

LEGISLATIVE ASSEMBLY

Thursday 29 May 2003

Mr Speaker (The Hon. John Joseph Aquilina) took the chair at 10.00 a.m.

Mr Speaker offered the Prayer.

POLICE INTEGRITY COMMISSION AMENDMENT (REPORTS) BILL

Bill introduced and read a first time.

Second Reading

Mr TINK (Epping) [10.00 a.m.]: I move:

That this bill be now read a second time.

The object of the Police Integrity Commission Amendment (Reports) Bill is to amend the Police Integrity Commission Act in relation to the authorship of the commission's reports. First, the amendment will require that each report prepared by the Police Integrity Commission identifies its author or authors and, if there are two or more authors, to indicate the parts of the report for which each author is responsible. Second, the amendment is to ensure that in relation to any matter dealt with in a hearing under that Act, the author of the report is the person who conducted the hearing, unless that person is unavailable because of illness, death or other unavoidable cause. This bill should not be necessary, but I regret to say that it is. The former police Minister, Michael Costa, and I agree on the very poor performance of the Police Integrity Commission as outlined in the Operation Malta report to Parliament.

Operation Malta was probably the most important inquiry undertaken by the commission since its inception. It was to investigate the type of corruption alleged to have taken place within the senior echelons at the headquarters of NSW Police to scuttle aspects of the police royal commission reform process. Exceptionally serious allegations were made, an exceptionally serious hearing took place and the report was awaited with great interest. Because of the gravity of the inquiry it was strongly supported on a bipartisan basis. Both sides of Parliament agreed that this vitally important inquiry would produce a vitally important report. That proved to be the case when the hearing commissioner's statutory period of appointment expired, and the then Leader of the House and former Minister for Police, Mr Whelan, and I immediately agreed to propose urgent legislation to allow the commissioner to continue with the inquiry. Consequently, Parliament passed the legislation quickly and effectively on a bipartisan basis to extend the commissioner's period of office.

It is extraordinary that it was not until years later that the report of the inquiry finally emerged, on the eve of an election, after much public prompting by me and, I suspect, private prompting by the Government. In Parliament the report was condemned on a bipartisan basis. Mr Whelan's successor, Mr Costa, and I were strongly critical of the report. It is not often that the whole Parliament agrees in a matter of this gravity on a major reference to a watchdog such as the Police Integrity Commission. It is not often that there is complete bipartisan agreement to procedural motions, or to extending the terms of an office so that a job can be done fully and effectively and then agreement that the result we were all hoping and waiting for did not materialise; in fact, it was a really poor end result.

Against that background, I am deeply troubled that no-one at the Police Integrity Commission is prepared to take responsibility for the report—everything has been done in the name of the commission. Subsequently, many people who gave evidence to the inquiry lost their careers and there have been family break-ups. The whole process has devastated the lives of many people who appeared before the commission. I am concerned that the people who suffered most could broadly be categorised as whistleblowers or complainants in this case. An unfortunate outcome is that it will be a long time, if ever, before someone comes forward to the Police Integrity Commission with an allegation about misconduct in the upper echelons of the police service. It is clear from this report that any complainant will not get the backing of the commission. That does not mean that the commission has to accept a whistleblower's allegation; obviously any allegation would have to be rigorously tested.

At the end of the day the report of the Police Integrity Commission, or other body, must have due regard to the nature of the evidence, the evidentiary conflicts which may have emerged, and must make a proper, full and workmanlike attempt to work through the evidence, address the issues and come to some considered, proper and appropriate conclusions. As I said, the problem with the Operation Malta report is that no-one at the Police Integrity Commission will take responsibility for it. One would search the report in vain to find the name of the author, or authors. The report is done under the name of the commission. For example, chapter 10 states several times, "It is the Commission's assessment". Almost every conclusion is built around the commission making a decision. It is fundamentally important that a person against whom an accusation is made should know the identity of the person making that accusation and should have an opportunity to test, or cross-examine, the person making the accusation.

These are fundamental legal principles. One can go back to 1215 and the days of King John and Simon de Montfort to work out the origins of these basic principles. Surely it is an equally basic principle that when a person sits in judgment or reaches conclusions about allegations and picks and chooses which witnesses to believe in whole or in part, then that person's identity should be revealed. The person or persons decide that either the accuser or the accused is correct and must be accepted, for the following reasons, and on that basis arrives at conclusions.

People must know the identity of the person or persons who are reaching conclusions about them that may have an impact on their employment, personal life and so on. The report contains no reference to an individual being in any way responsible for its preparation. I tried to do the right thing and wrote to the Inspector of the Police Integrity Commission [PIC], the Hon. M. D. Ireland, QC, lodging a complaint about this issue. He received a reply from the PIC, and I am fundamentally unsatisfied with that reply, so I have no recourse but to test it with a bill. A letter from the PIC addressed to the inspector and dated 27 February 2003 states:

The complaint is premised on the notion that Assistant Commissioner Urquhart was the only person who could or should have prepared the Commission's report on Operation Malta.

Mr Urquhart was the person who heard all the evidence. The letter continues:

As it is not apparent whether Mr Tink considers that to be the case as a matter of law or general propriety, this response will address both aspects.

It then refers to the commission's report writing processes, which were put in place by Mr Urquhart in 1999. It states:

- They are quite detailed and involve a number of steps including:
- Review of evidence obtained and submissions by Counsel;
- Consideration of submissions by persons appearing with leave;
- Collation of relevant evidence to form the basis of the report in the format used by the Commission;
- Develop preliminary opinions, assessments and potential recommendations;
- Project review;
- Peer review;
- Senior officer review;
- Review and approval by the Commissioner.

Approval by the commissioner in this report did not mean Mr Urquhart, because he had retired; it meant Mr Griffin, the current commissioner, who heard none of the evidence in this inquiry. The next paragraph really bothers me. It states:

Those who contribute to the preparation of reports are many and varied, but include: the officer presiding over the hearing; Counsel Assisting the Commission; the Operational Lawyer responsible for the matter; the Report's Project Manager; Commission research staff; the Commission Solicitor, other senior Commission staff, and the Commissioner. The extent of the role of each individual will vary according to the complexity and size of the matter under investigation. It cannot be said that any one single person sits down to 'write' a Commission report—they are the collaborative product of the officers by whom the Commission as an entity must act to form its mind and produce its written output.

I fundamentally reject that. It is a flawed and dangerous practice. It is grossly unfair and contrary to natural justice that these reports are written in that way. I raised a specific concern regarding conclusions drawn about Mr Brammer. The letter states:

As Mr Sage indicated, Judge Urquhart was indeed closely involved in all relevant steps in the Report's preparation, including formulation of the Commission's assessments and opinions concerning Mr Brammer.

The commission, which is a statutory body, is forming opinions. How the hell can some artificial construct form opinions about a witness? Human beings form opinions about other human beings. Someone in charge of an inquiry forms an opinion about a witness. It may be said that the Supreme Court has a view or has come to a view about a witness, allegation or some other matter, but in every case a judge puts his or her name to a judgment. The Supreme Court's work is done by delegation through a named individual judge who takes responsibility. I have been around long enough to know that judges use associates and other resources to assist in writing judgments. I do not have a problem with that because it is what happens in the real world; I dare say the same is done in the Industrial Relations Commission and other places. However, at the end of the day, a judge takes responsibility for the work. The judge may tell his associate that he does not accept what has been put to him or that it is incorrect and is therefore excluded. However, if the judge takes it on board, it becomes the judge's work and the judge is named as having done it. The letter continues:

As a matter of law, there was nothing untoward about the way in which the Operation Malta Report was prepared.

That is correct. Under the Act of Parliament that established this commission, there is nothing wrong in law with what the commission did. Of course, that is why I am trying to make a point by introducing this legislation—if what the commission did is correct in law, the legislation must be changed. I will again illustrate the commission's mind-set on this issue. The letter states:

Thus, the function of *preparing* a report upon an investigation expressly falls to the Commission, rather than to the Commissioner, an Assistant Commissioner, or any individual, it is a corporate function.

Now, here are the key words: "it is a corporate function". That is wrong and dangerous. It is against everything that English law and the principle of natural justice have stood for since 1215 and Runnymede. An individual must take responsibility for his or her work on behalf of a corporation or commission. The commissioner then goes on to point out that legal proceedings are different. He states:

A hearing before the Commission is conducted for the purposes of the particular investigation. In contrast to proceedings before the courts, its purpose is not to determine questions concerning the guilt or innocence of persons, or facts in issue.

The problem is that many reputations were trashed during the hearing and in the final report. Reputations were trashed and the conclusions—not findings in a formal sense—were extremely damaging. They were taken up as such by the media, particularly in relation to Mr Brammer. In the real world at the beginning of the twenty-first century, from the public's point of view those conclusions were as good as findings of guilt or innocence. In the hothouse media environment that we live in, they were in some sense even more damaging than a formal finding, probably because they were not formal findings. It has troubled me and has never been satisfactorily explained why when Mr Urquhart was reappointed to continue the investigation he was not appointed under the legislation that Mr Whelan and I agreed to put through Parliament; that is, his appointment was not extended by an Act of Parliament.

In effect, his term was extended by a special instrument executed by the then Acting Commissioner, Mr Sage, which gave Mr Urquhart the power to continue the hearing, but which specifically excluded the power to write the report—an issue that has never been satisfactorily explained. The Police Integrity Commission and Mr Sage have a responsibility to explain why they moved away from a resolution of the Parliament and a power given by Parliament that expressly provided that Mr Urquhart would continue the hearings and he would also write the report. By a special instrument executed by the then acting commissioner, Mr Urquhart was allowed to run the hearing but he was not allowed write the report. That became a vital point.

Over 72 sitting days, 50 witnesses gave evidence in this inquiry. So Mr Urquhart, the person who heard all the evidence and who observed the demeanour of all the witnesses, did not write the report. If a matter that is heard by a Supreme Court judge is taken on appeal and there are major findings of fact on the evidence that has been presented which are said to remain in issue, an appeal court will not lightly overturn any finding of fact made by somebody who has observed the demeanour of witnesses. Appeal courts in this State can have made available to them the transcript of every word spoken by every witness in a case. They can have made available to them the printed record of every word that is said in a case. But, when all is said and done, appeal courts

recognise that, when there is conflicting evidence, often the way in which that evidence was given will determine who is to be believed, and who is not to be believed. Appeal courts will not go through appeal books and transcripts of evidence and start second-guessing statements made by people in a lower court who listened to witnesses speak and heard them being cross-examined.

The person who heard all that evidence and who was available to write the report did not write the report. On Mr Sage's order, he was precluded from writing the report, even though this Parliament passed a resolution that empowered Mr Urquhart to write the report. Why did that happen? One would have to ask: Did somebody benefit? I think somebody benefited. The only substantial witness who gave evidence after counsel assisting was changed was the Commissioner of Police, Mr Ryan. That problem was compounded. At the beginning of 2002, after evidence had been given by every witness as to matters of substance, other than Mr Ryan, counsel assisting the Police Integrity Commission in this matter was appointed to the Supreme Court.

Mr Donovan was given the job of cross-examining Mr Ryan, even though he had no background in the case up to that point, apart from reading the transcripts. For as long as I am a member of this Parliament, I will regret making one decision, and everyone makes bad judgments from time to time. I never queried the timing of that appointment to the Supreme Court. That was a major mistake and failure on my part. I decided not to make a comment and to let it go. I believe that the consequences of that are still being felt. Mr Buddin may well be a worthy member of the Supreme Court, but I believe that there was no need for him to be appointed at that time. An acting judge could have been appointed, or the appointment could have been delayed. But the appointment was made when one of the major witnesses was yet to give evidence, which destroyed the continuity of evidence and prevented anybody with any background in the case from being able to test the witness.

The combination of Mr Urquhart not being able to do the report and counsel assisting being replaced by a new man before Mr Ryan gave his evidence destroyed all continuity of evidence and, in my view, destroyed the credibility of this report. This bill will attempt to ensure that that never happens again. Chapter 11 of the report names a number of persons as being affected persons, that is to say, persons identified as those against whom possible criminal allegations had been made during the course of the hearing. They were—and this is already a matter of public record—James Ritchie, Paul Herring, Michael Lazarus, Dean Olsen, Ken Seddon, Malcolm Brammer, Clive Small, Ken Moroney, Jeff Jarratt and Peter Ryan. I went through the electronic record of the transcripts and I found that all those people, bar one, gave evidence before 2002. So all those people could have had criminal findings made against them. I hasten to add that the commission made no such findings against them.

Regardless of that finding, it was fundamentally unsatisfactory that the thread between counsel assisting and all those witnesses, including Mr Ryan, was lost. That was compounded by the fact that Mr Urquhart had been relieved of his responsibility for writing the report—something that we only established recently. The detail in some parts of the report is totally inadequate and, in other parts, it is damning of individuals. At times the writer made findings when plainly there was no basis for making those conclusions, other than that he or she was looking at documents from an appeal court rather than at documents from a court of first instance. We know a little about the authorship of the report, if only because of the great work done by the honourable member for Cronulla at a hearing of the Committee on the Office of the Ombudsman and the Police Integrity Commission. He cross-examined the current commissioner. On 20 September 2002, at page 40 of the transcript, Mr Griffin concedes:

The Commission report will be prepared within the Commission and Judge Urquhart is not writing it and therefore may have little to do with the actual construction of the report.

The current commissioner gave sworn evidence to this parliamentary committee to the effect that the person who heard the evidence was not writing the report. The honourable member for Cronulla asked, "Who in the commission is responsible for it now?" Commissioner Griffin said, "I am." The honourable member for Cronulla asked, "Will you be writing the report?" Commissioner Griffin said, "No, but I will be signing the final copy when I am convinced it is what the Commission wants to put out." So the person responsible for the report and who signed it did not write or hear any of the evidence. He then goes on to state:

We see it as a Commission report, not Judge Urquhart's report or Mr Sage's report or my report ...

At the bottom of page 40 he states that, because counsel assisting had gone on the Supreme Court bench, Brian Donovan—who was the new counsel assisting who was brought on board only after all these witnesses, except Ryan, had been dealt with—"will and has already contributed largely to the process." It appears that one of the major authors of the report is Donovan, who did not hear most of the evidence that was given. Against that

background, there have been some pretty strong findings against some people—if not in form then certainly in substance. I refer in particular to page 117 of the report and to some findings against Mr Brammer, which were devastating. Honourable members should bear in mind that, by this time, this man was the chief investigator for the Independent Commission Against Corruption. The report states:

Ultimately, Brammer seeks to justify the reference to this material by the support it may lend to his conclusion concerning Seddon's "questionable ethical standards".

It is hard not to conclude that the Spa report was as much about the personal antipathy between Seddon and Brammer, and the opportunity it provided Brammer to defend his own work against attack by others, as it was about identification of risks to the Service.

This is a report apparently written by a person who did not even hear the evidence of either Seddon or Brammer. That is what the principle of natural justice since 1215 is about. Unless the person is prevented from writing a report, by death or incapacity, the identity of that person must be known. The responsibility for such a conclusion must be taken in the report, and that is what Commissioner Urquhart should have done all along.

Pursuant to sessional orders business interrupted.

BUSINESS OF THE HOUSE

Admission of the Treasurer into the Legislative Assembly: Suspension of Standing and Sessional Orders

Motion by Mr Scully agreed to:

That standing and sessional orders be suspended to permit the consideration forthwith of Government Business Notice of Motion No. 5 [Admission of the Treasurer into the Legislative Assembly].

ADMISSION OF THE TREASURER INTO THE LEGISLATIVE ASSEMBLY

Mr SCULLY (Smithfield—Minister for Roads, and Minister for Housing) [10.30 a.m.]: I move:

- (1) That on Tuesday 24 June 2003 standing and sessional orders be suspended to allow:
 - (a) the Premier to adjourn the debate on the Appropriation Bill and cognate bills immediately after moving "That these bills be now read a second time";
 - (b) the Hon. Michael Egan, MLC, Treasurer, Minister for State Development, and Vice-President of the Executive Council, to be immediately admitted to the House for the purpose of giving a speech of unlimited duration in relation to the New South Wales budget 2003-04; and
 - (c) the Premier to give the second reading speech at a later time upon the Order of the Day being read for the resumption of the adjourned debate on the Appropriation Bill and cognate bills; and
- (2) That a message to be sent to the Legislative Council accordingly.

This motion is identical to the motion that has been carried each and every year for the past several years to enable the Treasurer to attend before the Legislative Assembly for the purpose of delivering the Budget Speech. As all members would be aware, the Legislative Assembly is the Chamber in which money bills originate, and as the Treasurer is a member of the upper House it is entirely appropriate that he address this House also. I commend the motion to the House.

Mr TINK (Epping) [10.32 a.m.]: The Opposition's problems with this motion are identical to problems we have had with similar motions moved over the years. The Leader of the House is right: this is the House in which money bills originate. It is the primary House of the Parliament, in the sense that we members are responsible to our constituents in these modern times. What I can never accept about this and similar motions is that members of this House have no opportunity to ask the Treasurer questions about the budget. That is totally inappropriate. I foreshadow the usual Opposition amendment that would subject the Treasurer to questioning in this House.

As recorded, the Hon. Michael Egan was a member of this House until he was defeated by the current member for Cronulla. Another matter of record is that the Hon. Michael Egan has said repeatedly that although he is a member of the upper House he does not believe in the upper House and believes it ought to be abolished. So we have this bizarre arrangement whereby the Treasurer, as a representative of a House that he does not think should exist, will speak to a House that threw him out. It is just a joke! That is probably the only way we

can make sense of the proposition that none of us will be allowed to ask him any questions. The Treasurer is coming from a place that he believes should not continue as a House of this Parliament; he does not believe in its functions.

It seems that one of the primary responsibilities and functions of the upper House these days is the concept of estimates committees. Not only does the Treasurer not want to subject himself to questioning in this House, he does not even like the idea of the existence of that House—which is the only House that provides any semblance of questioning of Minister's about anything to do with the budget. It is a pretty big stretch to allow the Treasurer to come before the House, with diplomatic immunity, so to speak, to present the Budget Speech, without prejudice or subjecting himself to questioning.

I often reflect upon the days of the Greiner Government, when, day in and day out, Professor Walker would sledge the alleged problems. Former Premier Nick Greiner added some real transparency and twenty-first century modernity to the budget processes of this State. He never got any thanks from Professor Walker, because I think that in hindsight he was on a pretty partisan crusade. But aiding and abetting in all this was the Hon. Michael Egan, providing the riding instructions—and, I suppose, from an Opposition point of view, doing so very effectively—on transparency, accountability, and matters of that nature. However, having got into government he presents himself to this House year after year but does not subject himself to questioning.

The Treasurer produces budget papers that are crafty, in the sense that every year there seems to be a seismic shift in program identifications. I know this from tracking the police budget over seven years. Members get excited about trying to read line items from one year to the next. In looking at programs such as transport services, public safety, or community policing, we expect to be able to compare figures for 1996 and 2003, or perhaps even figures for 2002 and 2003. Does it happen? No way, because the Government changes the programs every year.

I suspect that there is probably an entire unit in the Minister's office devoted to it. It is card shuffling. It is like getting the 2002-03 budget papers, ripping the spine off the back of them so you have a couple of hundred individual pages, chucking them up in the air like a deck of cards and seeing where they land, and then reshuffling them. That is the way the budget papers read. Members on this side of the House get a little jaundiced about it, because when we were in government we attempted to do something about that. The Hon. Michael Egan was happy to be on the bandwagon with Professor Walker—who seems to have gone missing in action. He has probably got a government job; I do not know.

The Treasurer comes into this place with diplomatic immunity. As I said, I can understand why he does so, because there are plenty of questions we would like to put to him. I believe it would be some sort of token acceptance of his responsibility, in the House where money bills are supposed to originate, to take responsibility for what he does, in a real sense, and subject himself to questioning. I move:

That the motion be amended by the addition of the following paragraphs:

- (3) That this House notes that the people of Cronulla determined in 1984 that the Hon. Michael Egan, MLC, was not suitable for membership of the Legislative Assembly and commends the people of Cronulla for their decision; and
- (6) That upon conclusion of question time on the first sitting day after his address, the Hon. Michael Egan, MLC, be again admitted to the House for two hours to answer questions on the Appropriation Bill and cognate bills put to him by members in accordance with the standing orders.

I might add that the people of Cronulla have resounding faith in the current incumbent, who defeated the Hon. Michael Egan. The current member for Cronulla achieved a fantastic swing.

Mr SCULLY (Smithfield—Minister for Roads, and Minister for Housing) [10.37 a.m.], by leave: I congratulate the honourable member for Epping on his colourful, entertaining and slightly innovative contribution. But was it full of claptrap? Absolutely! Congratulations also to the honourable member for Cronulla on being elected again and again and again. Good luck to him. However, the views of the people of Cronulla are not connected with the views of this House. We wish to invite the Treasurer, as a courtesy, to address this House. I do not remember Mr Costello being subjected forthwith to questioning after completing his budget speech to the House of Representatives. That is a ridiculous notion. I think it is appropriate that we continue the worthwhile tradition of this House and extend an invitation, as a courtesy—

Mr Richardson: It is not a tradition.

Mr SCULLY: It is a tradition that dates back seven years. The Treasurer has indicated that he intends to retire from politics at the 2019 election. So, by my reckoning, we will have this debate another 16 times. I assume that the honourable member for Epping will still be a member of the House—if he is, he will have served longer than Jim Clough, to whom we paid our respects last night. I wish the honourable member well in the 2019 election. It is quite appropriate that we extend the usual courtesy to the Treasurer and invite him to address this House. I reject the amendment and ask the House to support the motion.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 38

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 J. H. Turner
Mr Fraser	Mr Page	Mr R. W. Turner
Mrs Hancock	Mr Piccoli	<i>Tellers,</i>
Mr Hartcher	Mr Pringle	Mr George
Mr Hazzard	Mr Richardson	Mr Maguire

Noes, 44

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

Question resolved in the negative.

Amendment negatived.

Motion agreed to.

LOCAL GOVERNMENT AMENDMENT (GRAFFITI) BILL

Second Reading

Debate resumed from 8 May.

Mr NEWELL (Tweed—Parliamentary Secretary) [10.50 a.m.]: I commend the honourable member for Hornsby for her interest in local government matters and for her understanding of the importance of local government services in the community. The Government does not support this bill, which would amend the Local Government Act to allow local councils to enter into agreements with public authorities who are

responsible for public land, order the removal of graffiti from property owned or occupied by a public authority, and recover from a public authority expenses incurred by the council for the removal of graffiti from property owned or occupied by a public authority.

Graffiti affects people's perceptions of an area, property values, community wellbeing and civic pride. This is particularly so when the graffiti is on property that is highly visible from public places such as roads, wharfs, bridges and parks. Evidence indicates that the timely and persistent removal of graffiti is an effective deterrent. The Government is committed to addressing community concerns about the financial and social costs of illegal graffiti. A number of initiatives have been taken through the NSW Graffiti Solutions program and the work of the Graffiti Strategy Taskforce. Among these initiatives are amendments to the Local Government Act to ensure that councils have the best possible tools with which to manage and eradicate graffiti.

The Local Government Amendment (Graffiti Removal) Act 2001 provides a mechanism for the timely and effective removal of graffiti from private property through voluntary formal agreements between councils and owners or occupiers. More recently, the Local Government Amendment (Graffiti) Act 2002 introduced provisions to enable councils to remove graffiti from property without the prior consent of the owner or occupier where the graffiti is visible and accessible from a public place. One of the most effective strategies in reducing graffiti is to remove it as quickly as possible and to persist in removing it.

These two important pieces of legislation have facilitated the swift removal of graffiti from property by councils, and the legislation has been favourably received by local government and the community. The Government has also introduced preventative measures to curb the incidence of graffiti. The Summary Offences Amendment (Spray Paint Cans) Act 2002 provides that a person who sells a spray paint can or cans to a person under the age of 18 is guilty of an offence. While these powers have been well received by local councils, it is too early to assess the full impact of these amendments on graffiti management and prevention. In order to better understand the impact of this legislation, the Graffiti Strategy Taskforce has endorsed a review of recent amendments to the Local Government Act 1993 to occur in the first half of 2004.

This review will be co-ordinated by the Department of Local Government. It will seek feedback from all New South Wales councils about the impact of these legislative changes in practice, and identify any outstanding issues requiring attention. It is proposed that the need for further legislative reform be informed by the outcomes of this review and the analysis of other issues identified by various stakeholders, if appropriate. Some councils have already entered into graffiti-removal agreements with public authorities, including energy utilities, Telstra, and the Roads and Traffic Authority. However, many councils have experienced difficulties in addressing graffiti on public property due to a number of factors. They include safety issues on high risk sites such as railway corridors and electricity infrastructure, and personal and property liability implications on high risk sites. Difficulty also arises due to the complexity of apportioning removal costs where property is not owned and maintained by a single entity.

The bill does not address any of these issues, and I am particularly concerned that there are no provisions in the bill relating to potential public liability issues for councils and public authorities. The advice I have received is that existing provisions within the Local Government Act 1993 relating to property damage and public liability may need to be extended in light of potential personal and property implications, but this bill does not address that issue.

I am also concerned that the bill does not address the financial impact on public authorities of the cost of graffiti removal recovered by council. The bill does not clarify how such cost will be determined, nor does it propose a means of resolution of any disputes that may arise. Such cost will be imposed on public authorities by councils outside their normal planning and budget cycles, and, indeed, many public authorities already allocate significant resources towards graffiti management and removal. I am concerned that the amendments proposed in this bill would undermine the good working relationship that public authorities, local councils, and the State Government share in working together to combat graffiti.

A broad cross-section of public authorities are already working in partnership with the New South Wales Government on graffiti prevention and management strategies through the Graffiti Strategy Taskforce. This task force was established to ensure a partnership and integrated approach to tackling graffiti issues. It consists of senior representatives of various New South Wales government agencies and public authorities. It has undertaken a number of anti-graffiti initiatives, many of which have directly involved public authorities and councils, in addition to government agencies and the community. The task force was not, however, consulted about this bill.

The Government will continue to work with the graffiti task force to ensure that every stakeholder is part of an integrated effort to tackle the problem, and that every stakeholder has the best possible weapons in the fight against graffiti. Although the Government does not support the bill, once again I acknowledge the interest and commitment that the member for the Hornsby has demonstrated to local government. I believe that the amendments proposed in this bill are well-intentioned, but I do not believe they are workable. In fact, I am concerned that the bill places unrealistic demands on councils without addressing serious issues of personal liability. I am also concerned that the bill undermines the strong partnerships between local councils, public authorities, and the State Government that are already in place as a result of the Government's integrated approach to graffiti management and prevention.

Finally, I am concerned that there apparently has not been wide consultation about this bill. That is in stark contrast to the Government's planned review of the effect of recent graffiti-related legislation on local councils. The Government is committed to being part of a strong, united force to combat graffiti and, as such, will continue to work with councils, public authorities and the community to ensure that a workable, integrated approach is taken to managing and preventing graffiti. For these reasons, the Government does not support the bill.

Mr RICHARDSON (The Hills) [10.57 a.m.]: I support the bill because I have had a very long interest in this issue and, indeed, wrote a paper in 1994 that resulted in some significant legislative changes under the former government. I believe that those changes, now that they have been implemented by the Government, are providing a better environment for all of us. The Government would never give any credit to the former Coalition government. It would have you believe that every initiative that has been taken in relation to graffiti removal has been its initiative. That is certainly not the case. As I said, I wrote a paper in 1994 on graffiti, after which there were changes to legislation that specifically provided for the use of community service orders to remove graffiti.

Recently I heard the Government laud itself for the way in which this program was being applied. It should never be forgotten that this program was initiated and implemented by the former Government. This Government has simply continued that program. The Government has not put in place enough graffiti measures over the years to make a difference. Can any member in this place stand here, hand on heart, and say that graffiti is not a problem in their electorate? The answer is a resounding no. The honourable member for Tweed referred to the Government's commitment to graffiti removal and praised the honourable member for Hornsby on her commitment to local government. Her commitment was not specifically to local government but it was to her community: she wants to have this scourge dealt with, not only on private property but also on public property owned by the council and the State government. This is an area in which the Government has failed very badly.

An argument put by the honourable member for Tweed, on behalf of the Government, was that council officers would be scaling barbed wire fences into electricity substations or walking onto railway lines and putting their lives at risk. Clearly that will not happen as councils would not send their employees into such a dangerous place. The straightforward proposition that the Opposition is talking about is the removal of graffiti from the outside of a railway station, for example, Hornsby railway station, which is frequently targeted. The council would seek to beautify those environs for the sake of its ratepayers and people who move through that station. I cannot understand why the Government does not embrace the proposition that under this legislation the council could recover those reasonable costs from State Rail. The Government should move amendments to this legislation if it wants to provide a mechanism by which money can be obtained from that public authority so that council can seek reimbursement. That would be by far the most responsible position for the Government to take.

The Government is not committed to dealing with the problem of graffiti. The Government has consistently opposed legislation that I introduced that seeks to lock up spray paint cans. Something like 90 per cent of spray cans used by graffitiists are stolen. My bill, which has been before this Chamber in various guises on no fewer than three separate occasions, seeks to have spray paint cans either put into a locked cage or cabinet or put behind an attended counter so that it would be harder for graffitiists to access their tools of trade. If they do not have access to spray cans they cannot spray paint the sides of railway carriages, buildings or your houses. Recently my back fence was spray painted—was the biter bitten?—but none of us is immune from this scourge. The Government did not support my legislation but it appropriated part of the bill that was to ban the sale of spray paint cans to minors into the Summary Offences Amendment (Spray Paint Cans) Bill in this place last year.

The honourable member for Tweed should listen because he might learning something. He praised the Government for introducing the legislation and for its work on graffiti. However, on the list of unproclaimed

legislation I find the Summary Offences Amendment (Spray Paint Cans) Act. The bill went through both Houses of Parliament last November, it was assented to after the election on 29 April—that took a long time—but it has never been proclaimed. The honourable member for Tweed lauded the Government for its effort in dealing with this scourge but it has windowdressed it entirely. They pinched our bill, they pinched our legislation—

Mrs Hopwood: It is not even as good.

Mr RICHARDSON: The honourable member for Hornsby reminds me that it is not even as good. The Government pinched our bill, pinched our legislation, and introduced another bill into this Chamber about which it made a huge song and dance about dealing with the problem of graffiti but it has not even proclaimed the legislation. That is an absolute disgrace. This Government is a farce and Stands condemned at its own hand. The honourable member for Hornsby has attempted to bring a very reasonable proposition before this House to address the problem of graffiti on public buildings and the Government naturally is opposing it. When has the Government ever not opposed a reasonable Opposition proposition? The Government's commitment to the welfare of New South Wales is extraordinarily shallow.

I am incensed by the way in which the Government has stolen terrific ideas off the Opposition, appropriated them and then tried to con the people of New South Wales into believing they were its ideas. Certainly the ban on the sale of spray cans to minors is one of those issues, but it is window-dressing because the legislation has never been proclaimed. During the election campaign the Opposition announced mandatory minimum sentencing as a key policy, and now the Government has standard minimum sentencing. We announced the important initiative of reduced class sizes in the first two years of schooling, and immediately before the election the Government appropriated that policy and tried to suggest it was its idea.

Together with the Leader of the Opposition I announced that we would place a major focus on the rehabilitation of prisoners to stop the revolving-door syndrome in our gaols. Clearly it is not in the community's interest, the prisoner's interest or the victim's interest for a prisoner to be released from gaol and almost immediately commit a crime. A week later we saw on television the farcical sight of the Premier announcing that the Government would be pumping additional money into rehabilitation as if it had just discovered that problem. The Government has been in office for eight years but in that time did not think that reducing the rate of recidivism was an important issue. It did not care about it until the Opposition raised a matter that was of genuine concern to the people of New South Wales.

The Government has run out of ideas and puff and even when it pinches good ideas from the Opposition it does not proclaim legislation. That is an absolute disgrace. I strongly support the bill introduced by the honourable member for Hornsby. I challenge the Government to tell the people of New South Wales what it intends to do about the problem of graffiti on property if the bill is not passed in this House.

Ms JUDGE (Strathfield) [11.09 a.m.]: I intend to rebut some of the fallacious points made by the honourable member for The Hills, but first I should say that I am glad the Opposition is turning its attention to a matter that is of real concern to all of us who are working hard to represent our local communities. As a local councillor and as the resident of a thriving and vibrant community in Sydney's inner west, I know first-hand the effect of graffiti on our local environment and the important role that local government plays in managing and preventing graffiti. Graffiti has a marked effect on the way that people perceive an area, and this has a flow-on effect on community wellbeing, civic pride and property values. I am glad that the honourable member for The Hills shares and recognises those concerns. But the Government will not be supporting this bill, because the bill fails to address some very real issues of liability and of accountability.

This bill seeks to amend the Local Government Act to allow local councils to enter into agreements with public authorities who are responsible for public land, order removal of graffiti from property owned or occupied a public authority, and recover from a public authority expenses incurred by the council for the removal of graffiti from property owned or occupied by a public authority. The first two of these three provisions make some sense. It has been demonstrated that one of the most effective means of deterring graffiti is to remove it as soon as possible, preferably within 48 hours of its appearing—because the longer those tags are left in place, the longer is the endorsement of the work of the so-called graffiti artist. Some local councils have already entered into agreements with private property owners and public authorities under existing provisions of the Act to facilitate the swift removal of graffiti. I will give some examples of that in a moment.

But as someone with a background in local government, I am concerned that this bill will put pressure on councils to enter into agreements to remove graffiti from sites where there may be some real safety issues.

Railway corridors and electricity infrastructure are vulnerable to graffiti—I do not think anyone in this Chamber would disagree with that—but these are high-risk sites, and there are serious occupational health and safety issues that need to be addressed if council staff are to enter those sites to remove graffiti. This bill does not address those concerns. I am also aware that some sites are occupied or managed by more than one entity, and I am concerned that this bill does not make provision for the apportionment of graffiti removal costs in those cases.

I will take this opportunity to discuss some recent developments in the fight against graffiti. On a statewide level, the Government has introduced many important initiatives over the past eight years. Many of these initiatives have been co-ordinated through the work of the Graffiti Strategy Task Force. This task force has been able to bring together stakeholders in the fight against graffiti to devise programs that address the financial and social cost of illegal graffiti. The Government has also amended the Local Government Act to give councils greater ability to deal with graffiti. The Local Government Amendment (Graffiti Removal) Act 2001 allows for voluntary formal agreements between councils and owners or occupiers to remove graffiti. The Local Government Amendment (Graffiti) Act 2002 allows councils to remove graffiti from property without the prior consent of the owner or occupier, where the graffiti is visible and accessible from a public place. That is what we have been doing in Strathfield.

As a local councillor I welcome these initiatives, and I know they have been well received throughout the local government sector. However, it is too soon to assess the full impact of those amendments on graffiti management, and I am pleased to inform the House that the Government has endorsed a review of recent amendments to the Local Government Act 1993 to occur in the first half of 2004. Isn't that good? Isn't that timely? We are not leaving the issue. We are going back and having a look at the operation of the amendments and how they are tracking. This review may point the way for further legislative reform, and if that is the case the Government will continue to consult with the local government sector, working in partnership with local councils to ensure that the legislative framework is clear and effective. I am concerned that the Opposition did not consult with the Graffiti Strategy Task Force on this bill.

I will inform the House of some of the graffiti management initiatives that are currently in place in my local area. I have in my hand the "Strathfield Municipal Council Graffiti Management Plan". Strathfield Municipal Council developed this graffiti management plan to provide a framework for addressing illegal graffiti in the Strathfield local government area. The Strathfield council recognises that graffiti can have a negative effect on the amenity of the area and perceptions of safety, with related social and economic cost to the whole community. The level of sustained focus required to address graffiti involves the combined effort of local government, local businesses, local police, local residents and local community groups. We were inclusive: we all got together and came up with a plan. The graffiti management plan provides the outline for how our council can work with those other groups to implement responsive and preventative strategies over coming years. So we have been proactive, not just reactive.

A key aspect of the graffiti management plan will be to reduce not only the incidence of illegal graffiti in the community, but also the impact that the issue has on broader perceptions of crime and safety. That is because, as we all know, when people see a lot of graffiti around they might think there is criminal activity in the area, but that is not always the case. The plan involved formalisation, review and improvement of Strathfield's existing proactive graffiti management procedures, including council's 48-hour response time, involvement with community groups, including work for the dole, as well as school and youth involvement in the 2001-02 beat graffiti project.

The plan's development involved extensive research into best practice models on graffiti abatement through New South Wales. A project was funded through the New South Wales Attorney General's Crime Prevention Unit—the Beat Graffiti Grant Program—and trialled a number of strategies, including the development of a graffiti arts workshop with young people which led to the development of the great legal graffiti mural in Subway Lane, Homebush, and further workshops during council's youth events. Best practice approaches to graffiti abatement indicate that the most successful schemes are multifaceted—not just ad hoc or knee-jerk reactions—including incentives, regulation and preventative approaches. These strategies also promote the role that various parties, including utility providers, private property owners and businesses, can take in the reporting and removal of graffiti from their property.

The graffiti management plan has four main objectives: one, effective reporting and recording systems for the removal of graffiti; two, implementing a rapid removal policy for the removal of graffiti from council property; three, increasing the community's awareness of prevention measures, including the use of graffiti

removal kits; and, four, developing a legal arts program for young people at risk of, or participating in, illegal graffiti activities. I initiated a community safety and crime prevention advisory committee, which brings together all stakeholders on a regular basis to talk about what is happening in the area and, with consensus, to develop measures aimed at addressing any problems that may occur from time to time. The graffiti management plan is a "living" document, in order to remain responsive to the needs of the community and legislative changes, as it must be.

The honourable member for East Hills asked what difference those measures have made. He challenged Government members to put their hands on their hearts. He has left the Chamber. I wish he were here, because I am going to put my hand on my heart and say to him: Come out to Strathfield and have a look at what we have done. If he does, he will see that our initiatives are practical. They work. He can come out and visit me any day, and I will take him on a tour.

Next, the honourable member said that 90 per cent of spray cans are stolen. Where did he get his statistics? I challenge the honourable member for The Hills to supply me with the source of those statistics so that I can have a look at them. I challenge him to table those statistics that prove that 90 per cent of spray cans are stolen. I do not think I should hold my breath. He spoke about huff. I think his contribution was a lot of huff and puff. I think I would be asphyxiated if I held my breath waiting for that document to be produced.

It is important that we support proactive measures and not react in a knee-jerk manner. I appreciate what the honourable member is trying to achieve. However, the approach taken in the bill is not the most effective way to deal with the problem. The experience of local communities is that the best results in tackling graffiti are achieved when councils work in partnership with other councils, the Government and the community. Graffiti is a multifaceted problem. It is nonsensical to deal with it in a piecemeal fashion. We need an integrated approach. No-one has a monopoly on good ideas. Let us share them. We are generous. We are ready to share our ideas. I invite those opposite to share our ideas. They have plenty of good ideas. We are not greedy and selfish. This is sheer kids' stuff. It is point scoring: "I thought of this first." "No, I did." Let us grow up. Graffiti will be eliminated only when all the stakeholders work together. For this reason our Government has a sensible, balanced, inclusive approach and does not support the bill.

Ms BEREJIKLIAN (Willoughby) [11.21 a.m.]: I am pleased to support the bill, and I take this opportunity to congratulate the honourable member for Hornsby on introducing it. Any measures that assist to prevent or reduce the impact of graffiti throughout the community should be encouraged and supported. I regret that the Government will not support the bill, especially given the significance of graffiti in our community. The Government's arguments so far in opposing the bill are unconvincing. Graffiti is a significant community issue that has detrimental environmental, social and economic impacts. It is estimated that graffiti removal costs the community about \$100 million every year.

Apart from these very substantial economic costs, the presence of graffiti undermines the attributes of the local environment and can cause local residents to feel justifiably concerned about the potential for related criminal activity. The bill seeks to extend the ability of local councils to deal with graffiti by removing references to the word "private" as it exists in section 67 of the Act. The removal of the word "private" will enable councils to enter into agreements with public authorities for graffiti removal work on lands that are not private land within the meaning of the Local Government Act. The bill also seeks to allow councils to recover from a public authority—the owner or occupier of the property from which the graffiti is removed—the cost of removing graffiti from a public place without the consent of the public authority.

The bill will also enable the council to order a public authority to remove graffiti on property owned or occupied by the public authority. The council may issue the order if the graffiti is visible from a public place, the public authority does not agree to have the graffiti removed, and the graffiti removal work cannot be carried out from the public place. Significantly, the bill makes failure to comply with such an order an offence. A particularly positive consequence, should the bill be passed, will be the ability of local communities, through their councils, to remove graffiti on public buildings as soon as it appears. This immediate action will ensure a uniform approach to graffiti and no doubt will be a strong deterrent. The perpetrators will soon realise that their actions will not have a lasting effect. This initiative is proactive.

Councils should have the authority to remove graffiti immediately, and have the necessary equipment to do so. This would involve monitoring public places and removing graffiti as soon as possible. It may involve painting over it or scrubbing it out, depending on the surface. The idea is to deprive the perpetrators of the pleasure of seeing their handiwork. Repeated quick action will likely result in vandals tiring and giving up

striking in the same place. It is incumbent on us to take important steps, such as those outlined in the bill, to inculcate and maintain a culture within the broader community of a graffiti-free environment. It is important to complement the positive steps introduced by the bill with preventative measures, where appropriate. When the honourable member for The Hills stated that 90 per cent of spray cans were stolen, he was referring to the spray cans used by those committing graffiti, not all spray cans.

The honourable member for Strathfield is no longer in the Chamber, but the honourable member for The Hills made the valid point that those who had committed the offence of graffiti had stolen the cans. It is important to consider all initiatives that may prevent graffiti or ensure its immediate removal. That is why I am pleased to inform the House that Peter Nardone, a constituent from Northbridge, has developed a mechanism that places a lock on cans that can be applied from point of sale, or even beforehand, but which can be removed only by the owner of the can. I understand that his proposal is currently being considered by Standards Australia. I reiterate my support for the bill, and commend the honourable member for Hornsby for taking this important step in dealing with graffiti within our community. I commend the bill to the House.

Ms MOORE (Bligh) [11.25 a.m.]: I support the bill, the objectives of which are to recover from a public authority expenses incurred by council for the removal of graffiti from property owned or occupied by a public authority, and to order the removal of graffiti from property owned or occupied by a public authority. I support the bill because it follows on logically from last year's Government legislation, the Local Government Amendment (Graffiti Removal) Act, which provided for councils and private landowners to enter into agreements for councils to remove illegal graffiti from private property. That legislation enables councils to act more quickly, even when agreement with a private property owner has not been reached, and action is needed to remove unsightly illegal graffiti visible from public places. It is important that local communities do more than simply remove illegal graffiti.

Last year I strongly supported that legislation because it is important to take quick action to paint over illegal graffiti, particularly graffiti that is prominently racist, homophobic or obscene. It is significant in the urban area I represent. Residents are legitimately angry when vandals deface their homes, public places and open spaces. Unsightly illegal graffiti adds to an atmosphere of neglect and urban decay, and often reinforces that cycle. Graffiti and tagging are symptomatic of much more serious problems such as theft, assaults, littering, wilful damage or vagrancy in targeted areas. I also commend the honourable member for Hornsby for this initiative. Last November I wrote to the Attorney General about the subject of the bill in these terms:

I write again concerning the need for further State Government action to address illegal graffiti, a significant problem in the inner city. While I have asked local councils in Bligh to use powers provided by the *Local Government Amendment (Graffiti) Act* to promptly remove graffiti, a comprehensive response may be limited by the lack of state support for local initiatives.

I understand that the Crime Prevention Division of the NSW Attorney General's Department has responsibility for coordinating graffiti clean up and prevention across NSW. Could you please arrange for your Department to investigate and responded to the following issues?

Those issues were the extent of legal liability for removal of graffiti from private property, graffiti clean-up through the community service order scheme, delays in the New South Wales Beat Graffiti Grants Scheme, limiting access to material commonly used for illegal graffiti and, the subject of this bill, action on illegal graffiti on State-owned property. My letter continued:

I have been informed that many State Government Departments and statutory bodies are not responsive about graffiti removal. The State Government should accept the responsibility for removing this graffiti and ensure that the removal costs are not transferred to local councils.

I have been told that there is generally a good response from Energy Australia to reported graffiti, but not the same response from other state organisations. It appears that no state department or authority has a proactive approach to removing graffiti from its inner city property.

The State Government must provide a central hotline to report graffiti, with a removal deadline of 24 hours and regular monitoring and action at known problem locations. There must be high-level support from the State Government for all authorities to meet these guidelines.

- *Could your Department please investigate a coordinated, prompt approach to removing graffiti from State Government property?*

A month later I received a response from the Attorney. I will not deal in detail with his response but merely indicate that he addressed the restrictions on the availability of spray cans, the Local Government Amendment (Graffiti Removal) Act, cost implications, the extent to which the removal of graffiti from private property

makes councils liable and the response of New South Wales Government agencies to graffiti control policies. This is what the Attorney stated in relation to the subject of this bill:

NSW Government agencies are committed to removing graffiti within 72 hours of it being reported. This prompt removal of graffiti reduces the recognition graffitiists receive and also clearly demonstrates that the graffitied area is being monitored and looked after. Conversely, when graffiti is left untouched more graffiti soon appears, giving the impression that the neighbourhood has surrendered control to the lawbreakers.

I think we all agree with that.

Several NSW Government agencies are also taking other positive steps to attack the graffiti problem. For example, the Rail Access Corporation is engaged in a long term Rail Corridor Improvement Scheme that involves intensive painting out of graffiti on railway property and a community grants program for improvement of property visible from trains. The latter provides funding to local Councils and private companies to clean up graffiti and rubbish and to undertake beautification projects.

Pursuant to sessional orders business interrupted.

WILLOUGHBY ELECTORATE OVERDEVELOPMENT

Ms BEREJKLIAN (Willoughby) [11.30 a.m.]: I move:

That this House:

- (1) notes widespread community concern with overdevelopment throughout the Willoughby electorate.
- (2) condemns the State Government's master plan for Chatswood, which includes three additional buildings, up to 30 storeys high, without adequate provisions for commensurate infrastructure or community impact statements.

Overdevelopment is a massive issue in the Willoughby electorate. The electorate of Willoughby has lost trust with the State Government. State environmental planning policy No. 5, State environmental planning policy No. 53, and the Government's medium-density housing policy have caused enormous angst, especially given the fact that Willoughby is an electorate with a strong sense of community. Many local organisations are committed to preserving the environment. Many families enjoy their backyards and enjoy their neighbour's backyards, where their children engage in recreational activities. Currently, when a "For Sale" sign goes up on a property in Willoughby, the next-door neighbours feel a great deal of concern because more often than not multiple dwellings are constructed on land where there was formerly one house.

The residents' concern about overdevelopment in residential streets is compounded by the Government's so-called master plan for Chatswood. I am relieved that this motion concerning this so-called Chatswood master plan has received precedence, because at the very least the people of Willoughby deserve to have the grave consequences of the State Government's plans aired in this place before it is too late. The Labor Party's master plan has foisted upon the people of Willoughby what I regard as an unacceptable level of development, especially in view of the piecemeal way in which the Government has approached the issue. As the motion says, the master plan involves the construction of three additional residential or commercial towers with a height of up to 30 storeys.

The Government has said that the development has to proceed to fund the much-needed overhaul of the Chatswood Transport Interchange. However, the State Government must justify that claim; it must answer to the residents of Willoughby. Why will it simply not deliver adequate public transport interchange facilities, including disability access to the railway station, without imposing more massive development? Why should the Chatswood community have to accept three additional towers, increased traffic on residential streets and further pressure on already diminishing associated infrastructure, such as bus routes, child care facilities and preschools, in exchange for what should be a basic right to a well-functioning, and accessible transport interchange?

There is absolutely no doubt that the Chatswood transport interchange is in need of a major overhaul. There is currently no access for the disabled or elderly people from the train platforms up to the station and the steps are steep. The bus interchange below the train station is dark and difficult to negotiate. But the good people of Willoughby are extremely hardworking and have paid millions of dollars in taxes to the Government. The overhaul of the interchange, as part of the Chatswood-Parramatta rail link, should be delivered without any nasty and grubby strings attached.

One of the most concerning aspects of the current proposal is that it appears the so-called master plan will become a *fait accompli* without adequate consideration being given to all the associated issues. The

Government needs to understand that any further development must be considered as part of a holistic plan for the community, not simply a revenue-raising exercise to fund the much-needed overhaul of the interchange that should come out of existing budget allocations. The community must be guaranteed that its concerns about the provision of supporting infrastructure and potential environmental impact on residential amenity will be addressed.

Additional details of the Government's plan were reported in the *Daily Telegraph* on Monday of this week. I note that even the Labor member for Georges River expressed his concern over similar proposals that have been put forward for Hurstville. I imagine that speaking out against a decision of one's own side of politics when that party is in government is difficult, but that is confirmation of the degree to which these so-called master plans for Chatswood and Hurstville in particular are so outlandish. The honourable member for Georges River has accepted that these master plans are inappropriate. All Government members should do the same.

Another extremely concerning aspect of the proposal is the extent to which the State Government has seen fit to talk to developers and construction companies with little weight being given to the views of local residents. This is a sad state of affairs but, regrettably, it is in keeping with the Government's track record on planning and development matters. The *Sydney Morning Herald* of 16 April 2003 stated:

More than 100 construction and development representatives have been briefed on the master plan. Tenders will be invited later this year.

More than 100 developers and construction companies have been briefed on the project, yet the concerns of local residents have not had a sufficient airing. I regret to inform the House that I contacted the Minister for Transport Services in another place to be briefed on the Chatswood-Parramatta rail link and associated issues, but I have yet to receive the attention that the developers and the construction companies have clearly had the privilege of receiving. For too long this Government has put the interests of developers ahead of local residents. The proposed Chatswood master plan is a classic example. If, as seems to be the case on the Government's own admission, construction is to begin early next year and the tender process is to commence within the next few months, it is imperative that robust processes be established and extended to allow local residents to have their say. The frequency and adequacy of bus routes, the impact on traffic in our already congested residential streets, the provision of additional child care facilities and general residential amenity are all issues that the Government should address in a debate as a matter of high priority.

Let me return to my major concern: the lack of consideration of the major infrastructure issues. As honourable members are aware, in the past the Labor Government announced the closure of Chatswood High School. Fortunately, after community pressure and representations by my predecessor, that decision was reversed. Recently I received anecdotal evidence about the cancellation of bus services from Willoughby bus depot. I have placed questions on notice in the hope that the Minister will provide me with some answers. In my electorate, demand for child care and preschool places and facilities already exceeds supply. Our streets are already choked with traffic.

My point in drawing these issues to the attention of the House is this: One would have thought that if a so-called mini-city was planned for Chatswood, the government of the day would not have advocated closure of the only comprehensive public school in the area, it would not be cutting back on services from the Willoughby bus depot, it would ensure that there are adequate child care facilities, and it would assist in taking traffic off residential streets. But, instead, the local community is expected to wear diminishing services in addition to having the problems exacerbated with the construction of three towers.

I demand that the State Government include provision for all those concerns to be addressed prior to tenders being formally issued. Tenders must not be issued until there has been sufficient debate and formal assurances given to the community of Chatswood, Chatswood west and the broader Willoughby electorate that our legitimate concerns will be dealt with. If they are not, the character of our local community will be changed forever. The people of Willoughby have lost faith in the Government over its record on overdevelopment. The Government has no right to impose this extra development on the people of Chatswood without sufficient assurances relating to the issues I have raised. I demand that the Government ensure that the much-needed overhaul of the Chatswood Transport Interchange occurs without unfairly imposing additional massive development on the people of Chatswood and the Willoughby electorate. I ask honourable members to support the people of Willoughby, who need adequate transport facilities without associated high-rise and increasing traffic snarls. I commend the motion to the House.

Ms MEGARRITY (Menai—Parliamentary Secretary) [11.40 a.m.]: I oppose the motion. For many years the Opposition and Willoughby City Council have called on the Government to deal with transport and

planning issues in and around Chatswood railway station. Today the honourable member for Willoughby repeated those calls. During the recent State election campaign she paraded the media around Chatswood railway station pointing out inadequacies—the same inadequacies that existed under the Greiner-Fahey governments, when the former honourable member for Willoughby was Treasurer. I do not want to impugn the former honourable member for Willoughby, because he was a respected member of this Chamber—certainly members on this side of the House respected him. The bottom line is that nothing was ever done to improve the area.

In contrast, the Carr Government has taken bold steps, as part of the Parramatta to Chatswood rail link, to address the problems. In January 2002 the State Government and Willoughby City Council established a transport planning co-ordinating group, which is chaired by the Government Architect. The role of the group was to develop a concept master plan—I will repeat that: a concept master plan—that would integrate the upgrading of Chatswood railway station and the bus interchange with broader civic planning for the Chatswood central business district [CBD]. I consider that to be a holistic and sensible approach. Members of that group included representatives of Parramatta Rail Link, the council, transport agencies, PlanningNSW, and the then Department of Public Works and Services. The group was assisted by architects Daryl Jackson Robin Dyke Pty Ltd in the development of the concept master plan.

[*Interruption*]

I will educate honourable members opposite on planning laws in a moment. In February the concept design was released by the former Minister for Transport and the Mayor of Willoughby City Council. For the benefit of members opposite its key elements included proposals for the construction of twin island platforms to accommodate the new Parramatta rail link railway and allow for easy interchange with other train services and the provision of easy access facilities, such as lifts and escalators, as well as increased security measures, an issue raised by the honourable member for Willoughby. Other proposals are for a more open and accessible bus interchange, improved pedestrian connections between the east and west of Chatswood CBD, increased open space and the enhancement of the memorial garden. That is a good move. New retail facilities to support the interchange and proposed residential and/or commercial facilities as part of the overall development are also proposed.

It is important for members of this House to clearly understand and acknowledge that the master plan is a concept only—and this is where I educate members opposite—and it remains subject to the relevant planning approval processes. The processes must include the appropriate levels of public exhibition and community consultation. In short, no-one wearing a vest and hard hat is revving a bulldozer engine as we speak; there is still a great deal of planning and investigation to be done. It is true that the Government could have chosen to deliver only the elements outlined in the existing Parramatta rail link planning approval, which essentially relate only to the upgrading of the Chatswood railway station. However, that would not affect the long-term, systemic problems that have made commuter and public access to the Chatswood transport interchange and across the CBD increasingly difficult over many years.

To facilitate a better transport and planning outcome for Chatswood the State Rail Authority agreed to purchase, for almost \$16 million, the head lease of the Chatswood Transport Interchange shopping marketplace, which was aimed at facilitating a much better outcome than the previous proposal. In addition, the State Government will contribute about \$43 million to upgrade the transport elements of the Chatswood Transport Interchange. Those amounts are significant investments in the future growth of this major commercial centre. As a member of this House for four years I am surprised to hear any local member of whatever political persuasion complain about that level of investment in their community. An element of private sector investment will be required to achieve the much-needed urban and civic improvements outlined in the concept master plan.

However, it seems to me that the concept master plan is a golden opportunity to get transport planning right at Chatswood. Again, rather than complaining, the Opposition should recognise the opportunities presented to it, stop the scaremongering and help the local community understand that this master plan is a concept only. I remind members opposite that it is still subject to community consultation as part of the normal planning approval processes. To finish on a positive note, I make a suggestion to the new member for Willoughby—

Mr George: Congratulate the Carr Government!

Mr DEPUTY-SPEAKER: Order! The honourable member for Lismore will have an opportunity to tell us about the Lismore transport interchange at some later time during the debate.

Ms MEGARRITY: I suggest to the new member for Willoughby that the community will appreciate any constructive efforts she can make to achieve the best outcome, rather than just continuing with complaints. She should get on with the job and help the community make its contribution to the development of the plan as a way of dealing with the problems in a holistic and sensible way.

Mr HUMPHERSON (Davidson) [11.49 a.m.]: The Government's plans for Chatswood are about overdevelopment, destroying the character of the area and ignoring the wishes and desires, indeed the aspirations, of the people of Willoughby. The plan is about overdeveloping the Chatswood CBD precinct under the guise of supposedly tackling the problems of traffic and other local issues. The Government is using the desperate need for a station upgrade, which is a consequence of the Parramatta to Chatswood rail link, as an excuse to impose overdevelopment in the immediate precinct. That is not the only area in which the Government has ignored the desires and needs of the Chatswood people, because the entire Willoughby area has experienced extraordinary overdevelopment through State environmental planning policy No. 5, and excessive medium-density development, particularly over the past four years.

The attention of the Government has now turned to three high-rise 30-storey towers in the middle of the Chatswood CBD. Forest Coach Lines Pty Ltd runs a service from the northern beaches to the Chatswood CBD. It experiences traffic difficulties and inevitably its buses are 20 minutes behind schedule getting in and out of Chatswood. The problems need to be tackled, but they will be exacerbated by excessive development in that CBD. The problems have not been tackled wholly over the past four years by the Mayor of Willoughby who, clearly, is a strong and passionate advocate for high-rise overdevelopment in Willoughby. The Government is blackmailing the Willoughby community. It is saying that unless the community accepts three 30-storey high-rise towers the Government will not address the acute problems of traffic congestion and other problems in the Chatswood CBD.

Over the past 20 years progressive development in the Chatswood area has caused increased congestion. Consequently, the area has become a less pleasant place in which to live. Many Willoughby residents are disappointed by that. The so-called master plan is a blunt code for imposing centralised overdevelopment on Willoughby. It is extraordinary that that development has been aided and abetted by Pat Reilly, the Mayor of Willoughby. He has acceded to the requests of the greedy developers instead of those of his constituents. Why is it that Willoughby residents are ignored while the developers are placed first and foremost in this entire process? The answer is clear. The press release which announced the master plan involved the then Minister for Transport, the Hon. Carl Scully, and Pat Reilly. Clearly, the Mayor of Willoughby has become a Labor Party stooge on this project and others over the past three or four years.

Mr Orkopoulos: That's right!

Mr HUMPHERSON: I point out for the benefit of those members who are interjecting in defence of the mayor of Willoughby that, over the past three or four years—the period in which Pat Reilly has been Mayor of Willoughby—there has been an eightfold increase in the number of high-rise developments. As soon as Pat Reilly was elected as mayor in 1999 there was a rapid escalation in overdevelopment in Willoughby. He adopted, embraced and imposed the Government's plans for overdevelopment throughout Willoughby. He is responsible for destroying the character of Willoughby, not only in the central business district but across residential suburbs. Government members are happy to attend press conferences and to make announcements in conjunction with the mayor because he sings the Labor tune. He does their dirty work for them.

In the eyes of residents in that area, he has destroyed the character of Willoughby. They want it to end. That matter, which was made clear to me, as shadow Minister for Planning, during the election campaign, was also espoused by the honourable member for Willoughby. Pat Reilly's legacy has been the destruction of the suburbs of the Willoughby electorate. When the electoral returns come in we will be interested to see how much of his \$250,000 State election campaign was funded by greedy developers who will be the beneficiaries of excessive overdevelopment in the Willoughby central business district. [*Time expired.*]

Mrs PALUZZANO (Penrith) [11.54 a.m.]: I would like to address the misconception that the Government is overdeveloping Willoughby. It is obvious that the honourable member for Willoughby has not considered the broader planning implications for the people of Sydney, nor does she understand this plan or the needs of her local constituents. Perhaps she does not want to consider these facts: The Government is about managing growth and sustainable communities. Sydney is growing by more than 50,000 people per year. More than 30,000 people want to move into Western Sydney, which at present is home to an estimated 1.9 million people, and that figure is growing. Stopping all development will not stop demand; it will only force housing prices to unaffordable levels.

Western Sydney is working to satisfy the growth needs of Sydney by urban consolidation and green fields development. We are doing our share. Consideration of a master plan for Chatswood, which is only in concept form, seems to have sent the honourable member for Willoughby into a complete spin. I emphasise that it is a concept plan only. The honourable member for Davidson should realise that the plan must undergo all the appropriate processes of consultation, assessment and consideration. The honourable member for Willoughby should be aware that this requires the interest and involvement of everyone in a positive and constructive way.

The honourable member for Willoughby should work with the relevant bodies to obtain the best outcome for her constituents. The reason for her motions seems clear: it is for the mayor. The use of scare tactics to mount a knee-jerk reaction for political purposes will do nothing to benefit the people of Willoughby or the people of Sydney. The honourable member for Willoughby used scare tactics in her inaugural speech when she incorrectly claimed that State environmental planning policy No. 53 applied to Willoughby. She was wrong then and she is wrong now. She used scare tactics in her speech today when she claimed that multiple dwellings were going up everywhere in the area. Ninety per cent of residential land in Willoughby is zoned for detached housing.

Mr Orkopoulos: She didn't say that.

Mrs PALUZZANO: The honourable member did not say that; she used scare tactics. Careful consideration of proposals to achieve good outcomes that balance the demand for housing, changing urban patterns and infrastructure requirements will guarantee good outcomes for her constituents. Residents will not be ignored in this consultation process. Opposition members should get it right. They need to understand the process. That is what the Carr Government is about.

Mr KERR (Cronulla) [11.59 a.m.]: I listened with interest to the contributions of Government members to debate on this motion.

Mr Gaudry: Tell us about Cronulla.

Mr KERR: The honourable member for Newcastle should be patient. I accept his invitation to talk about Cronulla, but I will do so later. I will deal, first, with the contributions made by his colleagues, in particular the contribution of the Parliamentary Secretary to the Minister for Infrastructure and Planning, and Minister for Natural Resources. Those Government members who contributed to debate on this motion said that the honourable member for Willoughby should co-operate and consult with the Government. Last week the honourable member for Willoughby rang the Minister for Transport Services and tried to arrange a briefing on transport infrastructure, but the Minister has not returned her call.

Will the Parliamentary Secretary and the honourable member for Penrith assure the honourable member for Willoughby that the Minister for Transport Services will return her call and arrange a briefing? It is easy for Government members to say that the honourable member for Willoughby must co-operate and consult, but she cannot consult a brick wall, which is what she is up against in her fight for transport services for people of her electorate. Government members say that she should consult, co-operate and collaborate with her oppressors.

Ms Berejikian: There is no-one to collaborate with.

Mr KERR: No constructive help is provided. The honourable member for Willoughby raised important issues concerning the lifestyle of people in her electorate. She said that the Government must address community concerns about the provision of adequate infrastructure. We heard little about the provision of adequate infrastructure from the Parliamentary Secretary. We heard nothing about that from the honourable member for Penrith. I make two points about the speech delivered by the honourable member for Penrith. First, she did not read her speech well and, second, the speech was not worth reading.

I will now respond to the earlier invitation of the honourable member for Newcastle. Government speakers who contributed to this debate referred to planning and the concept of planning in Sydney. The honourable member for Menai would be aware that Sutherland shire is used to having planning dictates imposed on it. I hope she has read the so-called people's local environmental plan [LEP], although we are still in search of the people who are referred to in that LEP. In 1997 the State Government applied the provisions of urban consolidation to Sutherland shire. It initiated the Fielding inquiry into the implementation of council's housing strategy. Council then held an inquiry, which was presided over by John Woodward. Councillor Tracie Sonda—

Mr Orkopoulos: The duke of Sutherland shire.

Mr KERR: Let us talk about development. The Government wanted urban consolidation in Sutherland shire. Councillor Tracie Sonda, who is either the mayor or the deputy mayor, is in coalition with the Labor Party.

Mr Orkopoulos: This is not about Willoughby.

Mr KERR: Yes, it is. The honourable member for Newcastle invited me to speak on this subject, which is what I am doing. I hope the honourable member for Menai reads the LEP to which I referred earlier. Today I received a letter from a resident who said that if his house burned down he would not be able to rebuild it. How many people in the Menai electorate are in the same position? [*Time expired.*]

Ms BEREJIKLIAN (Willoughby) [12.04 p.m.], in reply: I thank the honourable member for Davidson and the honourable member for Cronulla for their constructive contributions. I also thank Government members for outlining their views, which I think are severely deficient. Government members made much of the fact that this is a so-called concept plan and told me not to get uptight about it. However, on 28 February the *North Shore Times* reported—

Mr Gaudry: A journal of record!

Ms BEREJIKLIAN: Yes, it is. An article appeared in that newspaper on 28 February which stated:

Parramatta Rail Link spokesperson Helen Willoughby—

that is a coincidence—

said the Chatswood development would go out to tender over the next six months, and construction was expected to begin early next year.

The Government said in February that construction would start early next year, and I am accused of overreacting today. It is there on paper in black in white. The Government spokesperson made those comments in the presence of the then Minister for Transport. It would be negligent of me, as the local member, to ignore the existence of the concept plan and to do as the Government suggests and simply sit back and watch the three towers go up. That is not acceptable.

Ms Megarrity: Consult your community and work with your community.

Ms BEREJIKLIAN: I have tried to work with this Government. My staff and I have contacted the Minister's office three or more times but I am yet to receive a briefing on this matter. That is not acceptable. I clearly welcome much-needed investment in the Chatswood transport interchange. Transport facilities in Chatswood are not sufficient. For example, disability access is lacking and the bus interchange does not operate well. I will work day and night to ensure that my constituents benefit from the much-needed overhaul of the transport interchange. However, that overhaul should not be contingent upon the construction of three high-rise towers in our community. There should be no grubby strings attached.

As I said earlier, infrastructure services are lacking in the area. The community of Willoughby has already suffered a diminution of transport services, and its run-down interchange requires an overhaul—which I will fight to make sure it gets. It should not now have to wear the construction of three towers of up to 30 storeys. The people of Willoughby do not trust this Government, which has a record of overdevelopment. The Government has no right to impose this additional development on the people of Chatswood without providing sufficient assurances about the issues that have been raised. I demand that the Government ensure that the overhaul of the Chatswood transport interchange proceeds and that this additional massive development does not.

The people of Chatswood have paid their hard-earned money in taxes. They have demonstrated that they deserve, need, and should receive an improved transport facility with no grubby strings—in the form of three buildings of up to 30 storeys—attached. I ask honourable members to support the right of the people of Willoughby to have adequate transport facilities. I hope the Minister will give me a briefing about the so-called concept plan. I have a statement in black in white that construction will begin early next year, but the Government expects me to cop it. I will not. I commend the motion to the House.

Question—That the motion be agreed to—put.**The House divided.****Ayes, 37**

Mr Aplin	Mrs Hopwood	Ms Seaton
Mr Armstrong	Mr Humpherson	Mrs Skinner
Mr Barr	Mr Kerr	Mr Slack-Smith
Ms Berejiklian	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 J. H. Turner
Mr Fraser	Mr Page	Mr R. W. Turner
Mrs Hancock	Mr Piccoli	
Mr Hartcher	Mr Pringle	<i>Tellers,</i>
Mr Hazzard	Mr Richardson	Mr George
Ms Hodgkinson	Mr Roberts	Mr Maguire

Noes, 47

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

Pair

Mr Brogden

Mr Carr

Question resolved in the negative.**Motion negatived.****GOVERNMENT CONTRACTS****Mr OAKESHOTT** (Port Macquarie) [12.13 p.m.]: I move:

That:

- (1) The Government recognise its ongoing role when contracts are issued to private companies to deliver essential public services such as health care and bus services in regional communities.
- (2) In future contract negotiations with the private sector, the Government write into all agreements:
 - (a) an ongoing financial audit requirement so that non-payment of staff entitlements or insolvent trading are identified early; and
 - (b) sunset clauses on commercial-in-confidence agreements so that transparency and accountability to the public is always a primary focus.

The basic principle of having open and transparent government is in line with matters raised by other Independents in this House and by many honourable members privately. Contracts, tenders, private and public relations, freedom of information, and the lack of access to what is happening in government negotiations with the private sector are issues that are often considered to be the seedy underbelly of the New South Wales Parliament. The trigger on the mid North Coast has been the collapse of the 12 King Bros bus companies, which has had a significant impact on the North Coast, the mid North Coast, and its operations in Wagga Wagga.

By way of background, King Bros provided an essential public service on the mid North Coast and in the Riverina. Over two years its companies undertook a significant and massive expansion from their original operation in Kempsey. They were involved in massive bank borrowing and financing which went pear shaped within 24 hours. But during those two years not one single alarm bell rang within the government ranks or, in particular, within Transport NSW. Since the debacle took place I am pleased that Transport NSW and the Minister have taken a very hands-on role in making sure that a service has remained in place in order to get kids to schools and maintain the town bus runs up and down the coast. I am also pleased that the Government is considering exploring the tightening of a lot of these contracts in the future.

The collapse has left many King Bros staff with a big question mark over their entitlements. We are trying to prevent that happening in the future so that staff working for State agencies that provide an essential public service are not left out of pocket. I recognise the argument put by the Minister for Infrastructure and Planning during question time and the argument of the Minister for Transport Services, Michael Costa, in the other place that staff entitlements are essentially a Commonwealth issue. However, the question is how to avoid it happening in the first place, and it is the role of the State Government to provide the answer. It has to make sure that the State has an ongoing financial auditing role in the provision of services such as a bus service in communities like the mid North Coast.

I am astounded that not one single alarm bell rang in relation to King Bros during its two years of rapid expansion. Why? What went wrong? Where were the audit and accountability trails within Transport NSW? I understand that many people from the director-general down visited the King Bros operations and came back beaming, saying, "All is well." Obviously all was not well and there were problems. We need to make sure that the accountability and audit trails are better and more transparent so it does not happen again. This morning I was pleased to hear the Minister for Transport Services talk on ABC radio mid North Coast about his recognition of the problem with contracts in this instance and how he will tighten up those arrangements. I am keen to hear more details about that either in this debate or at any time in the near future.

Contracts are a matter that cuts to the heart of life in Port Macquarie. In many cases we can be considered to be the home of public-private agreements. Sea Acres Nature Reserve is one of the only privately run public nature reserves in New South Wales. It is a fantastic centre that has a history of dispute between the public, that is the National Parks and Wildlife Service, and the operator. The Port Macquarie community, though a partner through its taxpayers' dollars, is not privy to the issues involved in the dispute and in who is to blame. Likewise, another hot topic in this House in the past decade has been Port Macquarie Base Hospital, which is still the only privately run, publicly operated base hospital in New South Wales. We have heard many times of the concern about that hospital. Essentially, therefore, the Port Macquarie community has a level of expertise in living with public and private agreements.

One issue is that the Government seems to enter agreements with the private sector and then wash its hands of them. Its thinking appears to be: The deal is done; it is no longer our problem. I would argue—as I know many in my community would argue, and as I hope many in this House would argue—that the public dollar is at stake here. Attachments that go with spending the public dollar do not apply to the private dollar. Among those attachments are constraints applying to the democratically elected governments of New South Wales and Australia. An accountability trail should attach to the spending of all public dollars, so that I or any member of our community who wants to know how taxpayers' dollars are being spent can get that information. At the moment, neither I nor any member of the Port Macquarie community can access the detail of the financial aspects of commercial in-confidence agreements for the Port Macquarie Base Hospital signed 10 years ago. Nor can we ascertain how much hospital money is being spent in what direction.

It took an upper House inquiry last year, and close questioning of a fairly disgruntled former chief executive officer of the Port Macquarie hospital before that inquiry, to reveal that the two public and private Port Macquarie hospitals are pulling a profit of \$6 million out of the Hastings Valley. That figure remains undisputed. The community and the local member must rely on that sort of process to get any significant information about, or be assured there is accountability or transparency in, what is happening with New South Wales taxpayers' dollars.

I think the Government can do better than that. I would hope that the Government recognises that and is willing to work on this issue. Transparency on spending the public dollar is very important. I hope in future we will not have to rely on disgruntled public servants or upper House inquiries to find out what is happening with taxpayers' dollars. Earlier I discussed with a journalist an article written in a weekend newspaper about so-called political party education funding, which I regard as an extraordinary but very good example of taxpayers' dollars seemingly being misdirected.

Mr O'Farrell: It fits well with your notion of transparency and accountability.

Mr OAKESHOTT: With less than a minute remaining in which to speak, I make the point that funding for mental health, education or regional sporting facilities is of far greater importance.

Mr O'Farrell: Then hand back your public funding cheque.

Mr OAKESHOTT: That is separate from your education fund.

Mr O'Farrell: It is not separate.

Mr OAKESHOTT: It is. It is completely different. I hope the Opposition—which I know would love to prise open, like an oyster, many of the issues that the Government is working on with the private sector—does believe in transparency and accountability. I hope that we all truly believe in open government and that we will not just talk about it.

Mr STEWART (Bankstown—Parliamentary Secretary) [12.23 p.m.]: I move:

That the motion be amended by leaving out paragraph (2).

Recognition of the Government's ongoing role when contracts are issued to private companies to deliver essential public service is already encapsulated in the Government's current policies and procedures. Any requirement for ongoing financial audits for early identification of non-payment of staff entitlements and involvement trading would be ineffective. The resources required to carry out such audits would be enormous and would not significantly improve the current situation. The responsibility for policing insolvent trading rests, as the honourable member for Port Macquarie knows, with the Federal Government. The New South Wales Government, however, seeks to proactively minimise risks associated with insolvency by conducting financial checks on a prospective contractor prior to awarding a contract. That is, in itself, an important test.

The Department of Commerce has established a whole-of-government contract for the provision of financial evaluations to assist government agencies to carry out this important function. It must, however, be clearly understood that no matter how strong a financial position a contractor may be in at the commencement of its contract with the Government, there is no guarantee that during the course of completing a contract the contractor will not become insolvent. One does not know these things; we do not know what the future holds. Related and unrelated events, certainly beyond the control of the Government during the course of the contract, may result in the insolvency of the contractor. To further address such potential problems in this area, a large number of government tenders are called in two stages, where a prequalification process is adopted. This process excludes not only inexperienced or underperforming companies from lodging tenders, but also companies that do not meet reasonable financial criteria.

In regard to employee entitlements, the Government generally requires a statutory declaration or statement from its contractors that all such entitlements have been met prior to the contractors being paid. In addition, the State Contracts Control Board has provision to carry out audits, which it does regularly. In the building and construction industry, in recognition of that industry's poor record regarding payment practices, the Carr Government introduced in 1999 security of payment legislation to force early notice of disputed payments and to provide an inexpensive form of statutory adjudication to promptly resolve such disputes. The legislation was recently amended to improve its effectiveness in terms of creditors being able to obtain prompt court judgments in the event that debtors failed to honour their payment obligations following adjudication.

While the legislation does not directly affect employees, their employers are now much better placed to secure payments legitimately owed to them by their debtors, thereby also providing much greater security to their employees' entitlements. This legislation has proved to be so successful that it was recently adopted by the Victorian Government, which recognised it as a benchmark and the way to go on this issue. It also forms the basis of proposed legislation in Queensland and Western Australia. So the New South Wales Government has

set the benchmark, and it has been followed by other States that have seen the effectiveness of arrangements that this legislation has put in place. Even the Cole building industry royal commission took note of the success of the New South Wales legislation and constructed its proposed draft model security of payment legislation around the New South Wales Act.

In regard to commercial in-confidence, the Government's current contract disclosure policy significantly restricts the information that can be regarded as commercial in-confidence. In 2000 the Premier issued guidelines for government contract disclosure. They require the publishing, within 90 days, of contracts awarded for work valued at over \$100,000, along with certain information regarding such contracts. This information includes details of the goods and services to be provided by the contract, the contract commencement date and contract duration, the identity of the contractor, the contract price, provisions for contract regarding negotiations, and, very importantly, the significant evaluation criteria and weightings used in the tender assessment.

For contracts below the \$100,000 threshold, such information must be made available on request—an important aspect of this approach. However, many agencies routinely publish key aspects of such contracts, such as the name of the contractor, the contract price, the nature of the goods and services provided, and of course the contract duration. The guidelines limit commercial in-confidence information to the contractor's financial details and arrangements, the contractor's cost structure and profit margin, the contractor's intellectual property, and other elements of the contractor's bid which could be reasonably considered "trade" secrets and could harm the contractor's commercial standing with its competitors. Also, any information at all about unsuccessful tenderers is treated as commercial in-confidence. The use of sunset clauses for information that truly is commercial in-confidence is not considered appropriate as it can limit the Government's opportunity to obtain the best value for money.

Mr Oakeshott: Rubbish!

Mr STEWART: It can, and the honourable member knows that very well. It could also damage the genuine commercial interest of firms trading with the Government. Clearly, the New South Wales Government is on top of its obligations when ensuring that contracts are properly formed and administered, and that they provide appropriate protection for employees' entitlements. The New South Wales Government also provides a high level of transparency in its dealings, to the benefit of the industry and the people of New South Wales. The aspects I have put forward demonstrate that clearly. I commend my amendment to the House.

Mr McGRANE (Dubbo) [12.30 p.m.]: I support the motion moved by the honourable member for Port Macquarie. What happened in Port Macquarie has had an ongoing effect throughout his community and other communities in which King Bros was operating. A similar situation occurred in my electorate. A consortium consisting of Theiss Brothers, Hastie's and OzHope won a government contract of \$17 million to develop multipurpose services at Brewarrina, Gilgandra, Lightning Ridge and Gulargambone. One member of the consortium collapsed, which left 22 smaller contractors—truck drivers, electricians, plumbers, retail goods suppliers and accommodation providers in Parkes, Forbes and Dubbo, and other sundry businesses—owed well in excess of \$2 million. I asked the Minister for Fair Trading and other Ministers why payment was not guaranteed to the smaller contractors under the building and construction industry security of payments legislation.

Apparently they are not eligible for support under the legislation. Although I heard from the Parliamentary Secretary, Tony Stewart, this morning that safeguards have been put in place to protect small subcontractors, I suggest that they have not gone far enough. People are still falling through the cracks. They have no recourse, apart from a costly legal process, to redeem the money owing to them.

It is fantastic that multipurpose services are being developed around my region and neighbouring electorates. I have no problem with the way the job was contracted with Public Works, but the failure of one member of the consortium impacted on everyone else. Other major national firms that are members of the consortium left the smaller contractors out to dry. The Government legislation has room for improvement. I commend the motion to the House.

Mr TORBAY (Northern Tablelands) [12.34 p.m.]: I congratulate the honourable member for Port Macquarie on moving this motion. I also thank the honourable member for Lismore for his support. The motion is about accountability and ensuring that the Government implements open processes. It will enable Government policy to ensure that debacles such as what happened with King Brothers, to which the honourable member

referred, do not happen again. We will learn from poor outcomes that have not served the community well. It is interesting to note that the Parliamentary Secretary moved an amendment to delete paragraph (2), which seeks to put in place processes that ensure accountability and open government, to ensure that scrutiny takes its course.

It appears that the Government is happy with the rhetoric but will delete the processes of providing open government and accountability. The record of State and Federal governments in corporate collapses—when taxpayers, employees and others have been left out to dry—is not good, and that record will continue. It was great to hear the Deputy Leader of the Opposition interject earlier. The airport rail link, in which the taxpayer was the loser, is an example of a private-public relationship from which we can learn. No-one seems to be able to get it right. But when it comes to blowing the whistle it is always well and truly after the event, and it is always the employees or the taxpayers who are left to carry the burden.

The honourable member for Port Macquarie is attempting to redress this problem by introducing non-partisan measures that will scrutinise open government and listen to feed-back so that we can learn from our mistakes and so that taxpayers and employees—the people who, in almost every example in the past five years, are impacted on the most and can afford it the least—are looked after. Private-public partnerships will continue to be debated in State and Federal parliaments across Australia because they present parliaments with opportunities to fast track investment into communities. But some private-public partnerships have been spectacular failures—there has been considerable debate about it—because of lack of experience, opportunity, openness and transparency, because governments and bureaucracies have tried to negotiate behind the scenes.

Normally a body to scrutinise the process is established, particularly in the insurance industry. But they have not been able to blow the whistle until it has been well and truly too late, even though the purpose of their establishment is to scrutinise, watch and ensure that the public interest is served. Ultimately we have a great speech after the collapse. I am certainly happy to debate private-public partnerships, but if we go down that path we must ensure that openness, transparency, and protection mechanisms are implemented, which is what the honourable member for Port Macquarie seeks through his motion and what the honourable member for Dubbo supports.

Mr O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [12.39 p.m.]: At the outset I make the observation that the honourable member for Northern Tablelands has been left behind if he thinks that we are about to enter the public-private partnership debate. That debate was settled 200 years ago. This House sits in part of a building that formed the first public-private partnership in Australia. This Parliament occupies the site of the Rum hospital, which was built on the back of a licence to allow alcohol to be brought into the colony of New South Wales. That debate is over. It is regrettable that too often we hear members such as the honourable member for Northern Tablelands highlight failings without referring to the positive results that such partnerships may bring to New South Wales and Australia.

The Opposition will support this motion, not necessarily in its policy prescription, which I will address in more detail later, but in relation to the principles on which it is based. Again the honourable member for Port Macquarie displays his philosophical antecedents in moving the motion. The Leader of the Opposition stated on 18 February that the Liberal Party and the National Party have sought to bring greater transparency and accountability to government. On 18 February the Leader of the Opposition, John Brogden, committed himself to overhauling the way that government operates in New South Wales to ensure complete transparency and the highest standards of performance.

The Coalition compiled a detailed document which sets out how the Coalition will go about that. That document indicates that the Coalition's policies certainly go beyond the prescriptions put forward by any honourable member who has participated in this debate, notwithstanding that there are joint principles involved. One of the issues concerning prescription that I wish to draw to the attention of the honourable member for Port Macquarie is that although the Coalition will oppose the Government's amendment, the reality is that paragraph 2 (b) of the motion is intrinsically inconsistent. If one believes in the principles of transparency and accountability, one would have no sunset clauses at all. A commercial-in-confidence dealing for any period is intrinsically contrary to the principles of transparency and accountability.

I have argued to investment groups around the city that the days of commercial-in-confidence dealings are gone. Enterprises that have dealings with government know that the requirement for accountability and transparency should mean in this day and age that once the contract has been signed it is a fully open and accountable document. That is not a revolution; I said that to the Australian Infrastructure Council in 1999. It is something I believe in. It is the type of proposition that has been supported by members of the Coalition in this

Chamber on previous occasions and in motions that have been moved in the upper House, and it is a policy that is exactly at the heart of the policy released by the Leader of the Opposition on 18 February.

One of the reasons that I am eager to support this motion is that I am aware of a number of questions relating to the Port Macquarie electorate, namely, the Port Macquarie Base Hospital and King Bros, but I point out to the honourable member for Port Macquarie that these issues do not affect regional New South Wales only. As I mentioned at the commencement of my speech, public-private partnerships affect most citizens of this State. The regional communities on whose behalf the honourable member for Port Macquarie has advanced arguments in this instance are just as important as are communities in metropolitan areas of New South Wales. The only other point I make to the honourable member for Port Macquarie is that at times in these debates we become too focused on dollars and amounts and tend not to focus on the other side of the equation, the actual performance and outcomes being provided by services, either publicly or privately owned, to the citizens of New South Wales.

One of the details released in the policy statement made by the Leader of the Opposition on 18 February was that the Coalition would become serious about performance measurements such as performance benchmarks because it was only by analysing both the expenditure as well as performance that a true assessment may be made of value for money for the taxpayers of New South Wales, and it is only in that way that members of the Coalition will be able to put their hands on their hearts and say that adequate services are being delivered to the people of New South Wales. Questions ought to be asked about the King Bros collapse. There is no doubt that the Department of Transport has failed. There is no doubt that for 18 months the Department of Transport encouraged the amalgamation of school bus routes being taken over by an outfit such as King Bros.

Where were the adequate checks that should have been made? Departmental policy encouraged King Bros to become bigger and bigger, but without appropriate checks and balances the arrangement has collapsed. The honourable member for Port Macquarie knows my views on the Port Macquarie Base Hospital. The only point I would make in defence of the initial contract is that whenever pioneering takes place there will be problems, but we should learn from those problems and it should not take an upper House inquiry to get to the bottom of those problems. The Coalition supports these types of motions because people should not have to go to *crikey.com.au* to find out what is happening in the New South Wales Government. There should be greater accountability and transparency. That is what the Coalition side of politics will push for. That is what the Coalition was committed to during the recent election campaign, and the Coalition will remain committed to that in the future.

Mr GEORGE (Lismore) [12.44 p.m.]: I support the motion. In common with the honourable member who preceded me in this debate, I worry about Government contracts. My concern goes further than the contract that was awarded to King Bros, it goes to events that took place before the contract was even awarded. I received a letter from a company based at Casino, Blunts Bus and Coach, setting out the problems they encountered with a tendering process that has been adopted by New South Wales CountryLink. They chased up the CountryLink tender documents through the Internet and through direct contact with CountryLink operations. The letter states:

Without our knowing how to play the system, we were led to believe that you had to actually wait for the tender to be released (ie in writing in the Herald) before you could receive a copy. What the system actually was, was that those in the "know" sent in their \$50.00 tender fee prior to its release and when it was released they were automatically sent out the documentation. With us not knowing the system, we were actually 2 weeks behind the others.

Once we received the tender document, we had three or so weeks to gather all our information required for the tender... Now we had been advised that you were to attach to the tender as much information as possible regarding the types of vehicles you were proposing to use.

The company provided all that information. The letter goes on to state:

Each tender document was then mailed to the CountryLink Head Office.

We were advised that CountryLink would make a decision as to the successful tenderer within the next two months after the tenders had actually closed.

Then the fun began. The letter further states:

Two months came and went! It was only through our direct contact with Chris Blakeway that we were kept up to date with the progress of the tender process.

We were advised by Chris Blakeway that the decision would be made initially in late July with the successful tenderer to commence January, 2001. Then it was September with a start date of January 2001 and then after that we kind of gave up.

Honourable members should bear in mind that the only communication they received from CountryLink was received well and truly after commencement date for the contract. The letter goes on to state:

The only communication that we received from CountryLink operations was a letter received by us in approximately October 2001. A brief letter at that just stating that a decision had not yet been made as to the successful tenderer.

The April 2002 edition of *Australian Bus and Coach* magazine states:

A SIX month extension of CountryLink contracts in NSW has thrown the coach market into turmoil.

Operators had the buses on order and were trying to keep themselves up to date. The extension threw the whole industry into turmoil. The family that operates Blunts Bus and Coach had put their heart and soul into their attempts to be part of the tendering process. I am sure that many country organisations whose operations would not be of the same magnitude as those of King Bros would have been tendering to win CountryLink contracts, but CountryLink seemed content to do business with just one company. If Blunts Bus and Coach had known that the tendering process would have taken such a long time it certainly would not have committed itself to the large expense involved in preparing the business to fulfil the contract.

If the business had been the successful tenderer, it would have been obliged to have provided the right offices, the right backup services and the right types of buses. This company was not the only company that suffered from this tendering process. The company expected the tendering process to be fair and would certainly adopt a different approach if the CountryLink contracts were open for tender again. Aside from the trauma encountered by that company in its attempts to successfully tender for the contracts, there is the added insult of being thwarted because proper process was thrown out by CountryLink. The tendering process had to be recommenced. As a result, King Bros was awarded the contract to provide the service. Within months of King Bros being awarded the contract, where is that company today? Big is not always best. As well as the principles of contract negotiation referred to in the motion, the process of evaluating tenders and awarding contracts should be examined.

Mr OAKESHOTT (Port Macquarie) [12.50 p.m.], in reply: I thank all honourable members who contributed to this debate. I thank especially the honourable member for Dubbo, the honourable member for Northern Tablelands and the honourable member for Lismore, who represent regional and rural areas, for recognising this significant issue. Quite often rural and regional communities feel the impact of the collapse of companies such as King Bros, and those mentioned by the honourable member for Dubbo, much more than would Sydney communities. On behalf of the Opposition the Deputy Leader of the Opposition gave support for the motion and mentioned that the original Parliament House was built through a public-private arrangement. I hope he also recognises the very principles of why this Parliament was formed, and that our role is to support an open democracy, as our forefathers did and would want us to do.

I take the words of the Opposition in good faith and hope that if and when they make it to the Government benches they fulfil those undertakings. I thank also the Parliamentary Secretary, the honourable member for Bankstown, for his contribution and support for all but the last paragraph of the motion. The Government uses the argument that financial audits are already in place. If so, why are all these failures occurring? , Where did it go wrong? We still have not heard an explanation for the collapse of King Bros. If a financial auditing process is in place, as argued by the Government, and the Government is comfortable with the way it is working, where did it go wrong? Why have 12 companies on the North Coast and mid North Coast and in the Riverina collapsed, leaving many staff without their entitlements? Essentially, those staff members were working for the State Government in providing an essential service including town and school bus runs.

The Government has balked and has moved to delete paragraph (2) (b) of the motion. As the honourable member for Northern Tablelands said, the proposed amendment shows that the Government is high on rhetoric but cannot ensure that commercial-in-confidence agreements are either not struck or, once entered into, are protected when a sensitive issue arises that the Government or the private sector need to protect. I note the comments of the Deputy Leader of the Opposition in that regard. In my electorate a 20-year-contract was entered into for the running of the Port Macquarie Base Hospital. Now, 10 years down the track, there is absolutely no reason why the Port Macquarie community cannot access the financial agreements made at that time. The Government needs to consider not entering into those types of agreements in future.

I have not attached a time frame to sunset clauses but have left it to those entering into commercial-in-confidence agreements on behalf of the Government to keep in mind that every process has to have an end. By moving that amendment the Government is sending a very clear message that it talks about open government but is not willing to deliver it. The Government talks about transparency and accountability but does not want to deliver it. I will write to the Public Accounts Committee and the Public Bodies Review Committee requesting them to explore this matter further.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 45

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

Noes, 36

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

Pair

Mr Carr

Mr Brogden

Question resolved in the affirmative.

Amendment agreed to.

Motion as amended agreed to.

[*Mr Speaker left the chair at 1.03 p.m. The House resumed at 2.15 p.m.*]

FILMING OF PROCEEDINGS

Mr SPEAKER: For the information of members, I inform the House that a BBC film crew is in the gallery to film part of question time. The footage is to be included in an historical documentary series being produced for BBC Scotland entitled *Impact of Scots on the British Empire*.

AUDITOR-GENERAL'S REPORT

Mr Speaker tabled, pursuant to section 52A of the Public Finance and Audit Act 1983, the report entitled "Auditor-General's Report—Financial Audits—Volume Two 2003", dated May 2003.

Ordered to be printed.

INDEPENDENT COMMISSION AGAINST CORRUPTION

Report

Mr Speaker tabled, pursuant to section 74 of the Independent Commission Against Corruption Act 1988, the report entitled "Investigation into Dealings between Thambiah Jeevarajah, an Engineer Employed by the Department of Housing, and the Construction Company Australian Colour Enterprises Pty Ltd", dated May 2003.

Ordered to be printed.

ASSENT TO BILLS

Assent to the following bills reported:

Appropriation (Budget Variations) Bill
 Conveyancers Licensing Bill
 Valuers Bill
 Crimes Legislation Amendment (Property Identification) Bill
 Rural Lands Protection Amendment Bill

BUSINESS OF THE HOUSE

Routine of Business

[During notices of motions]

Ms Moore: Point of order: Will you ask the honourable member for Liverpool to read his notice of motion again? We have not heard a word of it.

Mr SPEAKER: Order! I ask the honourable member for Liverpool to continue reading his notice of motion, and I ask members of the Opposition to listen to it in silence.

Mr Tink: Point of order: The Premier has already indicated, as has the Leader of the Opposition, that the appropriate place for that matter is the Police Integrity Commission. The honourable member for Liverpool, who is chairman of the parliamentary committee, ought to know better.

Mr SPEAKER: Order! The motion of the honourable member for Liverpool is in order.

PETITIONS

Cudgen Creek Seaway

Petitions requesting that the Cudgen Creek seaway at Kingscliff be cleared of silt, received from **Mr Cansdell, Mr Fraser and Mr R. W. Turner.**

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.**

Age of Consent

Petitions supporting a uniform age of consent of 18 for both boys and girls, opposing legislative changes to lower the age of consent for consensual male homosexual acts, opposing retrospectivity of the legislation, supporting increased criminal penalties for sexual predators, and praying that age of consent and penalties be dealt with in separate bills, received from **Mr Ashton**.

Windsor Road Traffic Arrangements

Petition requesting a right turn bay on Windsor Road at Acres Road, received from **Mr Richardson**.

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**.

Hawkesbury Electorate Sewerage

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

Bushfires and Hazard Reduction

Petition requesting an inquiry into the causes of bushfires and their relationship to the lack of hazard reduction, received from **Ms Hodgkinson**.

Circus Animals

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

JOINT SELECT COMMITTEE INTO THE TRANSPORTATION AND STORAGE OF NUCLEAR WASTE

Membership

Mr SPEAKER: I inform the House that, pursuant to resolution of Thursday 8 May, the Clerk has received correspondence nominating Mr Brown, Ms Judge, Mr McGrane and Mr Slack-Smith as the Legislative Assembly members of the committee.

QUESTIONS WITHOUT NOTICE

MENANGLE BRIDGE RAIL OFFICIALS CRIMINAL OFFENCES ALLEGATION

Mr BROGDEN: My question is directed to the Minister for Police. Now that the Opposition has obtained legal advice, co-signed by a retired Supreme Court Judge, that indicates reasonable grounds exist for suspecting that rail officials committed breaches of the Crimes Act in relation to Menangle Bridge, will the Minister now forward the advice to the Commissioner of Police for thorough investigation?

Mr WATKINS: As the Leader of the Opposition is aware, he has already been in contact with the Commissioner of Police to discuss these matters. Those matters have been forwarded by the Commissioner of Police to the Independent Commission Against Corruption [ICAC], which is where they should be. If he has any more information that the commissioner should have, the commissioner will forward it to the ICAC if the Leader of the Opposition so wishes, but why does the Leader of the Opposition not forward that information to the ICAC, as is his duty?

COFFS HARBOUR AND PORT MACQUARIE RADIOTHERAPY SERVICES

Mr STONER: My question is directed to the Minister for Health. Does the Minister propose to honour the commitment given by his predecessor to provide \$30 million for the construction of radiotherapy units at Coffs Harbour and Port Macquarie, given that the mid North Coast has been identified as a number one priority for the establishment of such units?

Mr IEMMA: As the Leader of the National Party knows, this matter was before the people during the election campaign when the Government announced that if it were re-elected it would implement a \$205 million cancer care plan to tackle cancer during the next four years. My colleague the Minister Assisting the Minister for Health (Cancer) and I are currently in the process of putting together a submission to Cabinet to deliver on the Government's commitment for a comprehensive cancer care plan for New South Wales over the next four years.

DEPARTMENT OF INFRASTRUCTURE, PLANNING AND NATURAL RESOURCES ESTABLISHMENT

Ms MEGARRITY: My question without notice is directed to the Minister for Infrastructure and Planning, and Minister for Natural Resources. What is the latest information on the management of natural resources and planning in New South Wales?

Mr KNOWLES: Prior to the election the Premier announced that as part of our overall approach to natural resource management we would simplify the rules and structures of government and bureaucracy. The objectives in their simplest form are to deliver more service, less bureaucracy, more commonsense and less confusion in the way in which our natural assets are managed and sustained. We will involve the key stakeholders in the community in that process. Honourable members are aware that a number of government agencies and instrumentalities participate in natural resource management. There is nothing especially wrong with that provided that their roles and functions are properly aligned. I have an obligation to remove any overlaps or contradictions and, with that in mind, the new director-general, Jennifer Westacott, has advised me that she intends to bring together the Department of Urban and Transport Planning and the Department of Sustainable Natural Resources to form one department, the Department of Infrastructure, Planning and Natural Resources. That will mean a better integration of the key elements that underpin balanced and sustainable development and natural resource management.

The obvious advantages will include the better linking of natural resource management and urban development, particularly in coastal areas, where there are massive overlaps and duplications of functions under the former Department of Urban Affairs and Planning and many of the other land use agencies historically found in land and water conservation. It will reduce the number of agencies involved in the decision-making process about land use planning, with further pressure to reduce the often conflicting views within government that cause endless frustration to the community. A couple of weeks ago I cited the example of a Lachlan River farmer, 10 willow trees, four government departments and the fact that two years later he is still trying to get a decision. The new department will bring together some of those agencies and processes to give the community—in that case, the farmer—a better chance of clarity and certainty from the Government.

Equally, it will be a move towards improving service levels by reinforcing the concept of one-stop shops for information, applications and approvals. The costs of administration will also be reduced as we bring together the core functions of individual agencies and free up resources for farmers and direct services to the communities. For example, the director-general has already started the first step of the process, that is, the integration of corporate services, finance, human resources, fleet management, accommodation, media and communications and executive support. They are in the process of being amalgamated across a number of agencies into one unit. That will bear down on the cost of administration and free up money locked up to provide service delivery to the community—the farmers—in the context of the announcement by the Premier prior to the election. Discussions to achieve that objective quickly are now occurring with key stakeholders. We want to simplify the planning and approval systems and the layer upon layer of competing and differing rules.

The move will also allow the Government to better link vital infrastructure such as transport and other facilities and services to the needs of communities now and in the future. Already discussions are underway between Treasury, the Department of Commerce and my new department to overhaul the way we plan and deliver infrastructure. In future we want infrastructure to be better aligned with the changes that are taking place in the community, such as the population growth and the aging of the community. We want to make it easier for

the private sector, for example, to work with government to share their ideas about infrastructure provision. We want to establish a long-term view about the type of infrastructure we need to give greater certainty to business and to assist in capital planning, whether it is on or off budget.

Most importantly, these changes will affect and underpin our efforts to reconcile those difficult and often competing interests of environmental needs and social and economic imperatives. For example, we want to balance the flows in the rivers to maintain their health and life for future generations while at the same time ensuring opportunities for farmers—some of whom have been farming for generations—to continue to pass on their properties to their children and their children's children in a healthier and better state. We also want to maintain the sustainability of our natural resources and environments. These important opportunities in the early stages of the new term of the Government will send a clear message to communities and departments that we are serious about simplifying commonsense rules and operational principles to bone down the resources that have been locked up in myriad rules and regulations in government agencies and deliver a dividend to the communities that we are all elected to serve.

KOREAN WAR VETERANS FUNCTION

Mrs HANCOCK: My question is directed to the Premier. Why, following the Premier's commitment before the March election and his issuing of a statewide invitation to veterans in the Korean conflict, as well as war widows, spouses, partners and families, has he now insulted thousands of veterans and their families by limiting the invitations to 200 people and not inviting spouses, making the event, in the words of South Coast veterans, nothing more than a political stunt?

Mr SPEAKER: Order! The question is too lengthy. I ask the honourable member for South Coast to revise her question and I will give her the call later.

HANDGUN BUYBACK SCHEME

Mr PEARCE: My question without notice is to the Minister for Police. What is the Government's response to the administration of the Federal Government's upcoming guns buyback scheme?

Mr WATKINS: As honourable members are aware, New South Wales already has the toughest firearms laws in Australia. Under the new national agreement, those laws will be strengthened in relation to handguns. In December last year the Council of Australian Governments supported Prime Minister Howard's new plan for tighter regulation of handguns. The National Handgun Control Agreement will reduce the number of handguns in the community and will significantly strengthen access controls. But additional licensing controls are only one part of the equation. As a country, we simply need to do more to reduce the number of illegal handguns both entering the country and circulating amongst violent criminals.

In this regard, New South Wales is already leading the way. We led the way by being the first jurisdiction to introduce a specific anti-trafficking enforcement unit. We lead the way in respect of illegal firearm trafficking investigation and enforcement. We have backed greater police powers with tougher anti-trafficking laws. NSW Police has put these powers, laws and resources to good use. Last year alone 2,600 firearms were seized. It is pleasing to note that some of these laws have been adopted nationwide as a result of the Council of Australian Governments agreement. However, more national action is essential if we are to reduce the number of guns in the hands of criminals. That is why this week the Premier has written to Prime Minister Howard proposing a new law enforcement fund. The fund's aim will be to help investigators mount a new assault on illegal firearm trafficking. The New South Wales proposal is for this fund to be allocated between \$3 million and \$5 million on a two-thirds/one-third basis between the Commonwealth and the States.

New South Wales law enforcement officers have advised me that undercover investigations, using upfront cash purchases of illegal guns, are one of the most effective ways to hit back—to make an effective strike against the top-end guns smugglers. With such a fund, we could hit back hard. We could hit back hard because undercover buys result in better, direct evidence being gathered about illegal sales. It means shorter court hearings and more guilty pleas. It leads to a major haul of guns being intercepted before they hit the streets. Illegal handguns represent a significant threat to the community. They are used by serious criminals, who do not voluntarily surrender their guns under any buyback arrangement. The New South Wales plan would benefit the entire Australian community and increase public safety, and we are hopeful that Prime Minister Howard will respond positively.

In relation to the Prime Minister's plan to buy back handguns that will become illegal when the national agreement is put in place, I can update the House as to progress. New South Wales has asked the Commonwealth to start the buyback on 1 October. Honourable members will know that semiautomatic handguns with a barrel length of less than 120 millimetres and revolvers and single-shot handguns with a barrel length of less than 100 millimetres will be prohibited under the Prime Minister's plan. Licensed target shooters will only have access to .38 calibre handguns, except for a few specially accredited events, which will have access up to .45 calibre handguns.

Licensed firearms owners who surrender their handguns will be compensated under the most complex buyback ever. New South Wales Police will have to measure each and every firearm to see whether or not it complies with the new laws. I am advised that up to 21,000 handguns will need to be surrendered to the police. Prices for the buyback are still being finalised by Victoria Police and will depend on the make and model, the condition of the gun, the nature of any improvements or modifications, and any accessories that are surrendered at the same time.

Because of the complexity and scale of the buyback, planning is already under way to ensure it proceeds as smoothly as possible. Building on the experience of the 1997 buyback, NSW Police are establishing three mobile handgun buyback identification centres. These units—similar to the police random breath testing units, with which many honourable members will be familiar—will take the buyback to gun owners, rather than the other way round. Two trucks will visit pistol clubs in metropolitan and regional centres of New South Wales. The third will be dedicated to processing stock held by firearms dealers. The trucks will operate seven days a week and NSW Police will arrange appropriate locations with local clubs and ranges throughout regional New South Wales.

Staff at the buyback trucks will identify and measure all handguns to see whether or not they comply with the new laws. Guns that meet the requirements will be given a blue tag confirming re-identification. Owners of handguns that have been banned will be issued with a compensation cheque right there on the spot. For extra security, all surrendered handguns will be crushed using a hydraulic press located at the buyback centre. An independent valuation panel will also be available to resolve any disputes on the amount of compensation that is to be paid for surrendered guns. I would also mention that an amnesty will run in tandem with the buyback so that anyone illegally holding a handgun can surrender it without compensation, but with the facility to surrender it without penalty.

Extensive consultation has already occurred with New South Wales firearm licence holders on the implementation of the agreement. I thank them for their co-operation. This has happened through discussions with my Ministerial Firearm Licence Holders Working Group. Although I acknowledge that many responsible handgun owners are unhappy with Prime Minister Howard's plan, I can assure them that I will continue to consult with shooting representatives on the buyback procedures. In addition, I will be seeking comment from my working group on the detail of the bill before it is introduced into the House.

[Questions without notice interrupted.]

DISTINGUISHED VISITORS

Mr SPEAKER: I welcome to the public gallery Mr Neil Bell, former shadow Attorney General and shadow education Minister of the Northern Territory, and his wife, Mrs Faye Bell, who are guests of the Deputy-Speaker and the Chairman of the Public Accounts Committee, the honourable member for Kiama.

QUESTIONS WITHOUT NOTICE

[Questions without notice resumed.]

KOREAN WAR VETERANS FUNCTION

Mrs HANCOCK: My question without notice is to the Premier. Why has the Premier, following his pre-election statewide invitation to veterans of the Korean conflict which included war widows and their spouses and families, now limited the function to some 200 people, making the event, in the words of South Coast veterans, nothing more than a political stunt?

Mr CARR: That is a ridiculous question. According to the Korean War Veterans Association, there are 3,000 Korean War veterans in New South Wales. If their families are included, that is more than the number that

Government House can take. What the Government is proposing, therefore, is perfectly consistent with what I said in the campaign. Contrary to what the honourable member said, no invitation was issued in the campaign. What the Government proposes to do is precisely what it has done with Vietnam veterans, and that is to invite a capacity number each year, chosen by the veterans themselves, to a reception in Government House.

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

Mr CARR: Why would anyone want to politicise this?

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order. I call the honourable member for Gosford to order.

Mr CARR: Why would anyone want to politicise this, especially after the inaugural speech given by the honourable member for South Coast who said that she regretted partisan differences. She found them shameful. Given the limited capacity of Government House and given that there are a total of 3,000 Korean War veterans in New South Wales alone, we are required to approach this precisely in the way we approach the annual reception for Vietnam veterans, and that is to have the veterans choose the 300 or so that can be invited to the reception and have the reception every year with a different 300 or so each year.

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

Mr CARR: Moreover, I can advise the House that the New South Wales branch of the RSL is drawing up the reception guest list.

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

Mr CARR: It is being assisted by the Korea and South East Asia Forces Association, the Royal Australian Regiment Association, the Korean War Veterans Association, the Naval Association and the RAAF Association. It is going to be an annual event. But I thought after the excursion we had yesterday in the House about Bougainville that the Opposition would be rather loathe to raise the subject of war service. I am advised that on 25 April each year, when the reservists from the public relations unit get together, many a tear is shed and many a laugh is enjoyed as they talk about the blitzkrieg of press releases.

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

Mr Hazzard: Point of order: My point of order is relevance. The Premier has insulted Korean veterans by going off on some stupid humorous interlude.

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

Mr Hazzard: What he should do is answer the question as to why he lied to 3,000 Korean veterans because that is the relevant question and a relevant answer is required.

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

Mr CARR: When they get together, the veterans from the PR campaign, many a laugh and many a tear is shed. They talk about the blitzkrieg of press releases. They talk about all those burdens of the PR lunches in the canteen. Here is his press release back from the PR unit in Bougainville, media release, "Councillor Anthony Roberts returns from military service".

Mr O'Farrell: Point of order: My point of order relates to relevance. This has nothing to do with the Premier misleading Korean War veterans; and he is shafting his only veteran, Ian McManus, the former member for Heathcote. That shows how much respect the Labor Party has for the veterans.

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

Mr CARR: I am the Premier who acknowledged Korean War veterans. Those opposite never thought of it.

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

Mr CARR: It is pretty strange for those opposite to raise military service because not only is the honourable member for Lane Cove caught out, but the Liberal candidate for Coogee in the recent State election, David McBride, described himself to the people as someone trained to kill, dropped behind enemy lines, working under cover and putting his life on the line.

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

Mr CARR: He said that he spent six years with the SAS and did tours of duty in Africa and Northern Ireland. Someone checked and it turned out that none of it was true. The Liberal candidate for Coogee had to concede, "I never served with the SAS", candidate admits."

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

Mr CARR: But my concern is for the Liberal Party preselectors who were so deceived when he told them that he had been promoted to captain and selected for training with the alleged Federal Air Services Regiment, the anti-terrorism covert operations arm of the British Army. It turns out that none of it could have been true. I am very proud of our initiative.

NEPEAN HOSPITAL EMERGENCY STATUS REVIEW

Mrs PALUZZANO: My question without notice is to the Minister for Health. What is the Government's response to the Auditor-General's report relating to the review of Nepean Hospital's emergency status?

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

Mr IEMMA: On 13 March, during the election campaign, the Opposition alleged that the Department of Health had misreported the code red status of Nepean Hospital.

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

Mr IEMMA: The matter was referred to the Auditor-General for review. The Auditor-General's report, tabled today in this House, deals with the Opposition's claims.

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

Mr IEMMA: I can inform the House that the report proves what we knew before the election, and that is that we have an Opposition that gets it wrong. I can confirm that the allegations raised by the Opposition prior to the election are wrong. The Auditor-General's report states:

The data collected by the Shadow Minister for Health directly from the Nepean Hospital Emergency Department is only a partial measure of the Hospital's overall ability to handle emergency patients.

Mrs Skinner: Point of order: Selectively quoting on the part of the Minister means that I ask you to ask him not to mislead the House.

Mr SPEAKER: Order! There is no point of order. The honourable member for North Shore knows very well that is not a point of order.

[Interruption]

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

Mr IEMMA: To quote from the media release of 11 March, the Opposition was making allegations of a fabrication, dramatic distortion, breathtaking and alarming figures. The Auditor-General's report today confirms nothing of the sort. Simply put, the Opposition got it wrong. Material quoted by the Opposition was based on quite a separate system developed and implemented locally at Nepean Hospital's emergency department. This system does not take into account the hospital's overall capacity, and is not reported to the Department of Health. While noting that the workload in the emergency department is a factor in determining the operational status of the hospital, the Auditor-General states in his report:

Other factors also affect the hospital's ability to handle emergency patients, such as the availability of beds in wards to which a patient can be transferred.

No doubt some confusion was created by two systems using the term code red to describe different scenarios. However, the Auditor-General's report makes it clear that the information quoted by the Opposition was incorrect. Dr Tony O'Connell, Chairman of the New South Wales Critical Care Council, confirmed at the time that the figures given by the Department of Health were valid and correct, and that remains the case to this day.

Mr SPEAKER: Order! I remind the honourable member for North Shore that she is on three calls to order.

Mr IEMMA: Dr Tony O'Connell stated in October that the Nepean Hospital was on code red for 48 hours, not 290 hours as outrageously claimed in that outrageous media release in March. It is simply the case that the Opposition was too quick to seize on material relating to the Nepean Hospital's emergency department as some sort of validation of quite extraordinary allegations made in that press release dated 11 March. That has been confirmed today. Emergency departments must always give priority to the most severe life-threatening cases. The emergency departments network access system [EDNA] improves ambulance patients access to appropriate and timely health care. When ambulance officers judge a patient's clinical condition to be very serious, those patients are always taken to the nearest emergency department. I quote what Mick Willis, the director of operations in the New South Wales Ambulance Service, had to say in last Sunday's article in the *Sunday Telegraph*:

What it means is that instead of taking someone to a hospital where there are critical patients, we'll take them to a less busy hospital.

It is the difference between the patient getting seen in four hours or thirty minutes.

This is a sensible use of hospital resources—resources that are facing ever-increasing pressures. Those pressures have been added to by the Commonwealth Government's draft health care agreement, which will apply for the next five years. Quite incredibly, the basis for funding of public hospitals for the next five years is a formula that assumes that public hospitals are less busy than we all know them to be and that the code red system shows them to be. The funding formula is based on the proposition that our hospitals are not under the pressures that we all know them to be under and that our doctors and nurses know them to be under. That is an incredible draft health care agreement that has been put on the table by the Commonwealth Government.

No doubt there are difficulties in some hospitals in improving the flow of patients from emergency departments to inpatient wards. This problem also does not escape the draft Commonwealth health agreement because one of the major blocks on that flow is the fact that the Commonwealth will not fund enough nursing home beds to enable approximately 900 aged people, who have been assessed as requiring nursing home care but who are occupying a public hospital bed, to be accommodated in a nursing home.

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

Mr IEMMA: The draft agreement that has been put on the table by the Commonwealth Government does not address that important blockage on the public health system by providing additional funding for nursing home care beds. I have given just two examples of how the Commonwealth's draft health care agreement is deficient in its support for our public hospitals, our emergency departments, our doctors and our nurses. In the light of the Commonwealth Government placing increasing pressure on our public hospitals, this Government will continue to provide increasing resources to support the emergency departments and the doctors and nurses who are working in those emergency departments.

REDFERN-WATERLOO PROJECT

Ms MOORE: My question is directed to the Premier. Will he give an update on his Government's ongoing commitment to the Redfern-Waterloo Project, which aims to address the human degradation, urban blight and criminal activities centred on this area, and in particular, the Block and Department of Housing high-rise accommodation?

Mr CARR: I was briefed two weeks ago on the development by Premier's Department officials, in association with some consulting architects, of a master plan for redevelopment of the area around the rail station and associated places. The Government's approach is to go to the market with a plan to seek

comprehensive redevelopment that takes account of the need for social renewal of the area as well as other matters. As all honourable members know, the Government is investing in a whole-of-government approach in the Redfern-Waterloo area to take account of deeply entrenched problems of social marginalisation. What is the honourable member for Vacluse's problem?

Mr Debnam: It is not my problem. You need to do that course that Morris did last year that was so successful.

Mr CARR: Oh, here is that formidable political genius—the member for Vacluse!

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

Mr CARR: Talk about social marginalisation! Those words brought him to life. I point out to the honourable member for Bligh that one of the matters that the Government must take care of is ensuring that non-government organisations, which receive government funding for various projects, are properly assessed. The Government wants to know that the funding it allocates to non-government organisations actually achieves the social outcomes we want, and it might be that readvertising the availability of that funding will bring forward other non-government organisations that are able to achieve for us a better outcome.

In summary, the Government is committed to the production of a plan for redevelopment of the area centring on the station but going beyond the station and incorporating the Block and to putting that out to tender to invite interest from the private sector. The Government will continue to proceed with all the initiatives associated with our whole-of-government approach that is co-ordinated by the Premier's Department. However, the Government will reassess the return to the taxpayer for grants given to non-government organisations that are active in the area to ensure that value for money is obtained and that what is achieved meets the Government's priorities.

NEW SOUTH WALES ABORIGINAL LAND COUNCIL MANAGEMENT

Mr GAUDRY: My question without notice is directed to the Minister for Aboriginal Affairs. What is the Government's response to community concerns about the management and operation of the New South Wales Aboriginal Land Council?

Dr REFSHAUGE: I thank the honourable member for his question and highlight that, as my Parliamentary Secretary to the Deputy Premier, and Education and Training, he takes a keen interest in this issue. The New South Wales Aboriginal Land Council was established under the Aboriginal Land Rights Act and is the peak body representing Aboriginal people in this State. Through the Act, the New South Wales Government created an asset base to build economic self-sufficiency for Aboriginal people. The land council system is one way that Aboriginal people can manage their own affairs. While self-determination is of vital importance for Aboriginal people, it is also crucial that the financial affairs of the New South Wales Aboriginal Land Council are efficiently and effectively managed. There has to be a careful balance.

The problems facing the New South Wales Aboriginal Land Council have been raised not only by me but also by the Independent Commission Against Corruption [ICAC], the Ombudsman and the Auditor-General. I have become increasingly concerned that the State Land Council is not supporting local land councils to ensure that they operate effectively and provide relevant services to meet the needs of their members. Due to this lack of support, as at December last year, only 5 of the 122 local Aboriginal land councils were fully funded. Although by the end of January that had increased to 53, it was still only 53 out of 122. If the New South Wales Land Council is not meeting the needs of local land council members, then it is failing.

Other issues that have been raised include the increase in the local Aboriginal land council debt, a failure to maintain an effective internal audit function, and the lack of accountability through annual reports and record keeping. Work has been under way to improve the State Land Council's operations. We have reviewed and amended the Aboriginal Land Rights Act. We have engaged the company, PricewaterhouseCoopers, to conduct a joint management project between the land council and the Department of Aboriginal Affairs, and we have established a joint reform working group to help the land council with a number of key operational issues.

The amendments to the Act were designed to improve the accountability and transparency of all land councils. They were introduced last October, but after seven months I am concerned that management and financial issues at the New South Wales Aboriginal Land Council are still not being solved. Despite months of

discussion and numerous requests for information, the land council has not been able to show me how it will implement change to resolve its ongoing management and financial problems. As a result, today I have appointed an investigator to examine the efficiency and effectiveness of the New South Wales Aboriginal Land Council [NSWALC]. This step will ensure that we obtain an independent assessment of the land council's ability to administer its functions under the Act and will ensure that the land council system works better for Aboriginal communities. I have appointed Mr Wayne Beauman from the financial management firm Bentleys MRI to head a team of investigators to examine the NSWALC. His term of appointment is three months.

Mr Beauman will investigate all of the affairs of the NSWALC, including its effectiveness and efficiency. He will specifically investigate a number of areas relating to the operation and management of the land council, and its compliance with its responsibilities and functions under the Aboriginal Land Rights Act. He will investigate the dealings, decisions and management of the Statutory Investment Fund, which finances the operations of the NSWALC and the 122 local Aboriginal land councils. He will report on any need for changes to systems, policies and procedures that would improve the operation of the investment fund and the management of the NSWALC, including the level of support for local land councils.

Mr Beauman will examine current financial management processes, including the council's budgetary processes and any need for changes to systems, policies and procedures. He will examine the possible need for the appointment of an administrator and any outstanding issues arising from reports of the ICAC, the Ombudsman and the Auditor-General. This decision has not been taken lightly. The NSWALC system is an extremely important representative structure for Aboriginal people. I assure them that I will continue to work with them to protect their rights to self-determination. I seek leave to table the reasons for appointing the investigator, as required pursuant to section 216 (3) of the Aboriginal Land Rights Act.

Leave granted.

Report tabled.

PUBLIC HOUSING RENT INCREASE

Mr PAGE: My question without notice is directed to the Minister for Housing. Last week the Minister told the House that he would consider releasing the external report into malpractice by two Department of Housing employees regarding the delay in notifying tenants of rent increases until after the recent election. Why has he not released that report, and what is he hiding?

Mr SCULLY: I said I would consider releasing the report.

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

Mr SCULLY: I said I would consider releasing the report, and I am giving consideration to releasing it.

SYDNEY CONVENTION AND VISITORS BUREAU INTERNATIONAL CONFERENCES TENDERS

Mr MILLS: My question without notice is addressed to the Minister for Tourism and Sport and Recreation. What is the latest information on Sydney's convention and events sector?

Ms NORI: In this uncertain global climate it is quite heartening to hear that Sydney's ability to win international events continues to be resilient. As honourable members would know, the State provides significant funds for the Sydney Convention and Visitors Bureau [SCVB] to pitch and bid for conventions and exhibition business. Recently the SCVB confirmed that in the March quarter Sydney had won 13 new conventions to the city. In the same quarter last year we had won only four, so this is indeed a good result. The international meetings will bring 33,000 delegates and an income of about \$121 million. One of the most important recent wins was the right to host the Lions Club International Convention 2010, one of the largest international mega conventions to be held. It will involve about 25,000 delegates, which is equivalent to the population of Armidale or Nowra arriving in Sydney and staying for at least a week.

The Lions delegates are known for their propensity to tour before and after their conventions, and the expected economic benefit is in the order of \$91 million. Of course, a lot of work and effort went into the bid and that effort has been rewarded. I congratulate the SCVB on achieving that result. The Government does not

support every bid that comes its way; we have a rigorous process to determine not only whether an event will provide an economic benefit to the State but the quantum of that benefit.

Mr SPEAKER: Order! There is far too much audible conversation in the Chamber. If honourable members feel compelled to converse, they should do so outside the Chamber. The Minister will be heard in silence.

Ms NORI: The Government also gives some weight to the value-adding capacity of an event. For example, there could be an associated exhibition showcasing innovative technologies with perhaps an opportunity to business-match, inform delegates, or invite them to consider investment opportunities in the State. If an event cannot meet our economic benefit criteria, we will not support it by throwing money at it, as other States do. Earlier this month the Major Events Board received representations seeking the support of the Government for the 2004 Miss Universe competition. On 20 February, Los Angeles-based Miss Universe spokesperson Mr Ray Rodriquez confirmed that the pageant had asked Sydney to make a formal bid. Its decision to consider Australia came after religious clashes in Nigeria in the lead-up to the rival Miss World pageant.

I advise the House that after careful consideration of the costs involved, the Government has decided not to pursue the bid. The economic benefit was too low to warrant the cost of securing the event. And, of course, there would not be complete community agreement with the idea of hosting that event. The Miss Universe pageant is owned by American billionaire Donald Trump and the American television network, NBC. The organisers wanted about \$A15 million from us to have the privilege of hosting the event. Of that \$A15 million, \$US5 million was to go straight into one of Donald Trump's companies.

By contrast, the income received would have been negligible and certainly less than the outlay. If a private organisation wants to pursue a bid for that pageant the State Government will not stand in its way. For a relatively small outlay, a fraction of the amount sought by the Miss Universe competition, Sydney can host the Olympics, the Rugby World Cup, prestigious and well-attended medical conferences and the Lions Club Convention. They are the kinds of conventions that we are happy to support, because they represent real value for the taxpayer and real value to the industry.

Questions without notice concluded.

PRINTING OF PAPERS

Motion, by leave, by Mr Scully agreed to:

That the following reports be printed:

- Report of Charles Sturt University for 2002
- Report of Macquarie University for 2002
- Report of Southern Cross University for 2002
- Report of Technical Education Trust Funds for 2002
- Report of Trustees of the Anzac Memorial Building for 2002
- Report of the University of Newcastle for 2002
- Report of the University of New England for 2002
- Report of the University of New South Wales for 2002 (Volumes 1 and 2)
- Report of the University of Sydney for 2002
- Report of the University of Technology, Sydney for 2002
- Report of the University of Western Sydney for 2002 (Volumes 1 and 2)
- Report of the University of Wollongong for 2002 Volumes 1 and 2

SPECIAL ADJOURNMENT

Motion by Mr Scully agreed to:

That the House at its rising this day do adjourn until Friday 30 May 2003 at 10.00 a.m.

NEPEAN HOSPITAL EMERGENCY STATUS REVIEW

Personal Explanation

Mrs SKINNER, by leave: During question time the Minister for Health referred to a report released today by the Auditor-General which, among other things, considered the emergency department figures

provided by Nepean hospital doctors to me for the period October to November last year. The Minister ridiculed my letter to the Auditor-General and suggested that I had somehow misled people in releasing the figures provided to me by doctors. The Auditor-General points out in his report that he found number of discrepancies.

Mr SPEAKER: Order! When making a personal explanation the honourable member must show how her character has been impugned. She should not debate the substantive issue. I ask the honourable member for North Shore to comply with the standing orders relating to personal explanations.

Mrs SKINNER: My character has been impugned by the Minister suggesting that the Auditor-General found against the matters I brought to his attention. That is simply not the case. The Auditor-General found many discrepancies in that figure and will be inquiring further. The Minister tried to ruin my reputation, but the Auditor-General found him wanting.

Mr Scully: Point of order: Clearly, the honourable member is flouting standing orders relating to personal explanations. She cannot debate the issue.

Mrs SKINNER: The Minister should read what is in *Hansard*.

Mr SPEAKER: Order! The honourable member for North Shore will resume her seat.

Mrs SKINNER: I have finished.

Mr SPEAKER: The honourable member for North Shore has completed her personal explanation.

QUESTIONS WITHOUT NOTICE

Supplementary Answer

ST VINCENT'S HOSPITAL PATIENT DISCHARGE

Mr IEMMA: I wish to provide a supplementary answer to a question I was asked yesterday. However, before doing so I should say to the honourable member for North Shore that I never mentioned her letter. That is not what I quoted from. I referred to the Opposition.

Mrs Skinner: You referred to the shadow Minister.

Mr IEMMA: I referred once to the shadow Minister. This is a Coalition press release; it is not the honourable member's press release.

Mr SPEAKER: Order! The Minister will confine himself to his supplementary answer.

Mr IEMMA: Yesterday the honourable member for Southern Highlands asked a question about the treatment, or proposed treatment, of a 50-year-old woman at St Vincent's Hospital. I am advised that the constituent was admitted to St Vincent's Hospital on 4 March this year for the treatment of left calf dermatitis and left calf ulcer. She was managed by the hospital's vascular surgical unit. I am further advised that it was noted that the constituent also had lymphedema and morbid obesity. During her admission, consultation was had with the hospital's gastrointestinal treatment unit with regard to a surgical procedure to assist with the morbid obesity condition. The consultation took place with a surgeon who undertakes such procedures at St Vincent's private hospital. I am advised that St Vincent's public hospital has not previously had, nor currently has, special expertise in this surgery.

Ms Seaton: They said she could not afford it.

Mr IEMMA: I will come to that. The cost of the prosthetic device used in the procedure is understood to be between \$7,000 and \$10,000. I am advised that the constituent indicated that, as a private patient, she was unable to afford the operation. However, I am pleased to inform the House today that following the details of this matter being brought to my attention yesterday, arrangements have now been made—

Ms Seaton: Point of order: The Minister is misleading the House. He was advised on 12 May about this incident.

Mr SPEAKER: Order! There is no point of order. The honourable member for Southern Highlands will resume her seat.

Mr IEMMA: After this matter was raised I advised the House that arrangements have been made for the constituent to be assessed for appropriate treatment by a surgical team at St George Hospital. That team will comprise Dr John Jorgensen, who is a leading surgeon, and an anaesthetist, and an intensivist and a metabolic endocrinologist. If that assessment reveals that the constituent is suitable to undergo the procedure, arrangements will be made for surgery to proceed on an urgent basis, and the constituent will be treated as a public patient. I am advised that the constituent's general practitioner, Dr Frank McLeod, who has been advised of these arrangements, has indicated that he will discuss the matter with the constituent's carers in Bowral hospital.

I would like to thank a number of people who have been involved in this matter. It is important that public recognition be given to the Chief Executive Officer of the South East Area Health Service, Deborah Green; the director of critical care and surgery at St George Hospital, Dr Dennis King; Dr John Jorgensen, one of the many excellent surgeons at St George Hospital whom I have already mentioned; and Dr Frank McLeod. In particular, I thank Dr King and Deborah Green who responded promptly yesterday. I place on record my appreciation for their efforts in this matter.

REGIONAL FILM-MAKING INDUSTRY

Ministerial Statement

Mr CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [3.25 p.m.]: Honourable members will be interested to know that *Danny*, one of latest films to come out of New South Wales, is to screen shortly in the State Parliament theatre. The film does not open commercially until later in the year, so this is a terrific opportunity for honourable members to see the film before anybody else. *Danny*, which was made possible by a \$100,000 New South Wales Government Regional Filming Fund grant, was shot almost entirely on location in and around Bellingen, though in the film the town is called Clarence.

That was a great investment because the film producers spent 10 times that amount during shooting—just under \$1 million. They employed 420 locals, 400 as extras and the rest in a variety of jobs—costume assistants, make-up artists, a nurse, a greens man, several labourers, a carpenter, some set finishers, and runners. *Danny* is the story of a cement truck driver who attaches a helium balloon to his garden chair and is blown way up north to Clarence. Needless to say, it is a comedy, which stars Rhys Ifans, who made a lasting impression as Hugh Grant's untidy flatmate in the hugely successful romantic comedy *Notting Hill*.

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

Mr CAMPBELL: *Danny* also stars Miranda Otto and Justine Clarke, with other Australians in supporting roles. The deputy-chairman of the New South Wales Film and Television Office, Andrew Mason, produced the film. Andrew, one of our best-known producers, has produced such films as the *Matrix* films, *Dark City* and *Swimming Upstream*. The Premier launched the Regional Filming Fund two years ago. Since that time more than \$5 million has been invested in regional communities where filming has taken place. It is an enticement to filmmakers to look beyond Sydney, and take their productions to other great locations in New South Wales.

The grant helps to offset the extra costs of shooting on location, such as transportation and accommodation. Filming in a town not only provides employment, it also promotes tourism and a sense of community pride. Incidentally, next week I will be visiting the North Coast with a group of film producers, directors and industry representatives to promote the region as a great area in which to shoot films. I look forward to updating the House about further developments as a result of that tour. I urge all honourable members to see *Danny* when it screens in the Parliament House theatre.

Mr FRASER (Coffs Harbour) [3.28 p.m.]: It gives me great pleasure to respond to the Minister's statement. This film, which was made in Bellingen and was a great boost to the local community, is still being spoken about in that area. Residents are looking forward to its first screening in their area. I was disappointed that the Minister did not name all the extras and locals who assisted in the making of the film, as I would have responded on their behalf. It is well known that people of some note in the film and television industry live in

and around the Coffs Harbour electorate. Russell Crowe has 700 acres at Nana Glen, George Negus and Jack Thompson live in the area, and Bryan Brown and Rachel Ward live in the south of Oxley.

There is no doubt that all those people played some part in encouraging the industry to shoot films on the North Coast, which has boosted employment in the area and will serve as an advertisement for the North Coast, the hinterland, and major metropolitan areas once they are screened overseas. I support the regional film industry and look forward to the Minister's visit. I hope he will visit Bellingen and Coffs Harbour, the best electorate in New South Wales. I look forward to seeing him there.

Mr Page: Bring your chequebook.

Mr FRASER: As the honourable member for Ballina suggests, I hope the Minister will bring his chequebook and leave some money in the community other than just at his motel.

CONSIDERATION OF URGENT MOTIONS

Wine Industry

Mr CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [3.30 p.m.]: My motion is urgent because the State's wine industry creates vital jobs in regional New South Wales. My motion is urgent because new wine regions are emerging across the State and export markets are growing in North America and Europe. It is urgent because all honourable members should unite in support of this very important industry.

Native Vegetation Management

Mr STONER (Oxley—Leader of the National Party) [3.31 p.m.]: My motion is urgent because thousands of New South Wales farmers are on tenterhooks waiting to learn the details of the native vegetation deal that the Carr Labor Government has done with radical Green elements in Sydney. It is urgent because, despite a lot of hollow rhetoric about partnerships with farmers, the New South Wales farming community does not trust Labor, given its record on native vegetation, water reform, and threatened species legislation. Research by Professor Jack Sinden of the University of New England found that the Native Vegetation Conservation Act has reduced land values by 21 per cent in the Moree shire alone, and has reduced annual incomes by an estimated \$20.4 million per year.

My motion is urgent because Labor's so-called plan to protect native vegetation announced just before the election is a fraud and will do nothing to improve the viability of farmers who conserve existing native vegetation. The plan's fine print reveals that it will not result in one extra cent of funding to help farmers manage natural resources. The money will come straight from existing budgets, with the majority of the funding stolen from the National Action Plan for Salinity. My motion is urgent because, according to the Premier's media release of 15 March, farmers "could" receive financial assistance to plant certain native trees and shrubs on salt-affected land or to plant trees on river banks to stop erosion and improve water quality. It is greatly concerning that Labor is planning to provide financial assistance only to farmers who plant trees and shrubs. What about helping farmers who conserve existing native vegetation at a cost to their business?

My motion is urgent because the Premier has effectively said he will stop farmers from developing or reclaiming any of their land, and will provide financial assistance only for the planting of new areas of native vegetation. My motion is urgent because the Government has appointed the Native Vegetation Reform Implementation Group to report in July on how the Wentworth Group model can be implemented. It is urgent because the Federal Government has asked the Productivity Commission to undertake an inquiry into the impact of native vegetation and biodiversity regulations, but this report is not due until next year. Part of that inquiry is examining property values and returns and the flow-on effects to regional communities. My motion is urgent because we surely need to know the cost of compensating farmers for changes to the native vegetation regime. We need a commitment from Labor that it will act on the findings of the Productivity Commission inquiry.

My motion is urgent because the relationship between the Government and land-holders has deteriorated dramatically. I refer to an opinion piece in the *Daily Telegraph* of 24 May this year entitled "Carr goes green, farmers see red" as a case in point. The deteriorating relationship between farmers and the Government was further demonstrated when 200 farmers gathered at a property near Nyngan and stopped Department of Land and Water Conservation staff from entering the property and conducting a compliance test.

My motion is urgent because land-holders are frustrated by Labor's emphasis on compliance and regulations. This is demonstrated by the training of Department of Land and Water Conservation compliance staff at the Goulburn police academy. If Labor were genuine about wanting to conserve native vegetation it would base its approach on the recognition of fundamental property rights over private land-holdings. But Labor refuses point-blank to acknowledge land-holders' property rights.

My motion is urgent because we need a sensible and practical definition of land clearing to stop outrageous and inaccurate Greens scaremongering. It is urgent because farmers and landowners and country communities deserve some surety on the native vegetation issue. They need a plan that recognises property rights. They need a Government that is prepared to work with them and appreciates the financial cost of these measures. After all, farmers are the original conservationists and they want to continue to conserve their land. They are happy to work with the Government, but not if there is only a big stick and no carrot.

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

WINE INDUSTRY

Urgent Motion

Mr CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [3.35 p.m.]: I move:

That this House:

- (1) supports the New South Wales wine industry, which employs 5,800 workers;
- (2) welcomes the emergence of new wine-growing regions in New South Wales;
- (3) notes major inroads being made by New South Wales wine into North America and Europe; and
- (4) congratulates the Australian wine industry on selecting Sydney as the home base for the next three Wine Australia exhibitions.

The New South Wales wine industry is moving from strength to strength. In the process, it is gaining international recognition and acclaim and taking a major share of international markets. The New South Wales Government is making sure that our State's winegrowers, producers, manufacturers and suppliers will continue to grow their businesses for generations to come. We are working with the wine industry to support local growers. This support is encouraging a growing market in exporting New South Wales wine to the world. We are also backing the development of exciting new wine-producing regions across New South Wales. Our State's wine regions now stretch from inland areas such as the Riverina to the crisp highlands of New England. This industry is vital to regional New South Wales. It creates jobs, boosts local tourism, and benefits everyone in New South Wales through multi-million dollar world exports.

New South Wales wines are being consumed by people living in the United Kingdom, the United States of America, New Zealand, Canada, Germany, the Netherlands, Denmark, Ireland, Sweden, Switzerland, Japan, France, Belgium, Singapore and Norway. The State's wine regions continue to grow with New South Wales Government support. Last financial year 37,000 hectares of regional New South Wales were planted with vines, which is 10 per cent more than the previous year. In fact, a quarter of Australia's grapes grown for wine production are found in New South Wales. In the last financial year 415,000 tonnes of wine grapes were produced, which is 3 per cent more than in 2000-01. This makes New South Wales the country's second largest wine grape producer after South Australia, pushing Victoria into third place.

Members will be interested to learn that nearly 360,000 tonnes of grapes are expected to be grown in this State this financial year. This represents more than 27 per cent of the national crop. The Department of State and Regional Development expects State production to rise a further 15 per cent to 408,000 tonnes over the next two years. Wine production is certainly keeping pace with this dramatic growth in our State's vineyards. Last financial year we produced nearly 400,000 litres of wine, which is 27 per cent more than the previous year. We now produce one-third of Australia's total wine production.

Correspondingly, jobs in the wine industry continue to grow. More than 2,000 people work directly in this \$700 million industry, and that is a 15 per cent increase over the 2000-01 financial year. In the same time

frame New South Wales producers exported 100 megalitres of wine, which is 17 per cent more than the previous year. Some \$437 million worth of our State's wine was exported. It is not surprising that 10 of Australia's top 20 wine exporters are based in New South Wales. It is estimated that there are 367 wine producers in New South Wales, which is 36 more than the previous year. This is good news for many regional areas because nearly 300 of them operate cellar door sales. In 2002 more than four million people visited local wineries, injecting more than \$350 million into the State's economy. The New South Wales Government recognises that exports will continue to drive our State's wine industry. Last year wine exports overtook domestic sales for the first time.

Indeed, national exports grew by 30 per cent, earning \$2.3 billion in sales. It is only a matter of time before our national wine sales reach \$3 billion. Every day, nearly 1.7 million bottles of wine leave Australia, 360,000 of which were made in New South Wales. They are destined for 104 international markets including the United Kingdom, the United States of America, Canada, Germany, the Netherlands, Belgium and Scandinavian countries. Approximately half of that goes to our biggest market, the United Kingdom, where Australia has bumped off France as the leading supplier to the British market. Indeed, industry commentators now say that to the average British wine drinker under the age of 40, wine now means a product from Australia not France. The award-winning Riverina based Casella Wines is an outstanding example of a New South Wales company taking on the world. The company grew its export business by more than 250 per cent to become the leading supplier of imported wines to the United States. At last year's National Exporters of the Year Awards, Casella wines was declared Australia's best Agribusiness Exporter.

The New South Wales Government provided significant support to Casella in its efforts to establish its export markets. We provided assistance with the company's upgrade of its bottling and storage facilities in Griffith. To take advantage of the growing demand for Australian wine, our medium to large wine companies are forming strategic alliances with leading overseas players. Several New South Wales based companies with extensive interests in regional New South Wales are doing just that. They include McWilliams, which has operations in the Riverina and the Hunter region, and Reynolds, which is based in Orange. Growing demand has led to new winegrowing areas across our State complementing mature regions such as the Hunter, Riverina, Mudgee and Sunraysia regions. New areas include Wallangarra, Tenterfield and Deepwater in the State's far north, Dubbo in the Macquarie Valley, Bathurst and Forbes in the Central West, Gundagai on the south-west slopes and Cooma in the Snowy Mountains. The New England area also looks promising with vineyards in Glen Innes, Armidale, Inverell, Tamworth, Narrabri and Coonabarabran.

Other areas where the industry is established include the Nepean/Hawkesbury, Hastings River on the North Coast, Orange and Cowra in the Central West, Hilltops in the Young areas, Canberra, Tumbarumba, the Southern Highlands, the Shoalhaven on the South Coast and Perricoota in the Moama area. The New South Wales Government has assisted several wineries in the Shoalhaven with their plans to expand. These include the Silos Estate Winery and the Seven Mile Vineyard, which recently opened cellar door sales. International success in the New South Wales wine industry has not happened overnight, and it has not happened by accident. The Government's programs are aimed at supporting the New South Wales wine industry. This includes sponsoring the major national wine industry showcase Wine Australia. Until now, this prestigious four-day event was shared by Sydney and Melbourne. Last year it was held in Sydney and more than 21,000 visitors and 3,000 trade representatives attended the event. Wine Australia 2002 focused community attention on 100 New South Wales exhibitors from 10 different wine regions.

It is estimated that the event generated \$4 million in sales and 17,000 extra visits to cellars around the State, that is 17,000 more visitors to country areas where wines are produced. Honourable members will be interested to know that the Government has secured the next three Wine Australia events for Sydney. In other words, Wine Australia 2004, 2006 and 2008 will now take place at the Sydney Convention and Exhibition Centre, Darling Harbour. This is a terrific win for New South Wales and a vote of confidence by Wine Australia, that New South Wales, and Sydney in particular, is the best place to do business in Australia. It means our State wine industry will have a magnificent opportunity to promote itself to a world market in the heart of Australia's largest domestic market. Visitors to the event at the Sydney Convention and Exhibition Centre in Darling Harbour will be able to participate in master classes, tastings and cooking demonstrations. Wine Australia is also another opportunity to promote regional tourism. The event will be particularly important for small- and medium-sized wineries, which depend strongly on cellar door sales. It will be an ideal opportunity for regional wineries to encourage visitors to their region.

The Government is also keen to encourage exports of local wines. During the past year, seven New South Wales wine companies have participated in international trade missions and market visits to Japan, the

United Kingdom, France and Hong Kong and this year will be particularly busy. We will support a number of companies with trade missions to Japan, Korea, Singapore, India, Canada, the United States and Germany. We are helping regional communities to unlock the potential for new wine industries. Last year, the Government provided funds to help the local regional development board and area consultative committee develop a viticulture strategy for the New England north-west area of the State. We have supported the development of a marketing strategy for the emerging Southern Highlands wine region. Recognising the synergy between regional wines and gourmet food, the Government recently funded a position for a food and wine promotions officer in the New England area. We can never be too complacent about our success in producing and selling our State's wine. The Government will continue to work with the wine industry and regional communities to create jobs and economic benefits from wine production.

Mr PICCOLI (Murrumbidgee) [3.45 p.m.]: I support the motion of the Minister for Regional Development in relation to the New South Wales wines industry and the thousands of people who are employed directly and indirectly in the wine industry. From the Minister's speech one would think that this Government, and its 55 Members in this Chamber, were the ones driving the success of the wine industry. I look forward to seeing the Premier pruning the vines during winter pruning to generate all those jobs and export income for New South Wales. I acknowledge the Government's support for the wine industry but other factors have driven the growth in wine production, particularly exports. One of the most important is the reduced interest rates that businesses in New South Wales and right across Australia live with these days. Ten to 12 years ago businesses faced a 17 to 25 per cent interest rate regime but the present Federal Government under the leadership of John Howard and Tim Fischer, and now John Anderson, has managed this economy wonderfully. A lot of industries, including the wine industry, are enjoying the benefits of that great stewardship and are reaping the rewards.

The Federal Government has managed to drive down the interest rates to make it an environment that is conducive to business, particularly exports. I also congratulate the Federal Government on the way it has managed trade negotiations. The former Minister for Trade—the Hon. Tim Fischer, and now the Hon. Mark Vaile—has driven exports from Australia significantly. The wine industry has been well and truly supported by those Ministers and the Federal Government and benefits in economic development and jobs have accrued. The next factor that has increased exports in the wine industry and other industries is the Federal Government's management of the value of the Australian dollar. A few years ago when the value of the dollar was decreasing policy options were available to the Federal Government that could have kept up the value of the Australian dollar. Economic media commentators were concerned about the Australian dollar which had repercussions, particularly in terms of the cost of imported goods, but for our exporters it was very good news.

Now that the value of the Australian dollar is rising, as economies and investors around the world recognise the economic stability and the strength of the Australian economy, it will make life a little more difficult for our exporters. It is important to place those issues on the record. I congratulate the Federal Government on those achievements. The wine industry is very important to my electorate of Murrumbidgee. A lot of people do not know that the western Riverina, particularly around Griffith and Leeton, is the largest winegrowing region in New South Wales. Because the region is so far away from Sydney it is not always recognised as being such a significant producer. People in New South Wales generally think of the Hunter Valley, because of its proximity to Sydney, as the most significant winegrowing region. The Hunter Valley has a large market for cellar door sales and a lot of very successful and wineries operate there.

As a comparison of production figures, the Hunter Valley grows something like 25,000 tonnes of grapes, whereas the Murrumbidgee irrigation area grows about 225,000 tonnes of grapes, a significant difference. A few wineries in Griffith individually crush more grapes than are growing in the entire Hunter Valley. The Minister referred to the very successful Casella Wines. I had the pleasure of being invited to the opening of the new bottling line that the winery has installed. That line bottles an extraordinary 22,000 bottles an hour. I watched the process when it was ramped up to about two-thirds of its capacity, but even then the bottling was incredibly fast. The winery's United States distributor, who was present at the opening, told a story from the time his company and the winery first got together. His sons, who were involved in the initial discussions, and the principals of Casella had agreed to try to promote Australian wine. The sons of the American went back to him and said, "Look, Dad, we're going to try 50,000 cases to start with." The father said, "No, look, I've been in the industry for 40 years. We will try 25,000 cases. We don't know how this Australian wine will go."

In the first year they sold 270,000 cases of wine. So he clearly had it wrong. He acknowledged with great humour that even he underestimated how well Australian wine would be accepted in the United States of America. He said the reason he first became interested in Casella wines was that he recognised the quality and

value for money that Australian wines represented, believed they were going to be a force in the United States of America, and as a major distributor wanted to get in on the ground floor. At the moment Casella may be not only the first but perhaps the most significant winery exporting to the United States of America. But this is only a precursor to what is to come in that absolutely massive market. Others wineries are trying to emulate what Casella Wines has done. The Minister referred to the absolutely unbelievable growth out of that winery.

The other great thing about Casella Wines and its growth is the export dollars that generates for Australia. As I was watching that bottling line trial, and an incredible number of bottles being filled per hour, it occurred to me that the wine going into the bottle, the wine producers, the companies making the bottles, the locals producing the labels, and the people working and driving the forklifts were all spin-off benefits deriving from the success of the wine industry. That is to the great credit of the wine industry and the families and businesses that drive the wineries.

One of the great things about some of the wineries in the Murrumbidgee irrigation area—particularly Casella Wines, Miranda Wines, De Bortoli, McWilliams, West End and a number of others—is that they are all family-run organisations. That is one of the strengths of the Murrumbidgee irrigation area and of Griffith. These are very successful, family-run business. A town like Griffith is a long way from the major centres of Sydney and Melbourne, but the local community and the local wine industry benefit from these families that get together, get stuck into their work and take risks. They take a lot of risks. Casella Wines took many risks, but that has paid off, to the benefit of not only their own families but the local communities as well as New South Wales and Australia. I pay great tribute to those families and to the wine industry, which has seen phenomenal growth. Let us hope that we see plenty more of it.

Mr PRICE (Maitland) [3.54 p.m.]: I am delighted to support the motion, which was moved by the Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business. I am equally delighted to hear that the New South Wales Government has successfully secured Wine Australia—Australia's most important wine industry event—for the next three forums. This is a huge vote of confidence by the industry in the Government, and indeed in the people of New South Wales. And it is a tremendous opportunity for our State's winegrowers and producers to showcase their world-class product to Australian and international visitors. It is a key opportunity for our industry to target new markets and build on what we have already achieved in both the Sydney and international markets.

The announcement that the New South Wales Government has secured the Wine Australia forum for its next three events—in 2004, 2006 and 2008—is a great boost for Hunter wine producers. My electorate borders the major area of Pokolbin, but there is also industry of some interest in the Maitland electorate. This Sydney forum will be a spectacular venue to showcase the region's wines, talk about our wineries and discuss issues with producers. It will be a great way of further promoting the Hunter region's special tourism potential. More than 1.5 million people visit Hunter wineries each year. The Hunter Valley Research Foundation estimates that national wine tourism generates expenditure of around \$300 million annually. It estimates this creates approximately 5,000 related jobs. Apart from buying local wine, visitors buy wine merchandise and souvenirs like local cookery books, pottery and aprons as well as all sorts of memorabilia and knick-knacks. Wine Australia will support both large and smaller producers.

There are a number of small, quality wineries in my electorate. My local wineries include a boutique winery at Dunns Creek, Glendonbrook Wines at Bingleburra, Allyn River Wines at Torryburn, and Camyr Allyn Wines at Gresford. We also have a winery, built by Glendonbrook, operating at East Gresford. So even the small shire of Dungog has a significant wine industry, embryonic though it may be, with tremendous potential to expand. We already have approximately 45 to 50 acres under grape. Like others across regional areas of New South Wales, these vigneron are an important part of the local economy.

Cellar door sales and promotion of local gourmet foods go hand in hand and support other local rural industries such as olive production. Visitors to the area enjoy local hospitality, food and wine, and that translates to extra local jobs. The New South Wales Government supports and encourages our local wine and food industry. Indeed a further three-year Food and Wine Tourism Plan is under way. The opportunity to promote the Hunter region's wines at a forum like Wine Australia will have tremendous benefits for the local community. It is an opportunity to promote our wines to New South Wales. Sydney, the largest wine market in Australia, is responsible for a staggering 42 per cent of the national market. This is an opportunity for local producers to target national and international markets. The Hunter community certainly benefits from local wine production.

The Hunter Valley Research Foundation estimates that \$270 million worth of our wine is sold each year—and that is just wine from the Hunter! That is \$230 million in domestic sales and \$43 million in export

sales. We are a small but important part of Australia's total wine production. Overall, the Hunter region produces around 30 million litres of wine each year, from nearly 5,000 hectares of vines. Our area produces 7 per cent of Australia's sales and 5 per cent of national wine production. Hunter wines are available in Europe, Asia and the United States of America. Around \$50 million is invested in the region's industry. This also includes restaurants, craft shops and cabins. Around 2,500 people have full-time or part-time jobs that are associated with the industry. Those are 2,500 families whose security is related to this important regional industry. Around 640 people have jobs in sales, administration, restaurants, shops and cabins. During the harvest around 1,000 casual grape pickers find work in local vineyards. I am pleased to hear that other regions are expanding into wine production. I look forward to hearing more about expanding wine production.

Mr OAKESHOTT (Port Macquarie) [3.59 p.m.]: I move:

That the motion be amended by the addition of the following paragraphs:

- (5) encourages the State Government to improve the vigneron licence requirements to allow the industry to grow further; and
- (6) encourages the Federal Government to reduce the wine equalisation tax to allow the industry to grow further.

I thank the Minister for Small Business, who is present in the Chamber, for moving the motion because it gives me the opportunity to raise two specific matters that hold back the wine industry in New South Wales. It is a very exciting time in winegrowing and wine production in New South Wales. Even wineries in regions such as the mid North Coast are experiencing significant growth. Recently a Mid North Coast Wine Growers Association was formed. To the surprise of many, we have one dozen vineyards and wine labels, the most well known being probably our flagship, Cassegrain Wines. But there are others such as Sherwood Estate, Broken Bago and Charley Brothers wines, which are all either well established or emerging as very good labels. The wine equalisation tax—29 per cent with 10 per cent GST on the back of it, which adds up not to 39 per cent but 42 per cent—is ridiculous. That tax is holding back the industry. A reduction in the wine equalisation tax would significantly help the industry.

But small and emerging winegrowing areas have problems with the vigneron licence. If the Minister cannot resolve that problem today I would ask him to take it up with the Minister for Agriculture and Fisheries. Changes to the vigneron licence would also fall within the portfolio of the Minister for Gaming and Racing. Under the vigneron licence, the business of growing, harvesting, marketing and selling wines is penalised when all sales are wet exempt, but the New South Wales legislation states that under a vigneron licence one can sell wines that are made from grapes either grown at the vineyard or bought from any other source provided the wine is, produced at the vineyard holding the vigneron licence or made at another winery from grapes grown at the vineyard holding the vigneron licence.

For example, wines sold by vineyard X may be from grapes grown at vineyard X, sent to vineyard Y for winemaking and returned to vineyard X in the bottle for sale. However, the discrepancy is that wine cannot be made at another winery on behalf of the vineyard holding the vigneron licence from grapes bought from another source. Small growers or emerging areas such as the mid North Coast, which have their wines made by external wineries, such as Cassegrain—the main winemaker in our area—cannot supplement their grapes by buying grapes from an external source. Under the current legislation and licensing restrictions, vineyards that lose either entirely or partly their annual crop due to weather or massive bird strikes are unable to continue selling wine in lean periods by using a supplement of grapes. Small vineyards, therefore, miss an entire year's income because of the restriction on purchasing grapes externally.

Given the length of time from planting to maturity, the huge investment required by a small business and seasonal fluctuation, this is an unreasonable and unfair burden. Small producers should have the opportunity to continue in business during a lean period or a period of growth in their business. Provided that the winegrower can prove genuine investment in the establishment of the vineyard, a vigneron licence should allow a producer to buy in grapes and/or wine and have it produced under his or her label to supplement the volume produced at the vineyard. No-one would be disadvantaged because value is added to the total mix as grapes are produced and that, therefore, helps the grower of origin. The winemaker is advantaged because he is increasing his production, employing more staff and making his business more viable. There are no losers by improving the vigneron licence in this way. I hope that the Government accepts my amendment and that together we work to improve the industry in New South Wales, as the motion suggests.

Mr BROWN (Kiama) [4.04 p.m.]: I support the Government's motion. It is good news to hear that the New South Wales Government has successfully secured the Wine Australia Exhibition for Australia in 2004.

Perhaps we should say that Melbourne's loss will be the Shoalhaven's gain. Although the event will be held in Sydney, it will have a tremendous impact on emerging South Coast wineries. Wine Australia is an opportunity for wineries in the Illawarra to gain national and international attention. It is particularly good news that we will host the four-day event for the next three exhibitions. This continuity will be vital for sustainable marketing and promotion. The growing number of Shoalhaven wineries means that an exciting new wine region is emerging in the Illawarra. This year 500 tonnes of wine grapes will be produced. It is a great new development in an area traditionally known for its heavy industry and mining.

Wine Australia 2004 presents Shoalhaven vignerons with an extraordinary window of opportunity. The Kiama electorate has a number of wineries, as does the seat of South Coast, which is just south of my electorate. The Crooked River Winery, owned by Brian and Narelle Jackson, is a commercial winery that was completed in February 2001 and has a capacity of 250 tonnes. The vineyard is home to more than 31,000 vines planted on 14 hectares. They produce shiraz, chambourcin, cabernet shiraz, chardonnay, verdelho, verdelho chardonnay, merlot, cabernet sauvignon, sangiovese, ruby cabernet and cabernet merlot. Coolangatta Estate, owned by Greg and Eileen Bishop, is the South Coast's most awarded winery, winning 10 trophies and more than 350 awards at national and regional wine shows, including the New South Wales Tourism Winery of the Decade. The property comprises 130 hectares and produces dry whites, dry reds, sparkling and fortified wines.

Jasper Valley Wines, owned by Glynn Wyeth, a picturesque shiraz vineyard at Jasper Valley, is the oldest existing commercial vineyard in the area. It was planted in 1976 by the late Sidney Carlton Mitchell. The vineyard covers two hectares and produces shiraz, sauvignon, verdelho, traminer riesling and chardonnay. The new Seven Mile Vineyard, owned by Eric and Joan Schwarbric, was established in 1997. The vineyard overlooks Coomonderry swamp, which is one of the largest coastal wetlands in New South Wales and has a profusion of bird life. The Bundewallah Estate, owned by Bob Allota, comprises 173 acres of mountain rainforest. Approximately five acres of the land is planted with grapes. The Calderwood Valley Estate, owned by Neil and Michelle Greig, covers five acres, and another five acres is dedicated to olives. The vineyard is four years old. It produces chardonnay and shiraz. This year I wish them luck because they will produce their first chardonnay, which is expected to be ready in September.

The Silos Estate, just south of the Kiama electorate and owned by Kate Khoury and Gaynor Sims, covers 11 acres. The vineyard's viticulturist is Shane Rogers. In 1999 the Silos Estate won its first wine medal, bronze at the Cowra Show, for its oaked chardonnay. In September 2000 the Silos Estate had a visit from the team of the *Great Outdoors* television show. The vineyard produces seven varieties, including chardonnay, semillon, sauvignon blanc, shiraz, merlot, marbec and cabernet sauvignon. They are doing terrific work and encouraging local tourism, which benefits everyone on the South Coast. These award-winning wineries are already making the most of the opportunity to add value to their industry. Apart from cellar door sales, they provide musical events, cheese tasting, meals and accommodation. Each year 2.8 million people visit the South Coast and enjoy the local products, including the Shoalhaven wines.

The continuing strong growth of our State's wine industry, with the support of the Carr Labor Government, highlights the importance of Shoalhaven wineries as a place for local young people to get a job. Approximately 5,800 people work in wine-related industries in New South Wales—a 91 per cent increase in the past five years. That is good news for future jobs in the Shoalhaven area. The New South Wales Government is working with the emerging Shoalhaven wine region to help local companies grow and develop cellar door sales. The Government has provided funding to the Shoalhaven Coast Wine Industry Association for marketing. We have helped Brand Shoalhaven Incorporated to market the area's food, wine and artisans to increase trade and tourism. Over the past three years the Carr Labor Government has provided \$700,000 to promote regional food and wine. The New South Wales wine industry is an important regional industry. I support the motion, and look forward to Wine Australia 2004, 2006 and 2008. [*Time expired.*]

Mr CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [4.09 p.m.], in reply: I acknowledge the contributions made by other honourable members during this debate and thank my colleague from the Illawarra, the honourable member for Kiama, the honourable member for Maitland and the honourable member for Murrumbidgee, who, once he got over the lecture on the economy and turned his attention to wine, made a much more significant contribution. I also acknowledge the contribution made by the honourable member for Port Macquarie and indicate that I am happy to accept the amendment he has moved. In accepting the amendment, it is important to bear in mind that any change to vigneron licences needs to be reviewed in the context of the forthcoming Alcohol Summit, to which the Government is committed. Nevertheless, I believe that it is entirely appropriate to review that matter.

The Government's successful bid to hold the next three Wine Australia events in Sydney is a coup for our State's wine industry. It is a tremendous opportunity for our wine industry to show its wares to a number of markets. These include the Sydney market, which dominates domestic consumption, as well as national and international markets. The Sydney wine market represents around 42 per cent of the national market. Our State industry accounts for 30 per cent of wine produced in Australia and our wine exports were worth more than \$440 million in the last financial year. The New South Wales Government's success in securing the next three Wine Australia events is supported by the national industry body, the Winemakers Federation of Australia.

The State Government win is also strongly supported by the New South Wales Wine Industry Association. It is now establishing an organising committee to maximize opportunities that the Wine Australia event will present to its members. A four-day national and international event like Wine Australia is predicted to inject around \$12 million into the State's economy. It is also anticipated that it will create more than 200 jobs for one year. This equates to \$36 million and 600 jobs being generated for the next three Wine Australia events, and that is good news for New South Wales. Last year's event produced excellent results for New South Wales wineries. New South Wales exhibitors generated \$4 million in extra sales associated with the Wine Australia event. Eight New South Wales exhibitors made their first export sales. Exhibitors also expect that the event will result in more than 17,000 extra cellar door sales.

The New South Wales community will reap important tourism and regional investment benefits from the New South Wales Government's commitment to supporting the next three Wine Australia events. People who work hard on the land to grow the grapes and those who work hard processing the grapes to make wine should feel proud of their commitment to their industry and the support they give to Wine Australia events. The Darling Harbour venue will be an ideal location to capture the attention of the thousands of tourists who visit the area's attractions. Clearly, our national wine industry representatives were impressed by the standard of last year's Wine Australia event, which was hosted for the first time in this State last year. They were so impressed they decided that Sydney will host the next three events. Melbourne's loss is indeed the New South Wales wine industry's gain.

Over the next three forums the New South Wales Government will work with industry to take full advantage of the opportunities that this forum provides. It is certainly no coincidence that we won this event at the same time as such dramatic growth within our State's wine industry. Our vineyard planting and production are steadily increasing, as is the number of new regional areas which are turning their attention to wine grape growing. These increases in vineyard plantings are projected to increase the State's wine grape production by 50 per cent over the next five years, to 355,000 tonnes. This is equivalent to an extra 80 million litres of wine or 10 million cases.

With growth forecasts like that, it is important that our State's wine producers and growers, as well as distributors, take this opportunity to grow their businesses both domestically and internationally. I congratulate the New South Wales wine industry on its commitment to growth and development. Producers such as Casella wines in the Riverina are an example of what can be achieved through a determined marketing drive. Wine Australia is also a terrific opportunity for our small and medium-size wine producers. These boutique-style producers are an important part of regional economies. They create jobs, seasonal employment and opportunities in local hospitality-related industries. Next year's Sydney event will give this sector the opportunity for greater exposure both nationally and internationally. I thank all honourable members who participated in the debate. I commend the motion to the House.

Amendment agreed to.

Motion as amended agreed to.

ADMISSION OF TREASURER INTO THE LEGISLATIVE ASSEMBLY

Message

Mr ACTING-SPEAKER (Mr Lynch): I report the receipt of the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform by Legislative Assembly that it agrees to the request of the Legislative Assembly in its Message dated 29 May 2003 for the Honourable Michael Egan, MLC, Treasurer, Minister for State Development and Vice-

President of Executive Council, to attend at the Table of the Legislative Assembly on Tuesday 24 June 2003 for the purpose only of giving a speech in relation to the New South Wales Budget 2003-2004.

Legislative Council
29 May 2003

M. BURGMANN
President

Pursuant to sessional orders business interrupted.

PRIVATE MEMBERS' STATEMENTS

DOWN SYNDROME ASSOCIATION CHARITY AUCTION

Mrs PERRY (Auburn) [4.15 p.m.]: Last Saturday I attended a charity function of the Down Syndrome Association of New South Wales, Staying Alive, at the Bankstown Sports Club. I thoroughly enjoyed the evening and learned a great deal. More importantly, I left feeling touched by what I had seen and heard and resolved to speak on the matter in the House. Down syndrome is a reasonably common occurrence. In fact, one in 660 babies born worldwide bear this chromosomal accident or anomaly. Down syndrome is the foremost known cause of intellectual disability. It renders its carrier less able, and does so to varying degrees. Furthermore, as honourable members may immediately recall, people with this syndrome share something of a likeness in terms of their physicality, more specifically with respect to the overall impression of the face.

Nonetheless, in spite of all appearances, a substantial majority have a good chance of giving a relatively normal life. Indeed, it is a primary wish of theirs to do so. People who have Down syndrome face the challenges posed by ignorance, apathy and social marginalisation. Judging a book by its cover, so to speak, is an ever-present human habit, and no-one knows this more than people who have Down syndrome. I quote Tracie Sammut, a Logie award winning actress, whose words so powerfully capture the sentiments of her peers:

Being a person with Down Syndrome is really quite a challenge, because people still believe we are something to be wary of, that we are stupid and incapable of learning and they really don't know how to treat us. I don't think of myself as different: I eat, sleep, laugh, cry and hurt just like you, but because I have a label "Down Syndrome" other people do and it really is not fair.

Tracie's speech, which was delivered on that night, resounded deeply within me as I mingled with the crowd during the course of the evening. As I did, I witnessed a rare and special quality in the young people with Down syndrome with whom I spoke. It was a unique zest for life—an enthusiasm and passion for living, a desire to be productive, to contribute, to socialise and to spread warmth and friendliness. They are just so eager to be given a chance to participate in life. I could not help but think what marvellous friends, workers and responsible members of society they would make.

The work of the Down Syndrome Association of New South Wales is of the most excellent and noble order. It is the association's dream to help people with Down syndrome to realise their humanity, to express themselves and to live a normal life as so many able-bodied people do, without gratitude or wonder. Each and every staff member exudes a deep devotion and compassion. They work tremendously hard under exceptionally tight constraints. They are on call 24 hours a day and they are available from the moment the child is born with Down syndrome, as are many parents who volunteer their time. The association desperately needs more support. I feel it is incumbent upon all levels of government to apprise themselves of this need, to step forward and make their presence felt.

Employers must do that too, for too few realise what valuable employees people with Down syndrome can be. Perhaps an exercise in workplace creativity and a commitment to understanding the issues at hand would result in more opportunities being granted for the benefit of all. In a society as rampantly affected by shallow and false measures of beauty and intelligence as ours, we must battle to raise new standards and proper understanding. To that end, public awareness of Down syndrome needs to be heightened and, once again, that is largely dependent upon the provision of necessary resources and funding. The Down Syndrome Association is home to many silent heroes and the sole hope to those whose lives have been disadvantaged through no fault of their own.

I congratulate all those at the association who were involved in the function: it was a huge effort. I thank also the Bankstown Sports Club, which donated the food that night. Some money was raised, but that goes only part of the way. It is my hope that the work of the Down Syndrome Association and its vision will be fulfilled, and I pledge my support to achieving that goal. I call upon everyone at every level of government to do the same.

Mr CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [4.20 p.m.]: I congratulate the honourable member for Auburn on bringing this matter to the attention of the House. She has demonstrated her warmth and strength as a member, and those opposite have endorsed her sentiments. People with Down syndrome—and they reside in each of our electorates—make a significant contribution to the community. It is important that members of Parliament raise matters such as this. I am sure that honourable members who heard the contribution of the honourable member for Auburn and those who read it in *Hansard* will bear in mind her sentiments and the plea she made.

**PLUIM CONSTRUCTIONS PTY LTD AND PLUIM INTERIORS PTY LTD
WORKERS COMPENSATION LATE PAYMENT PENALTIES**

Mr HARTCHER (Gosford) [4.21 p.m.]: I ask the Minister for Industrial Relations, who is responsible for WorkCover, the Hon. John Della Bosca, to take urgent action in respect of the future of two companies that are major employers on the Central Coast. The companies are Pluim Constructions Pty Ltd and Pluim Interiors Pty Ltd. Pluim Constructions has been in operation since 1946 and has a long history in the building industry throughout New South Wales. Pluim Interiors has been in operation since 1955. Those companies have a proud history of service and compliance with the law.

In 2002 Allianz Australia's Workers Compensation (NSW) Ltd, generally called Allianz, audited the wage records of the two Pluim companies for 1995 and 1996, some seven and six years prior. As a result of the audit Allianz discovered that there had been some insurance underpayment. The companies received an account for \$2,700 in one case and \$10,287 in the other. However, Allianz also imposed interest and late payment fees amounting to \$12,988 in one case and \$2,900 in the other. Bearing in mind that that honest mistake was made some six years ago Pluim Constructions wrote to Allianz and asked for a waiver of the late payment fees, which it is entitled to do under section 172 (2) of the Workers Compensation Act. The letter stated:

The reason why I am asking you to waive the late payment fee, is because of the circumstances of the particular audit. As you know the audit covered the policy period 1996-1997 and was conducted over a long period of time. Because the records we had to locate and produce related to several years ago this was enormously disruptive to our staff. There were many requests from you for documentation. You will appreciate that it took quite a good deal of time to collect what you asked for. Additionally, during the audit, your auditor required verbal information from the staff and this too was enormously time-consuming.

The company was put to considerable expense in organising its staff, chasing up records, obtaining information from prior employees. The company complied with the request and acted with honesty and in good faith. The company received a reply from WorkCover, which stated:

The intention of the legislation is to recoup the revenue lost to the scheme through employer under-declaration of wages. The provisions are retrospective and the general application of the Legislation and calculation of late payment fees under s175 does not distinguish between inadvertent error, oversight, corporate governance issues or ignorance of WorkCover's requirements ...

Because of its failure to pay, the company has received a threat of insolvency through a statutory demand. The company has until 23 May to comply with that statutory demand or be wound up. Of course, the effect of being wound up will mean that a large number of employees and subcontractors, potentially several hundred employees and subcontractors on the Central Coast, could be affected. A number of them could lose their jobs. We all accept the fact that WorkCover needs to receive its money. We all respect the fact that when there has been an underpayment, even if the audit revealed it was six and seven years ago, that needs to be rectified. However, the role of WorkCover is not to put employers out of business or employees out of the job. The role of WorkCover is not to ensure that subcontractors do not have a contractor to whom they can relate.

I urge WorkCover and the Minister to seriously consider the request by Pluim for the waiver of the late payment penalties: the company has paid the premiums. I ask the Minister to ensure that the company can continue to operate. WorkCover needs to withdraw the statutory demands which were issued under the Corporations Act and allow Pluim to continue operating. If WorkCover does so, it will receive the respect and support of the people of the Central Coast for whom the building industry is a major employer. If WorkCover does not, that will be a black mark against it and it will be shown to be not interested in employment but only in acting as a revenue agent for the government.

Miss BURTON (Kogarah—Parliamentary Secretary) [4.26 p.m.]: I thank the honourable member for Gosford for his contribution. The job of WorkCover is not to put people out of business. The job of WorkCover is to ensure the safety of employees across the State. Employers have an obligation to pay their workers compensation premiums. I will pass the honourable member's comments to the Minister, but it is important that this House bears in mind the problems caused by employers who do not pay their premiums. That causes workers compensation problems for employees across the State.

MAITLAND HARNESS RACING

Mr PRICE (Maitland) [4.27 p.m.]: My community and I are greatly concerned about the prospect of the Maitland Harness Racing Club being forced to abandon racing in the Maitland area. As a result of a decision by the chairman and executive of Harness Racing New South Wales, the Maitland club is to transfer operations to the Newcastle Harness Racing Club and the Maitland track is to be used as a training area only. A large number of harness racing families have built their careers in the Maitland area. Those careers have included horse breeding. Frequently stallions are brought in, both from other areas and overseas, to service mares and improve the stock. There has been a long history of harness racing horses from the Maitland area achieving success in this State and internationally.

Only one more race meeting is to be held in Maitland. That will be held in June. I am advised that the decision has been made to relocate the club's activities and race program to Newcastle. That will have significant ramifications for the industry. One correspondent, Mr Peter Allan, has already purchased \$12,000 worth of feed, and paid out \$2,500 for veterinary services, \$900 in farrier's fees and \$1,000 for the purchase of associated industry goods. That is typical of his annual expenditure. He also claims that 75 trainers currently use the Maitland track. I quote from his letter dated 29 April, which stated:

My circumstances would be considered "the norm". Therefore the cumulative effect is in the order of \$1.2 million per annum. Add to this, the people employed at the track and the people employed within the related service industries and you can see that the closure of Maitland will have a domino effect on not only the local harness racing fraternity, but also the local economy as a whole.

The records show that the Maitland Harness Racing Club Pty Ltd is financially sound; can attract horses for its meetings; and is catering for a class of horse each trainer has in their stable.

That is typical of correspondence that I have received from a number of constituents. A number of articles have appeared in the *Maitland Mercury*, the most telling of which was published on 22 May. That article, which was headed "Hands off our club", stated:

The newly-formed HRNSW is planning a State-wide rationalisation of the industry with an initial focus on the Hunter.

Local officials and participants were told two weeks ago that the Maitland Showground track would be reduced to a training and trial facility.

That is unacceptable to the local community and to me as the local representative. I have already spoken in this House about the New South Wales Greyhound Breeders, Owners and Trainers Association, which is in conflict with another group in the greyhound training area that intends to focus its activities on the old soccer field at Birmingham Gardens in Newcastle. That would mean the withdrawal of 44 race meetings a year, again from the Maitland showground. If either one of those racing elements is taken out of the showground it will become unviable. The showground board is a public trust; it is not owned by the Government.

If the showground trust is not viable, the showground will close. If this issue is not resolved, the cumulative effect of unemployment and reduced markets in the greyhound and harness racing industries will result in chaos in my electorate. Whilst I appreciate that the Government has no input into commercial entities, the unintended consequences of these actions have put the industry in severe jeopardy. The Minister, who is aware of this problem, must reconsider the matter. I also intend taking up the matter with the Premier. This serious issue should be addressed by Parliament sooner rather than later. [*Time expired.*]

COOTAMUNDRA DISTRICT COURT SITTINGS

Mr ARMSTRONG (Lachlan) [4.32 p.m.]: The matter that I wish to raise today was highlighted in the *Cootamundra Herald* earlier this week. I give credit to its editor for the following article:

Despite claims from the Attorney General's Department that the District Court in Cootamundra will not be shut down, there is currently no future sitting scheduled.

The Cootamundra Herald contacted the Attorney General's Department after discovering a District Court sitting on Wednesday had been cancelled.

There have been a number of cancellations of Cootamundra District Court sittings in recent times.

This in no way impacts the fortnightly Cootamundra court sittings in Cootamundra.

Prior to June 2001 there were four weeks of criminal trials scheduled in Cootamundra, however, the Chief Judge at that time examined the caseloads of country and district court sittings and decided to transfer all criminal trials to Wagga for a six-month period.

At that time the Chief Judge of the District Court, Justice Reg Blanch, said the overall reduction in the number of criminal trials led to this decision.

The decision was made to trial short matter hearings on the Cootamundra circuit (including Cowra, Young, Cootamundra Gundagai and Yass).

A spokesman for the Attorney General's Department said that there were a number of areas that the District Court handles, but short matters cover sentencing where the person has already pleaded guilty and two types of appeals, all grounds appeals (where the defence or prosecution are not happy with the verdict) and appeals on sentencing.

Trials, the spokesman said, were referred to Wagga.

He said that the District Court sitting on Wednesday had been cancelled due to the very small number of matters, saying that the workload did not justify the particular circuit.

The spokesman pointed to a particular sitting where there was only 20 minutes of work at each of the centres, whereas the judge is supposed to attend each particular court house for a day. He said there were not sufficient matters for the judge to hear.

He said that this was indicative of country areas, pointing to the low number of matters that needed to be heard at the district court level.

As an example, the spokesman stated there were only three trials pending in Wagga District Court.

When asked what this meant for the future of District Court sittings, the spokesman maintained that the "district court still has a presence in Cootamundra."

The spokesman said that, from what he is led to believe, the Chief Judge is reviewing the current short matters circuit and is leaning towards not hearing them on the current circuit.

The spokesman said the chief judge has a number of reserved weeks should the need arise or the workload increase.

When asked how the District Court can still have a presence when they are leaning towards transferring the short matters to other centres and there are no scheduled sittings, the spokesman said because the Chief Judge does have these weeks in reserve should the need arise.

"A sitting hasn't been scheduled but if the situation changes we'll be able to use the reserve weeks," the spokesman said.

If the workload was to increase or there was an urgent trial etc those weeks could be utilised.

He said they were not shutting down the District Court, pointing to the fact that the court still has the facilities and resources to operate as a District Court in Cootamundra.

He said that ongoing monitoring of caseloads would continue.

The District Court, which forms part of our legal system, serve a number of purposes. District Court sittings enable people to have their matters heard in their local town. There is no public transport—not a bus, plane or train—between the towns of Young, Cowra, Yass, Cootamundra and Wagga. How are people supposed to get to court? If they take a taxi, who will pay for it? Trial by our peers is a fundamental part of our legal system. If there are no courts in rural towns and communities people will not be able to learn how the process works and there will be no deterrent factor. A principal facet of justice will be removed from these communities and they will be isolated. I have quoted an article from the local *Cootamundra Herald*. However, not many people in Cootamundra, Yass, Cowra and Young would read that paper or the Wagga Wagga paper. Legal services to many country towns are being reduced. I ask the Government to take note of the case I have referred, because it is happening in almost every country town in New South Wales. The justice system in rural and regional towns should be restored.

PORT HACKING OPEN SAILING CLUB

Mr COLLIER (Miranda) [4.37 p.m.]: Port Hacking Open Sailing Club is a thriving family-oriented club based in Yowie Bay in my electorate of Miranda. The club has an enthusiastic membership base of around 200 and a strong and experienced committee headed by Commodore Neville Murray. The youngest sailor in the club is aged four and the most senior active sailor is Mr Tom Sanderson, who is now in his eighties. The Port Hacking Open Sailing Club makes a valuable contribution to the quality of shire life. It promotes sailing as a wholesome family-oriented activity and teaches our youngsters the fine art and skills of this wonderful sport.

The club, which was formed in 1948, has arguably taught more youngsters to sail than any other club in Sydney. Over the years the club has produced a number of State and national champions and international representatives, including Ron Mason, Mark Wren and Mark Peelgrane. Shortly after the club's formation, a timber deck which was laid at the water's edge served as the club's boat-launching facility. Gradually, over time, and despite repairs, the timber decking in front of the club rotted and deteriorated to the point where the facility was not only inadequate but a safety hazard. So the club set about raising funds. It sought financial assistance through local council and State representatives to meet the cost of fixing the whole deck and providing appropriate improvements for its members.

Sadly, that financial assistance was not forthcoming until 1999. In 1999, shortly after I became a member of Parliament, I met with Port Hacking Open Sailing Club officials, including then Commodore Graham McMillan. At that time I was presented with a bound collection of documents dated 21 February 1999. The first document in the collection was dated 2 August 1963. The volume was, and remains, the most incredible history of frustration, unfulfilled promises and delays that I have ever read. I am pleased to say, however, that I was able to obtain State grants totalling more than \$98,000 to put towards the construction of the new concrete deck, pontoon and boat storage sheds for the club. I congratulate the present Sutherland Shire Council on matching the State Government's contribution.

The years of frustration and delay are now behind the club and its members. On 16 March this year, after a magnificent club breakfast attended by approximately 100 members and their families, I had the honour of officially opening the new facilities. Official guests included the mayor, Councillor Phil Blight, and Commander Lewis Stockbridge as well as members of the Australian Volunteer Coast Guard Association. As part of the official ceremony, I handed over the club keys to Commander Stockbridge of the Australian Volunteer Coast Guard Association, which will share the upgraded facilities. This family-oriented club now has its long-awaited upgrade and the Australian Volunteer Coast Guard has a permanent base at Yowie Bay. Sharing resources in this way makes good sense. It is a win all round and an eminently sensible idea. It benefits the club, the volunteer coast guard, and the entire shire. I applaud club Commodore Neville Murray and all club members on their community mindedness.

A club is more than just its facilities. The strength of any club lies in the quality of those who comprise it: its members and their families. The State Government and the local council provided the money but at the end of the day it was the vision, tenacity, commitment and sheer hard work of the club members that made these great new facilities at Yowie Bay possible. It is the members and their families, past and present, who have put in the thousands of hours of hard, unpaid work that has resulted in a new concrete deck, new storage sheds, and an upgraded pontoon at Yowie Bay. At the official opening Rear Commodore Simon Thodey summed up the spirit that is the Port Hacking Open Sailing Club when he spoke of the in-kind support from the members of the club. He said:

First, the old deck and boatsheds needed to be demolished. That was a great day with a turnout of over 40 people. It was the first of the working bees and to completely demolish the deck and hollow out the sheds took from 7.30 in the morning till only 2.30 in the afternoon. There have been a huge number of working bees since then that have been attended by members whenever they could, in between home, family and work commitments. We all know how this time out from the family is difficult to achieve and I am sure it is greatly appreciated by all members now and will be for a long time to come. This is the spirit that makes the club.

I could not agree more. In the time available I cannot list all those members and their families who over the years have made this project a reality, but let me mention Peter Connor, Allen Mapstone, Simon Thodey, Ross Edwards, Col Tasker, Lloyd Zietsch, Roger and Allen Gowan, Ron Balderstone, Charles Whitbread, David Storey, Pat Brennan and Steve. I pay tribute to the leadership and tireless work of Commodore Nev Murray and his committee. I take this opportunity to thank all the mums and dads, partners, grandparents and friends of the club for their commitment to the club and its members, young and not so young. It is a club in my electorate of which I am proud to be a member and the patron.

This Saturday, 31 May, my wife, Jeanette, and I will have the pleasure of attending the 2002-03 presentation ceremony of the Port Hacking Open Sailing Club. It is fitting that the event will be held for the first time at the clubhouse at Yowie Bay, overlooking the wonderful new facilities. I congratulate all members and their families who over the years have contributed their talents, experience and their energy and made the Port Hacking Open Sailing Club the fine club it is today.

Miss BURTON (Kogarah—Parliamentary Secretary) [4.42 p.m.]: I thank the honourable member for Miranda for his contribution. Even though the St George district and the Sutherland shire are very different, the honourable member and I consider ourselves to be close colleagues. I have witnessed at first hand his dedication

and his hard work on behalf of all clubs and sporting groups in his local area. Sailing is particularly popular around Botany Bay and Georges River and down the shire. I commend the Port Hacking Open Sailing Club and wish it every success. I acknowledge the honourable member's hard work and his excellent representation of the people of Miranda in this House.

HMAS WAGGA

Mr MAGUIRE (Wagga Wagga) [4.43 p.m.]: On 26 April I attended the biannual reunion of the HMAS Wagga Association. HMAS *Wagga* was the longest-serving Corvette in the Australian Navy. The Australian Corvette, Bathurst class, HMAS *Wagga* was launched on 25 July 1942 at Garden Island. She was built by Morts Dock and Engineering Company in Sydney. She measured 189 feet by 32 feet and weighed 650 tons. She could travel at a maximum of 15.5 knots and carried one four-inch gun and one 40-millimetre gun in her armament. The HMAS *Wagga* was commissioned on 18 December 1942 and began her long and distinguished service in the Royal Australian Navy. HMAS *Wagga* began her seagoing career in January 1943, escorting ships along the east coast of Australia. Escort vessels were desperately required in the early days of World War II to protect merchant ships along the many thousands of miles of commercial sea lanes.

Corvettes had many duties aside from escorting, including minesweeping, troop carrying, submarine hunting, and bombardment. HMAS *Wagga* extended her escort duties to New Guinea forward areas and continued its duties throughout 1943. On 14 April at Milne Bay while under the command of Lieutenant Cracknell HMAS *Wagga* came under heavy attack from Japanese dive-bombers. On the same day she went to the assistance of the Dutch steamer *Van Heemskerk*, which was on fire after being hit by several bombs. HMAS *Wagga* made an heroic effort to save the steamer, going alongside and putting nine hoses and a fire party on board. But, alas, the extent of the fire was too great. HMAS *Wagga* rescued the survivors minutes before the fire reached drums of petrol, which blew up the ship. Miraculously, HMAS *Wagga* sustained only superficial damage.

By 1944 HMAS *Wagga* was constantly employed in the New Guinea area on escorts, antisubmarine patrols, troop carrying, and supporting the land forces by bombarding selected targets. In 1945 she visited Darwin en route from that port to Morotai on the last day of the Pacific war. In the immediate post-war period HMAS *Wagga* proceeded to the Far East and was based in Hong Kong. At the end of October 1945 she returned to Sydney. On 28 November 1945 in Melbourne HMAS *Wagga* was paid off into the reserve fleet after steaming 105,000 miles on war service. HMAS *Wagga* was recommissioned on 12 December 1951 as a training ship, and in the following six years she steamed more than 78,000 miles on training cruises, exercises, northern patrol duties, and oceanic surveys. On 25 October 1957 she was paid off into the reserve in Sydney. In October 1958 HMAS *Wagga* returned to service as a training ship for the Royal Australian Navy Reservists and Cadets. She was finally paid off on 28 October 1960, having steamed some 190,000 miles. She was the longest-commissioned Corvette in the Australian Navy, having served for almost 20 years.

I draw honourable members' attention to the proud history of service by HMAS *Wagga* to the Australian community, and particularly to the city of Wagga Wagga, after which it was named. Retired officers and sailors who served on HMAS *Wagga* are attempting to have a ship named in honour of our city and the original HMAS *Wagga*. I met Lofty Rackemann and others at the reunion that I attended with the mayor of Wagga Wagga and the Federal member for Riverina. It was a most enjoyable occasion. We have taken up a petition to generate community support and encourage the Federal Government to name another ship HMAS *Wagga* to reflect our respect for the brave men who served on the original HMAS *Wagga* during the war and brought so much pride to the city of Wagga Wagga.

I ask honourable members to support our call for a new patrol boat to be named in honour of HMAS *Wagga*. I was extremely proud to meet the surviving sailors and the wives and partners of those sailors who have passed on. There could be no more fitting tribute to them than for the Federal Government—I know the Federal member for Riverina, Kay Hull, is also pressing this issue—to give the name HMAS *Wagga* to one of the several new ships due to be launched in the coming months. I hope that will happen soon, as the surviving sailors from HMAS *Wagga* are getting older and fewer of them attend each reunion. I would like them to see a ship named after the great HMAS *Wagga*.

Miss BURTON (Kogarah—Parliamentary Secretary) [4.48 p.m.]: I thank the honourable member for Wagga Wagga for his contribution, and particularly for his comments about the heroic efforts in battle of HMAS *Wagga*. I also hope that the Federal Government will consider naming a new ship after HMAS *Wagga*. I am the granddaughter of a returned soldier, so I am familiar with the camaraderie that exists among soldiers and

sailors who served together. I can also appreciate the community's attachment to HMAS *Wagga*. I pay tribute to all those in the Royal Australian Navy. I also hope the Federal Government will seriously consider naming one of their new fleet HMAS *Wagga*.

FREE THE BEARS CAMPAIGN

Ms JUDGE (Strathfield) [4.49 p.m.]: I draw the attention of the House to a wonderful community function I attended on 23 May held by the *Indian Post* newspaper. The dinner was organised by Mrs Rekha Bhattacharjee, publisher and editor of the *Indian Post*, and her husband. They very generously opened up their home and organised catering and invited many distinguished members of the Indian community. The dinner was also attended by Mrs Maneka Gandhi as well as the Consul General of India, Mr Ganapathi and his lovely wife, Mrs Ganapathi. Mrs Ghandi is a widow to a son of Mrs Indira Gandhi. She is a well known environmentalist and a crusader for vegetarianism. She is also an author, a political commentator, a columnist, and a television and radio personality. She is in Australia at the moment at the request of the Free the Bears fund to support a campaign to free dancing sloth bears.

Free the Bears was founded by Ms Mary Hutton, who decided to take action after watching a story on a local current affairs program in Perth about the Asiatic black bears that are held in coffin-sized cages and milked for their bile. The focus of the latest Free the Bears campaign is that Indian sloth bears are the victims of horrible human cruelty. The bears are stolen from their mothers when they are cubs and have their teeth battered out with a hammer. A metal needle is then passed through the bridge of the cub's nose and a rope threaded through its nostrils. For the rest of their lives the bears are dragged by the nose by their owners. When the rope is pulled the bear jumps up and down in pain giving the impression of dancing. In a scheme supported by the Indian Government, the Free the Bears Fund pays the owners of these bears \$2,000 to give up their bears and start alternative businesses. The owners also sign a contract agreeing not to return to the trade, and face a seven-year gaol term if the contract is broken.

Free the Bears is an Australian charity established by Mary Hutton to protect, preserve and enrich the lives of bears throughout the world. The organisation helps bears worldwide by building sanctuaries, running campaigns, and raising awareness of the plight of bears. According to its web site it has two bear sanctuaries, one in Cambodia, just outside Phnom Penh, and another in the grounds of Lopburi Zoo, which is two hours north of Bangkok in Thailand. The organisation also sends regular donations to support a small research station in the Oblast forest region of Russia. Other guests included the Consul General of India.

I am pleased that the *Indian Post*, a wonderful newspaper that serves the Indian community throughout New South Wales, decided to hold this function in the electorate of Strathfield. I spent my childhood in New Delhi, India, and I remember seeing those bears being dragged around from home to home. People would throw a few rupees at them. They did not realise that the bears were subjected to horrible torture. There are about 200 bears outside the sanctuary—they hope to bring them in—and the reservations in India have only 200, so they are an extremely threatened species. I hope this just cause will be supported not only in Australia but right throughout the world. I have membership forms for honourable members who want to support the cause. I hope that Free the Bears is supported so that this wonderful species can be saved.

Miss BURTON (Kogarah—Parliamentary Secretary) [4.54 p.m.]: Strathfield is a very diverse community and I am constantly amazed not only by the support of the honourable member for Strathfield but by her avid promotion of the cultural diversity in which the Indian community is prominent. The practice of dancing bears is cruel and needs to be stopped. To that end, I am a member of one of the World Society for the Protection of Animals rescue teams, which are set up to try to save the bears. I also pay tribute to the honourable member for her social activity.

COFFS HARBOUR PACIFIC HIGHWAY ACOUSTIC BARRIERS

Mr FRASER (Coffs Harbour) [4.55 p.m.]: I raise a matter of great concern to the people living specifically in Boambee East but more generally along the Pacific Highway in my electorate. Ron Hailley, who lives in Sea Breeze Place, Boambee East, made representations to me and provided me with a copy of a page from the environmental impact statement [EIS] for the Englands Road to Lyons Road section of the Pacific

Highway. Attached to the EIS was a map that clearly shows that the north-eastern side of the overpass of Lyons Road should have a 1.5 metre high acoustic barrier. The residents of Boambee and Coffs Harbour generally are extremely pleased about the completion of that road, even though it was two years behind schedule.

Two weeks ago I said in the House that traffic on the Pacific Highway has increased and that an additional 350 heavy vehicles per day are on the road. A man who lives in that subdivision has told me that people there sleep with ear plugs. Mr Ken Brown from Sapphire asked in a letter to the editor in today's *Coffs Harbour Advocate*, what happens if residents are forced, because of traffic noise and because the 1.5 metre acoustic barrier has not been installed in compliance with the EIS, to wear ear plugs and a fire occurs in their home, or if another emergency occurs? They would not hear the smoke alarm and there would be a tragedy. Even during the day people cannot listen to their television. They have to resort to double glazing their windows, locking their doors, and turning up the volume on their televisions.

I ask the Minister for Roads to investigate this matter as a matter of urgency. As provided on the map, the EIS shows that the area should have a 1.5 metre acoustic barrier installed. Barriers have been installed in other areas. Residents want compliance with the EIS and the guaranteed engineering works that are to be done. On previous occasions I have referred to the Koala Villas and Caravan Park, which is about five kilometres north of the Lindsay Bros truck depot. A 1.5 metre acoustic wall was installed above the level of the old road there, but the new road has been constructed a good metre above the old road level and the traffic noise is going straight over the acoustic wall. This keeps the visitors and permanent residents of the caravan park awake. Noise emanating from the Lindsay Bros truck depot also goes straight over the top of the barrier.

In this stretch of highway from Englands Road to Lyons Road some groups have the benefit of acoustic barriers and are getting a good night's sleep. Others do not because their acoustic barriers do not meet the requirements laid down in the environmental impact statement, which shows an acoustic barrier in front of the Koala Villas and Caravan Park. Those barriers are not as high as they should be, because of engineering considerations. People from Sea Breeze Place in Boambee East have no barriers, and the noise is channelling straight up the gully into their homes all day and all night. I ask the Minister to contact his Roads and Traffic Authority engineers on the North Coast and request them to ensure as soon as possible that the acoustic barriers placed on this section of road meet the requirements stated in the environmental impact statement.

Miss BURTON (Kogarah—Parliamentary Secretary) [5.00 p.m.]: I commend the honourable member for his contribution. Because the people of New South Wales are becoming increasingly reliant on the road network, traffic is a very big issue across the State. St George has similar traffic and aircraft noise problems. Having said that, I would like to say that the Government is investing billions of dollars in upgrading the road network and making it better and safer for those who use the roads. Of course, the more a road is upgraded and the better facilities become, the more people want to use them. I am happy to take on board the comments of the honourable member for Coffs Harbour and pass them on to the Minister.

MONARO ELECTORATE PRESCHOOL FUNDING

JINDABYNE CABINET MEETING

Mr WHAN (Monaro) [5.01 p.m.]: Preschools play an important role in preparing our kids for school and they provide a vital part of their education. I therefore thank and congratulate the preschool associations throughout the Monaro area that provide preschool facilities, as well as the child care centres that provide preschool education. I was very pleased with the recent announcement by the Minister for Community Services of a number of grants for the Monaro area from the \$3 million maintenance works funding.

Local preschools that received funding include the Eden Child Care Centre, which received \$28,500; the Sapphire Mobile Children's Service, at Eden, which received \$8,000; the Nimmitabel Preschool, which received \$4,000; the Delegate and District Preschool, which received \$15,000; and the Monaro Mobile Preschool, which received \$5,000. In all cases, as a result of this funding those groups will be able to make important improvements to the facilities for kids, such as improving disabled access, putting in cot rooms or change rooms, or upgrading playgrounds.

The Waratah Preschool, in the Queanbeyan area, has long needed a new fence. That has been a matter of concern to people since a child managed to partially scale the old chain-link fence. I am very pleased that \$10,000 was provided to replace the fencing and undertake other upgrading at the Waratah Preschool. That was a good reward for long-term lobbying and a lot of effort by the Queanbeyan Preschool Association. The

Bungendore preschool, which is in the Yarrowlumla shire, received \$20,000 to improve its playground, disabled access and washing facilities. That is a very important boost for a rapidly growing community. It recognises that a lot of people are moving into the area, resulting in a corresponding increase in the number of children who need preschool facilities.

Funding of \$5,000 was allocated to the preschool at Captains Flat for a playground upgrade. Captains Flat is attracting more people with young families because it offers a more affordable housing option. Now, because of government grants, it has clean water, which obviously is an important attraction. I congratulate the preschool associations, which do a lot of work to get preschools in our region up and running and to keep them running. Of course, those preschools have differing circumstances. Some areas have a shortage of kids for preschools, but in Queanbeyan, which is a growth area, the demand exceeds the places, resulting in long waiting lists. That is a matter that I hope will be addressed over the next few years.

Preschooling is a vital part of a child's education. It is important that children have access to it, whether through a traditional preschool—one run by an association—or through a full-day child care centre. My children are now at primary school. One went to preschool at a day care centre and the other went to a more traditional preschool. Both received the benefits of that preparation for school. As a parent and a close observer of the education system, I regard that as very important. So, once again, I congratulate the preschool associations in the Monaro region and thank the Government for its support for them. As a representative of the Monaro area, I look forward to being successful in encouraging more kids to go to preschool.

On behalf of the people of the Snowy Mountains area of Monaro, I express my appreciation of the Premier bringing Cabinet to Jindabyne next week. The Carr Government has held many Cabinet meetings in regional centres, and this has been a very important way of enabling the Government to meet with the community. I look forward to the Premier and his Ministers being in Jindabyne next week and meeting with a lot of local groups and discussing issues with them. They will be able to meet many people at the reception that is to be hosted by the shire council and hear the views of the local people. I congratulate the Premier on bringing Cabinet to Jindabyne at my invitation, and I look forward to local residents having the opportunity to tell the Ministers about the issues that are important to our region.

Miss BURTON (Kogarah—Parliamentary Secretary) [5.06 p.m.]: Once again the honourable member for Monaro has shown his dedication and commitment to his area. I agree that preschooling is a vital part of the education system, and it is strongly supported by the Government. Our support in general for public education is aimed at ensuring that all kids, no matter where they come from, receive a quality education. That starts at the preschool level. When I worked for the Premier I went on Cabinet trips to regional New South Wales. I know how important it is to the communities of rural and regional areas that the Premier and Cabinet visit them and hear their concerns. I am sure the people will be delighted that the honourable member for Monaro has invited the Premier and the Cabinet to his electorate, and that they will have the opportunity to meet with them and discuss issues of importance to the local area. This is a wonderful initiative, and the people of rural and regional areas wholeheartedly support it.

HORNSBY AND KU-RING-GAI HOSPITAL RADIOLOGY SERVICES

Mrs HOPWOOD (Hornsby) [5.07 p.m.]: I am disappointed that I have to speak again about the X-ray facilities at Hornsby Ku-ring-gai hospital. Before I enlarge on the topic, I wish to acknowledge Palliative Care Week and recognise the tireless work of all health professionals, carers and patients as they strive, day by day, for quality and dignity of life, always cognisant that each person has the right to live until they die and that hope is an essential component of dealing with the issues associated with the end of life.

Hope Healthcare will shortly commence construction of a new Neringah hospital which will see a move from its current site at Wahroonga to the already purchased site in the grounds of Hornsby hospital. Neringah—which cares for terminally ill patients—will be sited parallel with a district hospital, with all the possible benefits of co-location. As a community nurse, I would like to acknowledge the absolute need to be able to access services from not only the excellent Neringah hospital but also facilities like Hornsby hospital, because terminally ill patients have acute needs as well.

Hornsby hospital is the epicentre of the area, and large amounts of community money are donated and raised to provide facilities and other much-needed equipment for it. On Tuesday the Lions Club of Hornsby—of which I am an associate member—presented a substantial cheque to the management of Hornsby hospital to assist in the provision of patient facilities. The local community created Hornsby hospital, and for many years

ran it. The hospital is an integral part of the area, yet it has had to fight hard for its very existence, despite being necessary in terms of geography and population. I was advised last week that Hornsby hospital would not have an X-ray service at the end of June because its processing machine is obsolete because X-ray film is no longer available. As such, it will not be possible for the hospital to even do a chest X-ray.

When I raised this matter in the House the Minister for Health assured me that funds would be available by the end of the financial year to purchase a replacement film-processing unit. I then moved a motion to highlight the need for state-of-the-art facilities, not just another old piece of equipment, but apparently that is what we will get. My local community, including inpatients, rely on the hospital for an X-ray facility, as do surrounding areas. Units such as intensive care and accident and emergency cannot do their job without one. Imagine my alarm when I was told that management had been instructed to install another obsolete film-based radiology system—1970s and 1980s technology. The opinion is that, as a result, Hornsby hospital X-ray department will not be upgraded for another 15 years, but the cynical consolation is:

Well at least even an obsolete system means we can continue to do x-rays.

The system is appalling. The X-ray unit of the hospital must be upgraded. It is obvious that this is not an upgrade but a downgrade because, although practices and technology have moved on, Hornsby hospital will go back 15 to 20 years. Additionally, an obsolete installation will be carried out at a cost of about \$180,000, which is simply a waste of taxpayers' money. A computerised radiology system implemented throughout the area health service and already running at Royal North Shore and Ryde hospitals would probably cost about \$460,000. Such technology would provide a huge improvement to the continuity and timeliness of patient care, as well as much more efficiency in doctors' work practices. It would produce much less film because the image is stored mainly on computer, and consequently it is more environmentally friendly.

I am advised that the only reason the hospital could continue with the obsolete system is that the Children's Hospital at Westmead went to computerised radiology, and Hornsby was able to get all the old film Westmead was using for its obsolete system, which is similar to the one at Hornsby hospital. During this time it appeared that nothing more has been done regarding replacement even though it was due to come to a head this year. There is a history of not providing any money for equipment in radiology: it usually comes out of radiologist trust funds. The decision to replace obsolete with obsolete is a gross waste of taxpayers' money, and will cost the public purse \$180,000.

It is not enough that the Minister for Health has promised that funding would be made available for the replacement of X-ray film processing facilities by the end of the financial year. He should promise an upgrade. If management has not been instructed to implement an upgrade, why not? At the very least an upgrade is a digital computer radiology system. Hornsby hospital needs an improvement in X-ray processing where the taxpayer dollar is used to best effect. It is false economy not to provide the most modern equipment to suit the needs of doctors to have the most appropriate facilities for their patients. It is beyond belief that this could happen in 2003. I call on the Minister to ensure the immediate purchase of computer radiology equipment for Hornsby hospital, which supports a large population. It certainly needs this type of facility.

Miss BURTON (Kogarah—Parliamentary Secretary) [5.12 p.m.]: I pay tribute to palliative care workers and palliative care units around New South Wales. The Calvary Hospital in the St George area does amazing work looking after people in the last stages of their lives. I can only imagine that it would be stressful and demanding work. I draw attention to community support for health facilities. We have vibrant local community groups who raise money to support their local health care facilities. The Minister has guaranteed that funds will be available at the end of June for the radiology unit at Hornsby hospital. More than \$8 billion a year, one-quarter of the New South Wales budget, is spent on health. We have state-of-the-art facilities across New South Wales to provide the best quality health care. I will refer the honourable members' comments to the Minister.

WINDALE URBAN RENEWAL SCHEME

Mr MORRIS (Charlestown) [5.14 p.m.]: I bring to the attention of the House the current status of the Windale Urban Renewal Scheme, which currently operates in my electorate. For many years the Windale community has been subject to criticism due to what was its socially disadvantaged state. History has shown that poor planning principles resulted in the suburb of Windale being home to the most socially disadvantaged people of the day. These community members, who simply required support and assistance, were left to determine their future without any form of social support or guidance. Today the situation has changed significantly, and continues to improve through the renewal scheme, the spirit of the community wanting change, and the involvement of community leaders, volunteers and state agencies who want to get in and make a difference.

The Windale Urban Renewal Scheme has operated for some two years. As an elected representative I have been aware of the programs run in the suburb, and I regularly attend forums to offer my support. Renewal initiatives range from literacy and numeracy programs to employment preparation projects. Windale now hosts its own festival, a day for Windale and surrounding communities to gather and recognise their achievements, but also to relax and enjoy a day of fun in the festive spirit. As I have become closely associated with members of the community I have witnessed a significant change in social structure, attitude and pride of many individuals and the broader community. Today's *Newcastle Herald* published a recent survey of Windale residents, which shows that 56 per cent of households surveyed commented that Windale is a better place to live today than it was two years ago.

The Windale community has needs not too different from many other communities, yet it has suffered from unjustified negative stigma. I am very proud of the Windale community and I support its desire to continue to enhance and improve its way of life. It is rewarding to visit with the community and its leaders who have committed many hours to serve the greater community and aid in the social development of the people of Windale. It is pleasing that surrounding communities are changing their opinion of the people in Windale, something that is long overdue. I would like to acknowledge many people in Windale, but there are far too many to list in the available time. They know who they are. I congratulate them and the community on their commitment to the renewal process.

Their desire and drive to get in and make a difference is recognised and appreciated. The people of Windale should be proud of who they are and where they live. I encourage the community to keep up the good work. I wish them well for the future. It is important that we now adopt a where-to-from-here position. The program has been running for two years and it has produced enormous benefits for the community and surrounding communities. We are now seeking additional funding to continue the renewal scheme and complete current programs. In the longer term this will ensure that we get over the hurdle and we continue to achieve so that the community will continue to prosper. Funding will run out at the end of June. I have made representations to the Premier's Department seeking additional funds for a further year.

I expect a positive result, although I cannot confirm it. It is important that we acknowledge the Government's contribution to date. The renewal process has been applied to other parts. The most recent program will commence shortly at Cessnock. It is a much larger-scale program but has the same objectives of addressing social issues, enhancing the social structure of suburbs, and ensuring those communities have a longer-term better outcome and greater opportunities. Windale has many success stories. Only last week a woman spoke to me and made it quite clear that without the opportunities provided by the renewal scheme she would not be where she is today. She has improved her education and gained employment. They are good people who deserve our attention and support.

Miss BURTON (Kogarah—Parliamentary Secretary) [5.19 p.m.]: I thank the honourable member for Charlestown for his contribution and I take this opportunity to congratulate the Windale community. It is a shame that there is such a thing as a stigma that is attached to people who live in a specific area and that people are being judged by their postcode. Because social problems and stigmatisation exist in certain areas, the Government's renewal projects are very important. I wish the Windale community every success in its renewal project. I know that the Government is very supportive of such projects throughout New South Wales. I will pass the honourable member's comments on to the Premier.

STATE ENVIRONMENTAL PLANNING POLICIES

Mr MERTON (Baulkham Hills) [5.20 p.m.]: I note that earlier this week the Minister for Infrastructure and Planning announced a review of State environmental planning policy [SEPP] 5. The Minister certainly got it right when he referred to circumstances in which a policy could be the subject of abuse, such as developments not fitting in with a neighbourhood and often having the wrong occupants in the wrong locations. Certainly there is a great deal of concern in my electorate of Baulkham Hills and surrounding electorates that SEPP 5 has been a disastrous exercise. Many people are concerned that a flood of SEPP 5 applications will be submitted to local councils for approval ahead of any changes. In the eyes of many residents in my electorate the Government's SEPP 5 and SEPP 53 policies have had a detrimental effect. The ever-increasing density of housing has placed a tremendous burden on our current roads system. The lack of public transport in The Hills district has been widely acknowledged. Time and time again in this Chamber the honourable member for The Hills and I have asked for improvements to be made to Windsor Road. Those improvements are being undertaken. We have also pointed out that The Hills does not have the benefit of a rail transport service.

Notwithstanding those pleas, a rail link is no closer to becoming reality and is virtually a myth. It is unlikely that a rail link will be constructed in the foreseeable future, yet the Government continues to force increased density onto local councils through SEPP 5 and SEPP 53 planning instruments. These planning policies have been exploited in many instances. They have permitted backdoor development on a massive scale. They have been used as a method of having medium-density residential applications approved. On many occasions I have debated this issue on behalf of members of the Baulkham Hills community and on behalf of the Council of the Shire of Baulkham Hills. Daily I receive calls in my electorate office from residents who complain about the neighbourhood being destroyed by large-scale developments. Many long-term residents as well as those who have moved recently to Western Sydney have chosen to live in Baulkham Hills because traditionally it has been a suburb of family homes with backyards for gardening, room for children to play and, in a number of cases, room for the veggie garden and a few chooks.

Since 1995, the Labor Government's big stick use of SEPP 5 and SEPP 53 has changed the character of our neighbourhood. Local councils have been forced to approve apartment-type developments and a medium-density lifestyle, often against the wishes of residents. Many residents have suffered not only because of the character of the area changing forever, but also because of the chaotic and gridlocked local road network. This has not only dramatically changed the neighbourhood character but has had an inevitable flow-on effect to the area's paucity of public transport, which has been exacerbated by the fact that the area does not have a rail link. It is now clear that the Government has been aware of a multitude of disastrous developments across Sydney and that recent exemptions have simply been window-dressing. Members of the Opposition have been aware of the problems. In acknowledgement of them, we have put in place a policy that both SEPP 5 and SEPP 53 should be abolished. We continue our efforts to assist the residents of north-western Sydney.

My colleague the honourable member for The Hills and I invited the shadow Minister for Infrastructure and Planning and the shadow Minister for Transport Services to visit The Hills district to see first-hand the effects of this Government's policies on the area. Both shadow Ministers have accepted the invitation because they are eager to gain a first-hand knowledge of the problems of increased population density in The Hills district. This Government has been aware of these problems for a very long time. I note that the Minister for Infrastructure and Planning intends to undertake a review of SEPP 5. As a first step, I call upon the Government to consider placing a moratorium on all existing SEPP 5 applications until the review is completed.

The Hills and Baulkham Hills electorates are under attack from massive over-development, an inadequate roads system, a lack of public transport other than buses, and the non-existence of rail transportation. People have simply had enough and they want something to be done. At least a review of SEPP 5 is a step in the right direction, but much more needs to be done. As far as the Opposition is concerned, SEPP 53 should be abolished. I ask the Minister for Infrastructure and Planning to examine these very serious matters that are of major concern to the people of my electorate.

WALLSEND FIRST STEPS PARENTING CENTRE

Mr MILLS (Wallsend) [5.25 p.m.]: I draw to the attention of the House the good news about the First Steps Parenting Centre which is now located at the Wallsend hospital campus. The First Steps Program began operating at the Wallsend site in November last year after outgrowing its previous site at Waratah. Services are now in full swing from the centre's new home. Early last month members of the Wallsend community and I were given a preview of the new premises and an opportunity to mingle with some of the centre's clients. The chief executive officer of Hunter Health, Professor Katherine McGrath, also attended and said that it is important for community groups, such as the Wallsend Guardians, who have strong links to the Wallsend hospital site, to understand and appreciate services such as First Steps that are being offered in the community.

I pay a tribute to the Wallsend Guardians because the group emerged from the local community following the most upsetting and disgraceful closure of the Wallsend acute hospital by the Greiner Government in August 1991. For 18 months there were community picket lines that were supported by miners and other trade unionists in the Hunter. In the end result, the site of the Wallsend hospital was retained in public ownership, despite closure of the hospital. I am able to report to the House that currently there are more public sector health workers at the Wallsend hospital site than there were when it was an acute hospital. One of the organisations at the site is the First Steps Parenting Centre. In 1996, a year after the current Labor Government came to office, funds were allocated under the Hunter Health strategy for a priority project, a new parentcraft centre in the Wallsend health campus—much to the delight of the Wallsend Guardians who have adopted the role, inter alia, of encouraging services to become located on the Wallsend campus.

Since then, changes have occurred in the manner of delivering early childhood and parentcraft services, including the provision of support for parents in our community. The outcome has been good because the First Steps Parenting Centre has been established at Wallsend. The parentcraft centre did not require a new building after it changed the way it had been operating. It is located in the building which formerly housed the non-medical drug and alcohol detoxification centre, Lowrey Lodge, which has been transferred to the Belmont District Hospital grounds in the electorate of my colleague the honourable member for Swansea, who is present in the Chamber. When Lowrey Lodge moved, the building was refurbished and renovated and is now occupied by the First Steps Parenting Centre. It is important to note that the funding that was saved on the Parentcraft Centre at Wallsend has been reallocated to the John Hunter campus to enable another high priority project to be achieved, the construction and opening of the Child and Adolescent Mental Health Centre.

The Wallsend Guardians agreed to, and facilitated, that funding reallocation. They have taken a keen interest in seeing the child and adolescent mental health project through to its completion. Part of the centre is named after them—the Wallsend Guardians Calming Garden—and I will have more to say about that later. It is a quiet and private place for clients of the adolescent mental health centre. The First Steps Parenting Centre offers a range of services to families including children whose ages range from zero to five years.

The centre registers more than 800 clients annually. It provides group sessions and one-on-one sessions from Monday to Friday and offers support, counselling and education for expectant parents and parents who are experiencing difficulties with infant feeding, crying babies, child behaviour, feelings of depression and relationship problems that are impacting on children. Weekly group programs offered by the First Steps Parenting Centre include an adolescent mothers group, a post-natal depression group, support for parents with premature babies, and playgroups for parents who need to strengthen and develop their relationships with their children.

The First Steps Parenting Centre is staffed by a multidisciplinary team including child and family health nurses, social workers, a medical officer, a play worker funded under the Families First initiative, and administration staff. Consultation services are offered to community-based and other health services. I congratulate Kathryn Allen, the acting team leader of First Steps, on the sensitive and professional job that she and her staff carry out. Previously the First Steps Parenting Centre at Waratah was known as the Family Care Cottage. The name change occurred when the facility moved to Wallsend. It is a day-stay facility providing predominately outreach services to the community, and it targets families with children under five years who are dealing with multiple issues, hence its name. I welcome the First Steps Parenting Centre to the Wallsend Hospital campus. I trust it will continue to deliver high-quality services to the people of the Hunter.

DEPARTMENT OF AGRICULTURE AND MRS KATH DAY

Mr GEORGE (Lismore) [5.30 p.m.]: I make a general plea to the Government in relation to a couple of my constituents. For the past 18 months I had discussions with the previous Minister for Agriculture, and last week I had a discussion with the new Minister for Agriculture and Fisheries. Mrs Kath Day, the wife of Bernie Day, is being pursued by the State Government for payment of a fine. On behalf of Mr and Mrs Day I have forwarded a letter to the Minister. Their letter, which fully describes the problem that they are facing, states:

As the new Minister for Agriculture we are asking you to take an open-minded look at the ongoing torment being caused to our family by the finding of cattle ticks on ONE head of cattle which had been transported (as was required) from our property to the saleyards the evening before the sale. Despite the fact that all the cattle had been checked before departing our property it is quite possible that we had missed what may have been then a seed tick.

Had this situation occurred today this would not have been regarded as a misdemeanour as the rules pertaining to cattle ticks have now been amended no doubt partly due to the Department's claim that they have reduced the problem of Cattle Tick on the Far North Coast. Sadly, as foretold by experienced cattle producers of this area, this has proved not to be the case and today we see outbreaks of these ticks spreading from Grafton once again and occurring throughout the old Tick Quarantine Area.

As documented previously we believed that the initial fine by the Department was unjust and as concerned community minded Australians believed that we were entitled to have our case put before the court. The enormous amount of untaxed costs awarded against us forced us to appeal the court's decision. This situation has now become unbelievable that so much time and money will continue to be wasted by the Department's determination to pursue the matter.

Since moving from the Stanthorpe area of Queensland, which is too cold for ticks to survive, we have experienced a very sharp learning curve regarding these parasites. We have always followed the procedures required to move our cattle, at considerable cost to us.

On seeking information from the Dept. as to how we should go about protecting our cattle from ticks we were told not to dip as we were in a "clean area" and the Dept offered to "decommission" the dip yard which was on our property. Thank goodness we refused that offer and we, like many other properties in the area, have once again become tick infested and we are now

undertaking the required dipping programme to clean our property. Proving our earlier contention that the Cattle Tick is capable of lying dormant in the soil until the right weather conditions allow it to resurface again.

A subsequent letter from the Dept of Agriculture contained much incorrect data in that it stated that on inspection approx 50% of our herd was infested with cattle ticks.

This statement is totally incorrect as on the day when the inspection took place two officers of the tick department came to our property, as arranged, at 5am. We then began to muster, yard and inspect the cattle.

Our herd runs in 13 different mobs on 600 acres of land, some quite rough and distant ...

One reason we chose to stand up and be counted and maintain our innocence, is that we have been honest all our lives, have nothing to hide, and see no reason why the Dept should penalize honest, hard-working cattle producers after they have followed the advice that has been given to them by that department.

It has already cost us \$2000 for the department's date changes in setting up their appeal. What a shocking waste of money in the midst of such terrible drought conditions.

We trust that you will look carefully at all that is involved with this matter and decide that it should go no further.

Yours faithfully
Bernie and Kathy Day.

I have spoken to the new Minister and the previous Minister about this, but for some reason that department is in pursuit of the Day family. Mr Day does not enjoy the best of health, and cannot travel. Recently they were advised that the Chief Justice has directed that the matter be heard in Sydney on Monday 2 June. Mr and Mrs Day are heartbroken. When Mrs Day phones my office she breaks down when she talks to my staff. This matter has had an untold effect on them personally and financially. No-one will make a decision to bring this case to an end. I ask that the Minister, again, consider this case and try to settle it.

Mr TRIPODI (Fairfield—Parliamentary Secretary) [5.34 p.m.]: I congratulate the honourable member for Lismore on bringing this matter to the attention of the House. It is quite obvious that he is committed to his constituents. I understand that he has been working with that department in an endeavour to obtain a satisfactory resolution. Quite often small matters become big matters and I am sure that with the diligence of the honourable member and with the co-operation of the department the matter will be resolved. I wish the family the very best in their endeavours and I wish the honourable member the best in achieving a sensible outcome.

NARDELL COAL CORPORATION PTY LTD LIQUIDATION UNSECURED CREDITORS TREATMENT

Mr ORKOPOULOS (Swansea) [5.35 p.m.]: Mr Peter Braun, a small businessman in my electorate, operates Coal Management Operations and Processing. He is one of the unsecured creditors of Nardell Coal Corporation Pty Ltd, and he is owed more than \$1 million. He is one of the unsecured creditors who are owed \$1 million or more, especially since Nardell went into receivership on 27 February. Nardell coalmine's unsecured creditors had been treated shabbily, leaving them \$10 million out of pocket. Honourable members are advised that 88 per cent of the mine is owned by Macquarie Investment Trust No. 3, a \$207 million venture capital vehicle of Macquarie Direct Investment Ltd, which in turn is 100 per cent owned by the hugely successful Macquarie Bank Ltd. When one considers that in the half yearly profits to September last year the Macquarie Bank made \$183 million, one wonders why it is baulking at \$10 million.

The Minister for Mineral Resources raised this matter in an answer during question time on 30 April and again in an urgent motion. The Minister raised some very pertinent matters that Mr Braun and other unsecured creditors would like answered. For instance: Was Macquarie Bank truly acting at arm's length from Nardell and its operations? If so, were the debt and equity arrangements between Nardell and its associated entities realistic? Why was Nardell paying interest of up to 23 per cent on loans from Macquarie Bank controlled entities?

On 2 May ABC's *Stateline* interviewed Professor Scott Holmes from the University of Newcastle, who said, "You can get a better interest rate on your Bankcard than you can from Macquarie Bank." Did Nardell trade while it was insolvent, with Macquarie standing behind the security of its status as a fully secured creditor? Why were the debts to secured creditors allowed to rise sharply in the final months of Nardell's operations? Why was coal production ramped up in the final months of Nardell's operations? These questions warrant an answer. The shareholders of Macquarie Bank would expect their bank to be a good corporate citizen and to employ good corporate practices. Macquarie Bank, among other entities, is seeking to be involved in the Government's private-public partnerships program. I call on it and on all private sector companies seeking to be involved in the

private-public partnerships program to act with integrity in their treatment of workers entitlements and unsecured creditors. Their shareholders would require no less, the Government should require no less and Mr Braun requires no less.

METROPOLITAN AND COUNTRY CO-OPERATIVE HOUSING SOCIETY PERFECT START HOME LOAN SCHEME

Mr McGRANE (Dubbo) [5.40 p.m.]: Tonight I bring to the attention of honourable members a function I attended on 23 May to launch the Metropolitan and Country Co-operative Housing Society Perfect Start Home Loan Scheme for Dubbo, a joint venture between the Metropolitan and Country Co-operative and the State Government. The focus of the housing society is to assist people in regional areas on low to medium incomes to achieve home ownership. Honourable members would be aware that the most major investment that any family can make is in a home. People earning up to \$35,000 will now have the capacity to borrow up to \$225,000 for a property valued at up to \$350,000.

Some loans provide 95 per cent of the property value without the added cost burden of mortgage insurance. As the State Government is involved in this scheme, there is no need for people who borrow to pay mortgage insurance. These days mortgage insurance can cost anything between \$2,500 and \$3,000, depending on the size of the loan. Because the State Government is guaranteeing these loans they are more affordable for those who have missed out in the past. Home ownership, the goal of most families in Australia, is getting harder and harder to achieve. I was shire president at Gilgandra for 16 years when the shire council ran a similar scheme. Council borrowed money at local government rates and lent up to 95 per cent of the value of a new home and 85 per cent of the value of a home that had been previously lived in.

During the 16 years that I was shire president there was only one payment defaulter. Council provided about 80 per cent of housing loans in Gilgandra. The council, which was self-funding, was not in the scheme to make money. It wanted to give Gilgandra residents a chance to own their own homes and it wanted to stimulate the building industry, which is what is needed in a small community. The scheme was extraordinarily successful in Gilgandra, even though it has now diminished somewhat. This is the first time that the Metropolitan and Country Co-operative Housing Society has done business outside Sydney. There is potential for it to run similar schemes in other regional towns and cities.

The co-operative, which has been in operation for about 70 years, has always had as its goal assisting people in home ownership. We all need something to work towards. In most cases, people borrowing from the co-operative would be making mortgage payments that were similar to their rental payments. Home ownership encourages people to look after their homes, and that adds value to their communities. I commend the president and chairman of the organisation, Ross Mallam, whose father was a member of the New South Wales Parliament. Ross is enthusiastic about the potential for his organisation to expand in regional New South Wales. It is a wonderful scheme for the people of Dubbo, who would not be able to afford a home loan from normal lending institutions.

DEPARTMENT OF HOUSING NORTHCOTT ESTATE COMMUNITY DEVELOPMENT WORKER

Ms MOORE (Bligh) [5.45 p.m.]: Tonight I inform the House about a good news Department of Housing story from Surry Hills. Only months after the appointment of a community development worker at the troubled Northcott Department of Housing estate, I report a huge turnaround in the situation for this community of 600 families. In November last year I called on the Minister for Housing to appoint a community development worker after a period of significant crime and antisocial behaviour. In 1990 five people were murdered in a tragic incident. Last year, there were three murders, two suicides, shootings, stabbings, robberies and drug dealing. A high proportion of tenants need support to deal with their mental illness, their drug and alcohol addiction and family violence.

This seriously disadvantaged community had developed an entrenched sense of hopelessness, and understandably so. Responding to pressure for action, at the end of 2002 the Department of Housing appointed Dominic Grenot, a community development worker, who has already had a significant impact on that community. Dominic is an experienced worker who knows the community and who has the skills to work with marginalised tenants as well as negotiate changes to government and service procedures. I congratulate the department on its excellence choice and on its work to date. I was told in September 2002 that the department intended appointing a senior client services officer to work with tenants with complex needs in a team with the community development worker so that Dominic can focus on community work. Eight months on, the senior client services officer is still to commence work.

Dominic has made excellent progress. He contacted more than 160 tenants in the first three months to build essential trust relationships. Many tenants are frail, have limited mobility, have disabilities or live with mental illness. They all live on low incomes. In late 2002, I took part in a brainstorming session, which Dominic organised with tenants, community and health workers, and Department of Housing staff, that provided clear objectives to tackle crime and safety problems and meet tenants' needs. Dominic's March morning tea attracted a good turnout, including new tenants who did not know their neighbours. Building relationships between neighbours is critical in developing local support networks and encouraging Northcott residents to help each other. Dominic has helped tenants get services, such as home or shopping assistance, that are essential for the frail aged, and has made sure that mental health services respond quickly to crisis situations.

The Northcott Community Room now has more programs operating and a new sense of activity and energy, with increased use and wider access. The programs include English classes, social activities to build support networks and the Surry Hills Community Drug Action Team, which is educating the community about drug use and tackling drug problems. Tenants tell me that they are getting to know the local Department of Housing branch better, and feel that the department is now more responsive on security and maintenance. Dominic is sorting out problems to help the local shop and doctor's surgery remain viable and is making sure that the security contractors do their jobs properly.

Improved co-operation between the Department of Housing and Surry Hills police has resulted in better responses to crime and anti-social behaviour, with tenants who are drug dealing and responsible for violence against other tenants being evicted and charged. Constable Brett Degenhardt, the local crime prevention officer, works closely with Dominic. He visits Northcott regularly and has built a strong relationship with the local community so that police have better intelligence and respond more effectively to calls for help. This presence and responsiveness has demonstrated to Northcott residents that the Government and police will help them, and the revitalised relationship was documented on Police TV as a model for other police commands dealing with significant policing problems.

The *Sydney Morning Herald* reported in February on the collaborative project to capture and celebrate the spirit and lives of Northcott residents, involving Big hART, the Belvoir Street Theatre and the Northcott community worker working together. This is a big change from the negative picture painted by media reports last year. This project has demonstrated the beginnings of success after only a few months, and I commend the Government for allocating resources to make such a difference to the lives of Northcott residents. Many tenants have told me how important this project is to them. It is an approach that should be adopted in other high-rise Department of Housing estates—I would certainly like to see a Dominic Grenot working with Redfern tenants in Poet's Corner and McKell. I call on the Government to continue funding for the community development worker position at Northcott and to complement this position with the planned senior client services officer to provide case management for tenants with complex needs.

Mr TRIPODI (Fairfield—Parliamentary Secretary) [5.50 p.m.]: I congratulate the honourable member for Bligh on drawing to the House's attention good news about the Department of Housing. I join the honourable member in congratulating Dominic Grenot on the work that he has achieved on the Northcott estate. The Government is committed to ameliorating the lives of residents of Department of Housing estates. I have many Department of Housing zones in my electorate and I am familiar with the problems that the honourable member raised. I wish the honourable member for Bligh the very best in her efforts to secure ongoing funding to retain Dominic Grenot and ensure the continuation of his great work.

Private members' statements noted.

The House adjourned at 5.52 p.m. until Friday 30 May 2003 at 10.00 a.m.
