisy is quite ridiculous. We need a complete rethink of the way this Government deals with its budgetary allocations. The fix-when-fail mentality with regard to infrastructure needs

to be revisited and appropriate funds must be delivered at the outset to ensure that the major providers of public infrastructure can renew their infrastructure during the year. I ask the Government to seriously consider changing its fix-when-fail mentality and establish a system in which this State's infrastructure—including railway bridges throughout New South Wales that are extremely dangerous to the residents of New South Wales, and schools and hospitals, and so on—are maintained appropriately.

**Mr ARMSTRONG** (Lachlan) [9.55 p.m.]: It was not my intention to speak in this debate tonight but I was watching it on the television in my room and was provoked by previous speakers to make a couple of points. First, the buck for the management of the State stops in one place—with the Ministers, the Government and ultimately Cabinet. It is the board of the largest business in this State. The Ministers are the directors of it. That is where the buck stops and starts. It is their decision, plus or minus. They get credit for the good things and cop the bucket for the bad things.

A number of speakers, including the Leader of the Opposition and the Leader of the National Party, have spoken about the adjustments that the Government is trying to put through this House, and I do not propose to repeat them. Suffice it to say that I am very concerned, as a National Party member representing a country electorate, that there was a lot of rhetoric prior to and during the election regarding drought funding and assistance to drought-stricken communities. It is now quite clear that the Government has spent well under \$30 million, including administration costs, on the drought. It has taken a most cavalier attitude towards small business.

**Mr Tripodi:** Would it be different if you were running it?

**Mr ARMSTRONG:** It would indeed. We spent \$240 million in the 1994-95 drought.

**Mr Tripodi:** Why don't you ring your mates down in Canberra?

**Mr ARMSTRONG:** Some members of this place always want to flick it somewhere else. Why do they not honour their own responsibilities. They are happy to take the salary, sit on the soft seats and enjoy the privileges that go with the job, but that means they have to bear the responsibilities that go with it as well. There is no argument that country people, particularly small businesses, have been disenfranchised by the Government during the drought. Much of the State is still in a very parlous position from the drought. In the past three weeks there has been a major deterioration in some of the best wheat-growing country in the world, in the rural lands pastures protection boards [RLPB] of Young and Cootamundra.

They are probably the premium wheat-growing areas in the world today. The Young RLPB is the largest producer of 21-micron wool in the world. Their drought is quite dramatic. It has only occurred in the past three weeks or so, since the cold weather has destroyed the feed. If there is significant rain in the next three or four weeks they may still get a cereal crop, but if they do not get the bonanza of 2001-02, 12 months ago, the crop will be long gone, and the farmers, the town and the small business people will be back to where they were before the good 2001-02 year. The Government does not understand that a lot of people have had to leave town. The specialist mechanics have left town. Eight families left Condobolin in October. That meant we were 1½ teachers down in Condobolin High School at the commencement of this year. The Government has been talking about how it has been able to manage. The high school is still two teachers short. The town has been short one sergeant and two constables for more than 13 months.

**Mr Tripodi:** That's not in the budget.

**Mr ARMSTRONG:** Are police not referred to in the budget? The honourable member for Fairfield has been here long enough to know a little bit about it. The five-man police station at Lake Cargelligo has had only three personnel for some 13 or 14 months; it has been without a sergeant for nearly 18 months. Appointments have been made in the past week or so, but they are yet to materialise. I came into the Chamber when I heard the Government say that policing is fine. I would like to tell the House what has happened in Cowra in the past two weeks. On Anzac Day, 25 April, glass windows and doors at Cowra school, Cowra Metroplaza and a business in Darling Street were vandalised and maliciously damaged.

On 22 April a smash and grab raid was carried out at Cowra Golf Club, with a full length glass door smashed to gain entry to the club. On 18 April an arson attack on Cowra Golf Club machinery shed caused damage in excess of \$40,000: one tractor, two pumps and one mower were burnt. During March at Cowra Golf Club three motorised golf buggies were damaged and one stolen, at a cost of \$20,000. At Cowra railway station and at a west Cowra business windows and doors were smashed and goods stolen; and two stolen cars were completely destroyed by fire within the town precincts.

That does not include the 18 windows that were broken at the Nouveaux Street primary school. It does not include the partially built house at west Cowra whose windows and doors were smashed on the Thursday night, replaced on the Monday and smashed again on the Tuesday. And the Government says policing is okay! I have spoken to the police. They are under enormous stress. They tried to find some juveniles who stood on the overhead bridge across the Boorowa Road—the bridge currently under review—and dropped rocks onto a Toyota Land Cruiser driven by a pensioner couple from Reids Flat. They broke the car window. Fortunately the couple were not injured. The police told me that they do not have the necessary resources. They ask, "How can we handle them? We catch them, but what can we do with them? These kids are under 14." The business premises of Oliver and Davidson were broken into twice in three nights.

**Mr Tripodi:** What has this got to do with the budget?

**Mr ARMSTRONG:** This is about policing—the Government's responsibility. The bottom line is that the Government is either incompetent and cannot provide sufficient police and resources or it is not providing enough money. It cannot have it both ways.

**Mr Tripodi:** You can't have it both ways.

**Mr ARMSTRONG:** The honourable member for Fairfield is speaking gibberish. He has no idea what he is talking about. He has been here long enough to have grown up, but he still acts like a juvenile. I call upon the Government to honour its commitments to fund policing and drought relief and adequately fund country people, who represent more than 30 per cent of the population of this State.

**Mr KNOWLES** (Macquarie Fields—Minister for Infrastructure and Planning, and Minister for Natural Resources) [10.03 p.m.], in reply: I thank honourable members who participated in this debate, much of which was turgid diatribe and will pass unnoticed in the history of this Parliament. I draw particular attention to the comments of the honourable member for Wakehurst in relation to the officials who are seated behind the bar of the House. Those people are here to assist. When it was pointed out to him that he was wrong in saying that 10 Treasury officials were present, he did not have the guts to apologise to them.

Those people come here, without being paid overtime, to do their jobs in relation to many bills. They are banked up behind the bar because people like the honourable member for Wakehurst waste the time of this House with their nonsense. I presume he sought to take out some of his frustration on those people—who are not able to defend themselves in this Chamber and have to cop his nonsense—because of the enormous amount of guilt under which he must be labouring. At the time of the election he was the shadow Minister for Community Services and was responsible for presiding over his party's policy platform to cut \$700 million out of Department of Community Services caseworker programs, which would have had the effect of making vulnerable children more vulnerable.

The Coalition announced that policy in the dead of night two days before polling day because it did not have the courage to put out its policies and programs in front of the people. If that is not a failure of an individual presiding over a policy area, I do not know what is. At least most people who are going to cut the guts out of budgets, irrespective of whether they relate to human services programs or anything else, would have the courage to announce it in the full light of day. That says a lot about individuals like the honourable member for Wakehurst, who has a shot at people who cannot speak for themselves. In the election campaign he put young children at even greater risk by promising to cut budgets and reduce workers in some of the most vulnerable areas of public policy. History will commend the remaining speakers in the fashion that they deserve.

**Motion agreed to.**

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

## **CONVEYANCERS LICENSING BILL**

### **Second Reading**

**Debate resumed from 30 April.**

**Ms HODGKINSON** (Burrinjuck) [10.07 p.m.]: This bill was previously introduced as the Conveyancers Licensing Bill 2002 on the final sitting day of the last Parliament. That Parliament has been

dissolved, and it was necessary to reintroduce the bill in this House. The Opposition has consulted with several key stakeholders to ascertain their views on the contents of the bill. I want to take this opportunity to thank those stakeholders for their prompt response. Stakeholders contacted by the Opposition include the Australian Consumers Association, the Law Society of New South Wales, the Property Council of Australia, the Real Estate Institute of New South Wales, and the Housing Industry Association.

I state from the outset that the Opposition will not oppose the bill. However, it is my understanding that some stakeholders have difficulty accepting certain aspects of the provisions contained in the bill in their current form. As the Opposition has only recently been advised of this, it will not seek to outline the nature of the problem at this juncture. However, we reserve the right, should it be deemed necessary, to move a number of amendments in the other place. The Conveyancers Licensing Bill seeks to repeal the Conveyancers Licensing Act 1995 and re-enact it with a number of important modifications. The bill is designed to improve consumer protection. It contains provisions that will enable conveyancers to incorporate, in addition to introducing, a set of rules for conveyancers.

Finally, it will clarify and update existing legislation, as well as allowing for the introduction of a disciplinary scheme. As some members of this House will no doubt recall, conveyancing was first opened to the market in 1992, separating the licensing of non-lawyer conveyancers in order to increase competition through consumer choice. The Conveyancers Licensing Act 1992 enabled licensed conveyancers to perform residential conveyancing for properties that were less than a specified size. The Conveyancers Licensing Act 1995 expanded the work a licensed conveyancer was able to undertake, and transferred the regulation of conveyancers to an independent organisation, separate from both the legal profession and the conveyancing industry. The Office of Fair Trading is the organisation given licensing responsibilities under the current Act.

Both the Office of Fair Trading and the Office of the Legal Services Commissioner share responsibility for compliance. The changes sought in this bill are derived in large measure from the recommendations of the national competition policy review of the Conveyancers Licensing Act. That review found that consumers continue to experience risks in their dealings with conveyancers, and that these risks, in turn, justify the ongoing regulation of the conveyancing industry.

The review found that, among the many risks facing consumers, those dealing with the issue of the competence of some conveyancers and the safety of moneys held in trust were among the most prevalent. The national competition policy [NCP] review recommended the retention of the current occupational licensing model as this was considered to be the regulatory option that best achieves the current objectives of the Act. These objectives include: increasing the level of competition in the provision of conveyancing services by allowing other qualified professionals apart from solicitors to undertake conveyancing work; and protecting consumers of conveyancing services by providing that conveyancers must be licensed, accountable and meet certain specified standards of competence.

The bill implements several important recommendations of the NCP review of the Act that will result in the provision of greater protection for consumers, and it will simplify the disciplinary process for conveyancers and consumers. It is worth noting, however, that there is no change to the scope of conveyancing work able to be carried out, but the bill aims to assist consumers by setting stricter standards for those offering conveyancing work. The bill creates a code of conduct—Rules of Conduct—including a "demonstrated competence" and a "fit and proper" test as part of the licensing requirements, and mandatory continuing professional development requirements for all licence holders. It provides for occupational licensing of conveyancers and sets the boundaries for conveyancing work in the form adopted by the Act.

The bill also provides for licensing of corporations and outlines penalty notices for some minor breaches of the Act, as well as enabling the Commissioner of the Office of Fair Trading to investigate and take action against unlicensed traders. The bill also seeks to transfer full responsibility for the complaints handling and the disciplinary process for conveyancers from the Legal Professional Act to the Conveyancers Licensing Act. I note that the bill provides that licensees may be required to be covered by professional indemnity insurance. Can the Minister confirm that that will be a specific requirement of the granting of a licence, as is the case in respect of legal practitioners? I have received a number of comments from stakeholders concerned about how the bill will affect professional indemnity.

There are currently some 404 licensed conveyancers in New South Wales, with more than 380 licensed to undertake the full scope of work including both commercial and rural conveyancing. It is worth noting that since the introduction of the changes enacted by the Conveyancers Licensing Act of 1995 the conveyancing



industry has grown by more than 800 per cent. The bulk of industry members are small businesses which employ fewer than 10 staff. Banks and financial institutions employ a considerable number of conveyancers. It has been estimated that about a third of licensed conveyancers work in a solicitor's office. The Minister has given an assurance that the current boundaries for the legal work a conveyancer may undertake will not be affected by the introduction of changes contained in the bill.

Licensed conveyancers with an unrestricted licence will still be permitted to carry out work that includes residential conveyancing, commercial property transfers, preparing and advising on mortgages, property transactions for small businesses and the sale of rural property. The provisions of the current Act that relate to the keeping of trust accounts and records, and management and receivership have been retained. The bill retains the current requirements that to be granted a licence a person must be at least 18 years of age, fulfil certain qualification requirements, not be a disqualified person and contribute to the compensation fund established under the Property, Stock and Business Agents Act.

The ability to demonstrate competence in conveyancing work has long played a fundamental role in licensing requirements. Although in the past the setting of educational and practical experience requirements has achieved the desired effect, it is now believed that conveyancing would benefit from the introduction of competency standards as an integral part of the criteria used for assessing qualifications as a conveyancer. The introduction will also provide the Office of Fair Trading with an opportunity to review guidelines for educational and practical experience.

The bill amends those provisions disqualifying certain persons from becoming licensees to include persons barred from holding a licence in another jurisdiction and persons who are not fit and proper. The bill also does away with a restriction on the category of persons who hold a solicitor's or barrister's practising certificate. The provisions restricting business relationships are intended to ensure a properly qualified person maintains control of the business, thereby maintaining the professional and ethical standards required under the Act. The bill also removes the restriction on conveyancers incorporating, so as to provide conveyancers with freedom to choose the business structure most appropriate to their needs.

The Opposition recognises the benefits this may bring to small suburban and country firms. Corporations will only be licensed if at least one director is a licensed conveyancer. Non-conveyancer directors will be subject to "fit and proper" checks; and incorporation with a director who is licensed under the Property, Stock and Business Agents Act will be prohibited. This ought to ensure that any possible conflict of interest between real estate agents and conveyancers does not arise. The bill seeks to expand those requirements that relate to continuing professional development. It also provides for the renewal of a licence on condition that licence holders undertake continuing professional development on an annual basis.

Continuing professional development requirements are to be based on identified emerging issues and persistent problem areas, and are likely to cover topics such as trust accounting, ethical issues, communication skills, electronic conveyancing and office management. The bill seeks to tighten supervision and control of employees, in addition to attempting to clarify the responsibility of licensees-in-charge. Licensees-in-charge will be held responsible for the actions of their employees and will be prohibited from employing people who are disqualified from holding a licence or who are otherwise considered not fit and proper.

The bill also requires the reasonable attendance of the licensee at the place of business. The bill will allow for rules of conduct to be prescribed to provide the industry with a clear guide to the standards expected by the public in respect of business dealings and ethical behaviour. The rules of conduct are expected to underpin the core elements of the legislation, namely, levels of competency, professional indemnity insurance and continuing official development. Rules may address matters such as disclosure of costs, providing information to clients about the conveyancing process, ownership of documents, conflict of interest, and arrangements for settlement. Contravention of the rules could result in disciplinary action.

The obligation for conveyancers to disclose costs and the effect of non-disclosure that are currently regulated under the provisions of the Legal Profession Act 1987 have also been brought across to the bill. The bill provides for the resolution of costs disputes through the Consumer, Trader and Tenancy Tribunal [CTTT], which will replace the Supreme Court as the appropriate forum for resolving these disputes. Consumers or conveyancers will be able to notify the tribunal about costs disputes. It will then be assessed by the tribunal for the purpose of determining whether the matter is appropriate for resolution by an independent expert. An independent expert will then be selected from a panel of experts approved by the chairperson.

The review of the Conveyancers Licensing Act found that complaint and disciplinary arrangements applying to conveyancers are unnecessarily complex. This situation arose because the provisions of both the Legal Profession Act and the Conveyancers Licensing Act come into play with regard to a particular dispute. It has been argued that the linking of the Conveyancers Licensing Act to part 10 of the Legal Profession Act and what are considered to be the distinct yet sometimes overlapping responsibilities of different agencies could result in what is described as an inefficient administrative structure with gaps in the regulatory framework. The review also found that the current disciplinary scheme is anticompetitive and fails to provide competitive neutrality for all persons providing conveyancing services.

It has been pointed out that while solicitors are subject to the one disciplinary system administered under the Legal Profession Act 1987, licensed conveyancers on the other hand must comply with the requirements of both the Legal Profession Act and the Conveyancers Licensing Act. The bill contains a new disciplinary framework designed to allow the Commissioner for Fair Trading to investigate complaints, initiate show cause proceedings, suspend licences and issue penalty notices for some minor breaches of the Act. Under the bill the Commissioner for Fair Trading will be presented with a range of options for disciplinary action, including the issuing of a caution or reprimand, a requirement to comply with an enforceable undertaking, the cancellation or suspension of a licence, the imposition of conditions in a person's practice, and the imposition of a monetary penalty of up to \$11,000 for an individual or \$22,000 for a partnership or corporation.

The bill also enables the commissioner to issue a public warning by alerting consumers to the risks of dealing with a particular person and, in situations of serious risk, immediately suspend a licence. To ensure that existing clients are not disadvantaged, the bill enables the commissioner to appoint a manager to carry on the business of a conveyancer whose licence has been suspended or cancelled. The bill also provides for the Commissioner for Fair Trading to deal with those without a licence who sidestep licensing requirements and advertise or otherwise hold out to be a conveyancer.

The bill expands on the current requirement of the Office of Fair Trading to maintain a register containing licence details by allowing for the making of regulations to prescribe details of disciplinary action to be included in the register. Regulations will enable the register to include the details of the outcomes of show cause proceedings including licence suspension, the appointment of a manager or receiver and the results of any prosecutions. The bill continues to provide for the compensation fund that protects consumers who suffer loss because of a conveyancer's failure to account for money received on a consumer's behalf. All licensees will continue to be required to contribute to the Compensation Fund. To support the new disciplinary regime, the bill sets maximum monetary penalties for all offences. Once again I reiterate that the Opposition does not oppose the bill, but trusts that the Minister will take note of the points that I have raised tonight and address those in her reply.

**Ms MEAGHER** (Cabramatta—Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [10.20 p.m.], in reply: I thank the honourable member for Burrinjuck for her contribution to the debate. I am somewhat surprised that the Opposition claims not to have been able to consult with stakeholders, given that the bill has been on the table since the last Parliament. I realise that the honourable member is new to her shadow role, and I wish her well in carrying out that task.

This matter has been brought on quite quickly. I was pleased that the honourable member took some time to detail the new disputes resolution mechanism proposed by the bill and to indicate her support for that mechanism. Rationalising the disputes mechanism is a very important aspect of the bill, and one that will be quite valuable. The honourable member expressed concerns about professional indemnity insurance. All licensed conveyancers are currently insured through a master policy held by the Australian Institute of Conveyancers. The actual insurer is Royal and SunAlliance. I can confirm that a similar master policy for the 2003-04 financial year will be in place. However, I thank the honourable member for her contribution. I will await with some interest the position of the Opposition in the upper House. I commend the bill to the House.

**Motion agreed to.**

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

## **VALUERS BILL**

### **Second Reading**

**Debate resumed from 30 April.**

**Ms HODGKINSON** (Burrinjuck) [10.22 p.m.]: The Valuers Bill seeks to repeal and re-enact the Valuers Registration Act 1975 with a number of significant changes whilst incorporating certain additional provisions. The most significant of those changes include shifting the approval process for registration as a

valuer from the Minister to the Commissioner for Fair Trading; providing for disqualification from registration on grounds such as conviction for dishonesty offences, bankruptcy, involvement in the management of an insolvent corporation and mental incapacity; and making registration valid for three years instead of one.

Valuers are involved in assessing the value of property, in particular real property transactions where a purchase is made with the assistance of a loan from a financial institution. Valuers are currently registered under the Valuers Registration Act. Legislation covering valuers was progressively introduced in all States of Australia during the 1960s and 1970s. In New South Wales the Valuers Registration Act of 1975 was a response to calls from professional valuers for protection of the public from the work of unscrupulous, untrained or inexperienced laymen and as a measure to regulate the profession. The Valuers Registration Act seeks to ensure consumer protection through regulating standards and conduct within the valuation profession.

The Act establishes an occupational licensing regime for valuers and provides for the Office of Fair Trading to register valuers who have completed an approved course of study and met prescribed practical experience requirements. The Act also contains disciplinary provisions that may be exercised against valuers who do not comply with appropriate standards of conduct. It was believed at the time of the introduction of the Act that the regulation of valuers served to protect consumers through setting entry requirements that ensured that a person was of good character and had successfully completed an approved course of study and a period of training in valuing land. These education, fitness and experience requirements were aimed at protecting vulnerable consumers and maintaining acceptable valuation standards.

The Valuers Registration Act has been in existence for over a quarter of the century. A number of studies, key policy statements, and changing attitudes and needs of the community and industry signalled the need for change to take the industry well into the twenty-first century. The proposals in the bill are based in part on the recommendations of a National Competition Policy review of the Act.

No significant changes have occurred in relation to the regulation of the activities of valuers since the Act was introduced. Since its introduction, the nature of the valuing profession has greatly changed and the importance of valuing to the business community has grown significantly. For one thing, financial institutions are adopting other assessment criteria for loan transactions, and that is likely to see a significant reduction in the number of valuations undertaken for loan purposes. There are believed to be more than 4,000 valuers registered in New South Wales, with more than 75 per cent of them in practice.

A study of the employment patterns of professional valuers undertaken some years ago revealed that 70 per cent were employed in private firms; 19 per cent were employed by government departments, including the Valuer General's Office; 8 per cent were employed by banks; 3 per cent were employed by insurance companies and the remainder were employed as lecturers or trainers in tertiary education institutions. In addition, more than 200 valuers graduate from the valuation and land economics discipline each year. For an industry with more than 4,000 operators currently registered to practise, this indicates a substantial number of potential new entrants to the industry.

I would now like to examine certain aspects of the provisions in the bill in greater detail. The bill moves the definition of "valuation" beyond that in the Act by acknowledging that valuers may value property other than real property. "Property", under the bill, is defined as land, including any estate or interest in land, an exclusive right to the separate occupation of land, a building or part of a building, an access licence under the Water Management Act, or any other property prescribed by regulation. Whilst on this matter I should like to mention a query raised with me by a concerned industry stakeholder over the definition of "property" covered by regulation. In essence, the stakeholder wishes to know whether this definition will apply to goods and chattels, bric-a-brac, land clearing sales, ordinary auction items and so on. With this in mind, the Minister may care to clarify the situation during her reply to the debate.

The bill prohibits a person from practising or advertising as a valuer unless the person is registered as such. However, for persons carrying out duties as student valuers under the supervision of a registered valuer, registration is not required. The bill also ensures that a corporation must not practise or advertise as a valuer unless at least one director or employee is registered. Nor can corporations provide valuations of any property unless signed by a registered valuer. The bill differs from the Act by insisting that the qualifications for practice as a valuer be approved by the Commissioner for Fair Trading rather than prescribed by the Minister.

The bill also differs substantially from the existing qualification requirements in allowing for registration on the basis of achievement of a standard of competency as an alternative to completion of a course

of study or a period of training. The bill replaces the five categories of valuer under the existing registration scheme with only one category of registered valuer, whilst giving the Commissioner for Fair Trading the power to impose conditions on registration appropriate to the particular circumstances of individual valuers. It also provides that mandatory rules of conduct for valuers may be prescribed by regulation. The bill changes the current one-year registration system to a three-year system, with the registration procedures to be made subject to the Licensing and Registration (Uniform Procedures) Act. The bill requires that a register be kept detailing the particulars of registered valuers and that it be made available for public inspection.

As I mentioned at the outset, the bill seeks to expand the grounds for disqualification from registration. The bill states explicitly that a person is disqualified from registration as a valuer on grounds that include conviction for dishonesty offences, declaration as an undischarged bankrupt, involvement in the management of an insolvent corporation, mental incapacity, and disqualification from registration in another jurisdiction, or failure to pay a monetary penalty under the Act.

The bill requires a valuer whose registration has been suspended, cancelled or made subject to condition notify his or her clients of the fact within three days. It revises the procedures for complaints and disciplinary action against registered valuers, and includes the introduction of show cause notices. It also enables disciplinary matters to be dealt with by administrative means with appeals on disciplinary matters to be heard by the Administrative Decisions Tribunal rather than the Land and Environment Court. In addition, notice may be published by the Commissioner for Fair Trading warning persons of the risks involved in dealing with a particular valuer or person connected with the activities of a valuer.

It should be recognised that there is an extremely low incidence of complaints against valuers and formal disciplinary action is rarely taken against a valuer. This can partly be attributed to the high level of industry membership amongst valuers and the practice of peer review, which aims to maintain high standards within the profession. Professional standards have been established and accepted through the emergence of professional associations as educators and promoters of standards. Indeed, many of the major users of valuation services recognise the standards established by professional associations and have accepted and endorsed them. Organisations including the Australian Property Institute, the Real Estate Institute of NSW and the Australian Society of Real Estate Agents and Valuers have played an important role in upholding these high industry standards.

The Opposition will not oppose this bill. The majority of key industry stakeholders contacted by the Opposition have indicated that they are satisfied with the general thrust of the proposed legislation. These stakeholders include the Australian Property Institute (NSW), the Stock and Station Agents Association of NSW, the Australian Institute of Building Surveyors, the Property Council of Australia, the Real Estate Institute of NSW and the Housing Industry Association. The bill retains the registration system for valuers but seeks to improve its efficiency and flexibility. It must be recognised that consumers generally may not possess the skills required to assess the ability of a valuer. They may also lack access to the information required to assess the ongoing performance or reliability of the valuer.

Regulatory arrangements are therefore intended to exclude from the marketplace persons who do not operate in ways that provide adequate consumer protection. The retention of the existing registration system is balanced by recognition of the need for legislation governing valuers to reflect changes in the way consumers are seeking to engage their services. The Australian Property Institute has highlighted the growing proportion of valuation work undertaken at the request of consumers. In light of the increased use of valuers by consumers, the retention of a registration scheme provides them with a degree of protection from unscrupulous operators. I reiterate the Opposition's support for the bill.

**Mrs PERRY** (Auburn) [10.33 p.m.]: When consumers or businesses engage the services of a valuer they need to be confident they are using a competent and recognised individual. Registration helps to provide the requisite level of confidence. In New South Wales an individual may be registered only if he or she meets certain criteria. Once the new regulatory scheme is enforced those criteria will include fit and proper person provisions and age and qualification requirements. A person will need to satisfy qualification requirements that might entail competency standards, prescribed periods of training or certain courses of study. Furthermore, he or she will be disqualified from registration if he or she fails to pass scrutiny in relation to issues including convictions, bankruptcy, suspension or disqualification in other licensing areas, or certain legislative breaches. Registration as a valuer may also be subject to conditions, and the regulations may prescribe practice requirements that valuers must meet.

The proposed legislative regime is designed to ensure that the valuation industry is competent and reputable. Accordingly, the bill not only provides high standards of entry but also contains strong disciplinary powers to punish wrongdoing. The complaints and disciplinary actions provisions are similar to those in the Property, Stock and Business Agents Act 2002. These standards represent a new benchmark in occupational regulation.

The bill lists a wide range of grounds for disciplinary action as well as providing scope for different types of action. This will ensure that regulators have sufficient powers to deal appropriately with any behaviour that should not be tolerated. Through the show cause provisions valuers can be asked to demonstrate why disciplinary action should not be taken. At that time the director-general will be able to suspend the valuer's registration.

A person against whom disciplinary action is taken will have a right of appeal to the Administrative Decisions Tribunal. This is a far more suitable venue for disputes than that provided under the current Act; that is, the Land and Environment Court. It is anticipated that resolution of any disputes will be more timely and less costly. I am pleased to support this bill, and I also commend the Minister and her department for it. The bill will further strengthen public confidence in the valuation industry and assist that industry to maintain high standards of professionalism. I commend the bill to the House.

**Ms MEAGHER** (Cabramatta—Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [10.36 p.m.], in reply: I thank the honourable member for Auburn for her contribution and the member for Burrinjuck for the indication that the Opposition will not oppose the bill. I refer the honourable member to clause 3 of the bill, which is the definitions clause. Her concern about the definition of "property" is clearly addressed in that clause, which provides:

- (a) land (including any estate or interest in land), or
- (b) an exclusive right to the separate occupation of land or a building or part of a building (whether the right derives from the ownership of a share or interest in a body corporate or arising in some other way); or
- (c) an access licence under the *Water Management Act 2000*; or
- (d) any other property that is prescribed by the regulations as property for the purposes of this Act.

**Ms Hodgkinson:** What about property covered by the regulations?

**Ms MEAGHER:** The bill is clear; there are no surprises. I thank the honourable member for the preliminary indication that the Opposition will not oppose the bill and I thank honourable members for their contributions.

**Motion agreed to.**

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

## **CONSUMER CREDIT ADMINISTRATION AMENDMENT (FINANCE BROKERS) BILL**

### **Second Reading**

**Debate resumed from 30 April.**

**Ms HODGKINSON** (Burrinjuck) [10.37 p.m.]: The Opposition will not oppose this bill. The use of finance brokers, also known as mortgage brokers, has increased significantly since the Credit (Finance Brokers) Act 1984 was passed to legislate their conduct. The Executive Director of Consumer Protection of the Australian Securities and Investments Commission, Mr Peter Kell, said in March this year:

Up to one in two home loans are now sourced through brokers, who can provide a valuable service to consumers faced with an ever-increasing choice of credit options. People should be able to approach brokers with confidence, in full knowledge of the costs involved and with appropriate avenues to redress if something goes wrong.

Unfortunately, that is not the case under the existing legislation. Consumer groups are rife with stories of brokers who appear to have acted with less than the best interests of their clients at heart. That problem has been recognised by industry groups. The Chief Executive of the Mortgage Industry Association of Australasia, Mr Phil Naylor, was quoted in the *Business Review Weekly* of 28 November 2002 as saying:

Brokers in any sector will always have some propensity for fraud and improper practice. Two years ago we set up a framework for self-regulation of our membership...but things have changed; the mortgage market has heated up and there has been a lot more scrutiny of brokers. The community's perception is that self-regulation is not enough.

In her second reading speech the Minister referred to the report on the finance broking industry prepared by the Consumer Credit Legal Centre of New South Wales, which identifies the finance broking industry as lightly and unevenly unregulated, and containing some high-risk players and unfair practices. The bill is intended to address some of these concerns. It arises out of recommendations made after a national competition policy review of the Credit (Finance Brokers) Act 1984. I do not propose to reiterate the detailed explanation of the contents of the bill, which has already been read into the *Hansard* by the Minister. The Coalition does not take exception to any part of the legislation.

However, I would raise one point for the consideration of the Minister. Proposed section 4C (3) specifies the matters to be included in the contract between a broker and a client. In her second reading speech the Minister referred to concerns about the payment of referral fees, one might say spotters' fees, by brokers to estate agents or others who refer clients to them. If clients are unaware of this fee payment there could be an assumption on their part that a referral by an estate agent or other person is being made because of the broker's high level of integrity or good performance in obtaining the best deals. The legislation does not specifically address this concern, and I must assume that it will be specified under proposed section 4C (3) (n) under "any other matter that may be prescribed by the regulations".

The purchase of a house is probably the largest single transaction that most people will undertake during their lives. The total cost of repayments and interest over the life of a loan may easily top a quarter or even half a million dollars. I suggest to the Minister that concerns raised by referrals based on spotters fees should be addressed in the legislation and not left to regulation by the catch-all phrase of any other matter. However, we have some concerns as to whether the Government has missed an excellent opportunity to display leadership to the other States and introduce legislation that would act as a template for other States to emulate. Two years ago the Federal Government enacted the Financial Services Reform Act 2001, which provided for, amongst other things, improved disclosure requirements, industry-wide qualification requirements, a licensing regime, mandatory membership of government-approved external complaints schemes and compensation arrangements.

The Minister was somewhat guilty of gilding the lily when she said that the Commonwealth Government had shown a lack of interest in this area. She should be aware that the Commonwealth Financial Services Reform Act [FSRA] was intended to regulate the provision of products, not conduct. I have been informed that the Federal Treasury sought legal advice which revealed that the Financial Services Reform Act covers goods and services provided under the Corporations Law. However, the provision of credit, such as mortgages and business credit, remained squarely a State government responsibility. However, the FSRA provides an excellent template for regulation of the actions of finance brokers and has been operating effectively for almost two years. Why, then, has the State Government been dragging its heels on introducing complementary legislation that will provide significantly improved protection for consumers?

The Queensland Parliament passed the Consumer Credit Act 1994, which has been adopted by all States and Territories, except Western Australia, as the uniform consumer credit code. Why has the Minister failed to grasp this opportunity to present to Parliament a complete piece of legislation that would provide a template for other States to emulate? No comprehensive or uniform regulatory regime applies to finance brokers across Australia. Most importantly, New South Wales, South Australia, Queensland, Tasmania and the Northern Territory have no professional or licensing standards that regulate the entry of finance brokers into the market. This is a significant concern to both industry groups and consumer advocates, and should have been addressed in the legislation.

For example, the report of the Consumer Credit Legal Centre of New South Wales, to which the Minister referred in her speech, cites a financial planner who was banned from working in that field by the Australian Securities and Investments Commission [ASIC] because he stole clients' funds. He is currently working as a finance broker and no government body, Federal or State, has the power to ban him from operating until he offends again. Mr Philip Naylor, the Chief Executive Officer of the Mortgage Industry Association of Australasia, recently wrote to me about the legislation in the following terms:

While we do not oppose the bill, we have reiterated that our preferred position is that the NSW Government recognises that this issue is one of national concern and that a State-by-State piecemeal approach will not solve the problem.

He continued:

The MIAA has been lobbying State governments, proposing to them that they take a step back, for a short period of time, to discuss with the MIAA the establishment of a mandatory code of practice for the mortgage industry and finance brokers, underpinned by regulation by each of the State and Territory jurisdictions.

The report by the Consumer Credit Legal Centre of New South Wales on the finance and mortgage broker industry also strongly recommends a uniform national approach to the regulation of finance brokers. I note that the NCP review of the Credit (Finance Brokers) Act 1984, upon which this legislation is based, discussed the need for regulation of brokers. The review concluded that the current system of negative licensing, whereby the Director-General of the Department of Fair Trading has the power to prohibit the person from operating as a finance broker, is sufficient. Unfortunately, this can occur only after a broker has come to the attention of the department for incompetent or shady transactions—in other words, only after consumers have done their dough. Page 36 of the final report of the review of the Credit (Finance Brokers) Act 1984 gives the following reason for this stance:

Negative licensing imposes far lower costs on government than a positive licensing or registration regime.

The report further states:

There would appear to be no benefits of a licensing regime which could be balanced against these costs.

The report then makes the amazing claim:

No educational qualifications are required to operate as a finance broker and there is minimal risk of significant or irreversible harm arising from finance broking activities.

As I said earlier, the purchase of a house is probably the largest single expense that most of us will engage in during our lifetime. Surely consumers need the protection of legislation to ensure that they are able to approach a broker with confidence, sure in the knowledge that the broker is both competent and qualified. Surely consumers need the protection of legislation to ensure that they do not have to be the victim of a dishonest or incompetent broker before that person is banned from operating as a finance broker. It has been said that every soldier can be a minesweeper once. Surely consumers deserve the protection of legislation before they enter the minefield of finding the best source of credit for the most important purchase of their lives.

The Coalition would have been much happier if the legislation had attempted to address these concerns as well. We support the intent of the legislation to provide greater protection to consumers. We support the specifics of the legislation to increase competition and consumer protection, and bring legislation into line with new industry practices. We encourage the State Government to take a more proactive stance to bring about a uniform approach to regulation of the finance broking industry based on the excellent template of the Federal Financial Services Reform Act.

**Mr TRIPODI** (Fairfield) [10.46 p.m.]: As the Opposition will support the bill, I will try to be as brief as possible. The finance broking industry has been undergoing rapid growth and change for the past 10 years. Estimates suggest that approximately one-third of loans are now arranged by finance brokers, and this number is set to increase in the next few years. The increasing degree of competition between lenders and the proliferation of different kinds of credit products, particularly for home loans, means that finance brokers are being used increasingly to save consumers time in searching for the best available credit deals. As most brokers include approximately 20 lenders on their panel, approaching a finance broker can be an efficient way of finding a loan.

Credit providers are also encouraging the use of brokers as they wind back branch networks and seek lower cost distribution channels. Apart from the growth in the number of loans arranged, the major change in the finance broking industry has been the change from receiving commission from the consumer to receiving commission from the lender. This change has raised new issues for the regulation of the industry. The recommendations of brokers may be influenced by the amount of commission they receive, and some brokers may have a financial affiliation with a particular lender, which creates a further conflict of interest. Lenders who do not pay commissions claim that they rarely receive business from brokers, regardless of the quality of the products they offer. Consumers, unaware of these factors, assume that brokers will find them the best available credit deal.

To rectify this situation the bill emphasises disclosure of relevant information to consumers. It requires brokers to inform consumers, prior to entering into a finance broking contract, whether the broker will receive a financial or other benefit for recommending a particular lender. The bill will also ensure that consumers are

informed that a broker's panel of lenders will not include all potential lenders. The emphasis of the bill on disclosure will also ensure that consumers are informed of other important information. For example, the bill requires a finance broker to inform consumers up front of any commission payable by the consumer or, if the amount of commission is not known, of the method of calculating the commission and an estimate of the amount of commission that will be payable if credit is provided on the terms specified by the consumer. The finance broker is also required to inform the consumer of when and how commission will be payable.

The bill also requires that the finance broking contract, which is to be entered into before finance broking is commenced and provided to the consumer, must set out the details of the amount of consumer credit to be obtained; the term of the consumer credit to be obtained, if the credit is to be for a fixed term; the intervals at which the client is prepared to make repayments and the maximum amount of each periodic repayment; if the credit is not to be repaid at regular intervals, the repayment arrangements that are acceptable to the client; the maximum interest rate that the client is prepared to pay; the date by which the finance broker is to have secured the consumer credit; the name and address of the finance broker; if the finance broker is a company, the Australian company number of the company; and, if the finance broker trades under a business name, the name and address of the principals of the relevant business.

Setting out the terms of the credit in the contract ensures that both brokers and consumers are required to turn their minds at an early stage to exactly what the consumer wants. This will assist in preventing later disputes, and in determining when commission is payable, as the bill prohibits a broker from accepting commission unless the credit matches the specifications in the contract. The final matter that the bill requires the contract to disclose is an outline of the circumstances in which the broker can claim commission from the consumer if the broker has secured the credit but the consumer has decided not to enter into a contract for that credit. The bill allows a broker to claim commission from a consumer if the broker has secured the credit on terms specified in the contract and the contract was not validly terminated before the finance broker secured the credit, provided the contract states that the broker can claim commission in these circumstances.

This bill has been greeted with support from both industry and consumer groups. Those in the finance broking industry who are concerned about providing a quality service to consumers and preserving the good reputation of their industry recognise that the proposals in the bill are to their benefit. Indeed, the proposals are consistent with good business practice, and do not interfere unreasonably with the conduct of the business of finance brokers. In conclusion, the proposals in this bill will assist both finance brokers and consumers, reduce the number of disputes over finance broking, and increase consumer confidence in the finance broking industry.

**Ms MEAGHER** (Cabramatta—Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [10.51 p.m.], in reply: I thank the honourable member for Fairfield for his contribution and wish to address three of the main issues raised by the honourable member for Burrinjuck. At the outset the honourable member raised the question as to why New South Wales is even introducing this legislation. I find that a disappointing approach by the honourable member. While this bill will significantly improve the position of New South Wales consumers who use the services of finance brokers, the Government acknowledges that finance broking is a national issue.

Although the Commonwealth Government is responsible for the regulation of financial planners and financial advisers under the Corporations Act 2001, the Parliamentary Secretary to the Treasurer, Senator the Hon. Ian Campbell, has indicated that, as the regulation of credit has traditionally been a State responsibility, the Commonwealth does not wish to take on responsibility for finance brokers. In view of this, the New South Wales Government will take a leading role in discussions with the other States and Territories regarding the possibility of a uniform national approach to the regulation of finance broking.

As any agreement on a uniform approach is likely to take some time, the Government considers it important that the current bill proceed. This will mean that New South Wales consumers will not need to wait for interjurisdictional agreement on national regulation before they receive appropriate protection in their dealings with finance brokers. I intend to take this issue to the Ministerial Council on Consumer Affairs to be held in August, which I will chair. The honourable member for Burrinjuck also raised an issue regarding the licensing regime. Finance brokers are currently subject to a negative licensing regime. This means that finance brokers can be excluded from the industry for misconduct but do not require a licence in order to practise.

The national competition policy review of the Credit (Finance Brokers) Act 1984 considered whether finance brokers should be subject to a positive licensing system, and whether such a system should require brokers to possess particular qualifications. The review did not find any compelling reason to require brokers to



possess certain qualifications. The major consumer problems in relation to finance brokers were found to involve dishonest behaviour and conflicts of interest rather than lack of qualifications. Submissions to the review did not present a clear outline of the skills and qualifications needed by brokers, nor did they demonstrate that lack of specific qualifications is disadvantaging consumers.

In the absence of mandatory qualification requirements, the review concluded that a licensing or registration system would not provide sufficient benefits to outweigh the costs. The benefits of the system would be limited to excluding from the industry persons with past criminal convictions. On the other hand, the costs of a licensing scheme would be substantial. By creating a barrier to entry to the finance broking industry, licensing would decrease competition and lead to increased costs for consumers. It would also produce significant administrative costs, which would also be passed on to consumers.

The review concluded that maintenance of standards in the finance broking industry would best be achieved by continuation of the current disciplinary regime. This regime aims to prevent and deal with conduct that is unfair, dishonest or fraudulent, or that breaches a contract or consumer credit legislation. If it is found that a finance broker has engaged in such conduct, the Commissioner for Fair Trading may make a range of orders, including requiring undertakings as to future conduct, requiring action to rectify the consequences of the conduct, and prohibiting a person from conducting business as a finance broker.

Contravention of a prohibition order can lead to a fine of up to \$22,000, and consumers who contract with a person subject to a prohibition order are not liable to pay any amounts due under the contract and may recover any amounts paid. If in the future licensing of finance brokers is deemed to be necessary, it may be appropriate to consider whether brokers should be brought under the licensing system recently established by the Commonwealth Government under the Financial Services Reform Act. This licensing system covers financial advisers and other persons who advise on and deal in financial products. Finance brokers who also provide financial advice would already be required to hold a licence under this system. It is my intention to work closely with the industry and the stakeholders, and to monitor the system as we have proposed.

The honourable member for Burrinjuck raised an issue regarding referral fees. Referral fees will be dealt with in accordance with the regulations available under section 4 (3) (n) of the Act, which provide the opportunity to maintain ongoing consultation with the industry. As the nature of referral fees evolves, regulations can be more readily amended to accommodate those fees and deal with them suitably. I thank honourable members for their contributions, and I commend the bill to the House.

**Motion agreed to.**

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

**The House adjourned at 10.59 p.m. until Wednesday 7 May 2003 at 10.00 a.m.**

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