

LEGISLATIVE ASSEMBLY

Tuesday 14 October 2003

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

Mr Speaker offered the Prayer.

VARIATIONS OF PAYMENTS ESTIMATES AND APPROPRIATIONS 2003-04

Mr Craig Knowles tabled variations of the payments estimates and appropriations for 2003-04 relating to the National Parks and Wildlife Service and the former Department of Tourism, Sport and Recreation under section 24 of the Public Finance and Audit Act 1983.

REGISTER OF DISCLOSURES

Mr SPEAKER: I table a copy of the Register of Disclosures by Members of the Legislative Assembly being (a) Primary Returns as at 30 June 2003 and (b) Ordinary Returns as at 30 June 2003.

Ordered to be printed.

INDEPENDENT COMMISSION AGAINST CORRUPTION

Reports

Mr Speaker announced the receipt, pursuant to section 78 (2) of the Independent Commission Against Corruption Act 1988, of the following reports:

Report on Investigation into the Theft of Zoological Specimens from the Australian Museum between 1997 and 2002 and Related Matters, dated September 2003.

Report on Investigation into the Conduct of an Officer of Integral Energy, dated September 2003.

Ordered to be printed.

AUDIT OFFICE

Reports

The Clerk announced the receipt, pursuant to the Public Finance and Audit Act 1983, of the following performance audit reports of the Auditor-General:

Follow-up of Performance Audits: Office of the Protective Commissioner, Office of the Public Guardian—1999; Department of State and Regional Development—1998, dated September 2003

Judging Performance from Annual Reports—Review of Eight Agencies' Annual Reports, dated October 2003

STATE CORONER

Report

The Clerk announced the receipt, pursuant to section 12A of the Coroners Act 1980, of the report entitled "Report by the NSW State Coroner into Deaths in Custody/Police Operations 2002".

LEGISLATION REVIEW COMMITTEE

Report

The Clerk announced the receipt, pursuant to section 10 of the Legislation Review Act 1987, of the report entitled "Legislation Review Digest No 3 of 2003", dated 14 October 2003.

PETITIONS

Gaming Machine Tax

Petition supporting the increase in gaming machine taxes and welcoming the fact that all extra revenue will be spent on the health system, received from **Ms Cherie Burton**.

Autism Spectrum Disorder

Petition requesting additional support for children affected by Autism Spectrum Disorder in all educational settings in New South Wales government schools, received from **Mr Daryl Maguire**.

Mount Austin High School

Petition requesting funding for the installation of airconditioning in all learning spaces at Mount Austin High School, received from **Mr Daryl Maguire**.

Study Fees

Petition opposing any increase in fees for all institutions of studies, received from **Mr John Price**.

Gaming Machine Tax

Petitions opposing the decision to increase poker machine tax, received from **Mr Ian Armstrong, Mr Alan Ashton, Ms Gladys Berejiklian, Mr Thomas George, Mrs Katrina Hodgkinson, Mrs Judy Hopwood, Mr Malcolm Kerr, Mr Daryl Maguire, Ms Peta Saliba, Ms Marianne Seaton, Mr George Souris and Mr Andrew Tink**.

Cudgen Creek Seaway

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

Dunoon Dam

Petition requesting the fast-tracking of plans to build a dam at Dunoon, received from **Mr Thomas George**.

Bushfires and Hazard Reduction

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

Crime Control

Petition requesting a bipartisan discussion to find new ways to deal with an increase in crime, received from **Mr Andrew Stoner**.

Trunk Road 120 Upgrade

Petition requesting substantial upgrades to Trunk Road 120, known as the Megan Road, and installation of guard rails at Deep Creek and Bielsdown Creek, received from **Mr Andrew Fraser**.

Jingellic to Holbrook Road Upgrading

Petition requesting funding for the upgrading of the Jingellic to Holbrook road, received from **Mr Daryl Maguire**.

The Alpine Way Upgrade

Petition requesting funding to repair, upgrade and realign eleven kilometres of The Alpine Way between the State border at Bringenbrong Bridge and the beginning of Kosciuszko National Park, received from **Mr Daryl Maguire**.

CountryLink Rail Services

Petitions opposing the abolition of CountryLink rail services and their replacement with buses in rural and regional New South Wales, received from **Mr Greg Aplin** and **Ms Katrina Hodgkinson**.

Community-based Preschools

Petition requesting adjustment of funding to ensure viability of community-based preschools, received from **Mr Thomas George**.

Wagga Wagga Electorate Fruit Fly Control

Petition requesting funding for fruit fly control/eradication in Wagga Wagga, Lockhart, Holbrook and Tumbarumba, received from **Mr Daryl Maguire**.

QUESTIONS WITHOUT NOTICE

GAMING MACHINE TAX

Mr JOHN BROGDEN: My question is to the Premier. Given the Government's appalling record of waste, including blow-outs totalling half a billion dollars in the cost of the Millennium train, the Lane Cove tunnel and the Parramatta to Liverpool bus transitway, how can the Premier justify putting at risk thousands of jobs—including hundreds at one club in his own electorate, South Sydney Juniors, as evidenced by 184 letters delivered to me last night by Anthony Brereton—in a greedy tax grab that will put clubs out of business?

Mr SPEAKER: Order! On this occasion I will allow the question. However, I draw the attention of the Leader of the Opposition to the standing orders relating to questions without notice. Questions should seek information. They should not be argumentative or derogatory, and they should not debate the issue. Until now I have allowed members a degree of latitude. I will not continue to do so. I warn all members that in future the Chair will carefully examine the wording of questions.

Mr BOB CARR: Notice, to start with, the quality of research in the Opposition's question! It is all out of this morning's papers. Without the media, Opposition members would have nothing to ask or put to the Government. They do no research and no fact checking. The question demonstrates yet again this is a lazy Opposition.

Mr Andrew Tink: Point of order—

Mr SPEAKER: Order! The Premier has been speaking for less than thirty seconds. I trust sufficient has been said to enable the honourable member to base a point of order.

Mr Andrew Tink: My point of order relates to relevance.

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

Mr Andrew Tink: It is not out of this morning's paper. It is out of last night's meeting, which the Premier did not have the guts to attend, in his own electorate. He is a coward in his own electorate.

Mr SPEAKER: Order! The honourable member for Epping will resume his seat. I place him on three calls to order.

Mr BOB CARR: What a little charmer he is! When asked on 6 August on radio 2HD about poker machine taxation the Leader of the Opposition said, "I think the clubs can afford to give more." When faced with another question on the South Coast—about a tax applying only to one-third of clubs—the Leader of the Opposition is reported by the local newspaper to have said that he could not guarantee "a future Coalition Government would not increase poker machine taxation". What does the chair of Penrith football club say? He said, as was reported in the press last week—

Mr John Brogden: Point of order—

Mr BOB CARR: I have been asked a question about clubs' capacity to pay, and I want to answer it. I am answering the question directly.

Mr SPEAKER: Order! What is the Leader of the Opposition's point of order?

Mr John Brogden: Can I tell you what George Piggins said about you last night?

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

Mr BOB CARR: Here is what the football club at Penrith says about this tax.

Mr John Brogden: What did George Piggins say about you, mate?

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

Mr BOB CARR: The weaker their case, the louder their noise. Shane Richardson said, "There was an attitude at Penrith that the Panthers Leagues Club would always throw money at the football club, no matter what."

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

Mr BOB CARR: He said, "From the outset we worked hard to change that mindset." He said, "If a rugby league club cannot stand on its own two feet financially when it is part of the No. 1 television sport on the eastern seaboard then there is something wrong." He said, "I've worked towards that goal since I joined the Panthers last year. I am working towards the club becoming self-sufficient without poker machine money."

Mr Barry O'Farrell: Point of order—

Mr BOB CARR: I am answering the question.

Mr Barry O'Farrell: Point of order: My point of order is relevance. The question the Leader of the Opposition asked was about the future of employees in leagues clubs. Anthony Brereton wants to know what you're doing about his job. You took care of his mother's job. What are you going to do about his job?

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

Mr BOB CARR: There he goes again: the fight in this Chamber comes from the Deputy Leader of the Liberal Party. He is the one with the gusto and the fight, and we respect that. Across the party political divide we recognise the slap of leadership. Shane Richardson went on to say, "I've worked towards that goal since I joined the Panthers last year. I am working towards the club becoming self-sufficient without poker machine money." That is not me putting to rest the arguments of the Leader of the Opposition, it is the spokesperson for Panthers. Meanwhile, when asked about it the Leader of the Opposition says that, given the chance, he would increase poker machine taxation.

Mr SPEAKER: Order! The honourable member for Bathurst will come to order.

Mr BOB CARR: Not once, but twice, the Leader of the Opposition said that if he had had the chance he would have increased poker machine taxation. It is there on the record. If he wants an independent assessment of jobs in clubs he should do what I have done, and that is talk to the union that represents the work force. The union is very sceptical about some of the claims being made and, I might say, with good reason.

Mr SPEAKER: Order! Three points of order have been taken so far during question time. Each member claimed that his point of order related to relevance. Those three points of order were totally out of order. Members of the Opposition are using points of order to interrupt the flow of a Minister's answer. If future points of order are not directly in accordance with the standing orders, the members taking those points of order will be called to order. The Chair will not tolerate points of order being used as a strategy to constantly interrupt the speaker.

REDBANK 2 POWER STATION

Mr JOHN PRICE: My question without notice is directed to the Minister for Infrastructure and Planning, and Minister for Natural Resources. What is the Government's response to the Redbank 2 Power Station proposal?

Mr CRAIG KNOWLES: As the honourable member for Maitland would recall, on 6 January this year the company NP Power 2 Pty Ltd lodged a development application to construct and operate a coal tailing fired power station adjacent to the existing Bulga coalmine complex approximately 12 kilometres south of Singleton.

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

Mr CRAIG KNOWLES: We should have some decorum; there are students from Casula High School in the gallery. The proposal, commonly known as Redbank 2, consists of the construction and operation of a power plant capable of burning coal tailings, which are the residual material generated from coalmining. The company's proposition was to dredge the tailings dams at Bulga as well as use the fresh tailings from the Bulga coal washery, which would require the extraction of water from the Hunter River at a rate of approximately 3,000 megalitres per year. The Redbank 2 proposal is one of three associated development applications, the other two being an application to supply coal tailings and manage and dispose of waste as well as an application to upgrade existing transmission lines.

The proposal for Redbank 2 was exhibited in January and February, and re-exhibited in June and July this year with additional information. The department received a total of 38 submissions from all levels of government together with a range of environmental, community and industry groups, and individuals. The strongest objections to the proposal related to greenhouse gas emissions, regional air quality impacts, visual amenity and impacts on water in the Hunter River. As a consequence of the scale of the proposal, the former Minister for Planning declared the project to be a State significant development on 24 February last year, which makes me the consent authority.

The assessment by the Department of Infrastructure, Planning and Natural Resources has had regard to the various planning instruments, the proposed technology associated with the operations of the power plant and its environmental impacts. Of particular concern is the fact that Redbank 2 would generate greenhouse emissions higher than the State average and, indeed, at a higher intensity than any other coal-fired power station in the Hunter Valley. Put simply, electricity generation with above-average greenhouse emissions creates the potential for additional compliance costs for retailers. There is, of course, the further potential that those costs may be passed on to consumers.

Obviously, the State is bound to the greenhouse gas emission benchmarks set by the Electricity Supply Amendment (Greenhouse Gas Emission Reduction) Act 2002, which provides incentives for both reduction in greenhouse gas emissions at both point of generation and point of electricity retail, and penalty mechanisms for failure to meet greenhouse gas targets. The advice I have received is that the Redbank 2 proposal would produce greenhouse gas emissions at an intensity significantly above the average of the aggregate of all designated electricity generators known as the pool coefficient.

Although the applicant has proposed the use of drainage methane as an offset to reduce greenhouse gas emissions, the viability of the offset proposal and the quantity of methane has been investigated only at a preliminary level and, as such, there is too much uncertainty for it to be regarded, at this stage, as a serious proposition. The advice of the department is that the minimum requirement for a development of this nature is to limit greenhouse emission intensity either at or below the pool coefficient. The proposal as submitted does not provide a reasonable, realistic and verifiable offset strategy to give me the confidence that it could meet the target with any certainty. In that context I have accepted the recommendation that the application for Redbank 2 be refused.

The Government wishes to make it clear that its objectives as they relate to greenhouse gas emissions and the environment are to be taken seriously. Climate change is real. Greenhouse impacts are real. Our droughts are now drier, hotter and longer than ever. We have an obligation not only to ourselves but also to future generations to be vigilant when it comes to saying no to proposals that do not reflect opportunities for improvement. Although it is true that the proposal represented some opportunity to clean up some tailing sites,

the overall environmental cost is far too great. Put simply, a new power station cannot be built which, at its starting point, is likely to pump more carbon dioxide into the air at a rate higher than any other coal-fired power station in the Hunter Valley. I understand that other proposals of electricity generators have the potential to produce power for our system with greenhouse emissions at approximately half the rate of the Redbank 2 proposal. These opportunities clearly represent the way to the future. Redbank 2 is obviously a thing of the past.

LOCAL COUNCIL AMALGAMATIONS

Mr ANDREW STONER: My question is directed to the Premier. Following meetings at towns such as Manilla, Crookwell and Boorowa—each attended by up to 500 ratepayers who are overwhelmingly opposed to forced council amalgamations—will he now guarantee that ratepayers in shires proposed for amalgamation will have their council services retained, and will not face any increase in rates or charges?

Mr BOB CARR: The Government's approach to boundary adjustment is to see that ratepayers get a benefit. That is the whole approach—to get a better deal for ratepayers than they get at the present time. I have to say that the comment cut of the Leader of The Nationals shows that he must be completely unknown in New South Wales. He is the only Leader of The Nationals who would not be recognised in any country town. George was a household name compared to him.

SYDNEY, BLUE MOUNTAINS AND ILLAWARRA WATER RESTRICTIONS

Mr MATT BROWN: My question without notice is directed to the Minister for Energy and Utilities. What is the Government's response to the community's reaction to the recently introduced water restrictions for Sydney, the Blue Mountains and the Illawarra?

Mr FRANK SARTOR: I begin by congratulating the honourable member for Kiama on his interest in water reform, both in his electorate and generally. Before I answer the question, I seek the indulgence of the House to congratulate the Minister for Health and his wife, Santina, because last Friday morning, Santina gave birth to two baby boys, Luca and Joshua. I am sure all honourable members congratulate Morris and Santina. I thank the House for its indulgence. On 1 October, mandatory water restrictions were introduced across Sydney, the Illawarra and the Blue Mountains. It was a sensible and calibrated response to the water challenges facing our city.

Mr SPEAKER: Order! There is too much audible conversation in the Chamber.

Mr FRANK SARTOR: The introduction of mandatory water restrictions comes as the prospect of another hot summer looms and water levels in our dams continue to recede. Reducing water consumption cannot be achieved by government decree. Success depends on forging a true community partnership—one that acknowledges the importance of the task that confronts us and involves the entire community in trying to achieve success. To that end the Government is calling on every citizen to get behind this conservation effort. The restrictions prohibit the use of sprinklers and irrigation systems and ban the hosing of hard surfaces. The Government's aim was to reduce water consumption by 7 per cent, but I am pleased to advise the House that in the first four weeks of restrictions we did even better than that.

During the first week of October our water consumption was 15.3 per cent below the target, or 250 million litres per day below the target. Naturally the rain we received last week would have helped to suppress demand, but credit is also due to the millions of people who responded to our water conservation effort. A comparison between last week's consumption and other higher rainfall periods shows that significantly less water was used then than during the wettest week of the year. Of course, there is no room for complacency. We know for a fact that when the weather becomes hotter our water consumption will rise; but we can be optimistic, because the actions of millions of people in their homes are delivering real savings of water. It is important to note that the introduction of restrictions has generated genuine discussion within the community about how water is used, how it is saved, and how it should be conserved. I quote the *Sunday Telegraph* editorial:

We cannot continue to use water as if it were a free and unlimited commodity. The *Sunday Telegraph* urges all of its readers to obey the water restrictions and to be conscious of our collective responsibility to preserve our most precious resource.

A sentiment with which we would all agree! As an example, take the views of Michelle Mylott of Bonnyrigg, who is a constituent of the honourable member for Cabramatta.

Mr Ian Armstrong: Point of order: The Minister in his response has not told us whether he will extend the household water tanks subsidy to all New South Wales—if he is being serious about water conservation.

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

Mr FRANK SARTOR: What rubbish! When Ms Mylott was asked by the *Fairfield Advance* what she thought of the restrictions, she said:

People need to have a conscience about when they water and how much they use, and then we can all do our bit to save water.

That is more excellent advice. Danielle Natali of Cecil Hills, who is a constituent of the honourable member for Liverpool, said:

I think it is a good idea. We have already stopped using our sprinklers and haven't washed our cars with a hose for a long time.

The *Australian* newspaper also commented:

There is some sense in getting Sydneysiders to turn off the sprinklers and use a bucket and a broom.

Our approach to water conservation goes much further than this. Our initiatives to improve housing sustainability aim to reduce water and energy consumption in new homes by 40 per cent.

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

Mr FRANK SARTOR: From 1 July next year, every new home in the metropolitan area will be required to make significant water savings by using water-efficient appliances, taps and shower nozzles, and rainwater tanks. But to maximise the benefit from the growing popularity of rainwater tanks, we have also slashed the red tape that made it difficult to reuse water for toilet flushing and washing.

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

Mr FRANK SARTOR: The Government is reforming the system with measures that include allowing rainwater tanks cross-connections to encourage the use of non-potable water for other purposes—and that is no small feat, as Dr Peter Coombes from the University of Newcastle remarked in an email to my office recently. He stated that the reform of the guidelines was "a considerable improvement and a very significant achievement". Our quest to turn the homes of Sydney into micro-catchments continues, reinforced by renewed rainwater tank rebates, enhanced by simplified rules and emboldened by growing community support for simple improvements that can make big savings of water.

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

Mr FRANK SARTOR: I am pleased to inform the House that since the announcement of Sydney Water's extended rainwater tank rebate, applications for the installation of tanks have been flowing at the rate of more than 100 a week. As home building reform kicks in, we can look forward to that number increasing. I was also very pleased to visit the Arnotts snack food factory at Smithfield where an investment of just \$250 has led to the saving of 21 million litres of water every year in the company's production line. With its water recycling plant, the factory has reduced consumption by 40 per cent.

AMP Henderson has installed water-saving devices at one of its office buildings at Jesse Street, Parramatta, resulting in a saving of 130,000 litres of water per day. There will be more good news to come, as 160 companies are currently working with Sydney Water's "Every Drop Counts" campaign. I take this opportunity to applaud our citizens and companies who have responded to the need to change the way in which we use water. I contrast that spirit of co-operation with the attitude adopted by members opposite. Throughout this entire debate there has not been one syllable of support for water conservation from the Opposition.

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

Mr FRANK SARTOR: On the contrary, members opposite are peddling untruths. For example, on 25 September the honourable member for Wakehurst claimed that Sydney Water was losing up to 20 per cent through leaks.

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

[Interruption]

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

Mr FRANK SARTOR: Water leakage from Sydney Water's 21,000 kilometres of mains is half that amount, having been reduced from 11.8 per cent to 10.7 per cent since 1999. That means an additional 36 million litres of water is being saved in a year, which is better than the savings of a number of other interstate water utilities. However, I must say that more needs to be done. Most of the mains system is underground, and finding leaks underground of course is difficult. In the past 12 months Sydney Water has repaired 174 pipe leaks and 593 other leaks from hydrants and valves. Over the next 12 months 7,000 kilometres of pipeline will be inspected, which is approximately one-third of the network. Since introduction of the compulsory water restrictions we have been lucky to receive some rain, but not enough rain has fallen on our catchments; in fact, their levels have reduced. We cannot continue to rely on luck and must deal with this issue as a shared challenge for the entire community—and that is exactly how the community has been responding.

BUS TRANSITWAYS

Mr DONALD PAGE: My question without notice is addressed to the Minister for Roads. What is the Government's policy on the future of bus transitways, given that Michael Costa and former Premier Barrie Unsworth have rejected them?

Mr CARL SCULLY: The real question for all of us is: What is going to happen to the preselection of the honourable member for Vacluse? Patronage on the Liverpool to Parramatta transitway is increasing. In September, 100,000 people used that transitway. I will make it easy for the Opposition to understand by indicating on a graph how patronage on the T-way has gone up. I indicate also how the popularity of the Leader of the Opposition has gone down.

Mr Andrew Tink: Point of order: There is a longstanding rule about the use of props in this House and I am concerned that the Minister is about to produce a cardigan. He should not use props; he should be pulled up.

Mr John Brogden: Are you going to rule on that point of order?

Mr SPEAKER: Order! I have not ruled on the point of order, but I intend to. The Minister will cease using props.

Mr CARL SCULLY: When we came to Government 8½ years ago it was reasonable to ask what were the plans of the Coalition Government if it were re-elected in March 1995. What was it going to do for Western Sydney, what was its transport plan, what was it going to do to solve traffic congestion in Western Sydney? At that time the current Deputy Leader of the Opposition was the chief of staff to Bruce Baird, the then Minister for Transport. In the Minister's office there was a cupboard with "Barry O'Farrell" written on it which, when opened, was bare—no plans, no vision, no ideas.

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

Mr CARL SCULLY: Not surprisingly, in March 1995 those two characters went to Western Sydney and pretended that they had a solution to the problems of Western Sydney. This Government had to develop the plan from the ground up and we are implementing that plan. The Liverpool to Parramatta transitway has been an outstanding success. I will not cop the nonsense from the Pittwater whinger, who could not find Merrylands with a Gregory's. Patronage on the transitway is going up and up. It is increasing at the rate of about seven full bus loads per week. I want to know what the honourable member for Hawkesbury and the honourable member for Baulkham Hills say about the north-western transitway.

Mr Malcolm Kerr: Point of order: Members of this House should be addressed by their correct titles.

Mr SPEAKER: Order! I uphold the point of order.

Mr CARL SCULLY: We are committed to building a transitway network.

Mr Peter Debnam: Who are "we"?

Mr CARL SCULLY: The whole Government. The honourable member for Vacluse has already lost his preselection. Is he voting for Turnbull or King? He will be out on his ear.

Mr Donald Page: Point of order: Mr Speaker, earlier in question time you quite correctly indicated that questions should seek information. My question sought information about the Government's policy on transitways. The Minister is refusing to give that information. I ask you to direct the Minister to answer the question.

Mr SPEAKER: Order! There is no point of order. The Minister will resume his answer.

Mr CARL SCULLY: I have given an answer. The Government has a plan, which is being implemented. It is exciting and is becoming more and more popular, and we will continue with it.

Mr SPEAKER: Order! The level of disruption during question time has been unacceptable. A number of members have deliberately attempted to disrupt proceedings. Those members know who they are because they have been called to order. Members who have been called to order are now deemed to be on three calls.

REGISTERED CLUBS MANAGEMENT

Mr PAUL McLEAY: My question without notice is addressed to the Minister for Gaming and Racing. What is the Government's response to the deliberations of the club industry task force and efforts to improve the standard of governance and management of New South Wales registered clubs?

Mr GRANT McBRIDE: I thank the honourable member for Heathcote for his interest in this matter. On 8 April this year, just after I was sworn in as Minister, the Director-General of the Department of Gaming and Racing briefed me on issues relating to governance of clubs. He outlined a range of concerns relating to accountability and transparency, reporting procedures and attempts by private companies to take over the operation of clubs for their own gain. After that briefing, I undertook to bring forward to Cabinet a package of reforms. In August I set up the club industry task force, which includes industry, employee and Government representatives. Its role is to assist in the development of a long-term policy for the State's 1,400 clubs. Club representatives have supported that process.

The majority of the task force members are from the club industry. The group has met several times and has delivered its first recommendations for reform. I stress that this is only the first stage and more work is being done. This is a significant step towards greater accountability and transparency in the club industry. The initial recommendations for reform call for the following changes to the Registered Clubs Act: directors and senior executives will be required to declare any income or payments from any affiliated clubs or subsidiary companies; directors and senior executives will be required to establish a register of financial interests; the Director of Liquor and Gaming will be given additional powers to investigate board members and top executives; it will be an offence for a club to provide any loan to a director; and any declared conflicts of interest must be approved by the governing body and reported.

Further recommendations are that any contract between the club and any organisation in which the top five executives or governing body has a financial interest must be approved by the board and disclosed; greater disclosure in club annual reports will be required, for salaries and travel for instance; clubs will be required to disclose details of individual consultancies worth more than \$30,000; and the top five executives of a club and members of the governing body must declare if any of their immediate family is employed by the club. These changes will set clear reporting, probity and governance standards for clubs across the State. These changes will improve the long-term viability of the industry, and will set new standards for club management.

The changes will ensure that clubs are more accountable to their members and their communities. Importantly, the changes will help ensure that members are adequately informed of decisions made by their club management and board. I know that the community and the industry will welcome the changes. Importantly, the reform of the club industry will not end here. More work is still to be done; this is just the first stage. The next phase of reform is expected to be completed soon, hopefully by the end of this year or early next year. The next stage is set to examine management and contractual arrangements, management of major capital projects, community service provisions, club elections, amalgamations, codes of practice, financial reporting and accountability.

I can also confirm that there will be further changes for club chief executive officers [CEOs]. The Government is finalising a provision that will ban CEOs from having any private business dealings with their clubs. Under the provision, CEOs will no longer be able to service a director or be a beneficiary of a company that has any commercial dealings with its club or clubs. The Government believes that these types of arrangements are clearly inappropriate. In conclusion, clubs are mutual organisations and the State Government is doing what it can to ensure that communities are well served. Clubs are non-profit organisations. We have a right to expect them to act in the best interests of all their members.

PUBLIC TRANSPORT AND ROADS INFRASTRUCTURE

Ms CLOVER MOORE: My question without notice is directed to the Minister for Infrastructure and Planning, and Minister for Natural Resources. Given the limited scope of the Parry and Unsworth public transport inquiries, will the Minister, as part of his new ministerial responsibility, develop an integrated public transport and roads infrastructure blueprint for Sydney and New South Wales?

Mr CRAIG KNOWLES: As has been announced on a number of occasions, the Parry inquiry, the Unsworth inquiry, the overall work undertaken around metropolitan planning, Plan First reviews, section 94 reviews, urban infrastructure financing and funding inquiries, all comes together to form an overarching strategy and direction for all those issues on the urban landscape. That is a matter of documented fact. Frankly, I look forward to the final report of the Parry inquiry in about December this year. The Parry inquiry will give us all an opportunity to address some pretty hard and fundamental questions about how we go about—

[Interruption]

There are some kids in the gallery from Casula High School who live on the south-western fringe of Sydney, about 400 or 500 yards from where I lived and grew up. When I grew up in that area it was a dairy farm. These days there are houses everywhere. A lot of the toffs opposite do not understand that Sydney is growing at a rate of 1,000 people week.

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

Mr CRAIG KNOWLES: That constitutes 500 new homes every week. In the absence of an overarching policy from the Commonwealth Government around population or immigration, people will continue to come to Sydney. That requires a greater integration of planning aspects and a greater sensitivity about what is possible within the constraints of government budgets in the provision of infrastructure. Those are the sorts of things that Parry seriously addresses.

[Interruption]

That is the difference between being in government and having responsible plans and being in Opposition and making things up as one goes along. I look forward to the outcome of those reports. Parry should give us some fundamental information about how to move forward.

SEXUAL SERVITUDE

Ms KRISTINA KENEALLY: My question without notice is directed to the Minister for Women. What is the Government's response to yesterday's announcement by the Federal Government that it is changing the way in which it deals with victims of sexual servitude?

Ms SANDRA NORI: I welcome the announcement by the Federal Minister for Justice and Customs, Senator Chris Ellison, relating to the Commonwealth's action plan to eradicate trafficking in persons. If ever there were a repugnant crime it would have to be the trafficking of women and children for the purposes of sexual exploitation and servitude. The United Nations estimates that between 700,000 and 4,000,000 women are trafficked every year worldwide. We in this country would be a bit naive if we believed that we might be exempt. Honourable members would be aware that I announced in May this year a New South Wales working party to look at the issue of illegal non-citizens in the sex industry. That was in response to the tragic death of Puongtong Simplee at the Villawood Detention Centre.

It has taken some time for the Federal Government to act in this matter, but I am pleased to see that it has adopted a number of recommendations made in the New South Wales Government's preliminary report

relating to illegal non-citizens in the sex industry—a report commissioned by this Government. I welcome, in particular, a recommendation that a period of reflection and debriefing is to be granted by a 30-day bridging visa. That signals an important move for the Federal Government from treating trafficked persons as criminals to treating them as victims of crime, which is what they are. I believe that the quick actions of New South Wales in forming this working party has given the issue a focus that it might otherwise not have had.

Following our report to the Ministerial Council on the Status of Women, the ministerial council wrote to the then Minister for Immigration and raised its concerns in regard to the sexual servitude of illegal non-citizens. That move was supported by the then Commonwealth Minister for Women, Senator Amanda Vanstone. Since her appointment as Minister for Immigration and Multicultural and Indigenous Affairs, the Commonwealth Government has moved quickly on this matter. The New South Wales working party, which is chaired by the honourable member for Heffron—and I thank her for her efforts—is continuing its work.

A meeting to receive numerous requests for public submissions is to be held on 19 November. I invited the Federal Government to present the new action plan to the working party. I look forward to receiving further information about that initiative. I conclude with a plea that I made when I last spoke in the House on this matter: Any man who uses these services and who becomes aware that a woman is under age or is being held against her will, on the way home from the brothel should stop at a public telephone and inform authorities before going home to play happy families.

**HONOURABLE MEMBER FOR WENTWORTHVILLE AND ENVIRONMENTAL RESOURCES
MANAGEMENT AUSTRALIA (HOLDINGS)**

Mr BARRY O'FARRELL: My question without notice is directed to the Minister for the Environment. Will the Minister advise the House of any meetings that he has held with the honourable member for Wentworthville and any representatives of Environmental Resources Management Australia (Holdings) regarding environmental matters, any acts or regulations administered by the Environment Protection Authority [EPA], or any other matters associated with the EPA?

Mr BOB DEBUS: I have no recollection of any such meetings.

Mr BARRY O'FARRELL: I ask a supplementary question. In light of the Minister's answer will he check with his departmental records and inform the House whether or not he had any meetings with the honourable member for Wentworthville or any other representatives about those matters?

Mr SPEAKER: Order! The Deputy Leader of the Opposition will resume his seat. I call the honourable member for East Hills.

Mr Barry O'Farrell: Point of order: Under the standing orders, that is a legitimate supplementary question. The Minister said that he had no recollection of this matter. I asked him to go back and check with his officers in order to refresh his memory. Surely that is a supplementary question? If not, can you explain why it is not?

Mr SPEAKER: Order! A question without notice should seek information; it should not direct a Minister to undertake certain action.

Mr Barry O'Farrell: Further to the point of order: Will you be fair dinkum about standing orders? We need to be fair dinkum.

Mr SPEAKER: Is the Deputy Leader of the Opposition challenging my ruling?

Mr Barry O'Farrell: No. In response to my question the Minister said that he had no recollection of any such meetings. I can understand that a Minister with as many portfolios as our friend opposite is not always able to remember, but he should take on board my supplementary question, check with his staff and his officers and advise this House. What is the Minister trying to hide?

Mr SPEAKER: Order! The Deputy Leader of the Opposition has ignored my ruling. He will resume his seat. A supplementary question should seek further information from a Minister; it should not direct a Minister to undertake some action in the future. The honourable member for East Hills has the call.

COMPUTERISED OPERATIONAL POLICING SYSTEM

Mr ALAN ASHTON: My question without notice is directed to the Minister for Police. What is the latest information on New South Wales policing and computers?

Mr JOHN WATKINS: The Computerised Operational Policing System, or COPS, records 1.68 million incidents and processes 139,000 charges, 147,000 custody records and 210,000 intelligence reports each year. COPS is responsible for recording a wide range of information, including events and incidents, investigations, charges laid, court processes, custody management, intelligence gathering and analysis, performance monitoring, licence management and traffic management. The COPS system is used by every police officer and civilian employee of the force in every station, at every local area command and within every specialist unit in New South Wales. That is why this Government is committed to ensuring the best possible business processes and information technology [IT] solutions for our hardworking police. The new system will be efficient, up-to-date and easy to use. It will be called COPS 2, and will be the biggest business and technology initiative ever undertaken by NSW Police.

The Government has provided \$58.4 million in funding for stage one of COPS 2. This funding will be provided to replace and upgrade the key elements of the force's technical infrastructure. It will enhance our networks across the State, enhance the personal computer, servers and mainframe capabilities, boost the security of the system and disaster recovery and provide a new email system. Policing requires accurate data and efficient communication, and that is what we will achieve with this major IT investment. Police speak of how cumbersome data entry and data searches can be under the current system. That is why this IT upgrade will improve the accuracy of suspect and vehicle identification; improve the availability and accuracy of location details, including global positioning system co-ordinates; enable outside agencies, such as the Division of Analytical Laboratories, to enter investigation data directly into the system; enable connection to a range of mobile devices, including the ability to capture audio, photographs and even fingerprints in the field; and reduce the need for police to return to the station by enabling them to enter and upload data in the field.

One of the overwhelming improvements will be to the user friendliness of the system. COPS 2 will provide a more efficient, consistent and streamlined user interface for all police computer systems, improve data collection and reduce the amount of time that operational police spend entering data. It is in these areas that the real benefits of COPS 2 will be obvious. In the area of charge processing alone it is estimated that COPS 2 will cut data entry time by up to 50 per cent, or by an estimated 139,000 hours a year.

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

Mr JOHN WATKINS: That improvement in just one area as a consequence of COPS 2 will provide more than 12,500 extra 12-hour police shifts. The COPS 2 implementation team is now seeking input from police in all areas of the force to ensure that we deliver a system that will accommodate current and future needs. The police will take advantage of new and emerging technologies and explore systems used overseas and interstate. This project will take a number of years to complete. However, COPS 2 will strategically position our force to enhance its ability to meet the challenging and changing needs of policing well into the future.

Questions without notice concluded.

LOCAL GOVERNMENT STRUCTURAL REFORM

Privilege

Ms KATRINA HODGKINSON (Burrinjuck) [3.22 p.m.]: I raise a point of privilege. The twentieth edition of Erskine May's *Parliamentary Practice* contains a section headed "Acts tending indirectly to obstruct Members in the discharge of their duty", which states:

Conduct not amounting to a direct attempt to influence a Member in the discharge of his duties, but having a tendency to impair his independence in the future performance of his duty, will also be treated as a breach of privilege.

A series of public meetings was held over an eight-day period in my electorate of Burrinjuck during the parliamentary recess in relation to the regional review of the structure of local government in the area surrounding the Australian Capital Territory, which involves the consideration of boundary changes and council amalgamations. Emeritus Professor Maurice Daly facilitated these meetings. An incident occurred last Thursday evening between Mr Robert Bulford and me following the Mulwaree community public meeting about the

review that was held at the Goulburn Soldiers Club. Sitting on stage with Professor Daly at each meeting was the departmental officer I have mentioned, whom Professor Daly described publicly as being both a lawyer and an adviser from the Department of Local Government.

The Mulwaree meeting was the sixth such meeting in my electorate that I had attended in succession. Previous meetings that I had attended were held at Crookwell, Gundaroo, Murrumbateman, Yass and Boorowa. I was granted permission to speak at the first public meeting in Crookwell but Professor Daly stated at each subsequent meeting that no elected representatives could address the audience. This included the Yass meeting of the regional review, despite my being a ratepayer in that shire. Following the closure of the meetings at both Boorowa and Gundaroo I gave a short address to the people still in attendance, advising them that I would ensure that their concerns were raised in Parliament. After the Mulwaree meeting closed at about 6.50 p.m. I approached the microphone, which is owned by the club. As I did so, Mr Bulford moved in front of the microphone. I asked him whether he minded if I said a few words. Although the meeting was over the departmental officer replied with hostility and said that, yes, he did mind. He then placed his hands on my stomach and physically pushed me, forcing me to take a couple of steps back.

Under what authority are elected members of Parliament not permitted to speak at or after public meetings convened in their electorates? Under what authority did this departmental officer act when he prevented me, verbally and physically, from addressing constituents in my electorate? When did it become acceptable for a departmental officer to initiate a physical act of aggression against a member of Parliament? A large number of people had remained in the room where the public meeting had just taken place. I was shocked and upset by this act of unwanted and unwarranted physical contact by the local government departmental officer but I did not retaliate. I have reported this incident to the NSW Police. I have also written to the Director-General of the Premier's Department about the matter and sent a copy of that letter to the Minister for Local Government. Mr Speaker, I ask that you rule that a prima facie case of breach of privilege has occurred and that the following notice of motion be granted precedence pursuant to standing orders:

That:

- (1) This House re-affirms the right of all Members, as elected representatives of their constituents, to speak in public and be heard without impediment or threat by any other person, provided that Member is acting within the law, and
- (2) Any attempt by improper means to influence a Member in his or her conduct as a Member is a contempt of the House.

Mr SPEAKER: Order! Matters of privilege are always difficult to deal with. I acknowledge that the honourable member for Burrinjuck has raised a serious matter that is of great concern to both her and to the House. At this stage I will reserve my ruling and seek further advice. I will inform the honourable member and the House about the procedure for proceeding with her motion.

CONSIDERATION OF URGENT MOTIONS

Australia Post Privatisation

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [3.27 p.m.]: My motion should be debated urgently because the nation's postal service is critical to the people of New South Wales and imperative to business operations in this State. My motion is urgent because any move to sell off Australia Post would be detrimental to this State and to the rest of the nation. My motion is urgent because the postal service provides a critical communications link throughout the nation and to the rest of the world that must be preserved. I urge honourable members to agree to debate my motion urgently and to support it.

Murrumbidgee College of Agriculture Closure

Mr ADRIAN PICCOLI (Murrumbidgee) [3.28 p.m.]: The motion of which I gave notice earlier today should be debated urgently. The decision to close the Murrumbidgee College of Agriculture will have a significant impact on education, particularly in western New South Wales and particularly for remote students because it is a residential college. If the plan proceeds, the college will be closed in less than two months. There are some important reasons why my motion should be debated urgently today. If this decision is delayed by a year it will provide an opportunity to review the decision by the Minister for Education and Training. Such a review must occur because the decision is based on the wrong student numbers. I think the Minister said that about 39 full-time students attended Murrumbidgee college. However, the advisory board of the college has challenged that figure and said that about 188 full-time equivalent students attend the college.

Mrs Jillian Skinner: That's a difference!

Mr ADRIAN PICCOLI: It is a significant difference. The Government should re-examine those student numbers because we believe the Minister has been given incorrect information by his department. The college advisory committee was not consulted prior to the decision being made. If it had been consulted the committee could have corrected some of the inaccuracies presented to the Minister. The Minister's department said that another reason for this decision was as a result of a comparison between the cost of providing courses at Yanco Agricultural College and at Tocal. Again those figures have been put together inaccurately. I understand that the student hours used in the Tocal figures were greatly and inaccurately inflated. Delaying the decision for a year would allow time for correct figures to be put to the Minister and the department so that the decision can be reversed.

The Minister also commented that there would be scope at the Murrumbidgee college to expand short-term courses. However, that will not be possible because with closure of the residential courses there will not be any infrastructure to expand other courses. Another reason for review of the decision is that the full-time residential courses at Tocal college are full and students in full-time courses at Yanco will have nowhere else to go. It is also important to consider the views of the students of this college. If the Government goes ahead with the decision to close the college in two months time, the students who are doing full-time courses will have to make a quick decision on what they will do next year. If the Government postpones its decision for a year it will give them an opportunity to reconsider what they can do in 2006. I am sure that all honourable members would agree that it is unfair to give students, and their parents, such a short time to consider their futures.

The Isolated Children's Parents' Association is also very concerned about the impacts on students in isolated areas. A large number of parents have contacted my office, other members of Parliament, the college and the advisory board about the future for students who have no other option as Tocal is too far away. Agricultural education is important if this State is to progress in agriculture. Many other people and I think that the Tocal campus is not an appropriate campus for students who live in western New South Wales. Agriculture in western New South Wales is significantly different to agriculture near Tocal. I hope that this urgent motion, which I do not put forward provocatively, receives bipartisan support. I do not imagine that postponement of a decision for a year would have a massive budgetary effect on the department but it will provide an opportunity for the decision to be reviewed and hopefully overturned. [*Time expired.*]

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

The House divided.

Ayes, 48

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

Noes, 37

Mr Aplin	Mrs Hopwood	Ms Seaton
Mr Armstrong	Mr Humpherson	Mrs Skinner
Mr Barr	Mr Kerr	Mr Slack-Smith
Ms Berejikian	Mr McGrane	Mr Souris
Mr Brogden	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	<i>Tellers,</i>
Mr Hazzard	Mr Richardson	Mr George
Ms Hodgkinson	Mr Roberts	Mr Maguire

Question resolved in the affirmative.

AUSTRALIA POST PRIVATISATION**Urgent Motion**

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [3.42 p.m.]: I move:

That this House expresses its concern about comments last week by Australia Post's Manager for External Relations, who canvassed the privatisation of Australia Post after the sale of Telstra.

Australia Post and Telstra are this vast country's most critical communications links. From coast to coast, and even to Antarctica, Australians can send a standard letter or card to their fellow Australians for 50¢. Despite our increasingly technological world, business, particularly small business, still relies on the postal service. Yet now Australia Post is urging the Federal Government to privatise our nation's postal service. I refer to comments by Australia Post's Manager for External Relations, Matt Pollard, reported in the *Daily Telegraph* of 9 October 2003, just last week. He left no doubt that the sale of Australia Post may soon be on the Federal Government's agenda. Mr Pollard said:

If they can get the rest of Telstra away, and if that was successful, then maybe they would look at us again.

Note he said "look again". There is no possibility of misinterpreting his remarks—the Federal Government could "look again" at selling off Australia Post. This possibility will send a shudder down the spines of citizens all across Australia who know the value of their postal service. If Australia Post is privatised, the people of rural and regional Australia will be the hardest hit. If Australia Post is privatised, small businesses will lose access to an efficient mail carrier. Australia Post services more than one million customers in its outlets every business day. Each day Australia Post's 35,000 workers ensure mail is delivered to 9.4 million delivery locations within Australia.

Last year this successful Federal Government-owned business handled 5.26 billion mail articles. Privatisation would see Australia Post carved up and sold off in chunks, with private operators keen to grab the lucrative, densely-populated areas but not so keen to service rural, regional and outer suburban areas, where the cost of street deliveries is much higher. They certainly would not charge 50¢ to deliver a standard letter to the back of Bourke. They simply would not operate in those areas because it would not be worth their while.

Currently, the Australian Postal Service is regulated by national legislation that specifically reserves to Australia Post the incoming international mail and the "standard letter" market, which is defined as letters weighing up to 250 grams. Competitors who wish to offer mail services to this portion of the market are required to charge no less than four times the Australia Post rate, which is now 50¢. All other sections of the postal market in Australia—such as mail over 250 grams, parcels and courier services—are open to full competition.

The reserved portion of the postal market, where Australia Post has an effective monopoly, is worth approximately half of Australia Post's revenue. This system ensures that Australia Post has sufficient financial

resources to fund its community service obligations – that is, to provide uniform and affordable access to the standard letter service. Indeed, the Australian Postal Corporation Act—introduced by Labor in 1989—talks about the "social importance of the letter service", and says the service shall be "reasonably accessible" to all people in Australia on an equitable basis, wherever they reside or carry on business.

We should ask: What legislative requirements will be placed on private companies that will take over Australia Post's business? The answer is none, because no private operator would accept such a condition. More than half of Australia Post's 4,500 post offices—that is, around 2,600 of them—are located in rural or remote areas. Many of those post offices are operated as a community service—that is, subsidised by revenue that Australia Post earns in the most profitable postal markets, the centres of Sydney, Parramatta and North Sydney.

If Australia Post is privatised, there will be a mass closure of rural post offices in the same way there has been a mass closure of rural bank branches. Why has the Federal Government permitted Australia Post to publicly canvass its own privatisation? It is not as though the company is performing poorly. Its 2002-03 annual report states that Australia Post is meeting "all performance standards, including 96.5 per cent of standard domestic letters delivered early or on time." Australia Post has received international recognition for its work. It won the Customer Service Award at the 2003 World Mail Awards.

The proposal to privatise Australia Post can be about only one thing: handing over Australia Post's \$3.97 billion of annual revenue to the private sector now, to get a quick payoff to fund Coalition election promises. This spectre is about getting \$3.97 billion into the Federal Government's coffers so it can start to fund Federal Coalition election promises. We cannot have this debate without also thinking of Australia Post's 35,000 loyal and dedicated workers. We have already seen mass sackings at Telstra—many in regional New South Wales. I have spoken many times about the terrible impact that this has had on our community. Recently Telstra put the necks of another 46 Wollongong workers on the chopping block when it announced it was closing a sales call centre. Next year it plans to open a new fault-reporting call centre in Wollongong.

Mr Daryl Maguire: Point of order: The Minister referred to an article containing certain statements. I seek to have the Minister table the article for the edification of honourable members.

Mr DEPUTY-SPEAKER: Order! I cannot require the Minister to table any material. However, the Minister may wish to attest to the veracity of the article.

Mr DAVID CAMPBELL: As I was saying, Telstra has already shown the way. It is interesting that the honourable member for South Coast has been particularly silent on Telstra's closure of the call centre in Nowra. Telstra has announced that it will sack 46 workers in the call centre in Wollongong, but will open a new call centre in Wollongong next year that will employ 60 workers. However, it is not prepared to retrain its existing workers to take up those positions. It is trying to do exactly what it has done in Nowra, about which the honourable member for South Coast has been absolutely silent.

I wrote to the head of Telstra to express my anger at this decision, and I called on Telstra to give its sacked workers first option on the new positions. I said it was impossible to believe that skills required in call centres run by the one organisation were not transferable. I told him that if workers in sales centre do not have the right skills to work in the fault centre, Telstra should give them the training they need to give them the option of continuing to work with Telstra in Wollongong. It simply beggars belief that staff already working in a call centre cannot be trained for the new call centre. No doubt, many of the Telstra workers have given the organisation many years of faithful service, yet they are being repaid in this immoral way. Similarly, many of Australia Post's skilled and dedicated workers will feel they have an axe hanging over their heads.

Australia Post is an integral part of Australian life. The right to post a standard letter to anywhere on our vast island continent must be protected. I call on the Federal Government to withdraw whatever permission it has given to Australia Post to publicly discuss its privatisation. I call on the Federal Government to once and for all rule out, in clear terms, the privatisation of Australia Post. I challenge the Opposition in this place to support the motion and provide rural and regional communities in this State with a clear and unequivocal understanding that this House is aware of the danger to rural and regional services of privatising Australia Post, which is the essence of my motion.

Mr ADRIAN PICCOLI (Murrumbidgee) [3.51 p.m.]: Here we go again! The Minister has nothing good to say about his Government so he is critical of the Federal Government. I know that Simple Simon is not proving to be very effective in Canberra, and it seems that the Minister and the State Government have made it

their responsibility to be effective. This afternoon we had the opportunity to debate the closure of the Murrumbidgee College of Agriculture, which should have been relevant to the Minister for Regional Development because education in rural and regional New South Wales is extremely important. The majority of students who attend Yanco college come from regional New South Wales. But rather than debate the closure of the college the Minister has taken the opportunity to debate, yet again, Federal issues.

The Minister is free to put whatever interpretation he wishes on comments by executives of Australia Post, but the Federal Coalition Government has always been, and remains, unequivocally committed to keeping Australia Post in public ownership. The postal services legislation currently before the Federal Parliament will improve the current postal regime by dealing with a number of existing regulatory and consumer issues. Over the past few years Australia Post has improved the delivery of its services. As a consumer I am aware that the services provided by Australia Post in Griffith and elsewhere in the State are very good. I congratulate the Federal Government and Australia Post on their achievements. The continual suggestion that the Federal Government intends to privatise Australia Post is absolutely incorrect.

At every turn the Minister has sought to sensationalise, or conjure up, any issue with which the Federal Government is associated to hide the inactivity and hopelessness of the Federal Labor Opposition. It is the height of hypocrisy for the State Labor Government to criticise the partial privatisation of Telstra by the Federal Coalition Government. In the dark Hawke and Keating years the Federal Labor Government, the party of the people that espoused keeping assets in taxpayers' hands, privatised many of our important institutions. How many bank branches have been closed since the Federal Labor Government privatised the Commonwealth Bank? I do not know whether it runs into the hundreds, but it is certainly plenty.

Not one member of this House could say that his or her electorate has not been affected by the closure of a Commonwealth Bank branch. But the Federal Labor Hawke and Keating governments went further than that. They privatised Qantas. Both the Commonwealth Bank and Qantas were successful and they were making money. It is important to note that the Commonwealth Bank was privatised without any guarantee of service, whereas the Federal Coalition Government set a number of conditions for the part privatisation of Telstra to ensure that no Australian would lose out as a result of the privatisation.

Mr David Campbell: It has failed badly.

Mr ADRIAN PICCOLI: Can the Minister tell me that telecommunication services have not improved in his electorate? I do not think any member of this House could say that telecommunications in their electorates have not improved since 1996. I certainly do not suggest that telecommunications are perfect, but they have certainly improved as result of the Commonwealth Government providing legislative guarantees. In the Hawke and Keating years the Federal Labor Government did not provide any guarantees for the privatisation of Qantas or the Commonwealth Bank. As a result, many Commonwealth Bank branches were closed, bank fees were increased, and services were reduced. The privatisation of Qantas carried no guarantee of regional air services.

It is incredibly hypocritical for any Labor members of this House to criticise the Federal Coalition Government for its privatisation of publicly or part publicly owned companies. But we do not need to go to the Federal Parliament to look at the privatisation record of the Labor Party. The State Government is currently considering a proposal to privatise the State's softwood plantations, assets worth about \$1 billion. It has already privatised Freight Corp despite the huffing and puffing in this House by some Labor members. The Premier and his Cabinet absolutely steamrolled them!

I am sure the Minister for Regional Development was absolutely steamrolled in Cabinet when it was decided to close the Murrumbidgee College of Agriculture. As I said earlier, education is significant for regional development, particularly in agriculture. I have not heard the Minister for Regional Development criticise that decision in any media, nor have I heard him comment on it in this House. The honourable member for Murray-Darling, whose electorate covers 45 per cent of the State, in some of its most remote areas, represents students who will be affected by the closure. But neither of those members, indeed no Government member, have made any comment about it because if they do they know that they will be absolutely steamrolled by the king himself, Bob Carr.

The Premier wants to close the college, irrespective of what his Ministers or backbenchers have to say. I am pleased the honourable member for Blacktown is in the Chamber because he is the only member of the Labor Government who has had the guts to say anything contrary to the king himself, Emperor Carr. At least he has had the guts to stand up in Cabinet and take on the Premier and some of his decisions. Some of those

decisions are having a huge impact on Labor electorates. At least the honourable member for Blacktown has had some guts, but what about the rest of the Labor members, such as the member for Murray-Darling? He has been absolutely silent, and the Minister for Regional Development, whose portfolio covers the college, has been absolutely quiet on all the issues. Today the Mayor of Leeton was present in the public gallery and he would have loved to have listened to the comments of the Minister for Regional Development, the member for Murray-Darling, and other Labor members who represent country electorates. I am sure he would have loved to hear their views on the closure of Yanco Agricultural College.

This debate presents an opportunity for Labor members to say, "We do not agree with this decision" but instead they all sneak around and, when people lobby them, say privately, "We think it is terrible and we will do this and we will do that." They wimp around like tiny little mice. When the opportunity presents itself to use the microphones, lecterns and forum of this Parliament to say something about this issue, they all wimp out. The only Labor member who is not gutless is the honourable member for Blacktown, and I congratulate him.

There are plenty of other privatisation examples, such as Pacific Power International, which demonstrate that the current Labor Government has absolutely no resistance to privatisation. It is now talking about cutting back CountryLink services in rural areas. I have not heard the Minister for Regional Development, the honourable member for Murray-Darling, or any other Labor members criticising that decision. All we ever hear them criticising is the Federal Coalition Government, particularly in relation to Telstra. It is interesting that the Minister—

Mr David Campbell: You will want to be careful.

Mr ADRIAN PICCOLI: The Minister for Regional Development is a shareholder of Telstra, as has been pointed out.

Mr David Campbell: Point of order: In relation to the last comment by the honourable member for Murrumbidgee, I warned him in an aside to be careful. He has absolutely misled the House. He has lied to this Parliament. I think that is entirely inappropriate.

Mr DEPUTY-SPEAKER: Order! I do not know whether that is a point of order. However, the honourable member for Murrumbidgee's speaking time has expired.

Mr PETER BLACK (Murray-Darling) [4.01 p.m.]: Australia Post operates 4,500 post offices throughout Australia, including 2,600 in rural and remote areas, and each day more than one million customers visit an Australia Post outlet. Before I develop my theme I will comment on the remarks by the honourable member for Murrumbidgee about privatisation. The first point I make is that I will never defend the privatisation of the Commonwealth Bank. I did not support it when it occurred, and I will not support it now, because between 1990 and 1999 more than 1,100 branches were closed in regional and rural Australia. It was an absolutely disgraceful event in the history of banking and the provision of services to people who live in the bush. Exactly the same thing will occur if the National Party's wish is granted in relation to Australia Post.

The second point I make is that it is interesting that the honourable member for Murrumbidgee referred to Yanco Agricultural College. He referred to the very popular Labor Mayor of Leeton, Joe Burns, who leads a nine-member council comprising seven Labor members, one Independent and only one representative of the Coalition. The mayor was in the public gallery, listening to question time. Why was he there? He was there because at lunchtime today a meeting of Country Labor was convened to talk about the Yanco Agricultural College. Moreover, just after question time I presented a petition to the Clerk of this House, Mr Russell Grove, on the very subject of the Yanco Agricultural College. Furthermore, suffice it to say that a meeting of the good people of the Murrumbidgee electorate—those whom the present honourable member for Murrumbidgee fails to represent—will be held at 4.30 this afternoon.

While I am on the subject of members of the National Party, it is interesting that during the recent recess "Stoner the Goner" was in the western areas of New South Wales. He spent a week in my electorate of Murray-Darling. The honourable member for Orange, Russell Turner, was with him and so was the Hon. Rick Colless. Is the Hon. Rick Colless still a member of the upper House? One does not see him very often in his role as the duty member for western New South Wales. He pops in to western areas from time to time. The group visited the Wentworth shire, where the good citizens do not have letterboxes. Political candidates do not do letterbox drops in Wentworth because no-one has a letterbox; they have to doorknock instead.

Members of the National Party have denied their stand on Telstra, but it is stated in black and white that The Nationals have changed their name again. They now call themselves "The Notionals", but the name will become the "Slanoitan", because the National Party is going backwards so fast that its name will have to be spelt backwards to follow suit. Putting aside all those matters, the fact of the matter is that there are no letterboxes in rural areas. We are now talking about the National Party wanting to deprive people in western New South Wales of the right to send Christmas cards to each other. That is what this debate is all about. People in western areas of New South Wales have to travel vast distances and they do not see each other very often.

I notice that the honourable member for Murrumbidgee has tears in his eyes as he thinks about all of the constituents in western New South Wales electorates who will be denied the right to send Christmas cards to each other. If Australia Post is privatised, the prize post offices will be snapped up in places such as Wollongong and Sydney, where a lot of money is to be made from their high populations. But what will happen to the people who live in western areas of New South Wales? Members of the Coalition will stop them from sending Christmas cards to each other. The proposal to privatise Australia Post is an affront to commonsense.

Three weeks ago the Federal member for Parkes, John Cobb, was reported as being all for the sale of Telstra. Earlier he had been against the sale of Telstra, but now he is all for it. He has performed an Olympic standard triple forward somersault with a double pike and backward flip with a twist! This is what we have seen from The Nationals on Telstra, and we will see the very same thing from them on Australia Post. They are clearly signalling an intention to privatise Australia Post—and that is not on. At the end of the day, people will lose the guarantee they were given by Australia Post.

By the way, who established Australia Post? Correct me if I am wrong, but I think a Labor government established Australia Post, and that would be another reason why The Nationals want to sacrifice it. The guarantee given by a Labor government years ago was that it would cost the same to post a Christmas card irrespective of whether it is posted in Western Australia, western New South Wales, or Sydney. That is what the National Party members want to do: take away our Christmas cards.

Mr DARYL MAGUIRE (Wagga Wagga) [4.06 p.m.]: It is interesting to note that every time the Carr Government paints itself into a corner over important issues in the community, its members selectively quote from articles and misrepresent what people say. Earlier this afternoon I asked the Minister for Regional Development to lay on the table of this House for the edification of honourable members the article to which he referred—the article on which I am sure Walt Secord and the Stasi have been working overtime to give the Minister a spin on this issue. I have the article: I have done my homework, like all good members should. I am in a position to refer to quite a few articles that I researched in the few minutes made available to members for this debate. The Minister was deceitful in quoting Mr Pollard, so I will read the article:

Mr Pollard said there was no indication the government was planning to float Australia Post as it had done with Telstra Corp.

That article was published by the eminent *Daily Telegraph*. I challenge the Minister for Regional Development to concentrate on his portfolio, which he clearly is not doing. Earlier this afternoon the honourable member for Murrumbidgee said that the Mayor of Leeton, Joe Burns, who is well respected in his community, was in the gallery and had come to Parliament today to complain about how the people of Yanco have been treated in relation to the agricultural college. If the Minister for Regional Development and the Government were doing their jobs, they would be addressing the waste of millions of dollars that otherwise could be used to solve problems in country and regional New South Wales and assist people who live beyond the Blue Mountains and beyond the Great Dividing Range. Instead, every time there is a problem, the Minister puts forward some argy-bargy contrived argument and misrepresents people in an attempt to deflect attention from the deficiencies in his administration of his portfolio.

I wish to address some of the issues that have been raised. Some months ago the Minister made a great speech about Tumbarumba and how well it was doing. Little of the Minister's portfolio funding went to Tumbarumba. Private money was used. Every time there is a development in this State the Minister for Regional Development jumps up and talks about the wonderful job that the Carr Government is doing. However, little money has gone into that project. At Yanco 44 jobs were lost. There was no consultation; there should have been a process of discussion. Those 44 workers got a fax on a Monday morning telling them that they were sacked. The treatment of those workers, who are from the electorate of my good friend the honourable member for Murrumbidgee, was nothing short of disgraceful. Earlier the honourable member for Murrumbidgee referred to Telstra shares held by the Minister for Regional Development. The Register of Disclosures by members for 2002-03, which was tabled today, refers to Telstra shares owned by David Andrew Campbell.

Mr Alan Ashton: Point of order: I seek your clarification as to whether the pecuniary interests form of this House is being used as a prop by the honourable member for Wagga Wagga.

Mr DEPUTY-SPEAKER: Order! The register has been tabled and is now a public document.

Mr DARYL MAGUIRE: That document was the source of my information. It would be far better for the Minister to address some of the waste and mismanagement in this State. I will quote from the *Daily Telegraph*, of which the Premier said earlier—

Mr Alan Ashton: Point of order: In accordance with the ruling given by Mr Speaker during question time, using a piece of information purporting to be from the *Daily Telegraph* would be deemed to be using a prop.

Mr DEPUTY-SPEAKER: Order! It was ruled to be a prop, but the member should name the newspaper he is referring to and the date of the article concerned.

Mr DARYL MAGUIRE: Earlier the Premier referred to an article in the *Daily Telegraph* dated Tuesday 14 October. The money wasted and mismanaged by the Carr Government could fund neglected services throughout the State. The article stated:

\$32 million Debt Recovery Management (fine fiasco debacle)

\$104.3 million Millennium Train ...

\$62 million ... suburban train carriages

\$93 million Sale of Intercontinental Hotel ... less than what it was valued

\$294 million Sydney Water ...

\$117 million Liverpool-Parramatta Bus Transitway

There is more. The Government should concentrate on those facts instead of conjuring up rubbish. [*Time expired.*]

Mr DEPUTY-SPEAKER: Order! I wish to clarify what I said earlier. Members should not read extensively from any newspaper; they may make passing references. Members must identify the document to which they are referring and provide the date of it.

Mr GEOFF CORRIGAN (Camden) [4.11 p.m.]: I am delighted to support this motion because, along with my constituents in the electorate of Camden and Australians everywhere, I want the standard letter postal service to be preserved. The honourable member for Wagga Wagga referred to Tumbarumba. I have never been to Tumbarumba, but the role of the State Government, as advocated by the Minister, is to lay the foundation for investment by the private sector. I am pleased that the private sector invested so much money in Tumbarumba, which led to the success of the project. The Government has worked hard to promote private sector investment and had made that investment easier in New South Wales. I share the Minister's concerns about future employment of the 35,000 people who work for Australia Post and I am worried about their future. The fact that anyone anywhere in Australia can post a standard letter to another Australian destination is a right held dear by us all.

As my colleague the honourable member for Murray-Darling said, we would like to be able to post Christmas cards and be sure that they are all received, and that we all pay the same price. The Minister spoke about the crucial social role this service provides, and I agree with him. Furthermore, it must be said that Australia Post played an important role in many small communities when the banks packed up and left. Australia Post filled the gap when families outside our major metropolitan areas were left without banking services. The offering of banking services through Australia Post outlets has been especially important to businesses in regional areas. We know that when the bank goes other businesses pack up and leave too—but not when Australia Post has been there to fill the void.

As I represent an essentially urban electorate, it might be assumed that I do not have much to do with Australia Post. I assure members opposite that my electorate includes many small villages including Luddenham and, in the Southern Highlands, Tahmoor and Bargo. The residents and businesses of those villages rely on

Australia Post to provide banking services. In fact, business banking services have proved so successful for Australia Post that in the past year the number of outlets offering business banking services increased by 54 per cent from 320 outlets to 494. Obviously, there is big demand for this important service through Australia Post. As well, on-line banking services expanded in the past year from 2,962 postal outlets to 2,990. Australia Post is tremendously profitable. The article referred to by the Minister stated that last year's profits rose by more than 11 per cent to \$330 million.

There is no need to tamper with Australia Post. The Federal Government must not tamper with the right of every Australian, no matter where they are, to send standard letters to their friends, families or business colleagues for a standardised price. On its web site Australia Post refers to its community service obligations, which were referred to by the Minister. In such a vast country, where loved ones can be separated by thousands of kilometres, it is vitally important that our postal service is maintained. For many, especially those on fixed incomes, a letter is the cheapest way to communicate with friends and relatives.

I know about that as my mother, a pensioner, lives at Wyong. Long phone calls would be too expensive for her, so she writes letters to her friends and relatives throughout the country—not necessarily to me, because I phone her. I am sure that many country people write letters. We all know the advantages of letters over phone calls or the Internet. I certainly still write letters and I value the service provided by Australia Post. I condemn any plans to change our standard letter service and I imagine most members of the New South Wales Parliament, no matter on which side they sit, would do the same.

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [4.16 p.m.], in reply: I thank the honourable members who have contributed to this debate. The honourable member for Wagga Wagga took some information regarding shareholdings in Telstra from someone outside the Chamber, passed it to the honourable member for Murrumbidgee as he was speaking, and repeated that information in his own contribution. The disclosure of pecuniary interests and other matters by me in respect of the period 1 July 2002 to 30 June 2003, which I signed and lodged on 19 August 2003, indicated that during that period I held a shareholding in Telstra. As is so often the case with the Opposition, its research was lacking and wanting. It was lazy in its research, because if members opposite had read the complete disclosure of pecuniary interests, under "Discretionary Disclosures" they would have seen "Shareholdings as listed above were disposed of during the period".

The Opposition is wrong again; it was set up. In previous debates about Telstra I said that privatisation of Telstra would be inappropriate. As a former shareholder of the Commonwealth Bank I said that the way the bank has gone about branch closures is totally inappropriate. The honourable member for Wagga Wagga did not use the words "Australia Post" in his contribution. He obviously knows something from his discussions with his mates in Canberra that a float of Australia Post is on the agenda. As reported in the *Daily Telegraph* article, Mr Pollard said:

If they can get the rest of Telstra away, and if that was successful, then maybe they would look at us again.

It is clear that the honourable member for Wagga Wagga knows that. It is interesting that he did not talk about the closure of the Telstra call centre in Wagga Wagga: 60 jobs were lost there last June. He was quiet at that time as well, as was his colleague the honourable member for South Coast. The contributions by the honourable member for Murrumbidgee and the honourable member for Wagga Wagga contained no defence of the Federal Government. Why was that the case? It was probably because they know of the infamous comment by the Prime Minister, "We have core promises and non-core promises". That is what they are concerned about, because they know that this matter is on the agenda. They know that Howard and Costello are keen to sell off the balance of Telstra.

Last week the *Daily Telegraph* reported Australia Post representatives as stating that they knew full well the potential for the current Federal Government to turn on Australia Post. Opposition members are aware of the implications of that. They know that the honourable member for Murray-Darling was right when he said that people in western New South Wales would not be able to afford to send Christmas cards this year. If Australia Post were to be sold the 50¢ standard letter rate, community support and cross-subsidisation would be out the window. The private sector will not wear that. Opposition members have not stated unequivocally what their position is in relation to the proposed sale of Australia Post. They have skirted around the issue.

A senior employee of Australia Post observed that privatisation was possible. Opposition members have no commitment to oppose the proposed or possible sale of Australia Post. I acknowledge that the

honourable member for Camden made a number of salient points. He referred, in particular, to the importance to older people in the community of being able to post a letter. Those people come from an era when families and friends communicated by letter rather than by telephone or email, as is currently the case. The Country Labor member for Murray-Darling made some salient points in his strong defence of Australia Post and its contribution to rural areas in this State.

Motion agreed to.

LOCAL GOVERNMENT STRUCTURAL REFORM

Privilege

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [4.23 p.m.]: I wish to update the House on the matter of privilege that was raised earlier by the honourable member for Burrinjuck. The Director-General of the Premier's Department, Dr Col Gellatly, today wrote to the member for Burrinjuck to inform her that he will contact the Director-General of the Department of Local Government, Mr Garry Payne, in relation to her claims in the New South Wales Parliament. The honourable member for Burrinjuck, under parliamentary privilege, made statements relating to an alleged incident at a public meeting at Goulburn on 9 October 2003 involving a Department of Local Government public servant.

DERELICT MINES REHABILITATION PROGRAM

Matter of Public Importance

Mr KERRY HICKEY (Cessnock—Minister for Mineral Resources) [4.25 p.m.]: I ask the House to note as a matter of public importance the rehabilitation of derelict mines. Mining has provided enormous economic benefits to New South Wales, especially over the past 100 years. However, no individual or company could be held responsible for rehabilitation work at many abandoned and derelict mine sites. The Government manages those mines through the Derelict Mines Program. It has in place a Derelict Mines Committee, which has representatives from relevant government agencies and the New South Wales Minerals Council. The committee selects derelict sites for rehabilitation on a priority basis. The committee considers risks to public safety, pollution impacts on catchments or adjoining properties, contamination of the site, erosion or land degradation and community concerns.

Under the previous Coalition Government, funding for that program each year was \$125,000. I am please to advise the House that the Carr Government has boosted funding for the Derelict Mines Program by more than 10 times that amount. This year it has allocated approximately \$1.6 million to the program. In addition, it has allocated \$2.8 million over three years from its Environmental Trust. For the benefit of Opposition members, the Environmental Trust funds environmental restoration, rehabilitation, research and education projects. Both the Derelict Mines Program and the Environmental Trust provide significant public safety and environmental benefits to communities across our State, in particular in rural and regional areas. In 2002-03 a number of derelict mines were successfully rehabilitated, including the staged rehabilitation at Uralla fossicking area, at a cost of \$83,090; West Wyalong goldfields, at a cost of \$65,909; Mount Hope copper mine, at a cost of \$172,727; and Lake George mine at Captains Flat, at a cost of \$186,997.

The range of works at those sites involved environmental site assessment, the construction of water management structures, burying ore material, removal of safety hazards, and the revegetation of disturbed areas. Environmental Trust grant funding is being used to rehabilitate the Yerranderie silver mine in the Blue Mountains, the Conrad mine near Inverell, the Woodsreef mine near Barraba, the State mine at Lithgow and derelict areas of the CSA mine site at Cobar. The Department of Mineral Resources is project managing Environmental Trust funding to remediate four of those five mines, which are ranked as high priorities by the Derelict Mines Committee. Lithgow City Council is undertaking the project at State mine. The Environmental Trust expenditure is used for works identified under previously prepared remediation action plans. That funding helps to develop contractor work plans, employ site project managers, co-ordinate community steering committees and provide quality assurance, audits and post-project maintenance.

I am pleased to advise the House that the 2003-04 Derelict Mines Program has now been finalised, with assessments and works planned for up to a dozen sites. Funds have been allocated for major rehabilitation works in the following amounts: \$150,000 for Bexhill Brickworks at Lismore, \$220,000 for Lake George mine at

Captains Flat in the Monaro electorate, \$254,000 for the Halls Peak mines at Armidale, \$270,000 for the Webbs Consol mine near Glen Innes, \$37,000 for the rehabilitation of derelict shafts and subsided areas of the Lightning Ridge opal fields, \$20,000 for bat surveys and capping of mine openings at Mount McDonald, \$25,000 for Hill End, \$64,000 for Glen Davis near Lithgow, \$20,000 for safety fencing and capping of shafts at the Montreal goldfields near Bermagui on the South Coast, \$75,000 for an environmental site assessment and remediation action plan for Collisons silver mine in the New England region, \$68,000 for the CSA excised areas near Cobar and \$75,000 for an environmental site assessment and remediation action plan for Burruga copper mine south-west of Oberon.

In addition to those individual site grants there is \$45,000 for the Australian Rivers Invertebrate Assessment Scheme study of derelict mines across New South Wales, \$50,000 for site inspections and the completion of database sheets for numerous mines across New South Wales, and \$100,000 for emergency and minor works. The Government cannot do this alone. Discussions have already commenced with the mining industry about how it might assist in accelerating the rehabilitation on identified priority derelict mine sites. Together we have a responsibility to communities across the State to heal our derelict mines. Abandoned workings scar our landscape and feed public perceptions that mining is a dirty industry. For the New South Wales mining industry to truly progress we must address the sins of the past and commit to environmentally responsible development.

The Carr Labor Government is strongly committed to ecologically sound development and it will merge economic, social and environmental policy to achieve sustainability. Honourable members might be familiar with the Brundtlandt definition we have adopted and its simple but important message. In this way we can meet today's needs without compromising the needs of future generations. That having been said, we cannot do this important work in isolation. The Government is subject to the same economic constraints and imperatives as industry. As Minister, I applaud industry's widespread adoption of recognised best practice environmental management. However, a small number of operators still fall behind the stringent environmental standards expected by local communities and by the Carr Labor Government. They give the rest of the industry a "reckless" tag that no-one should have to wear. To better protect the reputation of the industry as a whole, the Government will not shirk from imposing increased penalties and sanctions against those who do not comply with the conditions of their mining titles.

However, carrying a bigger regulatory stick is only part of the message that I am determined to get across as Minister for Mineral Resources. As I have said, the State Government has increased funding to the Derelict Mines Program and is significantly improving public safety and our environment. I have started discussions with the industry. Some ideas I would like to explore further include an industry contribution to research on acid mine drainage, which would also assist in managing operating mines where acid mine drainage is a challenge to be addressed; incorporating environmental offset works in development consents; and mine operators contributing their expertise and equipment to local derelict mine rehabilitation. To take these discussions to the next level I will establish a roundtable process for the free flow of ideas.

The industry must also ensure that today's mines do not become tomorrow's derelicts. The mining industry has demonstrated its environmental credentials. However, responding to government regulations is not enough. The people of New South Wales expect the mining industry to meet their high environmental standards. I understand that many companies are already doing this. They are signatories to the Australian Minerals Industry Code for Environmental Management, they are developing high-quality environmental management systems, and they are implementing new rehabilitation techniques to increase the benchmark of best practice. I applaud those companies that are adopting this approach. However, it will take more than just dollars to overcome the perception that mining operators are little more than environmental vandals.

As industry and government representatives, we need to communicate openly and honestly and to back that communication with action. If local communities do not have quality information and understanding of the issues, how can they make informed decisions and judgements about the industry? Equally, if mine operators do not have information about, and an understanding of, the community's concerns, mining will be often just an unwanted land use. Listening, showing and sharing are fundamental to the industry's demonstrating its environmental credentials. If we continue to extend our co-operation and involve the community people are more likely to regard mining as being a worthwhile and beneficial activity. Many environmental benefits may be derived in rural and regional areas from the mining industry, and it is time for the industry to sell those benefits. Many mining operations in the Upper Hunter are working towards best environmental practice and I have witnessed at first hand the environmental benefits of those operations. We will be well on the way to delivering sustainable development in New South Wales if we inform people properly so that they can take decisions to benefit their communities.

Mr IAN ARMSTRONG (Lachlan) [4.35 p.m.]: I represent the honourable member for Murrumbidgee, the shadow Minister for Mineral Resources, in this debate. I wish to raise several rehabilitation issues in my electorate about which there has been much argument for seven or eight years. While I appreciate the Minister's need to hold his parade, I am afraid that I must rain upon it by stating a few facts. We must get serious about mine rehabilitation. Some lessees at Temora have been battling for mine rehabilitation for nearly 10 years. They are seeking assurances that someone will assume public liability responsibility on behalf of the department and that the department will provide authorisation to enter the land in question to effect inspections and rehabilitation. These lessees have been informed several times that the department cannot, or will not, grant them public liability protection. The lessees are also seeking a determination as to when a lease is considered to be terminated and what responsibilities pertain in that regard. When a lease is terminated do the responsibilities of the department or the lessees cease and shift once again to the land titleholder?

I refer honourable members to a somewhat complex matter involving mining lease ML 1167, which was apparently cancelled by the then Minister for Mineral Resources on 14 September 1999. The Department of Mineral Resources accepted responsibility for rehabilitating ML 1167 and recovered a bond of some \$500,000 for that purpose. The land covered by mining lease ML 1429 in the same area and exploration licences Nos 2059 and 5864 has also not been rehabilitated. The latest preamble refers to the provision of false and misleading information by a government department to a land-holder, and states:

The documents show how a landowner and others were misled by the Minister—

that is the previous Minister for Mineral Resources—

and his Department of Mineral Resources in what is believed to be a cover up. Why? We really do not have those answers. However, we do know that it has severely affected the landowner, the Department have painted a picture of an innocent landowner as being the perpetrator, the wrongdoer, the culprit, the offender, the guilty party.

Issue three constitutes a landowner's inability to farm his land and preventing him from making a living.

This is an important point:

Over 200 **Unrehabilitated Drill Holes** were left by mining and exploration companies. Licences and Leases authorising this work are administered by the Department of Mineral Resources under the Mining Act 1973 and 1992. However these holes are still left unrehabilitated and over recent years the Department have proceeded to cancel the mining lease, approve further exploration licences and transfer exploration licences on this property to mining and exploration companies. Despite a continued effort by the landowner, he is still unable to farm that parcel of his land, even though over three years ago the Department seized a bond of \$500,000 on 21/9/99 for the repair of rehabilitation on this property. This land has been recognised by WorkCover as being a dangerous site and the landowner was issued with an Improvement Notice and the repair is expected out of his own pocket. As if the drought isn't enough!

That is the comment of the land-holder's agent. This land-holder complied with the department's regulations, a lease was granted and works were carried out and completed. The lease was then cancelled and the land-holder was left with 200 holes on his land. The department grabbed \$500,000 for rehabilitation work but the land-holder was then informed by WorkCover that he is responsible for any injury that might be suffered by a public or private official on his land or by any trespasser. The land-holder was also told that he would receive no assistance in rehabilitating his land. Where does that leave the land-holder? He owns land that is more of an encumbrance than an asset. If someone enters his land while shooting or bushwalking, falls down one of those 200 holes and is injured, the land-holder is liable. If a public servant, a departmental official or the Minister's chief of staff trips and falls down a hole while inspecting the damage, the land-holder will be responsible. The next issue concerns the land access and compensation agreement. The preamble states:

Under the Mining Act 1992 it is a requirement that the holders of a Mining Lease enter into such an agreement with the landowner. This has not happened, despite numerous attempts by the landowner. The holders of Mining Lease 1429, Gilmore Gold Pty Ltd a subsidiary of Davnet Ltd, have abandoned and left the property in an unrehabilitated state. They are hiding behind an excuse that the landowner will not enter into an agreement. Simply not the case and the proof is in the writings. It is the responsibility of the Department of Mineral Resources to enforce the Mining Act 1992 and the conditions of the mining lease (not the landowner). This has not happened regardless of several requests by the landowner. Instead the Department say instead it is up to the landowner to take it to court. Why? When it is in plain English, in Statute Law that the Minister of Mineral Resources (Eddie Obeid) and his Department are able to remedy this situation.

The Minister of Mineral Resources, Eddie Obeid, and his Department should aid the environmental problems of a neglected rehabilitation on private land and enforce the law. What is the good of statute law if it is not administered by our own Government? The Landowner has not only faced two recent incidents of personal tragedy but has also had to endure the drought and out of pocket thousands of dollars due to the above issues and with no assistance from the government. Clearly the landowner has legal rights that need to be recognised and taken into account by the Department without the landowner having the need to have recourse to the Courts. Furthermore, as legally advised by an independent mining and exploration expert, Russell Hetherington, "it seems improper and unjust for the Department to grant a Mining Lease, authorise degradation of the land,

accept substantial royalties over the life of the Temora Gold Mine, proceed to cancel Mining Lease 1167 (without having the land rehabilitated), claim the security of \$500,000 and then deny the landowner what is justifiably his right to earn a living."

All the issues raised to the Minister and the Department have been skilfully ignored. It is inconceivable the utter disdain with which these issues have been treated by a seemingly uncaring and arrogant Department. The landowner cannot be expected to endure what is essentially bureaucratic mismanagement.

Effectively the land-holder has had the use of his land taken from him. He cannot afford to have anybody occupy his property because he is responsible for any accident, wilful or otherwise, that might occur. For instance, if children were hurt, or if somebody drove a vehicle onto the property and damaged it there, the landowner—not the lessee, the regional license holder or the Minister—would be responsible. The Government says that the land-holder can enforce the Act through the courts. I have always believed that a Minister, on behalf of the government of the day, and in accordance with practice and precedent, is responsible for enforcing the legislation of this Parliament.

There has been a major dereliction of duty in relation to enforcing an Act of this Parliament to avoid the circumstances that I have just outlined. I am happy to further brief the Minister at a later date. Facts about the matter to which I refer probably consist of 1,000 pages. The Minister may smile but this matter has cost the man concerned a lot of money over the years. He has engaged solicitors and Temora mineral services to fight his case. I will provide the Minister with all the documents. Last year I asked 14 questions on notice about this matter but nothing happened. Deputations were made to Minister Obeid and Mr Cootes, the director-general of the department. This issue is not new but the man to whom I refer is liable for the 200 holes on his property. The Government has failed him in its duty of care and responsibility.

Mr GERARD MARTIN (Bathurst) [4.42 p.m.]: I support the Minister in this matter of public importance. The Carr Labor Government requires the mining industry to meet strict environmental and rehabilitation guidelines. That is why this Government is committed to the rehabilitation of the State's historic legacy of abandoned mines. Our tough environmental and rehabilitation guidelines are stopping today's mines from becoming tomorrow's derelicts. The Department of Mineral Resources works closely with the Department of Environment and Conservation and other agencies in a whole-of-government approach to ensure world's best practice in environmental management and rehabilitation. This means that the environmental impacts of mining are minimised.

When a mining lease has been granted, the lease conditions that are applied to protect the environment require land rehabilitation to be compatible with surrounding land and to a standard suitable for agreed future land use. A security deposit is held by the Government to enable it to complete rehabilitation in the event of a leaseholder failing to do so. These securities are progressively reviewed. Further, as a result of amendments made to the Mining Act in July 1999, the Government has ensured that a security deposit will be returned only when the Government is satisfied that rehabilitation is completed. In late 2000 the Government further amended the Mining Act to substantially increase penalties for environmental breaches of title conditions. The maximum penalty for environmental breaches of mining title conditions is now \$110,000, which is a substantial increase from the previous maximum penalty of \$11,000.

The environmental performance of operating mines is reported and reviewed at least annually by the Department of Mineral Resources in consultation with other government agencies, local councils and local community groups. A statutory requirement under the Mining Act 1992 requires that mine land must be rehabilitated to its pre-mining capability or in accordance with an alternative agreed outcome. Under that requirement mine closure and rehabilitation play a central role in mine start-up plans. Companies are now planning for rehabilitation before mining begins. Historically that has not always been the case. New South Wales has a number of old mine sites in respect of which no company or person responsible for remediation can be identified. Sunny Corner in my electorate is a classic case. However, that situation is not unique to New South Wales. Worldwide the burden for rehabilitation of abandoned mines has fallen on the community.

As the Minister has just outlined, the Carr Labor Government has provided approximately \$1.6 million this year for the rehabilitation of derelict mines. I welcome the funding that has been allocated this year to sites in my electorate: \$25,000 to the Hill End goldmine area outside Bathurst for preliminary safety works; \$64,000 for the old shale works at Glen Davis near Lithgow for the capping of exposed waste material and oil shale chitter, the construction of sediment controls and the gating of open mine workings; \$20,000 for Mount McDonald on the Abercrombie River for bat surveys and the capping of dangerous mine openings; and \$75,000 for the Burruga copper mine near Oberon for environmental site assessment and a remediation action plan. It is important to undertake that work because the history of those areas and their connection to the goldmining industry offer great potential for tourist development.

I support the Minister's call for industry involvement in rehabilitating derelict mines. The mining industry has an important role to play in repairing past misdemeanours. There are more than 500 derelict and abandoned mines across the State, so the problem is of some magnitude. That is why the Government's Derelict Mines Program and the requirement for an upfront security deposit are both so important. There have been recent instances of forfeited security money being used to rehabilitate sites including Brimstone Colliery and Oakdale Colliery near Camden, Temora goldmine north of Wagga Wagga, and most currently the Bexhill Brickworks near Lismore. In the majority of cases, companies carry out and pay for their own rehabilitation. Security money is forfeited only in a minority of cases.

Examples in recent years of exceptional rehabilitation include work by companies that paid for and carried out the work themselves and were the recipients of the 2000 Premiers Award for Environmental Excellence in the New South Wales Minerals Industry. The winner of the 2000 Premier's Award, Newcrest Mining's Cadia Hill goldmine near Orange, would have disturbed an historic nineteenth century cemetery but for its sensitive approach. The project involved the excavation and relocation of the cemetery to a Garden of Remembrance. The transfer of the burials and their layout, design and interpretation in a memorial was expertly supervised. Living relatives of the nineteenth century miners and their families were contacted and were able to participate in planning the relocation. I commend the Minister for bringing this motion before the House. [*Time expired.*]

Mr KERRY HICKEY (Cessnock—Minister for Mineral Resources) [4.47 p.m.], in reply: I thank all honourable members for their contributions to this debate. I cannot help but wonder where is the shadow Minister. Perhaps it would have been embarrassing for him to again use his workers compensation argument in this debate. I acknowledge the concerns of the honourable member for Lachlan and the honourable member for Bathurst, and the Government is trying to address them. The honourable member for Lachlan was correct when he said that many mines still need rehabilitation. In fact, in the past 100 years exactly 552 mines across New South Wales were left to be rehabilitated—not during the term of this Government. That is why this Government asked industry to find workable solutions to address this issue. I should add that in 1994-95 Minister Ian Causley spent only \$125,000 on mine rehabilitation.

The honourable member for Lachlan has put a very good argument, obviously better than the shadow Minister could. The Premier was on the mark when he said that the shadow Minister is very lazy, wheezes out questions and then sits down. The contributions by members opposite are further examples of that. The honourable member for Lachlan raised a mine issue that he said he has been looking at. But he raised it 10 years after the event. That makes me wonder, first, what the Coalition Government was doing in 1994-95 to address rehabilitation and, second, why the honourable member for Lachlan did not get any positive responses from the Coalition Government. The Carr Government's funding for mines rehabilitation has increased tenfold. It will consider the matters raised by the honourable member for Lachlan.

Though I have been the responsible Minister for six months, the honourable member for Lachlan has not so much as picked up a telephone in an attempt to address the issue he raised. Instead, he chose to bring the matter to my notice in this House. Quite clearly, he is a lazy Opposition member. Today we have a way forward. We can all sit down and work out a solution to the problem of derelict mines. The Carr Government has increased mine rehabilitation. The Government, along with industry, is continuing its work on many fronts to improve matters in this State. I am hopeful that industry will come to the fore and work with the Government. I am sure it will. I thank honourable members for their contributions to the debate on this matter of public importance.

Discussion concluded.

Mr ACTING-SPEAKER (Mr John Mills): Order! Business is now interrupted for the taking of private members' statements.

PRIVATE MEMBERS' STATEMENTS

TRIBUTE TO SLIM DUSTY

Mr PAUL GIBSON (Blacktown) [4.50 p.m.]: Today I pay tribute to one of the truly great Australians, Slim Dusty—the historian of the bush, as he was known. The Slim Dusty story starts back in the 1940s on a

remote dairy farm in the hills behind Kempsey, New South Wales, where a 10-year-old boy dreamed of being a country music singer. His name was David Gordon Kirkpatrick. He called himself Slim Dusty and began to live his lifelong dream. Slim was the most prolific and best-selling recording artist in Australia, with more than five million of his recordings having been sold on the domestic market.

Slim was an artist who never lost touch with his community. He sang and wrote about the bush and, in particular, mateship. He described himself and his music and songs as being about real Australians. He always said that you had to believe in what you were singing about. He also maintained that you had to be fair dinkum. I think being fair dinkum and mateship were the two great legacies that Slim Dusty has left all of us. In some way, we all grew up with Slim Dusty. I recall as a boy at Young turning on the radio at 5.30 in the morning and listening to cowboy songs—many, of course, sung by Slim Dusty. And who will ever forget his hit *The Pub With No Beer*? Slim Dusty was the first Australian to receive a gold record, the first Australian to have an international record and the first Australian in the world to have his voice beamed to earth from space. In 1983 astronauts Bob Crippen and John Young played Slim Dusty singing *Waltzing Matilda* from the space shuttle *Columbia* as it passed over Australia.

Slim's amazing career spanned more than six decades and saw him win 35 Golden Guitars. He won more gold and platinum record awards than any other Australian artist. Aria awards, including induction into the Aria Hall of Fame, video sales, platinum and gold awards and an MBE and Order of Australia were among the tributes to his services to entertainment. And, of course, he was one of the earliest inducted into the Country Music Hall of Renown. Slim received a great honour in 1999 when he was Grandfather of the Year and Senior Australian of the Year. He was born on 13 June 1927, and at the age of 10 wrote his first song, *The Way the Cowboy Dies*. In 1951 he married his great love, Joy McKean, and in 1952 Ann Kirkpatrick was born. In 1958 his son David Kirkpatrick was born. In the same year he received the Gold Award for *The Pub With No Beer*.

Slim was an Australian swaggie—its best known swaggie. He continually toured the nation that he loved. Whether he was performing at the Sydney Opera House or at Nulla Nulla Creek, Slim would always give the same great genuine performance. Slim Dusty was a great man, and in many of his songs he spoke about mateship. In the song *I'd Like to Have a Beer With Duncan* he said that the reason he liked to have a beer with Duncan was simply because Duncan was his mate. I suppose if we could pass on to Australia the mateship and fair-dinkum attitude that Slim had, Australia would be in good hands for years to come. When Premier Bob Carr met Slim and his wife, Joy, at State Parliament to announce the appointment of the design team for the proposed Slim Dusty Heritage Centre at Kempsey, Slim simply said:

I'm a Kempsey boy. I was born there, and that's where it all started for me.

Slim never forgot where he came from. The Slim Dusty Heritage Centre was one of Slim's great loves. On 27 September 2003, just after 10 o'clock, the square next to St Andrew's Cathedral became a sea of Akubras. Women and kids cried. So too did grown men. They cried because they had lost their mate. Some knew Slim from childhood because they knew his music. Some grew up with his music. Of course, when he died, a little bit of them and a little bit of Australia died with him. Slim Dusty was given a great farewell on that day. Everyone simply gathered there to say good-bye. Slim, of course, joined the great Johnny Cash, and country music lost probably the greatest double act that was ever born. I am certain many cowboy songs will be sung in heaven. As has been said before: Thank you, Slim, from me and my mob. You were the soundtrack to our lives because, Slim, you were the man with no peer.

GAMING MACHINE TAX

Mr MALCOLM KERR (Cronulla) [4.55 p.m.]: I bring before the House the plight of registered clubs in my electorate. Father Chris Riley said:

Charities across New South Wales rely heavily on donations from registered local clubs.

Many of those charities will lose valuable donations once Michael Egan's tax is introduced next year, as clubs reduce community support to stay in business.

Clubs are required to donate money to their local communities as part of their registered club licence, however many clubs make donations far in excess of those compulsory payments, with an additional \$22 million contributed last year alone. This figure is 66% more than required.

Unfortunately many clubs will be forced out of business, so those mandatory community support payments will disappear completely.

The charitable sector implores the NSW government to please reconsider its clubs tax for the sake of the state's charitable sector, which will suffer a huge cut back in resources.

The tax will also force clubs to lay off staff, putting financial pressure on families, many of whom will be forced to turn to the charitable sector...

The tax will have a negative ripple effect, hitting the wider community by reducing clubs' investment in capital works and hitting club suppliers. Local employment levels and consumer spending will fall further.

Again, the charitable sector will have to step in.

Clubs provide a warm and friendly space for people. They are a little piece of stability in people's lives. If that goes people will become lonely and depressed.

Those are not my words. They are the words of Father Chris Riley. I am sure that even the Minister for Energy and Utilities, and Minister for Science and Medical Research would agree that Father Riley is a credible person who knows what he is talking about, and that he should be listened to. If that were not enough, I received a letter dated 3 October 2003 from the mayor of Sutherland shire—the Labor Party boss of the shire—writing on behalf of the council on the subject of poker machines taxation, which stated:

Councillors express concern at the impact this increased tax will have on community groups such as surf clubs, sporting organisations, charitable organisations, local hospitals and welfare organisations who receive significant donations from local clubs. These donations will not be possible with the increases in taxation of clubs announced in the New South Wales budget.

After consideration of this issue, Council resolved that my letter to the Premier asking for poke machine taxes to be reconsidered by the State Government be endorsed and that a further letter be sent to the Premier, the Hon. R. Carr, MP, and the Treasurer, the Hon. M. Egan, MP, requesting reconsideration of the decision regarding poker machine taxation in clubs.

Additionally, Council resolved that letters be sent to local State Members of Parliament seeking support in this matter.

I am happy to place on the record my support for the matter set out in that letter. It is time that other members of Parliament said where they stand on this issue and whether they will provide support for their councils' requests. Last night there was a meeting at Club Menai attended by all shire members of Parliament.

Mr Frank Sartor: Not Club Med.

Mr MALCOLM KERR: Not Club Med, no. The Minister has probably been admiring the fountain and no doubt will admire the rainforest in our little workers club. Ordinary people are entitled to such consideration. I have never been to Club Med, but I cannot speak on behalf of the other members of Parliament from the shire. One of the conveners of the meeting at Club Menai was comedian Johnny Pace. People spoke about the effect the gaming tax would have on talent, employment and the community. Unfortunately, not one Labor member of Parliament from the shire contributed to the meeting, despite the fact that representatives from the trade union club attended and were vocal in their opposition to what was happening in the shire. As we see this tragedy unfold, it is time for all members of Parliament in the shire to take a stand.

PORT STEPHENS MARINE PARKS

Mr JOHN BARTLETT (Port Stephens) [5.00 p.m.]: In 1997 the Carr Government enacted legislation to allow the creation of marine parks: large, multiple use areas declared to conserve biodiversity. Nevertheless, a range of activities is allowed, including the continuation of recreational and professional fishing, where appropriate. A biodiversity assessment of the Manning shelf bioregion, an area of coast stretching from Nambucca Heads to Port Stephens, is currently reaching its conclusion. Over the past couple of years public meetings have been held at Port Stephens, Gloucester and Port Macquarie to inform the local community of the process ahead and its purpose.

If a marine park is declared then specific management arrangements, such as the zoning plan, are developed in consultation with stakeholders and the community to manage the park and achieve the objectives of the legislation. Currently, there is community infighting in Port Stephens about water quality, fish stocks, pearl oysters and a proposal to build 40 chicken sheds at Karuah close to the waterway to house 50,000 chickens each. Under the heading "Port Stephens, a fishing and boating paradise—leave it as it is!" John Clark, who writes a regular fishing article for a local newspaper, wrote:

Port Stephens waterways must surely be one of the country's most beautiful natural assets. Unique, pristine and sensitive the waters provide unparalleled boating, fishing and general recreation venues.

Daryl Dawson, the Secretary of an organisation in Port Stephens called Econet, an umbrella organisation representing 35 environmental organisations, sent me the following quote:

A marine park in these waters will favourably complement the very successful and economically dominant nature-based tourism industry. Currently, this industry generates around \$200 million annually and 1,500 jobs in the local economy. Tourism at Port Stephens depends largely on its aesthetically pleasing natural assets and more particularly on estuary and offshore waters.

Local professional fishermen, however, are reeling at a suggestion to ban net hauling inside the heads and create a marine park in Port Stephens. A spokesman said:

A marine park means that there will be no-go areas and no-go means no dough.

It will devastate the local industry and stop us from fishing places we've done for the past 50 years.

On Friday 12 September I attended a meeting at Lemon Tree Passage Bowling Club to discuss the depletion of fish stocks and the protection of fish breeding grounds in Port Stephens. Some 37 residents attended. John Boyd put the following motion to the meeting:

That the Minister for Fisheries make it a priority that the next buy-out of licences be at Port Stephens and that the Minister change the legislation to stop hauling in Port Stephens and make Port Stephens a commercial free zone and marine park.

The vote was 34 for the motion and 2 against it. I understand that as soon as the Cape Byron zoning plan is in place we should begin the assessment for a marine park in Port Stephens. I look forward to a Government announcement before the end of the year or shortly thereafter to enable the claim and counterclaim to be assessed openly. I have received a number of letters on this topic. N and A McInnes state that they want local professional fishing to cease immediately, they want a study of the parameters for a marine park in the Port Stephens area, and they also want the creation of funding for the buyback of professional licences. Winston Saunders said:

I would like to see the Fish-stocks restored and preserved in Port Stephens.

Later it could be further protected as a Marine Park.

John Boyd, who has fished in the area for years, said:

If the Port is not declared a Commercial free Port, I feel that certain fish species here will not recover with the great pressure netting and hauling is putting on the existing fish stocks.

The proposal of a marine park for Port Stephens has my support.

CASINO TO MURWILLUMBAH RAIL LINE

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [5.05 p.m.]: Residents of the far North Coast are becoming increasingly concerned about the State Government's plans for the Casino to Murwillumbah rail line as well as CountryLink services in general. Since the release of the Independent Pricing and Regulatory Tribunal interim report on transport services in New South Wales, known as the Parry report, the Premier and the Minister for Transport Services have failed to rule out the closure of the Casino to Murwillumbah rail line. Yet there is anecdotal evidence of its closure, with CountryLink refusing to take bookings for the service beyond January 2004. There are also reports of CountryLink staff, including XPT drivers, expressing concerns about the future of the service and their jobs.

The Premier and Minister for Transport Services Costa should rule out any closure of the Casino to Murwillumbah rail line and reassure local residents that their service is secure. Rather than closing the line, the Minister for Transport Services should work to increase patronage on the country rail system generally. The Parry report reflects poorly on the Carr Government's administration of public transport during the past eight years. Why should residents of the Northern Rivers pay for the mistakes of this and previous Labor transport Ministers? Why should the mismanagement and huge cost blow-out of the Millennium trains in Sydney impact on transport users in regional areas? In an article in the *Northern Star* on Monday, Mr Costa claimed:

CountryLink services are highly subsidised by the taxpayer and used by a small minority. The cost of tickets doesn't cover the cost of the services.

Yet the CountryLink service has a 32 per cent cost recovery whereas the cost recovery for CityRail is only 28 per cent. The subsidy for CountryLink is \$148 million, whereas the CityRail subsidy is \$1,435 million—10

times more. It seems that the Carr Government is contemplating reducing CountryLink services to a greater extent than city services when there is no logical basis on equity grounds. Proposals such as replacing rail services with bus services, which is mooted on the Casino to Murwillumbah line and also on the Tamworth to Armidale line, would most likely reduce patronage on CountryLink services and could be counterproductive to cost-recovery measures. At the very least, in response to the report the Premier and Minister for Transport Services Costa should indicate what they propose to do to increase patronage.

Furthermore, if the Government is serious about viable CountryLink services to the North Coast it should extend the branch line into south-east Queensland, which would increase patronage, open up tourism and commuter opportunities, and help guarantee the long-term viability of the line. This is not a pie-in-the-sky idea. In the early 1990s a technical feasibility study was done on the existing Casino to Murwillumbah branch line to connect with the Queensland system, and it is feasible. A number of options were included. The cost varied from about \$300 million to \$450 million. Probably the most preferred option was to go via Coolangatta airport. The Northern Rivers region is growing rapidly, and a good rail service linking northern New South Wales with south-east Queensland is highly desirable for both communities.

Expansion of the rail service into south-east Queensland is a matter not only for the New South Wales Government but also for the Queensland Government, and possibly the Federal Government. However, if the New South Wales Government were to remove trains outright from this branch line it would nullify any plans for future expansion, and would be a short-sighted step indeed. The line would depreciate further and the cost of bringing it back to working condition would be used as a reason not to extend it. Evidently, there is some confusion within the Government about the future of the Casino to Murwillumbah rail line. The honourable member for Tweed says that any plans to close the line are hogwash. Frankly, I hope he is right.

However, Minister Costa, who is the real decision maker on this issue and has the carriage of it, has not committed the Government to maintaining the line, and nor has the Premier. In fact, during a September visit to the region by Minister Costa it was reported that he had "refused to guarantee the future of the current rail service to the Northern Rivers". I call on Minister Costa to now give the assurance and guarantee to the people of the North Coast and the Northern Rivers area that he was not prepared to give in September, namely, that the Casino to Murwillumbah rail service will be maintained and will not be replaced by a bus service. I ask the Minister to seriously consider what he and the Government can do to increase patronage on that line, which is important infrastructure for the future prosperity of the Northern Rivers area, especially in the development of commuter services and long distance passenger services. I would like the Minister for Transport Services to be proactive about joining the Casino to Murwillumbah line to the Queensland rail system because I believe that will ensure the long-term viability of the line.

SOUTH HOXTON AERODROME MASTER PLAN

Mr PAUL LYNCH (Liverpool) [5.10 p.m.]: I draw to the attention of the House ongoing concerns about what is known as the southern Hoxton aerodrome master plan and the impact that is having on some of my constituents. The plan relates to the development and subdivision of land that is broadly north of Fifteenth Avenue and west of Cowpasture Road, Hoxton Park, and in west Hoxton in my electorate. I have previously raised the instance of the Bogdanovski family, which had a house in the northern part of this area. Today I want to discuss problems affecting properties in the southern part of the area. By way of background, I should say that Liverpool City Council, which is effectively responsible for releasing this land for development, has proclaimed the triumph of the development. It has said that it is an example of something known as smart growth. I have to say that, granted the number and vociferousness of complaints I have received, this sort of growth does not seem to be very smart at all.

Certainly the plans for redevelopment would have made perfect sense if this were indeed a completely greenfields site, with no existing roads, houses or other facilities. Of course, that is not what this area is, and that is where many of the problems commence. The plans are great in theory when worked out in an airconditioned office by consultants, but they are not quite so good when they are related to the real world. Recently I received three sets of complaints about one aspect of this smart growth. I met Miss Francis Fazzino and received letters from her and her mother, Mrs Frances Fazzino—they live in adjacent houses—and other nearby residents of Fifteenth Avenue. I also met Mr John De Fillippis, who owns a property in Sixteenth Avenue, and I received a detailed letter from Frank Pignataro, who also lives in Sixteenth Avenue.

In effect, the smart growth master plan proposes the demolition of the two Fazzino homes in Fifteenth Avenue. This proposal stems from a quite interesting and, some would argue, bizarre road layout. The layout

has a road, going diagonally in a north-easterly direction from Fifteenth Avenue, that does not exist. Its construction would completely ignore existing roads such as Second Avenue. The master plan proposes to remove one road and replace it with another, and by so doing it will destroy the two Fazzino houses. As I say, it is not very smart for something that is called smart growth. In a letter to Liverpool City Council dated 14 April this year, Mrs Frances Fazzino stated in part:

I am a 73 year old woman who has resided with my family on this property for over 40 years. What you are proposing to do is to deny my family and myself the right to live on my own property. I won't have a home. Is this now what Liverpool Council does to the elderly of their community and to long term ratepayers?

In a letter dated 2 June this year concerning the intersection, the Mayor of Liverpool wrote:

I am further advised that council received Miss Fazzino's letter on 14 April 2003. Council officers have since met with Miss Fazzino on two occasions, being the 1st May 2003 at council offices and the 7th May 2003 on site. At these meetings, council officers informed Miss Fazzino that council is currently undertaking a design investigation of the intersection of Second and Fifteenth Avenues. This design investigation will consider Miss Fazzino's concerns and determine if an alternative intersection configuration is appropriate. Council officers will then inform Miss Fazzino direct of the outcome, with a final report to my office.

My constituents tell me that they have received no further advice about this—that is, nothing has happened. Informally and unofficially, Miss Fazzino has been told that the process of investigation has not even commenced. It is obviously concerning that something as important as this to my constituents is taking so long. What is even worse is that the council has informed Miss Fazzino that the plan for the area will be gazetted—despite these outstanding issues, which the council agrees are outstanding. Miss Fazzino has been told that the reason for the gazettal urgency is pressure from developers—from the people who have purchased other properties to develop them in accordance with the smart growth master plan. If this is true, it is obviously profoundly concerning and quite unsatisfactory. Another adversely impacted resident is Mr Frank Pignataro. On 25 August Mr Pignataro sent a letter to me. Part of that letter reads as follows:

I am a resident who put in a building application only now to find out that my new home could possibly be demolished. The council had a responsibility to the residents and myself to advise them of any future proposals such as roads infrastructure when I placed my request for development application for the construction of my new home at 16th Avenue east. The council had an obligation and level of due diligence to advise me of any future proposal to the area. They have failed in their care and responsibility in advising such residents of any future development proposed such as the roads I am objecting to.

Mr Pignataro and his family have lived in this area for many years. In essence, the new road will either destroy or render uninhabitable the home he has newly built, which the council approved. As he stated in his letter:

The local council will impose upon me a financial burden by denying me a right to live in my own home by the construction of roadways, which is overkill.

I have made written representations on behalf of Mr Pignataro but I have yet to receive any substantive response. Needless to say, he is concerned and distressed at what is proposed. I ask the council to reconsider its position on these matters and try to provide some relief to my constituents.

BELLBROOK ABORIGINAL COMMUNITY

Mr ANDREW STONER (Oxley—Leader of The Nationals) [5.15 p.m.]: Recently I visited the strong Bellbrook Aboriginal community, which is west of Kempsey, where I met with the Thungutti Local Aboriginal Land Council and some of the families that reside in the area. While I was there I inspected housing and the general state of the area in which members of the Bellbrook Aboriginal community live. I regret to say that what I saw was quite appalling. Some of the 24 houses in the community were between 30 and 40 years old and others had obviously been jerry-built. Many had not had any maintenance work done to them for up to 10 years. I saw houses with leaking roofs, chipboard floors with holes and water damage, holes in walls, terrible white ant problems, and no hot water facilities—yet some are occupied. Certainly the housing conditions were substandard or even Third World standard.

The tragedy is that the Thungutti Housing Estate Company program was created to address the poor state of housing at Bellbrook, but because of financial issues the Government deregistered it, with the result that maintenance work on these houses is only half done. The houses are uninhabitable because restoration work is half finished. They have had old walls and old appliances ripped out, but only half of them have had those facilities reinstalled. The end result is that many of the houses remain vacant. There appears to be no resolution of this issue. Members of the Bellbrook community are suffering because, for funding purposes, they are

regarded as part of the Kempsey Aboriginal community. The Bellbrook community has no funds of its own. I am told that while maintenance and the purchase of new houses has been undertaken in Kempsey, no money has been spent on houses in Bellbrook.

Because the Thungutti Housing Estate Company was deregistered, the program's cessation left restoration work half completed. The program had been utilising the skills of young Aboriginal people in restoration work on the houses, thereby providing them with traineeships and apprenticeships. I was told by one elder from the Thungutti community that several trainees are now in gaol. On their release they returned to a life of crime because they had nothing to do. Unemployment has led them to gaol, and that is a double tragedy. Though there are families who need housing, houses are vacant, and some of them are in a parlous state and need urgent maintenance. The community has sought a meeting with the Minister for Aboriginal Affairs and it has asked the contractor for Aboriginal housing maintenance in the Kempsey area, Resitech, to employ Aboriginal people on that maintenance. As yet, the community has not received a satisfactory response. I ask the Minister for Aboriginal Affairs to address these issues of major concern to the Bellbrook community. It is a disgrace that the community is living in such conditions.

TURKISH GALLIPOLI MOSQUE, AUBURN, OPEN DAY

Mrs BARBARA PERRY (Auburn) [5.20 p.m.]: A few weeks ago I was invited by Imam Yurt of the Turkish Gallipoli mosque in Auburn to attend its third annual open day. My immediate response to the invitation was one of gratitude and enthusiasm for the ongoing efforts of the Imam and his congregants to build bridges of understanding and intimacy with the wider community of Auburn. I was also keen and interested to be a part of the day's proceedings and to observe how the participants would respond to what they saw and heard. From the moment I arrived it seemed that the turnout was above and beyond what had been expected. Indeed, at one point I conversed with an individual who had travelled from Botany, which indicated to me just how far interest in the day's events had spread.

The mosque is a beautiful and impressive sight, with its ornate spirals and artwork eliciting a great deal of appreciation and admiration from the many who were gathered. There was much discussion about religious traditions, rituals and practices and it was clear that participants were truly curious and open to understanding the ways and values of a faith other than their own. I was most pleased with how well the event had gone and I felt moved by the spirit of warmth, friendship and goodwill that became so evident. Upon reflection, I resolved to speak on this matter in the House as a way of honouring and recognising the good work of the mosque as well as highlighting an issue that is in my view of paramount importance to my electorate and, beyond that, to the people of New South Wales.

Over the past several decades the face of our nation has changed as immigration patterns have shifted away from the continent of Europe and across the face of the Middle East, Africa and Asia. Along with that change has come an unprecedented wave of colour, diversity and richness. This is present everywhere, particularly in my electorate, in the form of the differing styles of clothing, the varieties of smells and tastes in our ever-expanding smorgasbord of restaurants and food shops, and in the central practice of faith and cultural tradition we see alive in places of worship, community centres, festivals and the like. Variety is indeed the spice of life and nowhere is there more opportunity to enjoy, indulge and fascinate oneself than in our great State—and this indeed is the essence and beauty of multiculturalism.

But let us not fool ourselves, for it would be a mistake to think that the unity, tolerance and understanding that the Premier passionately calls for can be achieved merely by dining in restaurants, exchanging pleasantries, and permitting people to practice their faith. Deep within the human heart dwells the tendency to harbour suspicion, prejudice and ignorance of that which is foreign and beyond the reach of one's experience and understanding. Unlike earlier immigrants from Europe, our latest arrivals from the Middle East, Africa, and the Muslim countries of Asia are in some respect seemingly more different. For example, the proliferation of Islamic dress and religious practice—particularly the more pious variety—is a relatively new and little understood reality of our newly evolving society. In that vacuum of information and social interplay lies a grave concern. Media pressure and focus in the aftermath of September 11 have done much to permeate our society with anxiety, but they have done little to explore and disarm the inevitable backlash of ignorance and misunderstanding.

The decision by the Federal Government to go to war with Iraq in the face of international protest has further compounded this sensitive situation and heightened the perception among many Muslims, particularly those of the Middle Eastern community, that they are being victimised by arrogant, self-interested Western

governments. I have heard and felt this in my electorate as have, I would imagine, other honourable members. We must act to reverse this seemingly growing sense of marginalisation and misunderstanding that has come into effect, and encouraging initiatives like a mosque open day is a good start.

A good amount of emphasis has been placed on respecting and acknowledging that we are all different to some degree, and, as I said, that is a call for celebration. Further, I recognise that some people have their faith as a more central part of their identity, while others have a close bond to their language and tradition—and we must be sensitive to that. However, it is also important to stress that we as a society share a collective identity. Thus, we need to be encouraged to think and act in that frame of mind. The young woman walking down the street in her hijab is my new neighbour, not merely some foreigner in search of a better life.

As a community we must embrace, learn and live together in true intimacy, knowledge, and awareness of one another. That concept is well understood by Imam Yurt. For the past three years Imam Yurt has done much to break down the barriers of misunderstanding and lack of knowledge and instil in their place a burgeoning sense of community and appreciation between Muslims and non-Muslims within my electorate. Again, I commend him, his committee and the workers at the mosque, particularly the social workers, for their efforts. I encourage honourable members to support and perhaps even inspire similar initiatives in their electorates.

HAWKESBURY ELECTORATE ELECTRICITY SUPPLY

Mr STEVEN PRINGLE (Hawkesbury) [5.25 p.m.]: A reliable electricity service in any metropolitan or regional area is surely one of the most basic responsibilities of government. So much of our lifestyle and economy is dependent on it. Unbelievable as it is, the provision of that basic service has become increasingly unreliable in the Hawkesbury electorate, particularly in the suburbs of Dural, Galston, North Richmond, Glenorie and Rouse Hill. Electricity supply is obviously a complex matter. Turning on a light or an appliance is similar to turning on a tap: there has to be enough pressure and those at the end of the line often miss out or have a much-reduced flow. When the voltage drops more than 10 per cent below the required 240 volts a brownout occurs. Often that is worse than a blackout, as it can, and does, burn out motors, including those in fridges and pumps.

Last week I held a series of public forums to discuss the electricity crisis in my area. The exasperated and vocal local audience detailed the extent of the problems in Dural, Galston, Glenorie and Rouse Hill. One Rouse Hill resident complained of a massive 33 blackouts in a mere 39 months. The business audience said that the direct cost ran to thousands of dollars and included lost stock, repair bills, and replacing equipment on a very regular basis. It was pointed out that the indirect cost to the community was incalculable. An example of that was put to the meeting by local resident Greg Lukas, who said:

Imagine if the chicken shop had an unexpected power failure. The rotisseries won't work, the stock for the day would spoil and any cooked chickens cannot be sold by any other way apart from using cash, due to the EFTPOS being shut down. The chance that the refrigerators are broken is fairly high.

A large amount of people would decide to go elsewhere, and, importantly, perhaps on a permanent basis. That would take money out of the pockets of our local employers and employees and cause more congestion on our local roads. The ramifications are clearly huge.

Jeremy Vangersey summed up the inefficient services with a very satirical dig. He said:

It's actually quite nice. It reminds me of my childhood days back in Sri Lanka, no power or sewerage, just burning candles and the smell of poverty.

Residents agreed that the people of Galston had a Third World standard electricity supply, although they were living less than an hour from the centre of Sydney. According to the Western Sydney Regional Organisation of Councils, in the next decade Western Sydney's demand for electricity will increase by 32 per cent and its customers by 24 per cent. Integral Energy estimates that it will cost \$1.6 billion to meet that demand. In Western Sydney, 50 per cent of homes have air-conditioning and the average household energy consumption has doubled. The average Western Sydney home spends \$920 a year on energy, compared with the metropolitan average of \$888.

It disappoints me that the Government's best solution to the electricity supply problem is to increase the tax on energy consumers in peak periods. That is a glaring example of an overregulating and overtaxing government. Another major problem that has been brought up at public meetings in newly developed areas in

particular is that they are being built without adequate transformers to meet supply needs for high-density living and temperature extremes in Western Sydney. Inadequate capacity transformers cannot meet the growing needs of these quickly developing areas. Surely this pretty basic infrastructure could have been adequately catered for. I am concerned to ensure that this Government provides a continuous and reliable electricity service to residents of north-west Sydney. I call on the Minister for Energy and Utilities to ensure that that occurs and to formulate a long-term plan that avoids crises similar to those that are experienced regularly around the world.

GEORGES RIVER COLLEGE, OATLEY CAMPUS, GRADUATION CEREMONY

Mr KEVIN GREENE (Georges River) [5.30 p.m.]: This morning I attended the year 12 graduation ceremony at Georges River College, Oatley campus. Honourable members will remember that Georges River College, Oatley, was opened by our present Speaker, the Hon. John Aquilina, when he was the former Minister for Education and Training, in 2001. John Aquilina, whose vision and tenacity saw the formation of this great educational success, would have been proud of today's gathering. The school principal, Mrs Terry O'Brien, spoke proudly of the 436 year 12 graduates and their contribution to the development of that new school. She brilliantly related the school to a football team, which was relevant in light of the recent grand finals and the current Rugby World Cup. She rightly outlined the school's successes and its developing culture. She focused, importantly, on the school's vision and on its student-based goals.

It was pleasing to see in attendance the other three Georges River College and feeder school principals—Heather Johnson from Peakhurst, Jacqueline Lyons from Penshurst, and Bob Ramsey from Hurstville. I had the privilege of presenting students with graduating certificates and awards. I shared that role with Hurstville City Council Mayor Vince Badalati, District Superintendent Ken Olah, and Ros McLean, the TAFE Head of Studies at Oatley. The Oatley Educational Centre comprises not only the Georges River College campus and the TAFE but also a university facility that has been of great benefit to education in the region. The Georges River College has a strong reputation in performing arts, which was clearly demonstrated by the singing and dancing and by the college band performances. A special presentation was made to eight students who received college blues, and to the school's dux, Lauren Monaghan.

The ceremony was conducted by incoming school captains Alexandria Burns and William Vergios. Their commendable efforts demonstrated that they would handle their new positions with aplomb. Outgoing school captains Sarah Butler and Ali Choker spoke confidently about, and with a great passion for, their school. It was particularly significant that Sarah highlighted the role of the school's teachers. The sincerity of her words indicated the respect in which the teachers and support staff are held and the efforts they displayed in catering for the needs of their students. When Ali thanked his parents for their support it highlighted the commitment that all parents had made to their children's development. Teacher Robert Josephs, who spoke on behalf of staff, clearly demonstrated the relationship that exists between staff and students.

Today's function, which was a resounding success, was a tribute to all those who were involved—teachers, support staff, students, and parents. While this was only the second graduation from the Oatley campus there is no doubt that the school is already firmly embedded in our local community. I was privileged to have been in attendance at the ceremony. I wish all students every success when the Higher School Certificate [HSC] final examinations commence next week. Those best wishes are conveyed to all students in my electorate—students at Kingsgrove High School, Beverly Hills Girls High School, St Ursula's College, Kingsgrove, and Marist College, Kogarah—and to students in schools that are further afield. The HSC is still a significant examination. As was stated earlier today, it is an internationally recognised certificate of excellence.

All students in years 11 and 12 throughout New South Wales have studied hard for the past 13 years—from kindergarten right through the educational system—and particularly over the past nine months. The challenge they face next week is not just for them but also for their parents, their families, and their teachers. I wish all those students every success. They should recognise that the HSC will reward their efforts. However, it is not the be-all and end-all of everything; it is part of the ongoing educational process. In education we endeavour to develop the academic side and the role of the whole person. One thing that was brought home to me today as I attended the Georges River College graduation ceremony was the development and growth of those students. As students from Georges River College and other senior colleges move towards the HSC next week I congratulate them on the work they have put in and I wish them every success.

THE HILLS ELECTORATE WATER RESTRICTIONS

Mr WAYNE MERTON (Baulkham Hills) [5.35 p.m.]: Many residents of The Hills believe they have been unfairly treated by the recent water-use policies introduced by the Carr Government. One issue that concerns residents in my electorate and residents in other parts of the State is the proposal to impose substantial

additional charges on households that use more than 300 kilolitres per year of water, with mooted fees of up to \$5 for each additional kilolitre that is used. My constituent Mr Michael Thomas wrote to the local paper:

The State Government's policy on water usage is bad news for The Hills residents... This is a region of families who will be slugged with significantly higher water costs. It is beyond belief that the policy of Frank Sartor is to allocate my family of six the same amount of water as a household of one. I do not understand why the State Government refuses to increase the supply of water. Unless the Government increases the water supply or somehow reduces the population in the Sydney basin, we can expect to have permanent water restrictions in place...

Slugging families with additional taxes is a poor policy alternative.

I believe that many residents in The Hills hold that view. A family of two adults and three children, a dog, a garden and often a swimming pool could easily use more than 450 kilolitres of water a year. That means that families will be ripped off, with substantial increases in water costs all going to the Carr Government and with no guarantee that that money will be ploughed back to provide better water facilities for Sydney. That is another blow against traditional family homes and gardens in The Hills that are already under threat as a result of the Carr Government's planning policies that, in many instances, force local councils to approve high-density developments against the wishes of local residents.

Another issue that causes me concern is the restriction imposed on residents by the Carr Government to use buckets to wash their cars. In many cases people in The Hills are forced to use their cars for transport to travel to and from work, as there is limited public transport and no rail link. Mr Greg McGovern, another constituent in my electorate, wrote to me in the following terms:

It has been quite obvious of late that the Hills residents have been targeted by the Government and labelled "water wasters". The Hills residents for years as you would be aware, are the typical Australian family. By this comment I mean several children, two cars, a nice house some with pools. We are fortunate that the majority of residents are house proud and whilst living in the "Garden Shire" have nice gardens. These traits I believe make the suburb a desirable place to live.

The main reason in which I write this letter is to express my concerns regarding the current water restrictions that are now in effect. I believe that as a resident of the Hills district we have been singled out by the government and hence I feel although I am only one person, entitled to have my say. Firstly I agree that water restrictions should be enforced for the greater good. I just hope that they are not a short term solution.

There is one issue that annoys me to the point that I have written this letter of concern. For two reasons a couple of years ago I purchased a Karcher Gurney to clean my car and motorbikes with. The first was for the high pressure cleaning and the second to save water. It would appear that our new Utilities Minister Frank Sartor would not know what a Gurney is let alone a bucket and sponge. Since the 1st October 2003 I have been using a bucket to wash my vehicles. I use on average 10 buckets (5 litre bucket) of water to clean my motorcycle. To date I have not washed the car as I am now conscious of the waste of water that the government has forced me to use to clean my vehicle.

Simple maths would indicate that to wash my motorcycle I used 50 litres of water. I have never in my life used this amount of water to wash a motorcycle. The gurney that I am not allowed to use would only use 7.5 litres of water to do the same job.

The brochure for the gurney states:

"In comparison to other cleaning methods, by the use of this unit you save up to 85% of the water otherwise needed".

The letter continued:

Water saving devices are on the market such as the gurney, which is one of many. It annoys me that under these new restrictions I am forced to waste water.

Residents of The Hills are simply asking the Minister to consider carefully the issues of car washing and water conservation. Bucket washing is not necessarily the best option; there are alternatives, and devices such as the gurney unit will conserve water. Residents want the Minister to approach this issue logically. The simplest solution is not necessarily the best. Perhaps the rules could be changed to allow the use of cost-effective devices that conserve water. This resident of The Hills would like to use his buckets of water not on his car but on the Minister.

GIYAALI COMMUNITY GROUP

Mr PETER DRAPER (Tamworth) [5.40 p.m.]: I speak today about an initiative of NSW Police in the north of the State to improve the future of the underprivileged and of young people who find themselves being drawn into a life of crime. The Giyaali Community Group is the brainchild of Oxley Local Area Commander, Superintendent Tony Jefferson, and was established when Superintendent Jefferson was posted in Walgett. I fully support Commander Jefferson in his efforts to establish this important initiative in the electorate of

Tamworth. Years of research have revealed that in the majority of cases young people are led to a life of crime as a result of one or more factors, including low self-esteem, a dysfunctional home environment, family violence or perhaps childhood trauma. Therefore, by reducing the level of exposure to such events we can better tackle the root of youth crime. That is what the Giyaali Community Group sets out to do.

The group was first established in Walgett to provide support, advice and guidance to Aboriginal families and young people who are experiencing health, academic or cultural difficulties and who may be displaying behaviours that could lead them into the criminal justice system. The charter of the Giyaali Community Group clearly sets out its aims: to offer advice and guidance to families and young people and to assist in reinforcing and promoting a secure family environment. The group comprises community members who have skills in, and knowledge of, different sectors of the community—such as medical services, community development and education, legal services and violence prevention services—and includes police, school representatives and elders from within the Aboriginal communities. Together these members are able to provide most of the services needed to help individuals realise a brighter future.

In Walgett the group ran a number of programs to improve the self-respect of individuals. These programs sought to improve self-esteem, develop cultural appreciation and provide drug and alcohol education, sex education and work experience. All programs proved successful over time. The Oxley Local Area Command, under Superintendent Tony Jefferson, now wants to establish the Giyaali Community Group in our area in order to "implement a network of supportive and positive relationships among children, parents and families, social institutions and all community members."

There is no doubt that such relationships will take time to develop but the hope is that, once such relationships are established and strengthened, they will improve a community's ability to meet the material, emotional, physical, mental and spiritual needs of all its members. In that way we can help people within our communities to create opportunities for themselves. According to Superintendent Tony Jefferson, the Walgett group has had great success: it has reduced crime, violence and anti-social behaviour within the community. Centrelink issued a media release in July last year quoting Tracie Fields, an active member of the Giyaali Community Group in Lightning Ridge. Ms Fields said:

The Giyaali Community Group has been a great success and I'm really pleased to be involved in such an innovative project. I think a community panel is much less intimidating for kids than facing formal authorities and I hope they see people like me as someone they can come to for advice on study or finding a job.

This project has had a primary focus on the Aboriginal communities within Walgett, and it would play a similar role across the Tamworth electorate. This group aims to support young Aboriginals within our society and to promote cultural awareness, education, life skills, a healthy lifestyle and, through all this, alternatives to crime. By improving self-esteem and self-respect we can improve the future for our younger generations.

I have asked the Minister for Police to consider granting additional funding for the Oxley Local Area Command to make this vision a reality. We have here a real opportunity for the electorate of Tamworth. In Walgett the Giyaali Community Group proved a success and there is absolutely no reason why it will not work in my electorate. The New South Wales Government has an opportunity to improve the future for younger generations, especially for our indigenous youth. At a time when many underprivileged groups feel that they are being ignored by all levels of government, the Giyaali Community Group could herald the start of new co-operation between all groups in our community. I urge the Government to provide suitable funding so that this initiative can be established in communities throughout the electorate of Tamworth. With financial support from the Government we can begin to build a better future for all our young people, especially our indigenous youth.

PUBLIC LIABILITY INSURANCE

Mr ROBERT OAKESHOTT (Port Macquarie) [5.45 p.m.]: I wish to refer to insurance for sporting and community groups, not only in my role as a member of Parliament but as a patrol captain and fund-raising officer for the Port Macquarie Surf Life Saving Club. I spent last weekend patrolling on Sunday afternoon and then attending a surf club meeting in the evening. I was once again struck by how this excellent volunteer, community-based organisation is surviving despite the lack of support from government and the insurance industry. As has been reported in the local newspaper, the club's public insurance bill has increased by 150 per cent in just 12 months, although not a single claim has been made against it. However, it was not reported that the club sought quotes from 10 companies, seven of which said that they no longer offered insurance for surf club halls. Two of the three companies that provided quotes cited figures that were through the roof. If one

scrolls through the list of companies that no longer want to be associated with surf clubs one can see the names of companies that have delivered record profits to their shareholders in the past 12 months.

The increase in the public liability insurance premium for the surf club hall comes on the back of other insurance increases for surf clubs—just one year's insurance cover has effectively halved the money in my local surf club's bank account. The cost is clearly unsustainable. I have spoken in the past about good Samaritan legislation, and I raise it again now for the Government's consideration. When volunteers—whether they be members of a surf club, the State Emergency Service [SES] or the like—act in the community interest and perform to the best of their ability on behalf of the community I believe there is a strong argument for enacting legislation to protect those good Samaritans from legal claims arising from the role that they are performing for the broader good of the community.

I understand that the Government may introduce legislation to protect front-line police officers from legal action arising from incidents that occur when they are on duty. If that is true, I strongly urge the Government to consider expanding the legislation to volunteer movements such as surf-lifesaving clubs and the SES. I understand that good Samaritan legislation exists in other jurisdictions, including some States of the United States of America. While we should not necessarily use those regimes as a guide, the precedent has been set and their experience could assist us with any drafting issues. I therefore ask the Government to consider protecting volunteers who act in good faith on the community's behalf.

On a related matter, I am concerned at the lack of movement in the insurance market regarding reforms passed by this Parliament to make insurance available for many activities in New South Wales. I represent an area with a high dependence on tourism and leisure activities and I refer particularly to the lack of insurance options for many recreational and tourism activities and extreme and contact sports. I hear all too regularly that tourism operators are relying on overseas insurers because they simply cannot get an Australian insurer. I think it is fair to say that many New South Wales businesses are praying, with fingers crossed, that their insurance policies will not be tested in court. The reforms that were passed by Parliament last year in an effort to entice the insurance market to be thoughtful to small businesses in New South Wales have in many cases failed to prompt insurance companies to fulfil their part of the bargain. Therefore, although I supported the legislation at the time, I must admit that it has failed. For example, I am told that only a few centres in New South Wales now offer black-belt martial arts courses because it is so difficult to secure insurance cover for contact sports.

I therefore ask the House and the Government to revisit this matter urgently. As so many honourable members have said over the past few years about the insurance crisis, limiting the range of activities local communities can be involved in limits community life. There is a clash between problems such as an obesity epidemic and an insurance crisis. We can start to address both by making insurance options more readily available and more affordable and, thereby, encouraging growth in community life and activity. Not only do I seek the Government's support for the development of good Samaritan legislation for the protection of volunteer workers in New South Wales, I also ask the Government to revisit possible further reforms to assist communities to function properly.

Private members' statements noted.

[Madam Acting-Speaker (Ms Marie Andrews) left the chair at 5.50 p.m. The House resumed at 7.30 p.m.]

EVIDENCE LEGISLATION AMENDMENT (ACCUSED CHILD DETAINEES) BILL

Second Reading

Debate resumed from 19 September.

Mr ANDREW TINK (Epping) [7.30 p.m.]: The Coalition does not oppose this bill, the purpose of which is to extend to accused child detainees audio and audio-visual links legislation that currently applies to adults. It is important that a presumption will remain in place in favour of the physical attendance at court of children in custody. However, there is provision also for the court to order a child to appear by a way of an audio-visual link in certain circumstances. Those circumstances are said to include proceedings involving bail reviews, parole matters, mentions to confirm hearing dates, adjournments for the prosecution to reply to defence representations and mentions to review youth justice conferencing outcome plans. In one sense the circumstances foreshadowed are at the lower end of the scale from a hearing point of view.

In that list there are some matters of potential importance that should require the attendance of a child, and it is important that flexibility is available. For example, it may be important to have a child present at youth justice conferencing outcome plans so that he or she can fully understand and be engaged in the conferencing process. There have been regrettable instances recently—although they did not necessarily involve children—that are constant reminders of the critical nature of bail and parole reviews. I note that the amendments are to be trialled and evaluated after 12 to 18 months, and that the rules will be finalised following further consultation with input from the Children's Court Advisory Committee. As I understand it, once this legislation is passed by Parliament it will not become immediately operational but will be delayed so that that consultation can take place. I have spoken to the Children's Court magistrates and to the Law Society about this legislation and they have no problems with it. On that basis, the Coalition has no concerns about the bill and does not oppose it.

Mr BOB DEBUS (Blue Mountains—Attorney General, and Minister for the Environment) [7.35 p.m.], in reply: I thank the honourable member for his support for the bill. The bill amends the Evidence (Audio and Visual Links) Act 1988 to provide for the use of audio-visual links by accused children in custody. The amendments will resolve the continuing uncertainty about the application of the Evidence (Audio and Audio Visual Links) Act by creating a presumption in favour of physical attendance at court by children in custody, but providing for the court to order that a child appear by way of audio-visual link in certain circumstances. That was explained in the second reading speech and has been enunciated again by the honourable member for Epping.

The amendments will achieve an appropriate balance in recognising the principle that children in custody are more vulnerable than adults in custody, while at the same time expressly allowing for magistrates to order the use of audio-visual links where appropriate. The amendments reflect the Government's continuing commitment to facilitate the appropriate use of audio and audio-visual technology in New South Wales courts. The purpose of the continued expansion and use of that technology is, of course, not only to facilitate, in some circumstances, the easy dispatch of particular matters but also—and more often this is the most significant matter—to reduce the risk and the costs associated with escorting, transporting and holding people who are in custody and at the same time reducing the stress upon those people. This bill is a small but still a significant improvement in the law applying to the implementation and administration of the system of criminal justice in this State. I commend it to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

COMMUNITY RELATIONS COMMISSION AND PRINCIPLES OF MULTICULTURALISM AMENDMENT BILL

Second Reading

Debate resumed from 19 September.

Ms GLADYS BEREJIKLIAN (Willoughby) [7.39 p.m.]: I speak on behalf of the Coalition on the Community Relations Commission and Principles of Multiculturalism Amendment Bill. I state at the outset that the Coalition will not oppose the bill. However, I would like the Government to address in reply some issues that I shall shortly outline. The first of the three objectives of the bill is to increase from nine to eleven the maximum number of commissioners that may constitute the Community Relations Commission of New South Wales. The second of those objectives is to provide that two of the commissioners are to be persons who are appointed as representatives of youth from New South Wales who are not less than 18 years of age and not more than 24 years of age at the time of their employment. I regard the addition of two additional commissioners specifically dedicated as youth representatives to be a critical and imperative addition. However, I am concerned at the inflexibility proposed by the bill regarding the upper age restrictions at the time of employment of the two youth commissioners.

I take this opportunity to refer to the main objectives of the Community Relations Commission as set out in section 13 of the Community Relations Commission and Principles of Multiculturalism Act 2000. Those are as follows: first, participation of the people of New South Wales in community life and the public decision-making process, so that they can exercise their rights and fulfil their obligations; second, access to government and community services that is equitable and that has regard to the linguistic, religious, racial and ethnic diversity of the people of New South Wales; third, the promotion of a cohesive and harmonious multicultural

society with mutual respect for and understanding of cultural diversity; fourth, the enrichment of all sections of society through the benefits of cultural diversity; fifth, the promotion of the principles of multiculturalism and the advantages of a multicultural society; and, sixth, the promotion of social justice, community development and community initiatives for ethnic communities in New South Wales.

Given the emphasis that the Community Relations Commission's objectives place on recognition of the diversity of Australia's multicultural community, I believe that there needs to be greater flexibility in allowing prospective youth workers to be more than 24 years of age at the time of their employment. Many of the issues that the youth commissioners will deal with will be complex and difficult, especially those involving conflict mediation and difficulties between young people and their parents. Therefore, I believe that the bill should place greater emphasis on describing the areas of expertise that the youth commissioners should have, as opposed to imposing unnecessary age restrictions. Furthermore, the way that different ethnic communities define "youth" also varies. Whilst peer affinity is naturally an important and integral component of providing assistance to young people in need, the quality of service able to be provided and the empathy displayed are more critical. Again, I regard the upper age limit requirement as unnecessarily inflexible. I would like to hear the Government's reason for imposing this upper age limit, as the rationale for this specific policy was, unfortunately, absent from the second reading speech.

I regret also that the Government did not outline some general principles that it would like to have adhered to when selecting the new youth commissioners. For instance, what are the minimum qualifications required and what are the preferred areas of expertise? Also, what will be the relationship between the youth commissioners and the current youth liaison teams that are in operation? Again, those matters were not outlined in the second reading speech and they warrant an explanation in the Minister's reply. It would be appropriate for the Government to outline its views on those specific matters given the important role and the magnitude of responsibilities that those new commissioners will have.

The third purpose of the bill is to confirm that the function of the commission to provide interpreter or other services approved by the Minister for Citizenship extends to the commission's provision of such services outside New South Wales. The second reading speech states that this is particularly important in ensuring that the commission has the power to market its community media review as a service to promote a better understanding of our culturally diverse community. But nothing beyond that is stated. I would, therefore, ask the Minister to provide some more specific information in reply as to what its specific intent is in this regard. I conclude by reiterating that the Opposition will not oppose the bill, but I would ask the Government to respond to the concerns and issues I have raised.

Ms VIRGINIA JUDGE (Strathfield) [7.44 p.m.]: I support the Community Relations Commission and Principles of Multiculturalism Amendment Bill. The basic purpose of the Community Relations Commission as originally established was to ensure recognition of the rights of people from different ethnic backgrounds, to give those people the opportunity to participate fully in the diverse range of community activities and to enable them to become equal members of the Australian community. Indeed, only on Sunday of last weekend I was invited to participate in events celebrating the cultures of the people of Ashfield, which is part of the electorate of Strathfield. I thought it was absolutely marvellous that I was part of a celebration of the wonderful, unique and diverse cultures that make up the electorate that I have the privilege and honour to represent.

I believe I represent one of the most culturally diverse seats in the State. Some 67 per cent of the people in my electorate have at least one parent who was born overseas. Homebush has a wonderful Tamil-speaking community of Sri Lankan background. Many people of Korean background are resident in the Strathfield and Burwood areas. Many people from mainland China and Cantonese-speaking people from Hong Kong have settled in the Strathfield electorate. Of course, many others came here after the war—people with Italian and Greek backgrounds, as well as those of European descent. Therefore, it is important that those people have the opportunity to participate fully in the activities of their communities, particularly when they have taken out citizenship.

The Community Relations Commission supports community development and growth and aims to address community needs. It has a media monitoring system in place to allow government and members of Parliament to know what the community thinks on particular issues. The commission takes part in public debates, investigates areas of concern within the community, and publishes findings. It provides interpreting and translation services for customers of New South Wales government agencies, and those services are provided in 80 different languages. It has created regional advisory councils to report on matters affecting specific regions of the State.

The objectives of the Community Relations Commission were to enable people from non-English speaking backgrounds to participate fully in community life so that they can exercise their rights and fulfil their corresponding obligations. The commission enables access to government and community services that is equitable and has regard to the linguistic, religious, racial and ethnic diversity of the people of our State. It promotes a cohesive and harmonious multicultural society, with mutual respect for and understanding of cultural diversity. It enriches all sections of our society through the benefits of cultural diversity. This was, as I said, demonstrated by the recent Carnival of Cultures, which I had the great privilege of attending on the weekend in Ashfield. And, of course, it promotes the principles of multiculturalism and the advantages of living in a multicultural society.

Recently I was talking to one of my daughters who had just returned from a trip overseas with her fellow students in year 11. Those lucky young girls had travelled on a history tour to Greece and Italy. On the aeroplane one of my daughter's friends sat next to an American tourist, who saw all her classmates and said, "Obviously these people are from India, Korea and so on." He said to my daughter's friend, "Is this a Kon-Tiki tour? Obviously, these people are from all round the world." My daughter's friend replied, "No, we are Australians. We are from Australia." He said, "I didn't know that is what Australians looked like." So here we are teaching Americans about multiculturalism. It has to be one of the great success stories of the world that our country has the capacity to be inclusive and involve everyone.

From early in the history of our nation, apart from the wonderful histories and stories of our indigenous Australians—the wonderful tapestry of the Dreamtime—wave upon wave of newcomers have built our great nation. It is the history of a people who have been open, tolerant and accepting. There are still a few flaws. Reconciliation is one of a number of areas we need to examine and redress. We must say sorry to our indigenous Australians and never forget our past wrongs. The abuse of human rights in detention centres is another concern. It is interesting to note that our detention centres are out of sight and out of mind so that we do not have to face up to what is happening to women and young children. Previously the international community held us in high esteem for our treatment of fellow human beings and respect for their human rights, but that perception has changed. I am very pleased to be a part of a Government that promotes multiculturalism in all its forms. It is not just tolerating another culture—that is only the first step—it is accepting other cultures and making them a part of our family. I commend the bill to the House.

Ms LINDA BURNEY (Canterbury) [7.51 p.m.]: I support the bill. As the honourable member for Willoughby said, the Opposition will support the bill. She has asked a number of questions, which I will attempt to answer. As previous speakers have said, the essence of the bill is to increase the number of commissioners that constitute the Community Relations Commission from 9 to 11 by the addition of two young people. In response to the honourable member for Willoughby, I point out that the young people must be between the ages of 18 and 24 when they are appointed. That was the age determined for people to be appointed to the commission, and it is a good decision. Depending on how long they serve on the commission, they may serve past the age of 24. I have been involved in a number of organisations that have increased the youth age to 30, but it strikes me that anyone who is 30 is no longer a youth. The bill will provide an opportunity for the commission to act outside of New South Wales, including the media review that is currently restricted to New South Wales.

This non-controversial legislation is made up of extraordinarily simple and sensible suggestions. I am sure that every person in this Chamber has uttered the rhetoric "Kids are our future. They are our investment." But we must accept that often we do not provide spaces or places for the voice of young people. Adding two young people to the commission will strengthen it, provide it with a broader focus and ensure that its decisions reflect the needs of young people from the many cultures that make up Australia. The bill was a pre-election commitment of the Carr Labor Government. It also builds on the commitment of the Government to try to ensure that young people are represented on all significant boards and many decision-making bodies within the State.

The previous speaker referred to the objectives of the commission, and, other than highlighting a couple of points, I will not take up the time of the Chamber by going over them. The objectives of the commission are to provide access to government and community services in an equitable way for people from linguistically, religiously and ethnically diverse backgrounds; promote a cohesive and harmonious society within our State; and, most importantly, promote social justice, community development and community initiatives for ethnic communities in New South Wales. Many people in this Chamber, including me, are responsible to electorates that have an enormous diversity. The electorate of Liverpool certainly fits that criterion. The honourable member for Willoughby also has a very diverse community within her electorate.

It is pleasing to note that both sides of the House regard this as a sensible bill that builds on what is happening in many of our electorates through the Community Solutions program, including the Arabic Youth Strategy and the Pacific Islander Youth Project that are currently operating in a number of electorates within the State. The programs are aimed at giving a voice to young people from diverse backgrounds who feel extraordinarily marginalised. They have often expressed to me, and no doubt to other members of this Chamber, that they do not believe their voices are being heard. Governments across the country, not just this State, must take seriously the needs and aspirations of young people from diverse backgrounds.

When we think about the history of this country, which is essentially made up of the original people followed by four waves of migration, we can understand that the very essence of Australia is made up of people who chose to leave their country, or who were forced and had no choice but to leave their country to come to Australia. Surely, that is the future of this nation. I am always amazed that, as a nation, we have difficulty in coming to terms with this wonderful country that is made up of various waves of migration. The needs and aspirations of young people from diverse backgrounds cover some of the points I will close with.

We must understand that children or young people who come from a background where English is not their first language often come into this country as first-generation migrants. They experience an enormous challenge and clash with the values of their family, and their family is under huge pressure to come to terms with the pressure their children are under and the values to which they are being exposed. If any organisation needs the voice of young people it is the Community Relations Commission. Some of the challenges for young people—linguistically, ethnically or culturally—are working out the value system in Australia, working through the values of their home countries and trying to find a place for themselves, which is difficult for any young person but more of a challenge for these young people. Whether we like it or not society is racist towards and ignorant about many of these young people and the groups they come from.

Young people who are appointed as members of the commission will have an opportunity to be involved in designing programs and applying them to other young people. The educational challenges faced by young people are enormous. The activities that are available to meet the needs of young people are very limited. The young face enormous challenges stemming from language barriers, health and sexual health issues, and the marriage of those issues with their family culture and youth culture. They also endure transport difficulties. The list of issues confronting young people could be as long as one wants to make it.

I make the extraordinarily important point that people should think about what it was like for them when they were young. They should think about the issues that they faced as teenagers going into adulthood, such as trying to find their place and working out who and what they were. Just imagine the pressures faced by a young Islamic man who came to Australia with his family as a young child. Imagine the juxtaposition of cultures and the pressures that confront such a young person. Surely the Community Relations Commission is a body that needs to hear the voice of young people. The honourable member for Willoughby asked about the qualifications of young people as members of the commission and about how they will be chosen. My understanding is that people who are members of the Community Relations Commission are chosen through a process based on the organisations and communities they represent. There will be no difference in the criteria applied to young people for selection as members of the Community Relations Commission and the criteria applied to other members.

I do not wish to detract from an examination of the pressures faced by young people from diverse backgrounds, but we should also think about the pressures experienced by all young people throughout our society. No previous generation has come under the sorts of pressures and challenges currently faced by young people. I have two teenagers, so I am not talking through my hat. I am aware of the pulls and pressures that young people have to face. When I think about the pace of change over the past 40 years on this planet, about the pressures created by technological change, about the employment pressures experienced by young people, the increasing challenge of getting into university, the casualisation of employment, the pressures of having to dress in the right clothes and have the right phone, I also think about the impact of those pressures on poor families and recently arrived migrants. I begin to understand the absolute need for young people to have a voice not just on the Community Relations Commission but on various other decision-making bodies in New South Wales.

During the recent State election campaign, the biggest message I received from the young people of Canterbury, particularly when I stood at the Canterbury railway station very early in the mornings—and I remind honourable members that Canterbury has constituents of at least 130 nationalities—was that there is no place where young people can have their say. Young people told me that adults and members of Parliament—

people who make decisions—do not listen to them. We tell young people that they are important, that they are the future of this nation and that we treasure them, but when it actually comes to putting the rhetoric into action, the rhetoric turns out to be pretty hollow. I appreciate that this bill is supported by both sides of the House. I remind honourable members that as long as we say that children are our future, we must work to make that a reality. By adding two young people to the membership of the Community Relations Commission, collectively we will be putting some of the rhetoric into practice.

I commend the bill to honourable members and remind them of the pressures that young people are under in society. Added to those pressures are the cultural diversity, language, racism and ignorance that exist in Australian society, the fact that many young people feel that they are voiceless and the fact that many young people from diverse backgrounds make up a large part of the people involved in our juvenile justice system. It is extraordinarily important that honourable members support the appointment of two young people to the Community Relations Commission.

Mrs BARBARA PERRY (Auburn) [8.06 p.m.]: As rightly pointed out by the honourable member for Newcastle, this bill honours an important pre-election promise by the Carr Government to appoint as a commissioner of the Community Relations Commission a youth representative of culturally and linguistically diverse communities in New South Wales. This amending bill also seeks to appoint another commissioner—a young person in addition to the one promised—to bring the total membership of the commission from nine to 11. As chair of the Committee on Children and Young People, I am delighted to notice the promotion of young people to such a significant body as the Community Relations Commission, whose head, Stepan Kerkyasharian, has done much in New South Wales and Australia to advance multiculturalism in our community. In so doing, he has promoted harmony and has encouraged us to value and celebrate our diversity.

This bill is a reflection of this Government's deepening relationship with the youth of this State, as already evidenced in the Youth Partnership with Arabic Speaking and Pacific Islanders initiative, as well as the affirmation of this Government's belief that our youth do much to contribute to society and represent an important voice to be taken into consideration. An example of the evidence of merit and value of what our youth have to say and the excellence of youth initiatives can be found in the 2002 win of the social justice category of the Premiers Public Sector Awards by the Youth Partnership with Arabic Speaking Communities initiative. As I have done in this House on previous occasions, I pay a tribute to those who have made the program the success that it is, particularly in my electorate, namely Nada Nasser, John Choiefate, Dr Jamal Rifi, Randa Kattan and many others. I also pay a tribute to the youth who formed, as part of that initiative, the implementation group and who have also worked very hard as part of youth liaison teams which visit various electorates, shopping centres and train stations to redirect troubled youth towards various Government initiatives.

Our youth are primed to play a very crucial role in enhancing the quality and passion of participation by the people of New South Wales in community life, especially in the decision-making process. I wish to add to some of the reasons stated so passionately by my colleague the honourable member of Canterbury my own reasons for representation of youth. Firstly, young people are uniquely placed to participate in society with their ability to most effectively communicate and understand the aspirations of their peers. Secondly, within multicultural communities, youth have the advantage of having been raised in this country, and their familiarity with language, culture and political machinations help to form a bridge between the more elderly members of their communities, the wider community and the Government.

Greater youth participation will encourage acceptance of the reality that young people have a voice that is being heard and respected, and that will result in a diminution in feelings of marginalisation and a greater incentive for youth to be involved in worthwhile and constructive political, social and cultural discourse and activities. Youth, it could be said, are more susceptible to feelings of isolation and misperceptions about how they are treated and viewed by society, particularly in respect to the recent war in Iraq, the war on terror, and the feeling amongst some Middle Eastern communities and Muslims—and I know of many in my electorate—who feel that they are being victimised.

That misperception can be combated by widening the involvement, contribution and voice of our youth so as to address problematic thinking before it takes hold. The New South Wales State Labor Government is renowned for its innovation and commitment to the needs and aspirations of its diverse people. The pages of Labor's citizenship policy "Promoting Harmony, Valuing Diversity" sets out the initiatives planned by the Carr Government to address the complexities of governing a multicultural society in the future. The policy is underpinned by principles that stand, as never before in the history of any State, enshrined in law.

New South Wales is the first State to enshrine the principles of multiculturalism in law—a reflection of the Government's commitment to its diverse people. Every day the principles enshrined in the Act are at work, particularly in my electorate of Auburn in which more than 120 cultures are represented. The electorates of Auburn, Bankstown, Fairfield and Willoughby contain the most diverse cultures in New South Wales. The Act is working in my area because of the commitment of people in every neighbourhood and of organisations such as the Auburn Neighbourhood Community Aid, the Chester Hill Neighbourhood Centre, and the Bhanin Association, which has an emphasis on the needs of youth. Recently the association was given a grant by the Arabic Youth Partnership Program in relation to the Shifa initiative. Other committed organisations include the Meryatah Charitable Association, the Turkish Welfare Association, the Australian Alevi Cultural Centre and the Auburn Migrant Resource Centre, to name a few.

Within those organisations committed people work extremely hard to make the principles of multiculturalism work, to bridge the gap. Earlier today I spoke about the Turkish Gallipoli Mosque open day. I spoke about the work of Imam Yurt in bridging the cultural, social and religious gaps, as he has done for the past three years. That is what multiculturalism is all about! Recently Auburn Council ran its second successful Auburn Street Festival. More than 50,000 people attended. The sea of faces, the sea of colour and the sea of different cultural experiences at that festival were incredible. I congratulate Auburn Council and all its councillors on leading the community in that way.

It is one of my proudest moments to support a bill that seeks an affirmation of the voice of young people. I agree with the honourable member for Canterbury that as members of Parliament we have to take notice of young people and listen to them, as we did at the recent Alcohol Summit when a group of young people had a very prominent voice. That is something that the Committee on Children and Young People, of which I am chair, is at pains to do. I am proud to be associated with this bill and with a government that has the foresight and vision to bring forward such legislative amendments.

Mr PAUL LYNCH (Liverpool) [8.15 p.m.]: I support the Community Relations Commission and Principles of Multiculturalism Amendment Bill. The object of the bill is to make a number of amendments to the principal Act. The proposed amendments are:

- (a) to increase (from 9 to 11) the maximum number of commissioners that may constitute the Community Relations Commission of New South Wales,
- (b) to provide that, of the commissioners, 2 to be persons who are appointed as representatives of youth from New South Wales and who are not less than 18, and not more than 24, years of age at the time of their appointment,
- (c) to clarify that the function of the Commission to provide interpreter or other services approved by the Minister for Citizenship extends to the Commission's provision of such services outside New South Wales.

The concept of appointing young people to the commission is very important. It has been said, and it is worth restating, that a large number of young people feel disenfranchised and alienated from our structure and society. At one level the bill is a minor step to address that, but nonetheless it is an important step. It is symbolic that this Parliament feels it is significant to make this amendment. In a practical sense it is useful and important to have the input of young people in the operations of the Community Relations Commission. The principles of multiculturalism, and of the primary Act, are an important part of the society in which we live.

The objectives of the Community Relations Commission, as set out in the principal Act, are the participation of the people of New South Wales in community life and the public decision-making process so that they can exercise their rights and fulfil their obligations; access to government and community services that is equitable and has regard to linguistic, religious, racial and ethnic diversity of the people of New South Wales; promotion of a cohesive and harmonious multicultural society with mutual respect for and understanding of cultural diversity; enrichment of all sections of society through the benefits of cultural diversity; promotion of the principles of multiculturalism and the advantages of a multicultural society; and promotion of social justice, community development and community initiatives for ethnic communities in New South Wales.

The addition of two young people to the commission will help in the implementation of those principles within our society. In a sense there is a level of abstract debate about such discussions: we continue to talk about the principles of multiculturalism and structures we create at a legislative level to assist societies to develop a multicultural society. The truth of the matter is that our society is already multicultural. It does not matter what we say or do in this place, that fact will not change. That is a reflection of our society rather than of some different creation. It is an inevitable and obvious part of the society in which we live. As an example of the sort of society in which we live it is worth noting that currently in Sydney we are in the middle of a Deepavali

Festival, a Hindu festival of lights. On Sunday 12 October a significant function was held at the Fairfield showground, organised by the Hindu Council of New South Wales. Next weekend in the Liverpool area two more functions are to be held, which I will attend. The functions are a reflection of the very significant Indian and Fijian-Indian community that has developed in Sydney.

Liverpool is the centre of the Fijian-Indian community in New South Wales. Members of that community, who fled racist military coups in Fiji, are a great loss to the economy and society of Fiji but a great benefit and advantage to Sydney and, in particular, to south-west Sydney. It is a quite humbling experience to talk to some of those constituents—people who included Fijian Labor Party members of Parliament who were held at gunpoint by Rambuka. It perhaps indicates that the difficulties of being in this place are minor compared with what some of my constituents have gone through. In addition to the Deepavali festival, Ramadan—a significant event—will soon be celebrated. That event is significant in my community not just for the Lebanese community but also for the Palestinian, Kurdish and Turkish communities, all of which are significantly represented in Liverpool and have organisations and institutions there.

Recently, significant Chilean events were held in Liverpool, in south-west Sydney, and in Sydney generally. Of course, 11 September was the thirtieth anniversary of the coup against Allende, his murder and the installation of Pinochet. That resulted in the holding of a number of events in Liverpool and in other parts of Sydney. Fittingly enough, 28 September saw the unveiling of a statue of Salvador Allende, one of the great leaders of twentieth century politics in the world, not just in Chile. That followed the Chile National Day celebrations that were held about a month ago, some of which were organised by the Cobreloa Soccer Club and the Colo-Colo Soccer Club in the Liverpool and Fairfield areas. I could go on at length referring to these sorts of events and to the communities in south-west Sydney. I briefly mentioned some of them to emphasise that we are living in a genuinely multicultural society. No amount of rhetoric by politicians can change that. What we can and should be doing in this place is introducing legislation such as this to help to build on that sort of structure.

Another community that I want to mention is the quite significant, numerically as well as historically, indigenous community in Liverpool. Gandangara Local Aboriginal Land Council, a significant institution in Liverpool, is well regarded by those who deal with it. Leaving aside our indigenous inhabitants, all of us—either us or our ancestors—came to Australia in the past 200 years. That is an interesting perspective on the morality of the debate about multiculturalism. It is an extraordinary argument to say that because our ancestors came here 100 years ago, we have the right to exclusively determine the cultural and ethnic make-up of our society and all the things that are celebrated and recognised. Apart from our indigenous inhabitants we are pre-eminently a society of migrants: people who moved from one part of the world to another to try to make a better life for themselves and their children. We gather great strength from the diversity that that inevitably produces.

In some ways Liverpool is a classic example of that. It is an incredibly diverse society—more so than most other societies—and it works remarkably well. I am fond of saying that I have freedom fighters from most countries living in my electorate, although one would not be able to tell that from the way in which Liverpool operates. We have gained a great deal of strength and benefit from that diversity and it is something that we should be celebrating. I am delighted to support this amending legislation if in some way it helps to achieve that and allows us to function more efficiently.

Mr KERRY HICKEY (Cessnock—Minister for Mineral Resources) [8.23 p.m.], in reply: I thank the honourable member for Willoughby, the honourable member for Strathfield, the honourable member for Canterbury and the honourable member for Liverpool for their contributions to the debate. The bill will increase the number of commissioners on the Community Relations Commission from 9 to 11 to provide two positions for youth. The New South Wales youth policy 2002-06 usually defines young people as being aged up to 24 years. The bill provides flexibility, as long as the young people are not older than 24 years of age at the time of their appointment. The appointments of the commissioners are effectively statutory appointments by the Executive Council on the recommendation of the responsible Minister. We want to have the best young people in the State representing youth on the Community Relations Commission. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (PENALTIES) BILL**Second Reading****Debate resumed from 19 September.**

Mr ADRIAN PICCOLI (Murrumbidgee) [8.26 p.m.]: The Opposition does not oppose the Prevention of Cruelty to Animals Amendment (Penalties) Bill, which follows from the Government's pre-election commitment to better care for pets and wildlife. The proposed amendments will ensure that individuals and corporations that commit serious offences of animal cruelty will face tougher penalties. This legislation has been a long time coming. The last Prevention of Cruelty to Animals Amendment Bill was introduced by the Government in 1997. Although it included a number of sensible initiatives to improve the welfare of animals, offenders are continuing to treat animals with atrocious brutality.

The Prevention of Cruelty to Animals Act is the principal Act that deals with a broad range of animal welfare matters. The objects of the Act are to prevent animal cruelty and to promote the welfare of animals by requiring a person in charge of an animal to provide care for the animal in a humane manner and to ensure the welfare of that animal. A person who is responsible for a pet has to train it, treat it with care and affection, and provide it with the basics of shelter, good nutrition, microchipping, veterinary care, and exercise. While the Opposition does not oppose the legislation it is dubious about how effective these tougher penalties will be in reducing the incidence of serious offences under the Act.

A better—albeit more difficult—way for the Government to reduce animal cruelty would have been to put more funding and resources into community education to promote animal welfare and to ensure that animal cruelty is avoided in the first place. Animal cruelty and animal welfare are not mutually exclusive. The Prevention of Cruelty to Animals Amendment (Penalties) Act prescribes three types of serious offences. Under section 6 a serious offence is an act of aggravated cruelty by which an animal that has been cruelly treated is killed, deformed or seriously disabled, or is left in such a condition that it would be cruel to keep it alive.

Under section 15 the administration of a poison or other bait to a domestic animal, and the possession of poison with the intention of using it to injure or kill a domestic animal, are deemed to be serious offences. Under section 21 of the Act the involvement of a person in any activity in which an animal is chased, caught or confined by a dog, is also deemed to be a serious offence. Sections 6, 15 and 21 of the Act presently provide a maximum penalty of 100 penalty units, or \$11,000, upon the conviction of an individual, and a maximum penalty of 500 penalty units, or \$55,000, upon the conviction of a corporation for offences under those sections. Despite the current level of penalties, offenders continue to treat animals with horrendous cruelty. The bill will double the maximum penalty units prescribed in sections 6, 15 and 21 to 200 penalty units, or \$22,000, for individuals, or two years in gaol, or both.

In respect of penalties committed by corporations, fines will be increased to a maximum penalty of 1,000 penalty units, or \$100,000. The offences prescribed in sections 6, 15 and 21 of the Act are barbaric and inexcusable. The Opposition hopes that the increased penalties will go some way towards deterring the occurrence of such acts. The bill also seeks to increase the jurisdiction of the Local Court so that it can impose penalties of up to \$22,000, avoiding the necessity of taking proceedings for serious offences to the Supreme Court. In 2002-03 the RSPCA throughout Australia received 132,964 animals, an increase of 0.7 per cent on the 132,054 animals received in 2001-02. In New South Wales the RSPCA received an astonishing total of 32,321 animals. In the same year the RSPCA investigated more than 43,000 cruelty complaints and initiated 330 prosecution cases. Nearly 50 per cent of the cruelty complaints and more than 50 per cent of the prosecution cases related to dogs. The huge number of cruelty complaints is of tremendous concern.

It is well known that prevention is better than cure. Although the Opposition does not oppose the bill, we are sceptical of the effectiveness of increased penalties in deterring acts of animal cruelty. As I have said previously, the Opposition would like the Government to increase the funding and resources available to enforcement and community education in order to reduce the incidence of cruelty in the first place. The Opposition has consulted widely with a number of different interest groups and we have received basically the same feedback: organisations such as the New South Wales Farmers Association and the New South Wales Branch of the Australian Veterinary Association believe that education and enforcement are the keys to preventing animal cruelty.

The New South Wales Branch of the Australian Veterinary Association advocates that the allocation of \$1 million a year to the Pet Pep Program would achieve really positive results in reducing acts of animal cruelty. Pet Pep is an investment in socially responsible pet ownership. Lindy Scott, a veterinarian and consultant to the

Australian Veterinary Program on the Pet Pep Program, promotes the notion that responsible pet ownership must be appreciated at an early age if it is to continue in later life. If future generations of animal owners are well informed and responsible for their actions, the common problems of nuisance animals, strays, cruelty, neglect and indifference will be solved.

A cynical approach to the legislation is to say that it will do little to reduce the incidence of animal cruelty. The threat of bigger penalties may cause defendants to fight harder to avoid conviction, with the main beneficiary being the legal profession. In conclusion, serious acts of animal cruelty are sad and inexcusable. While the Opposition would welcome more resources and funding being directed to community animal welfare education and enforcement, we believe that the bill will do more good than harm in reducing incidences of animal cruelty. For that reason we do not oppose it.

Mr ALAN ASHTON (East Hills) [8.32 p.m.]: I thank the honourable member for Murrumbidgee, who led for the Opposition in this debate, for supporting the Prevention of Cruelty to Animals Amendment (Penalties) Bill. Cruelty to animals is as old as history. For as long as we have been around, humans have eaten animals to survive. For thousands of years animals have suffered at the hands of humans. Even as we consider this bill tonight a cockfight is perhaps being organised in some Sydney suburb, or hunting or racing dogs are being blooded on rabbits, as greyhounds used to be. The ancient Romans were entertained by watching wild beasts rip each other apart in the Colosseum. During the Middle Ages popular sports such as bear baiting drew large crowds.

We may excuse such behaviour on the basis that life then was tough for people and that animals were at the very bottom of the chain of existence. If life was short and brutish for humans, it was worse for animals. Bullfights are still incredibly popular in Spain. I watch the news reports on my television and ask myself, "Why are those intelligent Spaniards sitting around a bull ring watching people tormenting drugged bulls with a red cloak—it is literally a case of showing a red rag to a bull—and then stabbing them with swords, not to kill them but to disable them and kill them in another fashion later?" More than 400,000 horses died during World War I in the British Army alone. These animals carried equipment to the front in a conflict that, with the exception of the Turks on the eastern front, involved one group of Christians fighting another group of Christians. Many thousands of Australian horses were sent to that war.

Mr Ian Armstrong: Only one came back.

Mr ALAN ASHTON: The honourable member for Lachlan is correct. Australian soldiers refused to leave their horses overseas to become pack horses or pit horses. They shot them rather than leave them for the British or the French. That was not an act of cruelty; it was an indication of the great love that Australian soldiers, such as the light-horsemen, had for their animals. Even today, dogs are bred to fight to the death for the entertainment of humans. Some people in this country and overseas pay money to watch one dog try to rip another dog's heart out—and they will bet on the outcome. The nobility in such cases lies with the animals, not with the people who organise the dog fights.

The honourable member for Murrumbidgee asked whether doubling the penalties would catch more offenders. Perhaps it will not do so immediately but I hope that more offenders will be caught. There is no point imposing tougher penalties unless we catch people who are viciously cruel to animals. They should bear the full weight of the law. Without bringing the judiciary into this debate—similar issues are often raised in Parliament—when this bill is enacted magistrates will be able to impose a \$22,000 penalty for the most serious animal cruelty offences and such cases will no longer be referred to higher courts. That is one great benefit of this bill.

The media often describe people who have committed terrible crimes as having behaved "worse than animals". Even judges have used that term when sentencing offenders in rape and murder cases. But it is not correct, because animals do not behave like people. Animals kill each other for food or in disputes over territory or relationships, but they do not go to the same extremes as we do. Humans refuse to feed animals, and they treat them cruelly. We often hear that the dog is man's best friend, yet the figures show that half—49 per cent—of all cruelty complaints registered in 2001-02 involved cruelty to dogs. Some 10 per cent of cruelty cases involved cats, 11 per cent involved horses and donkeys—during this time of drought the most caring owner in the world may be unable to care for a starving horse; he does not know when it will rain and when feed will be available—and 15 per cent involved livestock.

The saga of the boatload of 58,000 unwanted sheep evokes pre-Second World War memories of the ship carrying Jews that was refused permission to land at any port. Australians are genuinely concerned about

the condition of those sheep. The future of the live export of sheep to countries that do not put much faith in animals is under threat. That is a great tragedy not only for those animals but also for the farmers who in good faith bred the animals to be properly slaughtered for food. Three per cent of reported cases of cruelty related to birds and 1 per cent to wildlife. Recently some young boys entered a chicken coop and slaughtered hundreds of chickens with a baseball bat. As a former teacher I read stories of children on excursions who decided to get some sticks and club kangaroos to death. I am distraught and amazed that such things occur.

Though I have used it many times and read it more recently, I did not ascribe to Gandhi the saying that we judge a society on how we treat our fellow human beings. Humans are the top level of life on this planet and there is no shortage of evidence throughout history of how we treat each other. I have always thought that we should judge whether we have a progressive and caring society by considering how we treat animals. To that extent I have always found myself in a quandary when I see animals in zoos. I remember that as a child I thought it was terrible that animals were locked up in little cages and could not move more than two or three feet. Fortunately, animals are now well treated at Taronga Park Zoo and the other better zoos of the world. I support zoos because they allow young people to see how beautiful animals are and how important it is to protect them from becoming extinct.

We all know that in many poor countries of the world, people live by trading in ivory from elephants and that that has almost depleted the number of elephants in Africa and Asia. We know that in Australia we have deliberately destroyed the thylacine in Tasmania. We know that many other animals have become extinct simply because no-one understood their habitat. For example, when forests were chopped down and burnt in parts of Indonesia, the orang-outang was threatened—though we understand that Indonesia has to do what it has to do—and the same applies to Brazil, where animals are being killed.

What can we do? The increase in penalties will send a serious message to people that if they mistreat animals the judiciary, hopefully, will apply the maximum penalty or even impose a gaol sentence. If somebody leaves their animal without food or water while they go on holiday they will be fined or perhaps gaoled. I have known people who thought it was sport to throw double bangers at cats and blow them apart. Evidence shows that young people who start out being cruel to animals are often cruel to people later in their life and end up in gaol; they often become the most violent people in our community. I realise that the Government is honouring an election commitment by increasing these penalties. The legislation provides for an individual a possible penalty of two years imprisonment, a monetary penalty of \$22,000, or both, and for corporations \$110,000. Perhaps the message might now get through.

Recent trends in complaints and prosecutions suggest that the existing penalties are not harsh enough to deter potential offenders. I am not convinced, however, that most people who commit major crimes think about the penalties when committing the crime. That is why when police arrest someone, the public should pass on whatever they know about what occurred so that when offenders are brought before the court they will be proven guilty and receive the full weight of the new penalties. I accept the point made by the honourable member for Murrumbidgee, as I am sure all Government members do, that if we simply increase the fine or the gaol sentence a magistrate might decide that the offender did not really mean to commit the crime and is not really bad, and only impose a \$100 fine and a warning not to offend again. Horrific offences are often committed against dogs, cats, other animals and wildlife. We in this country genuinely pride ourselves on having a variety of wildlife that no other country has. I have had approximately five dogs, but I have never purchased one from a breeder for \$700 or \$1,000. My father and I have only ever owned stray dogs than wandered into our place and stayed.

Mr Ian Armstrong: Did it have a collar?

Mr ALAN ASHTON: No it was not somebody else's. It had no collar. In those days one would post notices and make inquiries about stray dogs. One can identify a stray dog that has not been fed for a few weeks. I got my most recent dog from the RSPCA and I never lived down the fact that although my wife wanted a little Maltese dog to cuddle and hold, I got a bull terrier-cattle dog cross. But that is just me. I know that the RSPCA supports this legislation, and many other people have been involved in its formulation. I thank the Opposition for its support, and I urge anybody with a knowledge of cruelty to animals to assist to bring the perpetrators before the courts and prove the case so that the book can be thrown at them. Cases should not be dismissed and offenders allowed to walk free simply because they only involved an animal.

Mr IAN ARMSTRONG (Lachlan) [8.47 p.m.]: I support the Opposition's proposition and the views of my colleagues the honourable member for Murrumbidgee and the Hon. Duncan Gay in the Legislative

Council on this legislation. It is important for this Parliament and honourable members to preserve the animal kingdom with commonsense. I also reinforce the proposition of the honourable member for Murrumbidgee that penalties alone will not entice people to be kinder towards their animals. Education is needed: first as reinforcement for those who are familiar with animals; second for young people who are new to owning animals and perhaps have been given pups or kittens; and third for older people who are very attached to their animals, particularly old dogs that suffer from arthritis and have an ordinary quality of life. Veterinarians also need education in understanding the way young and old people look after their animals.

I declare an interest because I am a patron of a number of dog societies. I am a patron, with others, of all of the kelpie councils or working councils. I am a member of the Royal Agricultural Society's Kennel Club. My wife breeds Australian cattle dogs—I am not too sure who of us actually owns them. At the moment we have a beautiful four-year-old bitch called Yabby who has four beautiful two-week old fat white pups who have just opened their eyes. Over the years I have had a lot of experience with animals, having been a breeder of sheep and now being a breeder of cattle. I have bred a lot of horses. I have been showing stock all of my life. We still show horses. So I have seen and learnt a lot, but I still have a lot more to learn.

Yes, there is a lot of cruelty to animals, some of it through lack of knowledge and ignorance, but most through sheer neglect and lack of understanding. It is no excuse for people who starve animals to claim that they could not afford to buy feed, or forgot to feed their animals and so on. Nor should it ever be an acceptable excuse. On the other hand, I know of many people who had few financial resources of any type, men working in the back country and so forth, who could barely afford to feed themselves yet always fed their dogs and horses.

Over the years, when employing people, particularly on stations for example, the first thing you look for when men or women come for an interview is whether they have pride in their animals. If they have a dog that is obviously well looked after, you can guarantee that six months later your animals will be looked after in the same way they have looked after their dog. But if their dog is full of mange and fleas and is miserable, your dogs and other animals would be like that too six months later, so you do not put that person on. It is called personal pride.

But one owner of animals, probably the largest owner of animals in this State, has a problem that has been exacerbated by acquiring many more animals over the past ten years or so. This morning I read in the newspapers that because of the drought the number of this owner's animals has decreased by about half, the bulk through starvation, but many because they have been hit on our roads. I talk about wallabies and kangaroos—of which there are seven million, this morning's papers tell us, left in New South Wales. In this debate I put forward this simple proposition. If the State, on behalf of the population of New South Wales, acquires the habitat, the breeding grounds and the feeding areas for our native animals, it has a responsibility—the same as you or I or anybody else has for our animals—to maintain those animals. Though we were going through drought no provision at all was made by the State to feed its animals. There were no drought reserves, no hay or grain was stored, and no provision was made for the agistment of those animals. They were left to their own devices.

Mr Thomas George: Many of them consequently went onto private property.

Mr IAN ARMSTRONG: Many did, and that is fair enough. But it is not fair enough to lock up these great reserves of country with these animals on it, encourage those animals to proliferate, yet turn your back on them when times are tough. It would cost an enormous amount of money to provide hay to feed, say, ten or twelve million kangaroos. Nevertheless, I make the point that governments have a responsibility to protect the flora and fauna that they own and control, just as private enterprise has similar responsibilities for the animals it manages. If my property has kangaroos that are starving to death, I have a responsibility to those animals similar to the responsibility I have for cattle or whatever other animals are on my property.

If I could ask for a little latitude while talking about cruelty to animals, one of the most hotly debated arguments in recent decades has been that relating to the tail-docking of certain dogs. As a member of the Royal Show Society Kennel Club, as a former Minister for Agriculture and through my association with other bodies involved with dogs, I have a fundamental knowledge of the argument regarding the docking of tails. It is basically the terriers, gun dogs or short-haired retrieving dogs that traditionally—sometimes for hundreds of years—have been tail-docked. Go to any show in New South Wales or Australia, or probably any show in Europe these days, and you will note that 99 per cent of those dogs still have their tails docked.

Breeders have evolved over the years, probably hundreds of generations, some of the finest examples of skeletal and physical attributes in dog breeds. They have rectified some of the spinal problems that a number

of breeds had many years ago. They have rectified some of the mechanical faults in hip joints, especially in a number of heavier breeds of English dogs. They have bred animals with much better jaw structures—for instance, in the British bulldogs—by introducing genes from other breeds. These are constantly evolving processes to develop dog breeds, some with finer skeletal structures and others with more stamina. I give great credit to the breeders of those dogs. Many of them are fanatical about their dogs, and invest tens of thousand of dollars in their breeding programs. I do not care whether they invest \$10 or \$10,000 in that respect. The same principles apply when it comes to cruelty. But I will say that those sorts of breeders are the last people who would do anything cruel to a dog. They understand the character of their dog breeds better than all of us here, including myself. My knowledge would be miniscule compared to the knowledge possessed by those sorts of breeders.

The Australian Veterinary Association, and its divisions, have for a long time put a case to ban tail-docking. Over the years, whilst the rhetoric has been strong, the association has lacked the facts to support its case. This debate will go on for some time, but, speaking on my own behalf, and I suspect for the majority of members on this side of the House, I would say we have not heard any argument that would give comfort to those who wish to ban tail-docking—providing that docking is done humanely, in accordance with legislation, and is done by people with an expertise in these matters.

At a meeting this morning one of my colleagues said that there are cases of humans being born with a tailbone that had to be cut off. I am not too sure that is right. This was the first time I had heard of it. Harness horses used to have their tails docked at the point where the hair grows from the end of the fleshy part of the tail. That was done to keep those horses clean. In England, some hackney horses and carriage horses still have docked tails. Dairy cows had their tails docked just above the brush to stop the cows from swishing their tails round people while being milked, resulting in faeces being swished onto the people doing the milking. That sort of docking was extremely cruel because the cow could not keep flies off itself. The brush on the cow's tail is used for that purpose. The hair on the tail of the horse is used to protect the horse from flies and other insects. That is why, on a warm day when a lot of insects and flies are about, horses stand parallel, head to tail, swishing their tails to keep flies and insects off the head of the other horse. So the tails of those animals have specific uses, and to dock those tails was wrong.

However, in the case of dogs, particularly short-haired pointers and terriers and breeds of active and fast, highly intelligent dogs that are bred specifically for the purpose of hunting and retrieving, particularly swimming retrievers, over the years the short or stumpy tail has proved to be beneficial. Of course, some breeds of dogs, such as the stumpy-tailed Australian cattle dog, have evolved over the years. Some dogs have been bred without tails, as are some cats, and a number of tailless breeds have been developed. Nevertheless, some breeds, such as cattle dogs, have a tail that they carry very well. It is an important part of the breed. So they should not be interfered with.

I simply say that the legislation is supported in principle, with the reservation that to put the legislation into practice and think the job is done would be wrong—unless it is accompanied by an education program and some continuing involvement of animal owners. That has to be done through the broad public relations machine, through food shops and veterinary contacts, and particular through kennel clubs and dog obedience and training schools. Those are great places to learn about these matters. We in this House must consider how the State will feed its animals—wallabies, kangaroos, marsupials, et cetera—during the next drought, which is inevitable, because we failed in the last drought. We have lost half our stock, and not too many farmers let half their stock die in the last drought.

Ms VIRGINIA JUDGE (Strathfield) [9.00 p.m.]: I support the Prevention of Cruelty to Animals Amendment (Penalties) Bill, the object of which is to amend the Prevention of Cruelty to Animals Act 1979 to increase the maximum penalties for certain offences under that Act, and to enable the recovery of those increased penalties in proceedings in the Local Court. Sections 6, 15 and 21 of the Prevention of Cruelty to Animals Act 1979 are intended to protect animals from the most calculated, sadistic and cruel actions perpetrated against them. Unfortunately, they have not worked sufficiently as a deterrent. Despite the current penalties provided under each section, offenders continue to treat animals with horrendous cruelty.

Animals are defenceless; they are at our mercy and are unable to speak back or defend themselves. I have taken the liberty of accessing a table of statistics for 2001-02 that records complaints of cruelty to animals. It is a disgrace that such statistics exists. Earlier a Government speaker referred to the old saying "being treated worse than animals", but animals would not treat people the way we treat them. It is insulting to animals to compare us to them. The statistics reveal that during 2001-02 the Royal Society for the Prevention of Cruelty to

Animals [RSPCA] in New South Wales received 10,247 complaints of cruelty to dogs, 1,663 complaints of cruelty to cats, 1,793 complaints of cruelty to horses and donkeys, 4,316 complaints of cruelty to livestock, 692 complaints of cruelty to birds, zero complaints of cruelty to wildlife and 4,658 complaints of cruelty to others.

A pie chart reveals that dogs accounted for 49 per cent of complaints of cruelty, cats 10 per cent, horses and donkeys 11 per cent, livestock 15 per cent, birds 3 per cent, wildlife 1 per cent and others 11 per cent. A comparison of complaints and prosecutions over the past five years revealed another interesting pile of statistics. In New South Wales, 23,369 complaints of cruelty were received in 2001-02, 18,831 were received in 2000-01 and 18,833 were received in 1999-2000. It is also interesting to look at media reports. On 13 November 2000 the *Daily Telegraph* reported:

Anger as animal cruelty soars

Almost 140,000 animals were dumped or surrendered to the RSPCA in the past financial year, and thousands of others were subjected to cruelty.

Statistics released by the RSPCA yesterday paint a grim picture for animals across Australia.

"It's a sad indictment of our society that RSPCA inspectors across the country had to carry out more than 47,000 cruelty investigations," RSPCA Australia president Hugh Wirth said.

"More than half of them are related to cruelty to dogs—the animal often referred to as man's best friend."

We should not show gender bias in this Chamber. What about "woman's best friend" or "human's best friend"? The article continued:

Dr Wirth said demand for the country's 81 RSPCA inspectors was ever-increasing, and resources had been stretched beyond their limits.

In the 1999-2000 financial year, 67,204 dogs and 50,485 cats were surrendered or handed in to RSPCA shelters.

The RSPCA had to euthanase more than 57,000 of those animals.

Only a few years ago my family and I went to the local RSPCA to get a dog. The animals in the cages looked absolutely pitiful. I do not classify myself as an animal person. Although I love animals I have never been driven to having a pet, but one of my daughters has. I commend the staff of the RSPCA for the fantastic job they do. The sad thing is that people who take home the cute, fluffy, adorable puppy dog for entertainment for their children and the family do not realise that it will grow bigger and bigger. Perhaps they live in a small townhouse and do not have the necessary space to provide the animal with appropriate exercise every day. Only today I rang my council to speak to the member of the council staff who is in charge of rangers. She told me that it is absolutely terrible that people go off on holidays to the beach or the mountains to relax and enjoy themselves and leave their pets in the backyard without any water or shelter.

Generally, neighbours are annoyed by the constant barking of the poor dog and alert the council to its plight. Often rangers find that animals have been left without water or food. It is an absolute disgrace. It is beyond my comprehension why we treat animals in such a way. It is neglectful to leave animals, particularly during a holiday period. I have also been told that people put their animals in the car, drive as far away as possible from where they live and, as they are moving, open the door and the animal falls out. It is dumped by the wayside. Sadly, it might be run over by a passing vehicle or it is simply left there trying to find its way back to its home. Imagine that little pet limping along, sniffing along the roadway in the dust, absolutely disoriented but trying to find its way home to the people it thinks loves it. An article in the *Sun-Herald* of 5 October 2003 stated:

No end to animal cruelty

The RSPCA received 133,000 lost or abandoned animals last year and investigated nearly 44,000 cruelty complaints.

Releasing the statistics to coincide with World Animal Day, national president Hugh Wirth said the organisation's shelters were generally full.

He said about 50 per cent of cruelty complaints and prosecutions involved the mistreatment of dogs. There were some cases of deliberate cruelty, but much of it was the result of ignorance and irresponsibility.

That proves what I said a few minutes ago. While I was doing my research I contacted a wonderful organisation in my area called *doggierescue.com.au*, that is staffed by 100 volunteers who generously give their time to support lost and abandoned dogs. It is based at 195 Parramatta Road Homebush, premises it shares with the

Homebush Animal Hospital. At the moment the organisation is caring for about 80 dogs in the Parramatta Road premises and the volunteers have taken about 200 dogs into their homes. The organisation has a web page that displays pictures of the various dogs. It is absolutely amazing that in a so-called civilised society, an organisation such as that even has to exist. Its existence is an indictment of the complete lack of ethics and morals in the way some people treat animals. I will read one advertisement for a dog named Garfunkel, who is a Maltese cross:

Garfunkel came from the pound in a sorry state. He was matted and hungry. Garfunkel had lost the vision in his right eye some time ago. A vet check revealed that he is in pain with it and it should be left alone. He is a gentle loving boy. He always wags his tail and is just so appreciative of any love that is bestowed on him. He deserves a loving home for his twilight years. He is calm, quiet and would suit a quiet house... [particularly a home that has] a retired couple. He fits in with whatever is going on and is good in the car. He still has a lot of life left in him. Small dogs often live to 18 years when they are looked after. He is desexed,... and vaccinated...

The advertisement goes on to describe that particular dog further. Another advertisement for a Pomeranian states:

Geordie has been a very badly neglected dog. He came to us with badly matted fur in some patches and very little fur in other parts of his body. His skin was red raw and ears filthy. The poor little boy has had a very sad existence. We are nursing him back to health. This little boy is only about 3 years old.

The dog is referred to as a boy because the animals are treated as though they are human beings—and that is wonderful. It is how animals should be looked after because they are no less than human beings. The advertisement continues:

Geordie needs someone who will nurse him a bit and give him all the TLC that he needs.

We are lucky to have organisations such as *doggierescue.com.au*, but it is sad that we need to have them in the first place. I know of examples of acts of cruelty that have involved RSPCA intervention, including an occasion when an offender was holding a kitten when it scratched him. He became so angry that he decided to punish the kitten for its actions. The person put the kitten in the freezer for 40 minutes, burnt its whiskers, put it in the spin cycle of a washing machine, used an aerosol can as a blowtorch on it and, as if that was not bad enough, threw steak knives at it. Finally he put the kitten on a public road and stoned it to death by smashing its head with a brick. That is absolutely disgusting.

On another occasion an offender beat his dog to death with an iron bar. The female cattle dog's head was badly crushed by the force of the blows. I do not wish to go on because the actions are absolutely disgraceful. It is fortunate that we have a Government that is doing something about such actions, because they are simply not acceptable. If we are to deter such behaviour, we must ensure that offenders who continue to perpetrate acts of serious cruelty against animals face penalties that are commensurate with the seriousness of their crimes. In March this year the Labor Government made a commitment, through its Better Care for Pets and Wildlife campaign, to protect the welfare of our animals. By doubling penalties for serious offenders, the bill does exactly that: it protects our animals.

I will conclude my remarks by reading part of a small poem entitled *They're Almost Human*, written by Jenny Wilson in 2002. The poem is about dogs, which the statistics show account for approximately 50 per cent of the incidents of cruelty.

They forage and fetch; forgive and forget
 They sniff and they snore; they eat and want more
 They beg for their food; they love digging holes
 They lie in the dirt and they sometimes get colds.

They sleep and they dream; they'll work in a team
 They'll trust and they'll stay; they can learn and obey
 They get nervous and cold; they get sick and grow old
 They get scared and they cry; they get dumped and they die.

They get frightened and hurt; just like us, just the same
 Only different because they don't fuss or complain
 They have no expectations; they don't trick or betray
 They're not greedy or mean; they won't judge or dismay.

They don't ask for much, all they want is a home
 With a family to love, a warm bed & a bone
 They are loving and loyal, a friend to the end
 Unconditionally yours, they will guard and defend
 And when dogs know they're special and safe and adored
 They will love you from the bottom of their soft little paws!

I commend the bill to the House.

Ms CLOVER MOORE (Bligh) [9.14 p.m.]: I strongly support this hang-our-heads-in-shame legislation, the Prevention of Cruelty to Animals Amendment (Penalties) Bill, which will double maximum penalties under sections 6, 15 and 21 of the Act. The most serious offences under the Act are acts of aggravated cruelty that result in an animal that has been cruelly treated being killed, deformed or seriously disabled, or is left in such a condition that it would be cruel to keep it alive; administration of a poison or other bait to a domestic animal, and possession of a poison with the intention of using it to injure or kill a domestic animal; and involvement of a person in coursing or any activity where an animal is chased, caught or confined by a dog. The bill will also increase the jurisdiction of the Local Court so that it can impose penalties of up to \$22,000, thereby avoiding the necessity of taking proceedings for serious offences to the Supreme Court.

I strongly support the bill. I commend the Minister for Regional Development and the Government for introducing this bill, which is the fulfilment of an election commitment soon after the election. This bill is certainly long overdue. I also strongly support the work of the RSPCA and the Animal Welfare League. I share the sentiments expressed by the honourable member for Strathfield. It is an indictment of humankind that we have to have a bill such as this. It is also an indictment of humankind in New South Wales that in 2003 the RSPCA has so far investigated more than 23,000 complaints of animal cruelty, that it laid nearly 360 charges in the year 2001-02 and in the same year prosecuted 106 defendants for 346 offences under the Act. The RSPCA supports this amending bill.

I also wish to express concerns related to this legislation. Recently the media reported that a group of teenagers had beaten hundreds of three-week-old chicks to death with golf clubs. Similar tragic incidents are sporadically reported and are sometimes described in this House. They reflect an ugly aspect of human nature, and the honourable member for Strathfield earlier provided the House with a number of examples of that. But more tragic still is the institutionalised cruelty to animals. A poultry farm raid by animal liberation groups in September found deformed chickens, which were unable to carry their own weight, living in cramped conditions in windowless sheds. The industry defended this practice as providing what the consumer wants. I call on the Minister for stronger enforcement and a compulsory code of practice that bans battery chicken farming.

Another example is the MV *Cormo Express* sheep export debacle. I have written to the Federal Government calling for an end to the live export trade in animals. The appalling treatment of distressed animals on overcrowded ships continues while the Federal Government permits the industry to regulate itself. Another example is the sale of animals in pet shops. The campaign to ban the sale of animals in pet shops has gained a great deal of community support: I hope that in the near future it will also gain Government support. Most animals in pet shops are bred in puppy and kitten mills where animals sit in wire cages for 24 hours a day, breed until they can no longer do so, and are then killed. Adopting pets from pounds prevents the unnecessary slaughter of unwanted animals. There has been some progress towards ending the use of animals in medical research. In 1999 the Government banned the supply of pound animals for medical experimentation. The Federal Government should better monitor and provide public transparency for a Federal code to require alternatives to be used. It is the role of members of this House to call upon the Federal Government to act.

In conclusion, I refer to the review of the Companion Animals Act. We heard a great deal of detail from the honourable member for Strathfield about the failure of people to care adequately and responsibly for their pets. One major goal of the Companion Animals Act was to ensure responsible animal ownership and to educate the community about the benefits of having animals. Recently I made an extensive submission to the Minister on the five-year review of the Companion Animals Act. I look forward to that legislation returning to this House, because it clearly needs amendment. The shocking things described by the honourable member for Strathfield would horrify many people and are largely a result of the failure of that Act. People who own pets have not been educated adequately about their responsibility, about their selection of pets and about the costs and commitment involved.

Councils and trusts that have obligations under the Act clearly have not responded. I hope that the improvements, by way of amendments, to the Companion Animals Act will address proactively the shocking things spoken of during this debate on the Prevention of Cruelty to Animals Amendment (Penalties) Bill. Pets give love and pleasure and contribute to our physical and mental wellbeing. Australia has one of the highest rates of pet ownership in the world, yet there is still an attitude that pets are not a legitimate part of life, that people do not have to take on the responsibilities that go with pet ownership, and that the general community does not have to acknowledge the real benefits that pets contribute to our lives. I commend the Government for introducing this bill. I hope that very soon there will be a review of or an amendment to the Companion Animals Act that will further contribute to a reform that is very much needed.

Mrs JUDY HOPWOOD (Hornsby) [9.21 p.m.]: I have listened with great interest and empathy to the contributions to the Prevention of Cruelty to Animals Amendment (Penalties) Bill. The object of the bill is to amend the Prevention of Cruelty to Animals Act 1979 to increase the maximum penalties for certain offences under that Act and to enable recovery of those increased penalties in proceedings in the Local Court. The bill deals with the prevention of cruelty to animals as covered by the principal Act and encompasses a broad range of animal welfare. The Act lists the most serious offences as aggravated cruelty to animals, administration of poison to a domestic animal and involvement in coursing or any activity in which an animal is chased, caught or confined by a dog. The bill proposes to increase the maximum penalties for those offences.

The bill ensures that uniform penalties are provided under comparable legislation, such as the Companion Animals Act 1998, which provides for maximum penalties of \$22,000 for the most serious offences. The bill increases the penalties for those serious offences from a maximum penalty for aggravated cruelty to animals of 100 penalty units, currently \$11,000, or imprisonment for two years, or both, to 200 penalty units, currently \$22,000, or imprisonment for 2 years, or both, for an individual, and from 500 penalty units, currently \$55,000, to 1,000 penalty units, currently \$110,000 for a corporation. Similar increases are made for administering poison to a domestic animal, and for coursing and related activities.

In my household my husband and two daughters share a great love of animals. We have had a series of animals over our time together. Currently we have a cat, named Patch, and five hens. Both sets of animals have great life. We inherited a couple of battery hens and it was very interesting to see their poor condition improve with adequate care. In the past we have had a number of german shepherd dogs. Sadly, one dog was stolen. She was a very young dog, and I live in hope that that crime did not lead to her being used for dog fighting. I have had a great deal to do with *doggierescue.com*. I know Monika and some of the volunteers very well. Roland Brieful, who lives in Mt Kuring-gai, in my electorate, spends many hours a week helping Monika. I visited DoggieRescue in Duffys Forest before Monika had to find new premises.

I am happy to advise that Monika is now happily ensconced in Homebush. That organisation does a fantastic job with dogs. I have nursed some of those dogs and heard tragic stories about the bad condition in which they were found. Through the adoption process dogs are placed with people who will love them. About a week ago I attended the opening of an exhibition at an art gallery. Interestingly, in a cooler bag, I saw a tiny baby owl, less than two weeks old, that had fallen out of a tree during a high wind. Barbie and James, who live in Hornsby, were looking after that baby owl. The Sydney Metropolitan Wildlife Service is responsible for finding volunteers to look after injured or orphaned animals. It is wonderful that people have the time and commitment to care for animals such as that baby owl. I also pay my respects to the Animal Welfare League, the RSPCA and the Wildlife Information and Rescue Service.

Barbie and James have ringtail possums and other animals living in their house. I was quite amazed to see Barbie take the down-covered owl outside—it was toilet trained! Pets can provide lonely people with happiness. On many occasions it has been noted that pets assist people to live longer by providing contact with something that is alive and that can be loved. Pets add value to our lives and it is hard to understand how people can be cruel to innocent, vulnerable creatures. I hope the intention of the bill leads to the lessening of cruelty to animals. I commend the bill to the House.

Ms ANGELA D'AMORE (Drummoyne) [9.28 p.m.]: The Prevention of Cruelty to Animals Amendment (Penalties) Bill seeks to double the monetary penalties for the most serious of offences under the Prevention of Cruelty to Animals Act 1979. Specifically the penalties relate to sections 6, 15 and 21 of the Act. Section 6 guards against acts of aggravated cruelty by which an animal that has been cruelly treated is killed, deformed or seriously disabled, or left in such a condition that it would be cruel to keep it alive. Section 15 governs the administration of a poison or other bait to a domestic animal, and possession of a poison with the intention of using it to injure or kill a domestic animal. Section 21 relates to the involvement of a person in an activity where an animal is chased, caught or confined by a dog. The only way to properly comprehend what those provisions govern is to give some graphic examples of previous offences.

Recently, an offender allowed his collapsed cow to remain on the ground for a month without veterinary treatment. The cow suffered multiple abrasions, ulcers and skin infections and an ulcerated eye. It was left dying in its own faeces until it was put out of its misery by the RSPCA. I commend the role of the RSPCA in these matters and all the officers and employees who, day in and day out, look after the most distressed animals in our community. On another occasion a woman minding a dog saw that it had broken a leg. She sought no treatment for the animal and, after a number of weeks, asked some friends to help her to dispose of the dog. The animal was taken to bushland where it was bashed with a shovel and left for dead. Unfortunately

for the animal, it did not die. Eventually, it staggered onto a road, was picked up by passing police and taken to a veterinary clinic where it was eventually put to sleep and out of its misery.

The last example that I choose to give is that of a man who beat his dog with a stick because it had defecated on the kitchen floor. The dog was then thrown in a shower and repeatedly scalded with near-boiling water to teach it a lesson. It is unfortunate that we, as members of Parliament, have to describe these types of examples. However, they demonstrate just how important these amendments are. I am convinced that these offences relate to a level of cruelty that every person in this House would find difficult to comprehend. The only way to prevent such acts of cruelty from happening in the future is to introduce penalties that reflect both the community's intolerance and the Government's intolerance to such barbaric acts. The amendments in the bill, which will double the maximum penalties in the Act from \$11,000 to \$22,000 for an individual and \$110,000 for a corporation, will go a long way towards meeting the Labor Government's election commitment in its "Better Care for Pets and Wildlife" policy statement. In the words of George Bernard Shaw, "The worst sin towards our fellow creatures is not to hate them but to be indifferent to them. That is the essence of humanity." I strongly commend this bill to the House.

Ms REBA MEAGHER (Cabramatta—Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [9.32 p.m.], in reply: I thank all my colleagues for their support for this bill, which reflects community concern over aggravated acts of animal cruelty and which will ensure that the penalties are commensurate with the severity of the act. Clearly, a doubling of these fines will send a strong signal to anyone who violates the Prevention of Cruelty to Animals Act that the Government is serious about stamping out this unacceptable behaviour. We recognise that the community expects animals, including pets and companion animals, to be treated with respect and care. This new legislation is another step by the Carr Government to enhance protection for animals and to ensure that anyone who mistreats an animal receives a hefty penalty. The New South Wales Government will continue to assist non-government animal welfare organisations, such as the RSPCA, the Animal Welfare League, the New South Wales Wildlife Information and Rescue Service and others in curbing aggravated cruelty to animals. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

SPECIAL ADJOURNMENT

Motion by Ms Reba Meagher agreed to:

That the House at its rising this day do adjourn until Wednesday 15 October 2003 at 10.00 a.m.

The House adjourned at 9.35 p.m. until Wednesday 15 October 2003 at 10.00 a.m.
