

LEGISLATIVE ASSEMBLY

Thursday, 9th September, 1993

Mr Speaker (The Hon. Kevin Richard Rozzoli) took the chair at 9 a.m.

Mr Speaker offered the Prayer.

[Placing or Disposal of General Business]

Mr Kerr: On a point of order: For the benefit of the House I point out that there are difficulties with the lifts this morning. It may affect members on both sides of the House. In view of your previous rulings on divisions, Mr Speaker, I draw that matter to the attention of the House.

Mr Beckroge: On the point of order: I reiterate what has been said by the Government Whip. I am also concerned, and will take up with you later, Mr Speaker, the use of the lifts last evening when the German President visited Parliament. The lifts were seconded and honourable members were not advised.

Mr SPEAKER: Order! Perhaps I should point out to the member for Broken Hill that although the lifts were seconded for that purpose, it was during the dinner adjournment. The House was not sitting at that time.

LAKE MACQUARIE STATE RECREATION AREA BILL

Bill introduced and read a first time.

Second Reading

Mr HUNTER (Lake Macquarie) [9.7]: I move:

That this bill now be read a second time.

The object of the bill is to preserve much of the remaining native foreshore bushland surrounding Lake Macquarie, which is owned by the people of New South Wales and held for them by the Government. The proposed State recreation area is, in a sense, a system of foreshore parks - a total of six areas - which will preserve approximately 2,000 hectares of native bushland and will protect approximately 20 kilometres of Lake Macquarie foreshore, representing approximately 10 per cent of Lake Macquarie's shoreline.

The bill refers to "the map", which it defines as a series of maps. The maps are now being displayed outside the Chamber. They delineate the areas to be included in the bill, and can be described by red lines and cross-hatching. The areas are Awaba Bay, located between Marmong Point and Bolton Point and held by the Department of Housing; Wangi Point, a Crown reserve with Lake Macquarie City Council as trustee; Wangi south side, which is made up of Crown land and a portion of buffer zone of the now decommissioned Wangi power station, held by the Electricity Commission of New South Wales; the Morisset Hospital site, which is Department of Health land; Point Wolstoncroft, under the Department of Sport, Recreation and Racing; and Chain Valley Bay, made up of Crown land and land held by the Electricity Commission of New South Wales.

If passed by the Parliament, the bill will preserve those natural bushland areas and protect them from

degradation. They will act as a wildlife refuge and complement other smaller foreshore reserves. Also, this State recreation area will ensure recreation space for the population of the Central Coast and the Hunter regions while giving a much needed boost to the local tourism industry. This will be achieved by Lake Macquarie being placed on the tourism map when the State recreation area is included in the National Parks and Wildlife Service network.

Five of the six foreshore areas are located in the southern portion of Lake Macquarie. The sixth, Awaba Bay, is located along the western shoreline in the northern portion of the lake. Unfortunately, no bushland along the northeast, east or southeast shores is included in the bill. It is a sad indictment of white man's 200 years of Australian existence that only two large natural bushland areas remain along the eastern shores of Lake Macquarie. They are: to the north, Green Point, which is located between Valentine and Belmont; and, to the south, Crangan Bay, between Nords Wharf and Gwandalan. As I said earlier, unfortunately those areas are not included in the bill. That is because they are privately owned. However, I believe that at a future time they should be included in the Lake Macquarie State Recreation Area, and I call on the Government to show its commitment to the environment by supporting this bill and by acquiring those areas and adding them to the State recreation area.

I must state that this private member's bill is based upon the Lake Macquarie foreshore proposal, put together by the environment group URGE - the United Residents Group for the Environment of Lake Macquarie. The integrated parks system proposed by URGE is contained in a booklet I have in the Chamber, which I will quote from today. I congratulate all the dedicated people who have been involved in the production of the foreshore park plan. I know that many hours of research went into formulating the proposal and that many more hours were spent getting it into print.

The Lake Macquarie State Recreation Area differs in that no privately owned land has been included. That is because no one, other than the Government, can move a money bill and it would require the allocation of a great sum of money to purchase the Green Point and Crangan Bay land. My bill does, however, add one extra parcel of government land, that being Wangi south side, which consists of Crown land and part of the buffer land of the old Wangi power station. The URGE proposal states on page 4:

Specifically, the proposal's objectives are to:

1. Provide recreation areas
2. Maintain conservation areas
3. Maintain access to the Lake
4. Maintain part of the Lake's natural vista
5. Protect a tourism resource

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These objectives will be readily attainable by improving the management of areas of the Lake's foreshore.

Progress towards these objectives could be planned by a Joint Management Committee . . .

The bill will achieve that goal by establishing a care, control and management trust. I refer honourable members to part 3 of the bill, titled "Management of Lake Macquarie State Recreation Area". Clause 9 of the bill states:

9.(1) The Minister is, before the reservation of land under this Act takes effect, to establish a trust for the Lake Macquarie State Recreation Area comprised of the following trustees appointed by the Minister:

- (a) 2 councillors of the Lake Macquarie City Council;
- (b) 1 councillor of the Wyong Council;

- (c) the Manager of the Point Wolstoncroft Sport and Recreation Centre, Department of Sport, Recreation and Racing;
- (d) the Chairman of the Lake Macquarie Total Catchment Management Committee;
- (e) 1 representative from the United Residents' Group for the Environment of Lake Macquarie;
- (f) 1 representative from the Wangi Peninsula Advisory Committee;
- (g) 2 representatives from the Koombahtoo Land Council;
- (h) 2 representatives from the Bahtahbah Land Council;
- (i) 1 representative from the Regions Aboriginal Traditional Custodians.

Unfortunately, the National Parks and Wildlife Service has dissolved existing SRA trusts - a move that I and many others believe is a backward step. In fact, in October 1992 this Parliament received the report of the Legislation Committee upon the National Parks and Wildlife (State Conservation Parks) Amendment Bill and cognate bill. The last paragraph on page 13 of that report states:

The Committee notes the strong community support for local State Recreation Area Trusts which have been discontinued by the National Parks and Wildlife Service. The Committee believes that these Trusts should be reinstated.

I was a member of that legislation committee, which, I might add, the Government controlled. There was unanimous support from committee members for the reinstatement of SRA trusts. It is as a direct result of this that this bill provides for a trust. Community involvement is essential if an SRA, such as the one set out in this bill, is to be managed efficiently. Part 4 of the bill provides for the preparation of a management plan for the State recreation area. This management plan will guide trust members in their role as SRA managers. In the URGE proposal each of the foreshore areas is listed and details of each are given. Page 5 of the URGE document, which deals with Awaba Bay, states:

The Awaba Bay bushland, when viewed from the water and residential areas opposite, provides an exciting and attractive landscape. The Lake views from the shore and the ridges are stunning.

Awaba Bay consists of approximately 50 ha. of dry sclerophyll forest. The area covers 1.6 km of lake foreshore between Marmong Point and Bolton Point.

The vegetation is typical of dry sclerophyll forest with a well developed understorey containing numerous ferns, wildflowers, orchids, and native grasses. There are also small pockets of wet Eucalypt forest with an understorey of rainforest species. At least five native mammals and several species of reptiles inhabit the area. Over 70 species of birds, ranging from White-Bellied Sea-eagles, to Spotted Pardalotes, provide many opportunities for bird watching.

This area would be suitable for passive recreation including bushwalking, picnics and nature studies. The proximity of Booragul High School would suggest that the Awaba Bay Park could function as an educational resource in subjects related to the natural environment.

Page 6 of the URGE document describes Wangi Point as follows:

The Wangi Point Reserve consists of 45 ha. of Crown Land Reserve. The main features of the reserve are the many lookouts which afford panoramic views of most parts of the lake, as well as the Wattagan Mountains to the west and the Pacific Ocean to the east. The site has some historical significance, as the

Awabakal people used the area extensively. This is indicated by several middens which are to be found in the Reserve. Wangi Point has also had an interesting history of European settlement which has been recognised by the mounting of a bi-centennial plaque at the entrance to the Flora and Fauna Reserve.

The reserve is heavily timbered by several species of Eucalypts and other native trees supporting a colony of Koalas. The understorey consists of many plants, with the Wattle and the Pea family interspersed among Grass-trees and Burrawang. Twelve species from the orchid family have been detected in various habitats throughout the Reserve. Another feature is the retention of several native grasses such as Kangaroo and Wallaby grass.

Several pockets of littoral rainforest species can be found in protected gullies on the headland, with Cabbage Tree Palms; Blueberry ash; Native Olive Plum and Rusty Fig the main vegetation. The Red Cedar, so dominant in the landscape before white settlement, has been re-introduced in several locations. Many species of native fauna frequent the area including some 80 species of birds. Several nests have been observed, including that of the Whistling Kite and the Sea Eagle.

Visitors to the area are able to use the many well designed walking tracks leading to various vantage points. Seats are provided at several of these points. Recreational fishing is catered for by tracks leading to favourite fishing spots, and the boating fraternity has easy access to several picnic spots. Full barbeque facilities will be provided at the day picnic areas at Kookaburra Cove and Dobell Lookout. There is provision for vehicle parking at Kookaburra Cove, the entrance to the flora and fauna reserve, and the Dobell Lookout, as well as in the camping area. Overnight camping and toilet facilities can be found in the Reserve's Tourist Park.

At present the tourist park is under the control of Lake Macquarie City Council, the trustee of the entire reserve. By transferring the ownership of the reserve to the National Parks and Wildlife Service and then leasing to Lake Macquarie City Council the area occupied by the caravan park and camping ground - as is set out in part 3, subclauses (1), (2), (3), (4) and (5) of clause 11 - an income will be provided to the trust to undertake maintenance improvements in the State recreation area in accordance with the management plan. The trust will have a representative from the Wangi peninsula advisory committee, which is a care, control and management committee appointed by Lake Macquarie City

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Council. Its members care for the bushland area of the reserve. This committee will be able to continue to function under the umbrella of the State recreation area trust as is provided for in part 3, subclauses (1), (2), (3) and (4) of clause 10.

Over many years committee members have shown great dedication. The voluntary work they perform in maintaining and improving the reserve is to be commended and must be allowed to continue. Clause 10 will also allow for the formation of other subcommittees which can assist the trust in the management of the individual areas that make up the State recreation area. The next parcel of the State recreation area is Wangi south side. Though this area is not included in the URGE proposal I have found universal support for its inclusion in the bill. It is an area of foreshore bushland that is earmarked for development and therefore would be lost to future generations if not included in the State recreation area. I estimate the area to be slightly in excess of 20 hectares. Fronting Myuna Bay, its shore line consists of sandy areas and rock shelf outcrops.

An Aboriginal archaeological site has been located in this area, and the shadow minister for Aboriginal affairs - the honourable member for Keira - and I inspected the site, accompanied by members of the Koopahtoo land council. They are keen to see the site protected. Because of that site and other Aboriginal sites that have been identified in different parcels of the State recreation area, both local land councils - Koopahtoo and Bahtahbah - are represented on the management trust, as are the region's Aboriginal traditional custodians. The land councils support the bill in principle and have been consulted regularly during its drafting.

The next area is the Morisset Hospital site. The hospital is administered by the mental health section of

the Department of Health. Half of the facility is occupied by Kanangra, a centre for the developmentally disabled, which is administered by the Department of Community Services. In my bill a large area of the site is left to the ownership of the Department of Health to enable the continued viable operation of the two services located there. Page 7 of the URGE publication states:

The land occupied by the Health Commission, and known as the Morisset Hospital site, represents the largest parcel of public land remaining on the lake. The site covers 2,000 hectares, of which 1,260 hectares is gazetted as Wildlife Refuge. This land has beautiful waterfront boundaries of a gentle sloping nature and comprises areas of quality bush and wetland.

Native bushland covers most of the area and is an important and functional habitat for native flora and fauna. Numerous kangaroos are frequently seen grazing or sheltering under trees in the immediate vicinity of the hospital, whilst a large number of wallabies are also to be seen on the site. Bird life is well represented, with a large number of species identified as nesting in the areas of bush and wetland.

Native flora is abundant, with a broad range of species to be found growing here. A number of particularly interesting plants can be seen including one classified as rare and vulnerable, *Acacia bynoeana*. This plant has only recently been found on the site with its identity having been confirmed by the National Herbarium.

The general topography, aspect to the lake and the diversity of flora and fauna make this site ideal for conservation in a regional park system. The site is large and diverse enough to allow good use of many of the areas for passive recreation such as camping, bushwalking, bicycling, fishing, and birdwatching, while at the same time providing significant areas for nature conservation. In no way would this proposal diminish the existing hospital facility.

My proposal allows for the continued operation of the hospital and will in no way diminish its viability; in fact it could be argued it would enhance it. At the eastern side of the site I have allowed for the future expansion of the Morisset township and the establishment of a Westlakes technical and further education college by excluding some of the health department land from the proposal. Some important Aboriginal sites have also been excluded. However, any that are located in the State recreation area will be protected by Part 4, clause 13, which states:

The plan of management for the Lake Macquarie State Recreation Area is to make provision for the promotion of the Aboriginal cultural and heritage significance of the Area, and the preservation of areas of major Aboriginal significance, in consultation with relevant Local Aboriginal Land Councils.

As I said, Aboriginal land councils are represented on the management trust of the State recreation area. The next area is Crangan Bay, and page 9 of the URGE proposal states:

On the south-eastern shores of Lake Macquarie, between Chain Valley Bay and Crangan Bay, lies an approximately 500 hectare tract of natural bushland with several kilometres of lake foreshore.

The bush consists of dry sclerophyll forest with inclusions of swamp forest and sedgeland which are uncommon on Lake Macquarie.

In the centre of the area, along Tiembula Creek, is the finest example of sedgeland within the region. Bordering this sedgeland is an isolated stand of Red Gum forest.

The forest and swamps contain flora and fauna too diverse to list here, but some examples are: twenty-two identified native orchids and the beautiful shrub, *Hakea bakerana*.

The size of the forest and the vegetation diversity could easily support a colony of Koalas. The area has great potential for recreation, and its proximity to the Munmorah State Recreation Area further adds to its

conservation status. The sandy loam soil, which is highly erodible, makes the area unsuitable for agriculture and development. Uncontrolled use of this land is creating soil erosion, exacerbating the existing siltation problem of Lake Macquarie. There is already erosion evident on the vehicular tracks leading to the foreshore.

The National Parks and Wildlife Service have recognised the conservation and passive recreation values of the area in recommendation to the New South Wales Government for preservation of this area in a Park System.

The land just described includes the privately owned land around Crangan Bay which adjoins the area identified in the bill. The URGE publication details all this. I have stated that this bill does not cover all the land just described. Nevertheless, it will, if passed, preserve a large tract of native bushland bordering Lake Macquarie. Private land at Crangan Bay is owned by Coal and Allied Pty Limited, and I call on that company to offer for sale to the State Government much of the large area of native foreshore bushland for inclusion in the State recreation area. The URGE document describes Point Wolstoncroft as follows:

The Department of Sport, Recreation and Racing, at present manages this 120 ha. foreshore reserve on the southern shores of Lake Macquarie. It is a narrow peninsula which has approximately 6km of foreshore.

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The site and the many recreation facilities are at present in great demand from both visitors and locals.

The facilities around the Fitness Camp are well maintained by the Department of Sport, Recreation and Racing and would remain in their care under this proposal. The activities carried out by the Camp complement the recreation component of this proposal.

The wildlife refuge should be transferred to the Lake Macquarie Foreshore Park under new management as suggested in this document. Improved management of the site could overcome existing problems of weed infestation and soil erosion . . .

The position of the peninsula suggests that it serves as a vital link for the avifauna between the shores of the lake and Pulbah Island. One of the many features of the reserve is the paperbark grove in the swampy area joining the recreation sector. Many birds frequent this particular bushland.

The bill allows for the continued operation of the sport and recreation centre by the Department of Sport, Recreation and Racing. This is included in clause 14 of part 4 of the bill. Also, the manager of the centre has a position on the State Recreation Area Trust, thus ensuring the needs of the centre are well represented. The sixth and final parcel of land was, as I described earlier, Chain Valley Bay. I called on Coal and Allied to offer for sale their privately owned land. I likewise call on the new owners of Green Point to offer this area for sale to the New South Wales Government so that it, too, can be included, thus fulfilling the dream of a majority of Lake Macquarie citizens for the establishment of a comprehensive foreshore park system. The jewel in the crown of this SRA is Pulbah Island, currently under the care of the National Parks and Wildlife Service. The URGE document states:

Pulbah Island, situated in the southern section of Lake Macquarie, is classified as a Nature Reserve under the National Parks and Wildlife Act. The total area of the island is 70 ha. The vegetation can best be described as dry eucalypt forest with an understorey of pea-flowers, ferns, native grasses and herbs.

The document continues:

The reserve has suffered greatly due to its isolation from other areas under the NPWS control. Significant improvements should occur with the more intensive management which would accompany the establishment of a Lake Macquarie Foreshore Park.

Pulbah Island forms the hub of the Lake Macquarie Foreshore Park and from the Island most of the other segments would be visible. At the same time, its value for conservation would be enhanced and its status as a Nature Reserve should be retained to emphasise this.

With the National Parks and Wildlife Service overseeing the management of the State recreation area, Pulbah Island will finally gain the care and attention it so rightly deserves. The people of Lake Macquarie who care about its environment and care for its future survival will be remembered as visionaries of their time. Future generations will look back at the efforts made to protect the last remaining foreshore bushland and they will be thankful. However, if others succeed in their attempts in what appears to be overdevelopment of such areas - and I refer to McCloy's proposal for Green Point - they will be remembered as Lake Macquarie's environmental vandals of the nineties. Surely a company such as McCloys would not want to ruin the good reputation it has built up over the years by developing the largest remaining bushland area adjoining the northeast shore of Lake Macquarie. Again, I call on McCloys and on Coal and Allied to offer their foreshore land for sale to the State Government, and I call on the Government to acquire these areas for inclusion in the State recreation area. Finally, page 2 of the URGE proposal contains a quotation taken from page 14 of the book *Reid's Mistake*. The quotation is:

In 1821 Captain John Bingle, while on a walking tour of Lake Macquarie, wrote:

"On arrival I was enchanted by its beautiful scenery and can never forget it. The whole surrounding countryside and the lake were serene and still; solitude reigned, no tree disturbed, and no trace of white man's civilisation, and all in its natural state."

Page 2 of the URGE proposal continues:

Although it is difficult to ignore the "traces of white man's civilisation" it is still possible to find the beauty and serenity of this wonderful natural environment known as Lake Macquarie. But Beware! The "natural state" might well be a note in the history books if protection is not afforded to this playground of the future. The time is long overdue for the remnants of Captain Bingle's vision to be protected for all time.

I ask all honourable members to support the bill.

Debate adjourned on motion by Mr Griffiths.

RURAL LANDS PROTECTION (NOXIOUS ANIMALS) AMENDMENT BILL

Second Reading

Debate resumed from 1st April.

Mr JEFFERY (Oxley) [9.36]: The Rural Lands Protection (Noxious Animals) Amendment Bill was introduced by the shadow minister for agriculture, the honourable member for Port Stephens. While I understand his concerns - and I have some concerns also - I believe this bill is an overreaction to the problem. At the outset I admit that feral cats and red foxes are problems in rural areas. As a former landholder and farmer I have had problems with red foxes taking lambs from ewes as they were lambing. A similar problem exists with feral cats. It amazes me that the shadow minister for agriculture has introduced such a bill when his colleague the shadow minister for the environment is attempting to remove the noxious title from dingoes. Dingoes are noxious animals under the wild dog declaration of some years ago.

For many years I was secretary of a rural lands protection board, formerly the pastures protection board. This organisation carried out wonderful work in rural New South Wales, with public spirited directors and with dedicated staff such as rabbit inspectors, rangers and veterinary inspectors. The list of prescribed noxious

animals includes wild dogs, feral pigs and rabbits - rightly so, because rabbits cause devastation to Australia and to New South Wales. It is ironic that one member of the Labor Party is trying to do one thing while another is trying to do the opposite. Honourable members are aware of problems with feral cats. Though I am concerned, and the Minister for Agriculture and Fisheries would be concerned, the expense to rural landholders if the bill is passed would be horrific.

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The recession was caused by Mr Keating - a mate of the honourable member for Port Stephens - and by the Federal Labor Government. The Prime Minister is also a mate of Bob Carr, who trips off to Venice regularly. The honourable member for Port Stephens wants to put a huge impost on the people of rural New South Wales. A commonsense approach is needed to this vexed question of whether red foxes and feral cats should be declared noxious.

What is the definition of feral cat? Because we do not have such a definition, it is difficult to implement legislation to control feral cats. It is not practical to introduce legislation to control feral cats; we cannot control them. The rural lands protection boards throughout New South Wales oppose the bill introduced by the shadow minister for agriculture on the basis that it is unworkable legislation. The Minister for Agriculture and Fisheries has asked for participation on this issue. He has established a committee that will report to him about these problems, which include not only noxious animals but other pests. The honourable member for Tamworth understands what is meant by noxious animals; he understands also that noxious weeds are growing in the national parks. Noxious weeds and noxious animals have to be eradicated, particularly feral pigs. In the bill the honourable member for Port Stephens refers to feral pigs as noxious animals. Feral pigs have to be eradicated from national parks. Our own backyards should be cleaned up before we take on other problems in rural areas.

The Labor Party is trying to control private land only. It has no control program for national parks or Crown lands, yet that is where the major problems are. This bill is flawed, and the views of the honourable member for Port Stephens are flawed. He should speak to his constituents and to those who are trying to administer the Acts and Regulations. I understand the difficulties associated with administering such Acts and Regulations as I was a secretary of a pastures protection board for 16 years and I now serve on a rural lands protection board. The honourable member for Port Stephens is trying to make the process more difficult than it already is. Discussions should be held in an attempt to find a practical way of dealing with this problem. I admit that noxious animals are a problem, but there are other ways to solve the problem.

The honourable member for Port Stephens probably had good intentions in introducing this bill, but we must consider the issue rationally. The Minister said that much damage has been caused by foxes and by feral cats. But this bill does not control such pests on Crown land or in national parks, which is where the real problem lies, where the noxious weeds and animals are. We need to deal with the problems of noxious weeds and animals on Crown land and in national parks before we put another impost on the rural landholders of New South Wales. I oppose the bill.

I believe that the shadow minister for agriculture should withdraw his bill, although it is probably too late for that. He should allow the bill to be defeated on the voices, and consult with rural communities to arrive at a workable solution to this problem, rather than this pie in the sky stuff. I congratulate the Minister for Agriculture and Fisheries for being prepared to do something constructive about this problem. He is a can do Minister, prepared to take a commonsense approach to finding a solution to this issue. I suggest the matter be referred to the committee, which I believe will be able to address the matter in an efficient and proper way.

Mr COCHRAN (Monaro) [9.44]: I oppose the Rural Lands Protection (Noxious Animals) Amendment Bill. In doing so, I acknowledge that the bill refers to some animals that cause concern to landholders, in particular, foxes which are a pest at lambing time. Feral cats also create problems for rural landholders. I share the concerns of the honourable member for Port Stephens, who introduced the bill, but I believe that a number of issues should be raised, including those referred to by the honourable member for Oxley. The

Monaro electorate has a problem with feral animals, with foxes, cats, and particularly with rabbits. Regrettably, rabbits have been responsible for the destruction of vast areas of land. The bill must set priorities.

Given the fact that rural communities are in such an untenable state, particularly in woolgrowing areas, rural landholders have limited funds available for the control of noxious weeds. We should ensure that available funds are used to eradicate those animals that are already acknowledged as feral animals, before we embark on an eradication program of animals not yet so identified. Landholders across New South Wales, including those in my electorate, believe most attention should be directed towards eradication of rabbits. The rabbit is causing rampant destruction across the State, particularly in the Western Division.

Landholders should be encouraged to attack the problems of greatest concern, without any interference from this sort of legislation. No doubt, each area of the State is affected differently by noxious and feral animals. Regrettably, the honourable member for Port Stephens does not have a great deal of experience in rural areas. He has a coastal background and should take into account the experience and views of members on this side of the House, who have a very close association with the rural community. These matters are of great concern to the rural landholders of New South Wales.

In some parts of New South Wales other animals are of greater concern than cats and foxes. I refer, of course, to the feral goat population in the Western Division. Recently the honourable member for Tamworth and I were in Tamworth and we are well aware of the problem of the increasing goat population in the Western Division. Feral goats are of great concern to landholders and environmentalists. It is an indictment on the honourable member for Port Stephens that he was not even aware of that problem and did not include feral goats in this bill. The landholders of the Western Division are aware that, without local abattoirs or some other method to kill goats for export, goats present as great a problem for them as rabbits, foxes and cats present for other landholders of New South Wales.

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Through this legislation landholders will be forced to determine how to share the economic cake, how to divide funds available for feral animal control, how to meet their obligations under the Act to the rural lands protection boards, and how to answer to the courts when they cannot meet the obligations that would be placed on them by this legislation. For example, will landholders neglect their responsibilities to control rabbits, and other responsibilities to the rural lands protection boards? Will they cut back elsewhere in their budgets in order to meet their obligations under this proposed Act?

This bill is poorly timed. It highlights the fact that the honourable member for Port Stephens has no real understanding of what is going on in rural communities, or how restricted funds are for landholders. I invite the honourable member to join National Party members of the Western Division and other rural areas so that he can get firsthand knowledge of the desperate plight that landholders are in and the desperate state of the economy in rural areas. The honourable member will quickly realise that this bill addresses only a minor issue in the scheme of things when compared with the major problems faced by the rural communities.

Let me examine the budget for rural New South Wales and consider matters such as funding for school bus runs and the cost of running vehicles in country areas. Rural people have to work within a limited budget. The increased cost of fuel that has been imposed on rural producers following the Federal Budget will result in even less money being available to address problems such as those referred to by the honourable member for Port Stephens. It is regrettable that he has not consulted closely with the rural community. He has pinpointed a problem that is on the periphery of the concerns of landholders about environmental issues but which is not a priority for people in rural areas.

The honourable member for Port Stephens should postpone the bill so that more consultation can occur in the community to enable people to determine the priorities for rural land protection and the action that should be taken regarding noxious animals. I am concerned about the attitude of honourable members opposite in regard to dingoes. The honourable member for Port Stephens, a Labor Party member, seeks to have dingoes classified

as a native species. The House has already had a debate about recognising alpine dingoes as animals that can be trained for domestic purposes. In my electorate and on the North Coast of New South Wales dingoes cause substantial problems for landholders. Members opposite are hypocrites on this issue: they do not acknowledge that dingoes in rural regions are noxious animals, but they are willing to have open slather on foxes and cats - the poor old moggies?

An important aspect of the bill that must be taken into account is its effect on people who live within two kilometres of small rural settlements. The bill defines a residential area as being any land within one kilometre of any premises occupied for residential purposes. Within two or three kilometres of almost every town in New South Wales is a rubbish tip. Town cats and feral cats visit rubbish tips from time to time. The owners of land within close proximity to a rubbish tip will be discriminated against, because they will be responsible for the eradication of town cats and all cats found in the vicinity of rubbish tips.

If the honourable member for Port Stephens showed me the basic courtesy of listening to what I have to say, he would understand that I am highlighting a major flaw in the bill. He cannot tolerate my comments and is leaving the Chamber. I am referring to a major problem for landholders whose properties are near town rubbish tips. I was in the unfortunate position of owning a property that was in close proximity to the Adaminaby rubbish tip. I admit that the property had a greater concentration of feral and domestic cats than might be found on other properties. I would not want to be prosecuted for having on my land cats that might be classified as feral. That is something the honourable member should take into account when defining a residential area. The bill needs to be modified before it progresses further.

The bill is ahead of its time and will impose unnecessary cost on rural communities. I acknowledge the difficulties associated with the management of feral animals but I do not believe that the bill will improve matters for the rural community. It will simply impose another form of regulation on people who are already going through difficult times as a result of the poor state of the rural economy. The honourable member for Port Stephens should visit rural areas and speak to the people so that he has a better understanding of their problems.

Mr SMALL (Murray) [9.55]: As chairman of the agricultural advisory committee I give credit to the honourable member for Port Stephens for introducing this bill. Though his intentions are honourable, his direction is wrong. The bill would cause untold problems in New South Wales. The proposed legislation seeks to declare red foxes and feral cats as noxious animals. The honourable member for Port Stephens does not understand the impact the proposed legislation would have on landholders and the owners of domestic cats. In the autumn session of the Parliament a number of meetings were held between backbench members of the upper House and the lower House. I should relay their sentiments to the honourable member for Port Stephens so that he will understand the direction in which those members felt it was vital to proceed. There must be a period of consultation with representatives of local government and rural lands protection boards, which will have to administer any rural lands protection legislation.

The legislation proposed by the honourable member for Port Stephens could not be policed. Any landholder or farmer could be fined continually. It is almost impossible for them to destroy all feral cats and foxes on their properties. Foxes are more easy to

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control than feral cats are. They can be baited with 1080, a fairly safe method of control. Foxes do take baits. Years ago it was possible to control the incidence of foxes because the fur and hides were of value. At present the value of a pelt is about \$8 and bounties have been suggested as a means of destroying foxes. Farmers have the ability to destroy foxes, which do cause major problems.

I should identify the broad issues that must be taken into account when deciding on methods of feral cat control. The bill lumps together red foxes and feral cats in the definition of noxious animals. That will mean that anybody - even a householder - can be fined if a fox and or a cat is found within a specified distance of a property. What is a feral cat? How can it be distinguished from a domestic cat? What is the extent of the feral cat problem and what evidence is there of it? Based on available evidence, what control measures are

justified and appropriate? Some of the actions previously discussed by various bodies include trapping, shooting, baiting, bounties, impounding, curfews, desexing and registration - by means of collars, tattoos or microchips. Those measures relate more to the control of domestic cats and, it has been asserted, would have an impact on feral cat numbers. That raises the question of what impact feral cat control measures will have on domestic cats and whether such control is justified. How effective would those measures be? How can the effectiveness be measured?

Further, who is responsible for carrying out the control measures? Many shire councils and rural lands protection boards are working hard on the feral cat problem. However, laws passed by this Parliament to combat that problem must be responsible and manageable. Would any control measures be obligatory statewide or in certain areas only? Urban areas and country areas must be considered. Would any measures apply to the Crown? How would any control measures be funded? Who would be responsible for funding? What enforcement powers would be available? New South Wales Agriculture has outlined certain measures undertaken to suppress the red fox and feral cat populations and to control the number of domestic cats joining the feral cat population. Legal fox control measures include shooting, trapping or baiting. Over the past five years there has been a constant and significant rise in 1080 baiting for fox control, with the number of baits issued by rural lands protection boards increasing twelvefold. Foxes are readily controlled by 1080 baiting, which is perceived to be the most effective control method when used on a group property basis.

New South Wales Agriculture has also issued a further pesticides order authorising use of "Fox-Off" 1080 baits and has begun joint studies with Queensland authorities into a further type of bait. The National Parks and Wildlife Service has published an excellent paper on this subject, entitled "The Impact of Cats on Native Wildlife". However, scientists and agriculturalists throughout Australia face the difficulty of establishing how to identify and control feral cats. Feral cats like live bait and on most occasions will not take dead bait. Proof is readily available that feral cats have an innate ability to dispose of poisonous baits by regurgitation. New South Wales has no current legal definition of a feral cat. In closer settled areas uncontrolled domestic cats may be mistakenly destroyed as feral cats, giving rise to litigation. Data available suggests that male cats normally range up to 2.5 kilometres. That presents a real problem.

If domestic cats can range up to 2.5 kilometres at night on to properties surrounding suburban areas of towns or cities, they may be mistaken for feral cats. Several New South Wales councils have requested specific powers to implement cat control measures, including domestic cat registration and identification. Local government, rural lands protection boards and farmers want control measures that will work. The New South Wales Opposition proposes to amend the Rural Lands Protection Act to impose a legal duty on owners and occupiers of certain rural lands to suppress and destroy red foxes and feral cats by declaring them noxious animals. However, such declaration could cause enormous problems to landholders. It would not apply to cats found within a kilometre of residential premises. Staff of rural lands protection boards would be required to inspect properties for foxes and feral cats. One can imagine the workload such a requirement would create.

The Rural Lands Protection Act does not bind the Crown. Therefore, these measures would have no effect on feral cats and foxes on Crown land, including national parks and forests. Proposals to declare these animals noxious have been considered previously by the New South Wales Vertebrate Pests Control Advisory Committee, which includes representatives of the Commonwealth Scientific and Industrial Research Organization, the New South Wales Farmers Association, the Wild Dog Destruction Board and New South Wales Agriculture as well as the rural lands protection boards, which would undertake responsibility to carry out Labor's amendments.

Last year the agricultural advisory committee reaffirmed its strong advice against declaring feral cats or foxes noxious, on grounds including lack of suitable control methods for cats and concern that noxious declaration would detract from current efforts to control other feral animals, including feral pigs, wild dogs and rabbits. Fox control at present is self-regulatory, with viable baiting programs available and active pursuance of further research. The Labor amendments fail to provide for the implementation of control measures on Crown land, ignore the absence of viable methods for effective feral cat control and make no effort to halt the pipeline supply of domestic cats into the feral cat population, especially in periurban regions. The Labor

proposals introduced by the honourable member for Port Stephens create significant legal difficulties and the potential for litigation between cat owners and people undertaking control measures. The amendments make no provision for extra financial resources to rural lands protection boards.

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Mr Martin: On a point of order: The honourable member is quoting from a document. I have listened with great interest, but I would be pleased if he would identify the document.

Mr SMALL: The document was handed to me, as chairman of the committee, by staff members of the previous Minister for Agriculture. The document identifies, on behalf of rural lands protection boards, the concerns they have expressed on control of foxes and cats in New South Wales.

Mr ACTING-SPEAKER (Mr Hazzard): Order! The honourable member for Murray may proceed.

Mr SMALL: I turn to policy direction. There is a need for more effective measures to control the feral cat population and to slow pipeline replenishment by domestic cats. Two separate options are under active consideration. The first is to amend the Rural Lands Protection Act and the Impounding Act. The Minister for Local Government would have to be involved in that regard. There may be scope for making foxes and feral cats declared species, not noxious. The committee has considered that topic. The declared status would not place a legal obligation on landholders to control foxes and cats in normal circumstances but could permit sufficient flexibility for the Minister to impose an obligation to control foxes and cats in environmentally sensitive areas, especially on Crown lands. This concept needs accurate legal advice.

Particular consideration is needed of how control measures would be funded and of the availability of technology to undertake control measures. Amendment of the Impounding Act to include cats would impose a cost upon the impounding authorities. Impounding of foxes is impractical. The second option would be a specific cat control Act that would permit local government to introduce registration and identification of domestic cats according to an individual council's needs. This would create the revenue needed to introduce effective measures to control the introduction of domestic cats into the feral cat population. This might be combined with a declaration of foxes and cats, under the first option, to provide a comprehensive means of effectively controlling the populations and taking full advantage of technological development as it occurs.

Further development of either of these options will be seriously impeded if amendments are made to the Rural Lands Protection Act in terms of the Labor proposal put before this House by the honourable member for Port Stephens. The committee, after considering a range of options, requested that a paper be prepared by departments having coverage of national parks and wildlife - the Department of Local Government and Co-operatives and New South Wales Agriculture - and circulated to councils, rural lands protection boards and the general community so that feedback could be received. The honourable member for Port Stephens suffers from not having broad-based statewide input from the community, which is essential on such an important issue.

Mr WINDSOR (Tamworth) [10.10]: I can honestly say that I have not yet made up my mind about how to vote on the proposed legislation. I am not saying that in a jocular fashion because how I vote will depend very much on what the honourable member for Port Stephens has to say in reply. Therefore, I shall listen with interest to how serious he is about the feral cat and red fox problem. I congratulate the honourable member for Port Stephens on highlighting a serious environmental threat. I think the Government has missed the boat. For a number of years a variety of organisations have highlighted the problem. Essentially, the Government has put it in the too hard basket and has done nothing about it. I congratulate the honourable member for Port Stephens on the legislation and believe that he could give certain messages of intent in his reply. I may not support the bill when it comes to the final vote, because it contains unknowns that may need quantification. Were the bill to pass through this House, those unknowns may be quantified in the upper House.

The bill highlights one of the most important environmental problems in Australia. Possibly it is second only to the damage that is occurring to our most basic natural resources of soil and water. The Government

should have addressed the feral cat and fox problem some time ago. Members of the Government have raised the issue previously but to no avail. When the honourable member for Burrinjuck has raised the matter on a number of occasions in this Chamber essentially it has fallen on deaf ears. The Government is only addressing the problem now because of the bill introduced by the honourable member for Port Stephens.

I, along with the honourable member for Monaro, who spoke earlier against the legislation, spent some time in the Western Division of the State shooting, among other animals, feral cats. I am fully aware of the decimation of our fauna not only in the Western Division but also in other parts of New South Wales. Something must be done about the problem, though the way in which the honourable member for Port Stephens has raised it gives cause for some suspicion. However, at least the issue is on the agenda because it is essential that the problem be addressed. Unless something positive is done to protect our endangered species, there is the real likelihood that many will be eradicated. Other conservation of endangered species bills are to be considered by the House. Rather than various members of Parliament running off with their quasi-environmental political agenda on the conservation of endangered species, I suggest that the single most effective way to deal with the problem is to introduce some degree of control over the proliferation of the red fox and the feral cat. The quasi-political agendas may win some political points but in the end will do nothing to save the environment.

So long as the present degree of feral cat and red fox proliferation continues, any measure relating to conservation of endangered species essentially means nothing. The House must take this matter on board

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so that action may be taken. To this end the Government has set up a committee to consider the matter. I understand the concerns expressed by the honourable member for Murray about the legal implications for landholders, the possible expense to which the legislation could put landholders and the administration difficulties of rural lands protection boards. However, I do not see that as an excuse to walk away from the debate or to water down the goal. We must keep our eye on the ball. If we are at all fair dinkum about addressing this crucial environmental problem, the goal must be to bring the feral cat and fox population under control. Otherwise, the result will be watered down legislation that looks good in the media for a few days but does not solve the problem.

I understand difficulties exist in relation to the impact this legislation may or may not have on Crown lands. I shall be interested to hear the comments of the honourable member for Port Stephens on that issue because I believe land that is administered by the Crown is a breeding ground for feral cats and the red fox. I am pleased that the Minister for the Environment is in the Chamber because the existing legislation empowers him to bring the National Parks and Wildlife Service to bear in relation not only to controlling feral animals and pests but also to controlling the massive noxious weed proliferation in some national parks. Given the current legislative framework, I shall oppose vigorously any moves to lock up certain wilderness areas without adequate provision for the control of feral animals and noxious weeds.

In addressing the problem of feral cats, we must seriously consider biological control measures. That might involve domestic cat owners in the expense of immunising their pets. As the debate continues it will be interesting to observe how the so-called environmentalists on both sides of the Chamber react to biological control of cats. Then honourable members will be able to gauge how serious they are about addressing the problem or whether the backlash of city voters will impact on their decision-making and engender a degree of irrationality that is often apparent.

As well as biological control, people in country areas should be given economic incentives to control feral animals. When I was younger I earned an income from shooting foxes at a time when their fur was worth money. Here again environmentalists - many within Australia - have come down on the fur market and eradicated perhaps one of the major control measures. Economically there is no incentive for people to control foxes. There is a cost. Other speakers have suggested that economic circumstances in rural New South Wales are tight and that even though those in rural areas are aware of damage caused by the fox and the feral cat, the cost implication to their budgets do not enable them to carry out necessary control measures. The Government should consider introducing bounties so that young farmers and their children have an incentive to control feral

animals.

We must be serious about foxes and feral cats. Cats, whether urban or rural, are a massive problem. We should look at biological controls and economic incentives. Something has to be done. I will be interested to hear what other people say, particularly the Minister for the Environment, in relation to the legal implications of the bill. He may well agree that there are problems with it. Perhaps the bill will create pressure on the Government to address the issue seriously. If it is passed by the lower House, there may be room for its modification in the upper House. As I said, I shall determine the way I vote after I hear the statements and undertakings of the honourable member for Port Stephens in his reply to this debate.

Mr HARTCHER (Gosford - Minister for the Environment) [10.21]: The Government acknowledges the seriousness of the whole issue of feral animal control. It is one of our major environmental concerns and it is important that it be addressed. For a number of reasons the Government does not support the bill introduced by the honourable member for Port Stephens. One reason is that the bill does not satisfactorily address the problem. There is no doubt that feral cats and foxes, together with a whole range of feral animals, have done enormous damage to Australia's native wildlife. We hear the list of species extinguished since European settlement in 1788 but it is not normally stated that the largest single reason for the extinction of those species has not been human activity but the activity of feral animals, especially feral cats. Everyone is aware of the enormous damage that cats of all sorts do to birdlife, reptiles and small animals. All the studies show that the average cat is capable of extensive destruction.

Honourable members will have seen claims that each cat can eat or destroy about 70 kilograms of mammals or birds each year. The figures vary. Surveys have shown that most house cats will roam during some part of the night. Most cat owners allow their cats to go in and out of their house at night. It is well understood that the cats do not go out simply for the purposes of philandering; they frequently go out to destroy wildlife. I am advised by the National Parks and Wildlife Service that a couple of months ago a sample series of traps were set in Lane Cove National Park. The trapping showed that the great majority of cats trapped were not feral cats but domestic cats from the surrounding homes. Those cats had not wandered into the park to enjoy nature conservation. They had gone there for only one purpose: to eat everything they could find there.

Mr E. T. Page: Did you carry out a survey?

Mr HARTCHER: It was not the sort of survey we make of voters in the electorate of Coogee. Nonetheless, a bit of stomach pumping can achieve wondrous results. I would not advocate that for the supporters of the honourable member for Coogee. What would be achieved by undertaking a large baiting program? People living in residential areas would replace any cats they lost, so the cat menace

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would not be reduced. Feral animals would not be the only target, and feral animals are not the only problem. In so many cases domestic cats are a menace to wildlife. Where does the Government stand on this bill? The Government is aware that the bill introduced by the honourable member for Port Stephens would declare foxes and feral cats found within one kilometre of residences as noxious animals. The bill would place a positive obligation, under statute, on landholders to suppress and destroy those animals fully and continually. However, such an amendment is based on certain assumptions that would make implementation of the legislation almost impossible.

This is not to say that the Government does not see feral cats and foxes as a problem. The Government is undertaking numerous initiatives to reduce the massive impact feral cats and foxes are having on flora and fauna. However, the bill will not resolve the problem. Because the bill is ineffective the Government will not support it. If this Parliament could pass a bill that would solve the fox and feral cat problem, the Government would introduce such a bill. We acknowledge the sincerity of the efforts of the honourable member for Port Stephens to mitigate the problem. Parliament can pass all the laws it likes but feral cats and foxes do not read and are not responsive to them. If landholders are to respond to the laws, the laws have to be drawn so that the landholders can effectively meet their responsibility. The bill would impose on landholders a responsibility they could not meet.

The problem of feral cats and foxes has a high position on the public agenda. There is strong public awareness of the destruction these introduced animals cause and the public will support reasonable measures to control them. However, the proposal the honourable member for Port Stephens put forward would mean that members of the public, be they owners or occupiers of land, would be legally obliged to kill any foxes or feral cats on their land. That is to say, the occupant would have to be able to identify cats as feral - if that is possible. If the resident is able to identify the cat as feral, how would he destroy it? There is no way of asking a cat whether it is feral. The landowner would be forced to make a judgment he does not have the skill to make. He would also have a legal liability to the owner of a domestic cat he mistook for a feral cat.

The next problem is how the landowner would kill the cat, having identified it as feral. Does the Opposition advocate massive arming of the population to shoot the animals? This is left up in the air. The provision relating to the destruction of feral cats does not apply to cats found within one kilometre of residential premises. Is the honourable member for Port Stephens telling us that feral cats do not come within a kilometre of residences and, likewise, that domestic cats do not stray further than one kilometre from their homes? The one kilometre specified is purely arbitrary and means nothing. As I stated in relation to Lane Cove National Park, most homes in the area are within a kilometre of the park. The park has a major problem so far as feral cats are concerned, and this legislation will do nothing to address the problem.

Feral cats come far closer than a distance of one kilometre to residential areas; they have been known to come right up to the door. Similarly, domestic cats stray over wide areas. I am informed by the Director of National Parks and Wildlife that the dividing line distinguishing between true feral cats and roaming domestic cats is non-existent. Given that there is no evidence to prove that cats observe different patterns of behaviour, how can people correctly identify feral and domestic cats? The fact is that there is no difference between the wandering patterns of feral cats and those of roaming house cats. Landowners will be placed in an impossible situation should this bill be passed. There is no way that a landowner can distinguish a feral cat from a roaming domestic cat.

The flawed logic of this amendment bill is made more obvious by the fact that the Rural Lands Protection Act does not encompass Crown lands and that the amendments suggested by the honourable member for Port Stephens would not take into account much of the vacant Crown land where such animals predominate. Landowners would be subject to the provisions of the bill whereas the Crown would not, despite the fact that vast numbers of feral cats live on Crown land, especially in national parks. However many laws the Government passes to prohibit feral cats in national parks, feral cats cannot read and, therefore, will not abide by the law. This bill, which will do nothing to destroy feral cats in national parks, will place an impossible burden upon some landowners. The fact that Crown land will not be subject to the provisions of the bill is not of concern to feral cats and foxes, which supposedly will be more effectively controlled under this legislation. Feral animals do not keep within the boundaries set down by the Rural Lands Protection Act. Should the bill be passed an anomaly will be created whereby the Government will not be under the same obligation as landowners to destroy these animals.

The honourable member for Port Stephens in his second reading speech suggested, incorrectly, that the Government has ignored the problem of feral animals. Nothing could be further from the truth. The Fahey Government and its Ministers are aware of the devastating effect introduced animals such as cats and foxes have had on our precious fauna. The Government, through the efforts of the National Parks and Wildlife Service and other agencies such as the Department of Agriculture, has done much to address the problem. The National Parks and Wildlife Service provides a specific allocation in its budget for the control of feral animals in national parks. The Budget brought down recently by the Treasurer contains significant funding for feral animal control. *[Extension of time agreed to.]*

In addition to the one-line allocation in the Budget, further funds are expended by districts and regions of the National Parks and Wildlife Service in its ongoing service programs. Hundreds of thousands of dollars are spent each year by the service in seeking to control feral animals on land administered by it - that is, 5 per cent of land in the State. Feral

animal control presents an enormous problem. In addition to eradication programs the service is involved also in research programs that are aimed at developing and improving feral animal control methods. The emphasis here is on biological control - which the honourable member for Tamworth spoke about - and other environmentally sensitive control measures. An environmentally friendly cat bait dispenser, the feral cat controller, is a service initiative. This dispenser has enabled the assessment of the feral cat population in service managed areas. The feral cat controller has many advantages over the more traditional baiting methods, including the prevention of the poisoning of non-target animals.

If this legislation were put into operation and a burden imposed upon landowners or landholders - as the bill seeks to impose - how will the provisions be administered? Is it suggested that landowners or landholders should shoot feral animals? I am sure the honourable member for Port Stephens would not advocate people wandering around the countryside firing guns all day and all night. This legislation would place an unreasonable and onerous responsibility on the landowners in terms of time and cost, and they would be forced to resort to poisoning. Generally speaking, the only processes which can be used are trapping, poisoning and shooting. The trapping and poisoning processes are overwhelmingly non-specific. It is extremely difficult to introduce a poisoning program that will not affect all wildlife. It is difficult to ensure that trapping programs catch only those animals they are intended to catch. As resources available to landowners are limited they would only be able to take the inexpensive options - trapping and baiting. It would not be in the interests of our wildlife to have landowners embark upon non-specific poisoning and trapping programs. The loser from those programs would be Australia's own wildlife.

The bill has not been thought through. Though it gives the appearance of being protective of our wildlife, it is, in effect, inimical to its interests. At present the National Parks and Wildlife Service is conducting a program to control feral cats in metropolitan parks funded through the National Parks and Wildlife Foundation. Pilot trials comparing trapping and non-poisonous bait-take from the feral cat controller have been carried out at Lane Cove National Park, Botany Bay National Park and Sydney Harbour National Park. The program is being conducted in co-operation with local councils, conservation agencies, animal welfare organisations and local residents.

Recently I approved the placement on public exhibition of a proposed review of environmental factors to use poison baits to control feral cats in Lane Cove National Park. The service proposes to finalise the review of environmental factors and place it on display soon. Before the service can adopt a program of poisoning specific targeted animals such as feral cats, it will publish a review of environmental factors. Currently the service is consulting widely with interested groups. The Opposition's legislation, if passed by this House, would not require a review of environmental factors before poisons were used. People anxious to comply with their obligations will use all sorts of means, including poisons, which would not be specific to feral cats. This would create an enormous risk in the community.

In September 1992 the Zoological Parks Board, which has also recognised the problem of feral cats, hosted a seminar the subject of which was "Protect Your Cat, Save Your Wildlife". The seminar, which was held at Taronga Zoo, was attended by many notable individuals. Some of the topics dealt with included "The Effects Of Feral Cats On Wildlife", "A National Perspective Of Cats In The Environment", "General Cat Control" and, more importantly, "Responsible Cat Ownership". This last topic is particularly pertinent, for no matter how organised are control measures to deal with feral cats in natural areas, there must be some parallel components of education and awareness in rural, urban and inter-urban areas.

As the feral cat problem worsens, the public must be educated about the effect on the environment of allowing pet cats to wander at night. Increased education will ensure adequate control of pets and prevent them from wandering into feral cat infested areas. The National Parks and Wildlife Service regards this as a significant problem. Though the service achieves acceptable results in controlling principal pest species, long-term effective control of all pest species is a complex management problem - too complex to simplistically absolve responsibility by making owners and occupiers responsible for the control of two feral species.

The bill does not address the issue of goats and pigs, and makes no distinction between State and non-State land tenure. The bill is a knee-jerk reaction to a serious problem. By taking the initiative, the Government's plans more realistically address feral animal control. The amendments proposed by the honourable member for Port Stephens do nothing to advance an appropriate solution; they are inimical to the interests of our wildlife. They will not help to solve the problem; they are simply designed to get a headline for the Opposition.

Mr CAUSLEY (Clarence - Minister for Agriculture and Fisheries, and Minister for Mines) [10.40]: I thank Government members for their contributions to the debate. They were the honourable member for Murray, who is the chairman of the committee investigating the problem; the honourable member for Oxley; the honourable member for Monaro; and my colleague the Minister for the Environment. I thank also the honourable member for Tamworth. Many of their comments endorse the opinion of the Government. No one would deny that a problem exists so far as feral cats are concerned. During my time as a member of this House many maiden speeches addressed environment issues. I have listened to many emotive speeches about the destruction of fauna by foresters.

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Feral cats have done more damage to fauna than any forester ever has. From time to time I hear quoted material detailing the animals that have become extinct since European settlement of this country. Often reasons are not given for the declining numbers. We are not told that in most cases those animals could be found west of the ranges and not in forests. The effect of the rabbit, cat and fox on those animal populations has never been discussed. I and other members on this side of the House have no doubt that feral animals destroy fauna as well as farm animals. This issue must be addressed. Unfortunately, most bills proposed by the Opposition are not thought through. This bill is no exception. Is it because Opposition members do not have the back-up resources enjoyed by Government members? Whatever the reason, Opposition bills are never thought through. Opposition members do not sit down to consider the consequences of introducing their legislation.

It is often said the Westminster system is cumbersome and unwieldy. That may be so, but the system allows advice to be received from the various departments and lawyers about whether proposals will or will not work. Though the bill addresses an issue that must be considered by society, it is a knee-jerk reaction and is designed to grab a headline. The honourable member for Tamworth said that the Government had missed the boat. I do not know how we can arrive at a decision to satisfy all the needs of the community at this particular time. The honourable member for Murray, as chairman of the committee, will make available to the community a discussion paper explaining how the Government will address the problem.

Rural lands protection boards, and members of the farming community in general, object to having the responsibility for the control of feral animals placed on the landholder. I have received many representations from farmers who pay rates to the rural land protection boards. Some of them are not big landholders. They have expressed concern about the amount they are paying towards their rates. I am obliged to remind them of the purpose of the rural and protection boards: to protect rural industries and destroy feral animals that may trespass on farmers' land. When rural land protection rates double - and that will be the result of this legislation - I will forward all correspondence to the honourable member for Port Stephens.

Mr Martin: I will be the Minister then, so it will be all right.

Mr CAUSLEY: It will be a long time before the honourable member for Port Stephens is a Minister. Even should Labor win government, the honourable member knows that the knives will come out - the honourable member for Moorebank will usurp the position of the honourable member for Port Stephens. The provisions of the bill will not bind the Crown. Landholders will be required to destroy feral animals that come on to their properties. Often feral animals wander on to freehold land from Crown land such as national parks and forests. The bill will place a legal responsibility on property-owners to destroy feral animals. This will impose an enormous burden on the rural landholder - the big farmer and the small rural landholder who pays rates to the Rural Lands Protection Board.

The Rural Lands Protection Board will have to inspect properties for the presence of feral animals, and this will create additional responsibility and expense. The ratepayer will have to bear that cost. The bill defines a residential area as any land within one kilometre of any premises occupied for residential purposes. I do not know whether Opposition members have ever visited the North Coast - and I realise it has been a while since the honourable member for Port Stephens was thrown out of the Wollongbar research station - but I can assure them there would be few areas of land on the North Coast that would be beyond a one kilometre radius of premises occupied for residential purposes. If there is, it would be Crown land.

The Opposition definition of residential land is an absolute nonsense because it does not address the real problem. The feral cat is one of the most efficient killing machines ever, but what is a feral cat? The domestic moggie is a feral cat at night: it might be well fed but that does not stop it from killing. It might eat but it will still go out and kill. The committee has been wrestling with that real issue for a long time. I have received much correspondence from city and country residents because many people who have a close attachment to their domestic cats are concerned about the provisions of this bill. As the Minister for the Environment said, domestic cats will wander at night for distances up to three kilometres. Under the provisions of this bill they would then be regarded as feral.

Responsible people are now attaching bells to their cats. That is probably a good thing because at least it will give fauna a bit of a chance. People have very strong attachments to their pets, and this bill has opened up a very emotive issue. I urge the honourable member for Port Stephens to let the discussion paper go out to the community so that the problem can be addressed and some answers found. Undoubtedly education is needed. People seem to think that the easiest way to get rid of kittens is to dump them. That is the worst thing one could possibly do. Everyone shudders at the suggestion that unwanted kittens should be put down, but that is the best thing one could do for the environment. If kittens are dumped and they survive, they become efficient killers. From time to time figures have been compiled which show that feral cats kill probably billions of small mammals across Australia each year.

Mr Martin: My case rests there.

Mr CAUSLEY: The case cannot rest there. The honourable member for Port Stephens says that there is a problem with feral cats, and everyone agrees with him. He has put forward the simplistic solution of telling all the property-owners in New South Wales that they must get rid of feral cats. No

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wonder the honourable member for Moorebank has got the shoes of the honourable member for Port Stephens as a potential Minister for Agriculture! The honourable member for Port Stephens would not get any support from the rural areas. Even though property-owners admit there is a problem, they would be absolutely horrified by the proposed solution. The honourable member for Tamworth made some important points which should be pursued. He spoke about biological controls. People going down that track have discovered that biological controls are not easy. If cats could be injected, they may be rendered impotent. However, as the Minister for the Environment has said, it is difficult to poison cats. The honourable member for Murray made the same point. Cats manage to regurgitate the poison fairly quickly.

The important point is that feral cats cannot be identified. The bill provides simplistically that if a cat is within a kilometre of a residence, it is not a feral cat. Domestic cats roam beyond a kilometre from their homes, so that the problem of determining which cats are feral will be a legal minefield. On rural properties the farm cat might wander a kilometre away from the residence and will have to be destroyed. The honourable member for Port Stephens has not thought the issue through. He may have good intentions, although I believe he is looking for the headline. The legislation will cause all sorts of problems and must be given a deal more thought. That will probably take some time because there is a lot of conflicting opinion in the community about this emotive issue. In the second reading speech the honourable member for Port Stephens said, "This matter was last debated in the Parliament in 1977".

Mr Martin: That debate was about foxes.

Mr CAUSLEY: The information I have been able to gather suggests that that is absolutely correct. The debate in 1977 was about foxes. It was an interesting debate. The Labor Party took the fox off the noxious animals list. The Opposition should get its act together and decide whether or not it wants the fox to be declared a noxious animal. The fox is probably not as big a problem as the feral cat; it is more easily controlled. As the honourable member for Murray said, foxes can be baited. When fox pelts were worth money the fox population was controlled by hunters. But people such as the honourable member for Blacktown say, in relation to animal welfare, that foxes should not be hunted. If foxes are not hunted, they eat all the wildlife. That is another difficult issue which must be addressed.

Honourable members who are unsure how to vote on this bill should give consideration to the matters I have raised. First, the bill does not define a feral cat, and trying to enforce the provisions of the bill will lead to all sorts of legal minefields. Second, the responsibility for controlling feral animals will rest solely with landholders. People who pay rural land protection rates will have to try to enforce the provisions of the bill on behalf of the remainder of the State. The third problem is that, because the bill does not define a feral cat, many people in city and urban areas are worried about how their pets will be affected by the destructive bill introduced by the honourable member for Port Stephens.

Mr MARTIN (Port Stephens) [10.55], in reply: The purpose of this simple legislation is to add the red fox, the only species of fox in this country, and the feral cat to the list of noxious animals. The list presently includes wild dogs, dingoes, rabbits and pigs. The bill highlights the major problem that now exists with foxes and feral cats and seeks to reduce their numbers. Every speaker in the debate - including the honourable member for Tamworth, who said that he had not made up his mind about the bill - has accepted that these animals are causing untold damage in New South Wales and right across Australia. The Minister for Agriculture and Fisheries said that feral cats kill billions of animals. The Opposition recognised the need to do something about that problem. The Government, which has been in power for five years, had no intention of dealing with the problem and had put it in the too hard basket. It has been estimated that Australia has 18.4 million feral cats. I have heard reports that after drought-breaking rains in western New South Wales, feral cats sat by waterholes and cleaned up hundreds and hundreds of birds. Honourable members should remember that feral cats do not need water and are extremely difficult to control.

The Opposition realises that it is difficult to introduce complicated legislation. The second reading speech was delivered on 1st April. Judging from the Minister's response, he must have regarded the bill as an April fool's joke instead of taking it seriously. The legislation has been on the table of the Parliament since 1st April and nothing has come forward from the Government - no suggested improvements, no constructive input. Members of the National Party do not dispute the damage being done by foxes and feral cats. They say that it is all too hard, and suggest that I am trying to score a political point and grab a headline. I do not give a damn about that. I want feral cats and foxes controlled in this State.

If the Parliament does not support this legislation, it will be held up to ridicule. I have no objection to constructive input. As the honourable member for Tamworth said, if the bill can be improved before being forwarded to the upper House, let us improve it. But let us do something about it instead of listening to the tripe that came from the mouth of the Minister for the Environment about discussing the problem at a seminar. Have you ever seen anything like it? A seminar about feral cats! It just does not make sense.

Today's debate contained a lot of emotive argument. The scope of the legislation is narrow - adding those animals to the noxious animals list. I appreciate that it is much easier to control foxes than it is to control feral cats: feral cats do not leave telltale marks on people's properties. I look forward to a co-operative and successful working arrangement between rural lands protection boards and landholders.

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Recently, while I was in the northwest of New South Wales, I witnessed a marvellous program aimed at controlling foxes which was being implemented on a group of properties. That program is commendable.

The only people to approach me on this issue to make a positive contribution to making the legislation

work better are the rangers from the rural lands protection boards. Rural Lands Protection Board people were quick to come to my doorstep when it was thought they would be affected by a change of government. They are very quick to protect themselves, but they have not had any constructive input on how to make the legislation work better. I can understand anyone being worried about money, and I can understand how a group of people could be concerned about how the proposals contained in the bill will be funded and what will be done about Crown Land, but it is appalling if feral animals on Crown Land - whether it be National Parks and Wildlife forests or any of the one million parcels of Crown land - are not controlled.

We have to work together. And who are better able to control foxes and feral cats than the rural lands protection boards? I could go on at great length about this issue. When I introduced this legislation on behalf of the Opposition, I had approaches from people in Broken Hill who asked me why I was not adding feral goats to the list. I said to them, "It is like this: from Opposition you do not put up complicated legislation because it is difficult to get it passed, particularly when a government or a bureaucracy says that it will ensure that it will not work". That is why this simple piece of legislation was introduced. I am quite willing to accept any amendments that will improve the legislation. But the intent of the legislation is clear: it is to control foxes and feral cats. Government members opposite have not put forward one good argument on this issue. I am disappointed that they have not taken this issue on board. They have been in government for five years, and in that time they have done nothing. It is time something did happen!

The Minister for Agriculture and Fisheries spoke about foxes, but he did not do his research, nor did he read fully the second reading speech. For the benefit of the Minister I repeat that on three occasions since 1895 foxes have been on and off the New South Wales noxious animals list. On those three occasions the value of fox skins rose considerably, profit was to be made, and there was incentive for the fox skin industry. That is the history of the issue. That that is the way it worked cannot be denied, irrespective of which political party was in power.

The legislation is about feral cats and foxes, and the term feral cat was used in the legislation because it was the best term to define a feral cat for legal purposes. Though there are 13 lawyers sitting on the Government benches, not one of them has come up with a better suggestion. Every Government member accepts that foxes and feral cats are a massive problem, but they feel the problem is too difficult to resolve so they throw their hands in the air. It is vital that this problem be addressed for the wildlife, for the farming community and for the best government of New South Wales.

Question - That this bill be now read a second time - put.

The House divided.

Ayes, 47

Ms Allan	Mr Martin
Mr Amery	Mr Mills
Mr Anderson	Ms Moore
Mr A. S. Aquilina	Mr Moss
Mr J. J. Aquilina	Mr J. H. Murray
Mr Bowman	Mr Nagle
Mr Carr	Mr Neilly
Mr Clough	Mr Newman
Mr Crittenden	Ms Nori
Mr Face	Mr E. T. Page
Mr Gaudry	Mr Price
Mr Gibson	Dr Refshauge
Mrs Grusovin	Mr Rogan
Mr Hatton	Mr Rumble
Mr Hunter	Mr Scully

Mr Iemma	Mr Shedden
Mr Irwin	Mr Sullivan
Mr Knight	Mr Thompson
Mr Knowles	Mr Whelan
Mr Langton	Mr Windsor
Mrs Lo Po'	Mr Yeadon
Mr McBride	<i>Tellers,</i>
Dr Macdonald	Mr Beckroge
Mr McManus	Mr Davoren

Noes, 43

Mr Armstrong	Mr W. T. J. Murray
Mr Beck	Mr O'Doherty
Mr Blackmore	Mr D. L. Page
Mr Causley	Mr Peacocke
Mr Chappell	Mr Petch
Mrs Chikarovski	Mr Phillips
Mr Cochran	Mr Photios
Mrs Cohen	Mr Richardson
Mr Collins	Mr Rixon
Mr Cruickshank	Mr Rozzoli
Mr Downy	Mr Schipp
Mr Fraser	Mr Schultz
Mr Glachan	Mr Small
Mr Griffiths	Mr Smith
Mr Hartcher	Mr Souris
Mr Hazzard	Mr Tink
Mr Humpherson	Mr West
Mr Kinross	Mr Yabsley
Mr Longley	Mr Zammit
Ms Machin	<i>Tellers,</i>
Mr Merton	Mr Jeffery
Mr Morris	Mr Kerr

Pairs

Mr Doyle	Mr Baird
Mr Harrison	Mr Fahey
Mr Markham	Dr Kernohan
Mr Ziolkowski	Mr Smiles

Question so resolved in the affirmative.

Motion agreed to.

Bill read a second time and passed through remaining stages.

Debate called on, and adjourned on motion by Mr Langton.

**CRIMES (COMMON NIGHTWALKERS)
AMENDMENT BILL**

Second Reading

Debate resumed from 22nd April.

Mr WHELAN (Ashfield) [11.15]: The Opposition has considered this bill and supports it.

Mr KERR (Cronulla) [11.16], in reply: I am pleased that the Opposition is supporting this bill. What was left unsaid by the honourable member for Ashfield is that it is very important legislation. He has indicated opposition to Australia's colonial past. My understanding is that it does not even rate an honourable mention with him these days. This issue is of practical concern to the people of New South Wales; it is something of real significance to the people of Cronulla. When I spoke earlier I mentioned a night game of league that was very popular. The mighty Sharks, while no longer in contention for the premiership unfortunately, have been very successful in that competition.

[Interruption]

I am sure that all elements of the bill were included in the Opposition's agreement. As a result, those people who go to a league game at Cronulla - whichever team Cronulla happens to beat on the night - can walk home with hope and joy in their hearts, knowing that they are not breaking the law. I acknowledge the consensus that has been reached in regard to this matter. I thank the Opposition for its support and I thank all members of the Government, many of whom would have spoken at length had we encountered opposition in this great crusade.

Motion agreed to.

Bill read a second time and passed through remaining stages.

LAND ACQUISITION (JUST TERMS COMPENSATION) AMENDMENT BILL

Second Reading

Debate called on, and adjourned on motion by Mr E. T. Page.

SOUTH TWEED TAFE COLLEGE LAND BILL

Second Reading

Debate called on, and adjourned on motion by Mr Beck.

CASINO CONTROL (SLOT MACHINES) AMENDMENT BILL

Second Reading

Debate resumed from 20th May.

Mrs COHEN (Badgerys Creek - Chief Secretary, and Minister for Administrative Services) [11.20]: I do

not know how many times the subject-matter of the Casino Control (Slot Machines) Amendment Bill has been before the House, but it has been debated ad nauseam. The Government opposes the bill. The honourable member for Bligh, by introducing this bill, is seeking to remove slot machines from the Sydney casino. In 1991 all members of Parliament and all interested parties were presented with a draft bill. That was followed by the Street inquiry. Once again, the results of the Street inquiry were distributed to the community for comment.

In February 1992 the Government adopted the recommendations of Sir Laurence Street. The Casino Control Bill was introduced into the Parliament and the bill was passed in April 1992. The bill proposed by the honourable member for Bligh is a total contradiction of the position she took in this House when the Casino Control Bill was introduced and passed in April 1992. The Opposition, with the support of the Independents at that time, forced an amendment to the Casino Control Bill, which required the Minister to establish an inquiry into the likely effect of casino slot machines on the registered clubs and hotel industry. The amendment also empowered the Minister to direct whether or not, and to what extent, if any, slot machines would be available in the casino. That amendment, which is now section 8 of the Act, did not seek to oppose any numerical limit on slot machines in the casino. Instead, it left that question to the Minister's discretion.

The amendment did not even require that the findings of the inquiry be taken into account before the direction for the number of machines was given. However, the Government believed it was important to conduct an inquiry. That inquiry was conducted and, subsequently, the Casino Control Bill passed through the House. The Casino Control Authority is now in the tender process, which is well under way. The number of machines has been settled. A safety net has been established for the registered clubs industry. There has been enormous consultation throughout the community. The will of the Parliament is clear. The honourable member for Bligh, as an individual, seeks to overturn the will of the Parliament. The Government opposes this bill most strongly.

Mr FACE (Charlestown) [11.23]: I lead for the Opposition in this debate. The Opposition, like the Government, will oppose the bill. Members of the Opposition have been consistent throughout in regard to the casino proposal. We believe that the casino should have some slot machines. In the early stages it would have been easy for the Opposition to go along with the proposal of the honourable member for Bligh. In our deliberations with the registered clubs

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industry we have consistently said that there should be a number of machines in the casino. In fact, we introduced another bill to try to overcome a quite proper concern of that industry. At least one person in the industry suggested that I was petulant in introducing that bill. That is far from the truth. The Opposition has views about natural justice and about the number of machines to be placed in the casino.

Since then, the Government, to its credit, has introduced a safety net. Other incentives have been taken on board by the Registered Clubs Association. As late as today I spoke with the executive director of the Registered Clubs Association, Keith Kerr. I have spoken to the president of that association, Jack Ball, at various regional meetings. That association and its State council have consistently said that if the legislation was amended today to permit 500 slot machines - which is the policy of the Opposition - they would prefer the legislative package put to them by the Government. That legislative package, once it is worked out, will provide clubs with considerable relief. The Opposition's bill would have assisted in achieving that result. The Registered Clubs Association is happy to go along with that.

After speaking to the leader of our party I wish to make it known that the Opposition will not go against the will of the Registered Clubs Association. From time to time members of that association, like governments and oppositions, have differences of opinion. They would not be doing their job if they did not. However, that association represents the majority of clubs in this State. As I have said, the safety net that is now in place will give clubs welcome relief. They have every right to express concern in the way that they have. The Opposition opposes the bill.

Ms MOORE (Bligh) [11.26], in reply: I introduced the Casino Control (Slot Machines) Amendment Bill to minimise the impact which the proposed Sydney casino will have on clubs in this city. I introduced the bill

because clubs provide valuable community services, which are funded by poker machine revenue. Excluding poker machines from the casino would preserve local clubs and their community services without threatening the viability of the casino. I remind honourable members that in 1986-87 the club industry as a whole provided \$52.4 million in direct charity support. An amount of \$24.92 million was given to charities and \$27.48 million was given to community based activities. An additional \$35.75 million was committed to support the aged, youth and the handicapped.

Sporting groups are heavily reliant on the club industry. If poker machines are transferred from the clubs to the casino a large part of that income will be taken as profit by the private operator running the casino. There is no doubt that a casino with slot machines will have this impact on the club industry. The Government commissioned Swan report declared that this was not the case. However, the Veal report, commissioned by the Registered Clubs Association, was extremely critical of the Swan report. I will not deal with the technical arguments as I am mindful of the errors generated by the model when applied to other States. The Veal report estimated that the average loss to clubs in a 10-kilometre radius of the casino would be \$220,000. There are 243 clubs within this radius. Those losses would cripple some clubs economically and they might be forced to close.

My bill does not threaten the viability of the casino proposal. The Veal report estimated that, even without slot machines, the casino would have an annual income of at least \$250 million. The Chief Secretary and Minister for Administrative Services proposes to restrict the number of slot machines in the temporary casino, but permit 1,500 in the permanent casino when a central monitoring system is introduced. Most importantly, the Government has offered safety net provisions to grant relief to the clubs within the 10-kilometre radius of the casino that have suffered serious hardship. I welcome the Chief Secretary's proposal. Unfortunately, these measures are not adequate. Machines are included in the casino and are limited to only 500 for a very short time. The safety net is a good idea, but it will provide only short-term assistance to clubs affected by poker machines in the casino. The Chief Secretary also proposed that the casino operator should pay a 2 per cent community benefit levy from the commencement of casino gambling. I do not think this is an alternative to current arrangements. A report in the *Illawarra Mercury* states:

Millions of dollars were to be syphoned out of casino revenue to help those with gambling problems, NSW Chief Secretary Anne Cohen announced yesterday.

Mrs Cohen told Parliament two per cent of all gross gambling revenue from the yet-to-be-established Sydney casino would go to a Community Benefits Fund administered by nine trustees.

The fund was likely to provide funding for community awareness campaigns, specialised training for counsellors and one-off grants for voluntary organisations.

It seems that this community benefit levy is to be used to solve problems created by the casino rather than to ensure that the community services provided by the clubs are provided. I believe that the levy will not overcome the real problems facing clubs as a result of the Government's legislation. Clubs are an effective and democratic means of funding services that benefit the whole of the community. No one has any expectation that the casino will take on these processes and responsibilities. My bill will exclude slot machines from the proposed casino, because to include them would damage local clubs and prevent them from providing community facilities and performing community services. Without the clubs this work would not be done and these facilities would not be available. My bill does not threaten the casino project, which will remain an extremely profitable proposition. My bill will impose a level of community responsibility on the casino proposal. I therefore urge all members to support it.

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Question - That this bill be now read a second time - put.

Division called for. Standing Order 208(c) applied.

Ayes, 3

Mr Hatton
Dr Macdonald
Ms Moore

Question so resolved in the negative.

Motion negatived.

EDUCATION REFORM (SCHOOL VIOLENCE) AMENDMENT BILL

Second Reading

Debate resumed from 20th May.

Mrs CHIKAROVSKI (Lane Cove - Minister for Industrial Relations and Employment, and Minister for the Status of Women) [11.36]: The Government has stated on many occasions and in a variety of ways that it is concerned about violence, whether it involves students or the broader community. Violence is totally unacceptable at schools or in society. Recently the Minister for Education, Training and Youth Affairs announced a range of measures signalling a continuing crack-down on school violence. The Legislative Council's Standing Committee on Social Issues is holding an inquiry into youth violence, at the request of the Minister for Education, Training and Youth Affairs. Media reports which focus on violence - often erroneously reporting school involvement - might suggest some sort of war zone behaviour. This is definitely not the case. These reports and comments are irresponsible and sensationalise the issue. Recent figures from the New South Wales Bureau of Crime Statistics show that schools are more than 10 times safer than elsewhere in the community.

The continuing crack-down on school violence announced by the Minister in early August will ensure that schools remain safe for students. The new measures complement current welfare and security programs. They include the expulsion, on the recommendation of the principal, of any student caught with a weapon on school premises or at school activities conducted off school premises; a warning system for students repeatedly involved in violent incidents on school premises, whereby principals may use their discretion on exclusion; school gangs and gang colours will be banned in schools; permission from a member of the school staff will be necessary for students to leave school premises during school hours; behaviour which threatens other students or teachers will be reported to the principal, and the matter will be reported to police for action; unwanted intruders or those with no good reason for being on school property will be reported to police; principals will have the power to declare vacant any place occupied by a student who displays a poor attendance record and refuses to comply with school requirements; it will be the student's responsibility to negotiate re-enrolment or enrolment in another school or technical and further education college; for excluded students, the responsibility for alternative placement will rest with the Department of School Education, not the excluding school; principals will have the right to refuse the enrolment of a student with a history of violence; and a new kit, Resources for Teaching Against Violence, will be available to all New South Wales schools from next month. The kit is aimed at dealing with aggressive and disruptive student behaviour. Reporting of incidents has been mandatory since 1991 and serious incidents must be reported to the police.

The irony of the bill is that it will not prevent violence. The stated object of the Education Reform (School Violence) Amendment Bill is to prevent violence in government schools, but there is no deterrent value in any of the clauses. The powers, responsibilities and offences set out are already in existence. There is not one single clause which will result in the prevention of violence. All the proposed clauses are directed to matters arising subsequent to violence occurring. The Government, and in particular the Minister for Education, Training and Youth Affairs in another place, has received numerous letters stating concerns about

the bill from well respected organisations in the community. The Federation of Parents and Citizens Associations of New South Wales issued a statement on 25th July which stated:

"Messrs Carr and Aquilina are engaging in fearmongering," the Federation of Parents and Citizens Associations asserted at their annual conference today. "Messrs Carr and Aquilina are behaving like the bullies they are condemning. They have selected quotes from statistics and used them to do violence to students and staff in our schools.

By selectively quoting from these statistics the Opposition is playing classroom tattle tales and is offering no solutions other than draconian legislation to alleviate what Messrs Carr and Aquilina claim to be a problem".

The National Children's and Youth Law Centre has also expressed strong opposition and stated that there are adequate powers under existing criminal law and education law to deal with the problem. In a press release dated 9th August, solicitor Janine Jancu stated:

The bill has serious implications for children's rights in that it criminalises behaviour which would not constitute an offence for an adult in a comparable situation.

She continued:

A student who took a water pistol to school, who threw a paper dart at another student, or who was willing to use a cricket bat if attacked by another student might be found to have been in possession of a weapon and might face criminal charges and lose his or her right to education. Guns, knives and a wide range of dangerous items are already prohibited under the Firearms Act and the Prohibited Weapons Act and there is no need for a separate law for schools.

On 8th June the Metropolitan South West Secondary Principals' Council wrote to the Minister for Education, Training and Youth Affairs as follows:

Sincere appreciation for the forthright manner in which the Hon. Virginia Chadwick dealt with the difficult situation regarding the matter of violence in our schools recently.

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It was the unanimous feeling of the secondary principals of this region that we should express our feeling of appreciation directly to you in light of your actions.

We are thankful to have a Minister who shows such fine leadership and understanding of the needs of our schools and their communities.

As indicated in correspondence quoted earlier, violence is given such a broad meaning in the bill that it could virtually encompass any incident of pushing and shoving even if it did not involve any intention to cause harm. The definition that a weapon may be anything made for causing injury or anything intended to injure creates difficulty as a judgment would have to be made in each case. Principals and teachers would be required to make a judgment about whether a particular item, other than a firearm or a prohibited weapon, was made or adapted for use for causing injury or was intended by the person having possession of it to be used to injure or menace. A compass or a tennis racquet could fall into this definition, provided that the principal or teacher was satisfied that there was an intention to harm.

Proposed section 117B(1) creates an offence of possessing a weapon in a government school on a school day, with a penalty of 50 penalty units or two years' imprisonment, or both. As already stated, the Firearms Act and the Prohibited Weapons Act deal with a number of issues involving offensive weapons or possession of or use of prohibited weapons. Those two Acts cover a wide range of items including firearms, replica firearms, air guns, crossbows, many knives, knuckle-dusters, studded gloves, anti-personnel sprays, and so on. Those Acts do not put arbitrary location limits on the possession of the weapons. The bill seeks to limit this offence to the physical location of a government school and only on a school day. The farcical situation could exist where

possession of a firearm at a sports carnival or an excursion held off school premises is not an offence under the bill but is an offence under the Firearms Act.

Measures are already in place so that any student caught with a weapon off school premises can be expelled. Section 117B(2) empowers the Director-General of School Education to exempt a person from the offence created under section 117B(1). Why should there be any power to exempt? The law creating the offence of possession or use of firearms or prohibited weapons already exists. Why now introduce the same offence but give exemption power to a person who is responsible for an effective teaching service, and not to the Commissioner of Police? Is an exemption under this clause a defence to charges under the Firearms Act and the Prohibited Weapons Act?

The National Children's and Youth Law Centre takes the view that this proposal has the effect of discriminating against children and young people and is therefore in breach of Article 4 of the United Nations Convention on the Rights of Children. It also amounts to age discrimination, which is widely seen as unacceptable and will be outlawed if the proposals from the Attorney General's Department in the white paper entitled "Age Discrimination Legislation for New South Wales, April 1993" are adopted. Section 117C(1) addresses the mandatory suspension of a student for possession of a weapon. It creates a dilemma for principals, who already have the power to suspend. At present, before suspending a student a principal must go through a process of being satisfied that section 117B(1) was contravened and that the student does not have a reasonable excuse.

Under the existing powers the principal has the discretion to suspend regardless of any excuse provided by a student. A defence or reasonable excuse for possessing a weapon is being created. No such defence is available under either the Firearms Act or the Prohibited Weapons Act. On this basis, a principal may not suspend a student who provides a reasonable excuse, but that same student is subject to being charged with an offence under the Firearms Act or the Prohibited Weapons Act. Subsections (2), (3) and (4) of section 117C are drafted in such a way that possession of a weapon has mandatory requirements, yet suspension for any other act of violence does not. If this bill is supposed to be about preventing violence, this one point proves otherwise.

The clause relating to counselling for suspended students essentially means that the director-general will be required to do little other than arrange appropriate counselling or consulting with the parents of a suspended student. While there is a barrier to the director-general delegating this function to principals, he or she may choose to delegate to any other officer, including deputy principals, to allow for local resolution. This obviously would be an absurd situation, but it illustrates the absurd situations that this bill could create. Section 117F(1), relating to the reporting of violence in schools, creates a duty on teachers but does not impose any penalty for not fulfilling the duty, and it will be open to teachers to ignore this duty.

Further, this duty is limited to reporting acts of violence which occur at the school. Therefore, any act of violence which occurs on an excursion or during any other school activity off school premises is not subject to a report. This clause illustrates the shallowness of the bill. To state that this bill is about preventing violence in schools suggests that violence arises because of geographical factors, that is, schools. If all government schools were to undertake excursions all day every day, there would not be one single report of violence under this bill. There is no need for clause 117F(2). Every citizen has the discretion to report an act of violence to the police. Every parent, student, staff or community member already has the discretion to report to the principal not only any act of violence but any incident involving the school.

The obligation of a principal to report to the director-general, described in clause 117F(3), has no time limits. A principal may decide that as the school has to be identified, he or she will provide a report perhaps only once every three years. The director-general has also been asked to report to the

Commissioner of Police. It can only be assumed that the purpose of having the director-general report to the Commissioner of Police, as required under clause 117G(1), is to enable him or her to exercise his or her discretion to investigate the matter and lay charges. Of course, because clause 117G(2) specifies that a report is

not to identify any person involved, this will be difficult.

The fact that the school must be identified under clause 117G(2) may create a rather interesting reaction. Will teachers notify acts of violence in their school or will they decide not to do so because their school will be labelled as violent? Statistics on violence are required in the annual report, but statistics are only as good as the data collected. The real risk is that inappropriately reported acts of violence may lead to statistics indicating high rates of violence in one region and not another, and vice versa. Any statistics will be affected by overzealousness of reporting or under-reporting.

There is considerable public opposition to this bill. Weapons are so broadly defined that they could include paper darts, compasses and cricket bats. The Firearms Act and the Prohibited Weapons Act both create an offence of possession of or use of weapons, including guns, knives and a wide range of implements. Questions arise as to whether an exemption provided under this bill could be used as a defence to a charge under the Firearms Act and the Prohibited Weapons Act. This bill covers only acts of violence occurring on school premises. Possession of a firearm at a sports carnival or on an excursion away from school grounds is not an offence under this bill, but is an offence under the Firearms Act.

The bill limits the power of principals to suspend students. Reporting requirements under this bill could lead to schools being labelled. Not one single clause in this bill will prevent violence: every clause provides for what is to happen after an act of violence has occurred. There is no deterrent value in any of the clauses. The powers, responsibilities and offences set out are already in existence. The Government rejects this bill in its entirety.

Mr NAGLE (Auburn) [11.52]: The Education Reform (School Violence) Amendment Bill takes the issue of school violence further than any other legislation ever has. This bill resulted from an article which appeared in the *Sun-Herald* in which a journalist described certain cases of violence. Two days after the article was written, the person who gave the information to the *Sun-Herald* retracted what he had said about his son carrying a weapon to school. I believe he made that retraction on "Today" on Channel 9. The gentleman was interviewed by a "Hinch" reporter on the Sunday and admitted that he had given his son a knife to carry to school to defend himself from other boys.

I have problems with school violence in my electorate. A gentleman came to see me about his son, whom he described as a nice, gentle boy who was very quiet and not aggressive. The man alleged that his son is under continual harassment from boys from Granville High School and is afraid to go to school. I wrote to the local police commander outlining the case. On a number of occasions boys from Granville High School threatened to bash and punch him, and on one occasion punches were exchanged in his defence at Auburn railway station. The father advised me that the boys carrying out the violence were of South Pacific Island complexion.

The father was not sure whether the son was just putting it on, so he decided to follow him to school. He witnessed his son being confronted outside Auburn railway station when he was on his way to Benedict Senior College. His son was set upon by four or five boys of South Pacific Island appearance. The father intervened and a crowd of boys gathered around him and threatened him. He asked, "What is this all about?", and they abused him. That is the type of terror this boy undergoes on his way to school. That is the type of violence we are seeing in our schools.

I have addressed Benedict Senior College and concerned parents with respect to fights at Auburn railway station between students of that school and boys from other schools. We resolved some of the problems by diverting the boys from Benedict Senior College away from the railway station; they now catch a bus from the school instead of from the main shopping area. Mr Michael Perry, a teacher at that school, contacted me and I wrote a letter on his behalf to Chief Inspector Gardiner. My letter stated:

I have been contacted by Mr Michael Perry, a teacher at Benedict College, concerning problems at Auburn station wherein a student was assaulted yesterday morning. Could you please arrange for extra patrols in the morning and afternoon.

Chief Inspector Gardiner is one of the better police commanders in the west. He did his best, but he cannot have police officers at railway stations all the time. Some other disciplinary procedure had to take place. There was also an incident at Birrong railway station. A young fellow was coming home from school and met up with some of the boys from Birrong High School. He was bashed at the station. The station assistant said that he did not want to get involved because he had no security at the station. He called the police, but by the time they arrived the offenders had gone.

I have been approached by Dianne Milanta in this regard. She said that on 20th June at least five boys from the Birrong Boys High School and the Christian Community School assembled at Birrong station for a fight. Apparently the principals and police were aware that the incident was planned but unfortunately they went to the wrong railway station, and the fight took place. Students who witnessed the incident said that a gun or guns were drawn by students - at Birrong station! However, she was not sure of the gun-toting students.

The Minister for Industrial Relations and Employment and Minister for the Status of Women claims that there is no more violence in the school community than in any other part of our community. The Minister is completely wrong. I have written

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numerous letters to the Minister for Education, Training and Youth Affairs, Minister for Tourism and Minister Assisting the Premier; the Minister for Police and Minister for Emergency Services; and the Minister for Transport and Minister for Roads concerning problems experienced by various people.

Mrs Kath McDonald called me and said that her grandson was kicked unconscious by three year 10 students at Gosford High School. Yet the Minister tells us that there is no violence, or very little violence, at schools - no more than in the rest of the community. When there are anywhere between 400 and 1,500 students together, there has to be an intensity of violence in the schools. This bill aims to bring about a reformation - which the Government should do itself - to give principals and teachers extra power to deal with violence.

When we start to cut close to the bone, those opposite start to interject. Anything the Minister for Industrial Relations says with respect to school violence does not cut the mustard with me. I went to see her with a plea for help and she said my claim did not cut the mustard. Well, what she had to say in this House did not cut the mustard with me. The boy who was kicked unconscious by three year 10 students now has cerebral palsy. Yet the Minister says there is no violence or, if there is violence, it is limited.

The journalist from the *Sun-Herald* who exposed what was going on has been vindicated time and time again. Even the Minister herself, in a letter to the journalist, said that there was some violence and that there were some problems. I am continually writing letters. I wrote a letter in this regard on 18th July, 1988. I am always writing letters to various Ministers telling them about problems in schools with regard to violence. There are some excellent teachers, principals and students in our schools. Students are entitled to attend school without violence being inflicted upon them. They have a right to education. Education is compulsory.

Mr O'Doherty: They are entitled to better representation from their local member.

Mr NAGLE: The member opposite who interjected is so insignificant that I cannot remember what electorate he represents, though I know his name.

Mr O'Doherty: Dementia has set in.

Mr NAGLE: The member for Ku-ring-gai does not have dementia.

Mr O'Doherty: On a point of order: I object to the imputation that I am insignificant in the way I represent the people of my electorate. I ask that the honourable member be directed to withdraw that remark.

Mr Nagle: On the point of order: If the honourable member is so sensitive as to object to a response to an innocuous interjection, I shall withdraw the remark.

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

Mr NAGLE: I will withdraw the remark if the honourable member is so sensitive that he cannot stand the thrust and parry of debate.

Mr DEPUTY-SPEAKER: Order! The honourable member will withdraw without qualification.

Mr NAGLE: I do withdraw without qualification. The real issue is violence in schools, an issue that the Government refuses to acknowledge. I shall get away from the "it won't cut the mustard with me" speech made by the Minister for Industrial Relations. The object of the bill is to amend the Education Reform Act 1990, which was introduced by this Government, so as:

- (a) to prohibit the possession of weapons in government schools; and
- (b) to provide for the suspension of students of government schools who are found in possession of weapons at school; and
- (c) to provide for the reporting of violence in government schools.

The explanatory note to the bill is simplistic in its terms. Even members opposite with their intellectual disabilities will be able to understand it. According to the headnote it will become an offence for a person to have a weapon in his or her possession in any part of a government school on a school day. The Director-General of School Education will be able to grant exemptions, for example, for police officers acting in the ordinary course of their duties. The definition of a weapon is to be found in proposed section 117A. It includes a firearm. No one, with the exception of a police officer or a security officer called to a school in the ordinary course of duty, will be permitted to have a firearm at a school. Why would students under 17 years of age have firearms?

This House has had numerous debates about firearms. The Premier of this State even wants to incarcerate people who may commit a domestic violence offence; but when a constructive suggestion is made government members become defensive because they did not think of it or do anything about the problem. Anyone with half a brain - and I include members opposite - will understand the definition of a prohibited weapon. It includes a crossbow and a knuckle-duster.

Mr Kerr: You only know the definition because you have only half a brain.

Mr NAGLE: That remark does not become the member for Cronulla.

Mr Kerr: I am sorry.

Mr NAGLE: I accept his apology.

Mr DEPUTY-SPEAKER: Order! The member for Auburn will address the question before the Chair.

Mr NAGLE: The definition of weapon includes also "(c) anything made or adapted for use for causing injury to a person". Contrary to standing orders the Minister read her speech and was not interrupted.

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From now on, if she reads speeches a point of order will be taken for a breach of the standing orders. She mentioned a tennis racquet and said that it could be deemed to be a weapon. A tennis racquet that is taken to a school for the purpose of playing tennis and then used as a weapon becomes a weapon. A cricket bat becomes a weapon if it is used in the wrong way. The definition continues, "(d) anything intended, by the person having possession of it, to be used to injure or menace a person." They are the definitions used in the bill. I will read section 117C(1), and I shall read it slowly so that members on the Government side can understand it:

117C.(1) The principal of a government school is to suspend any student of the school that the principal is satisfied has contravened section 117B unless the principal is satisfied that the student had a reasonable excuse for the contravention.

[Extension of time agreed to.]

First, the principal has to be satisfied that the student contravened the legislation; then, if he is satisfied that the student had a reasonable excuse for having the weapon, he does not have to suspend the student. Why should principals not have that power? Ultimately they have control of schools. Though the definitions dealing with these issues are broad, ultimately it is for the principal to decide whether he or she is satisfied, first, that there has been a contravention of proposed section 117B, and, second, that there is no reasonable excuse for the contravention. Once he is satisfied on those matters he can suspend. That gets away from the Minister's rhetoric. Proposed section 117C(2) is as follows:

(2) A suspension under this section is to be for 1 month and operates to exclude the student only from the school attended by the student. The Director-General may in a particular case set aside or shorten the period of suspension but only if satisfied that there is a good reason for doing so.

That is another safeguard against injustice that might be done to a student. Proposed section 117C gives the principal of a school absolute discretion in determining whether there has been a contravention and, if so, whether there is a reasonable excuse. The suspension can be for one month only, with the director-general having the power to override the decision of the principal. Proposed subsection (3) of section 117C provides:

(3) At the end of the suspension, the student is not to be readmitted to the school from which he or she was suspended unless the Director-General is satisfied that there is a good reason why the student should be readmitted to that school.

Those three subsections protect the student and the principal, who has wide discretionary powers. Under the heading "Other powers of suspension and expulsion unaffected", proposed section 117D is in the following terms:

117D. This Part does not affect any power of the Minister to expel a student from a government school . . .

The most important part of the legislation is proposed section 117E dealing with the counselling provisions for suspended students. That section provides:

117E.(1) The Director-General is to arrange for appropriate counselling to be made available to a student who is suspended under this Part with a view to assisting the student to improve his or her behaviour so as to be able to return to school.

If a student is found to be threatening other students with a gun or a knife, the student may be counselled. Two brothers came to see me; one of them had used a knife and cut someone and the other had bashed another student. They were convicted of assault and each has to pay \$20,000 in criminal compensation. They should have been counselled about having weapons at school. Subsection (2) of section 117E is as follows:

(2) If the student is under 18 years of age, the Director-General is to consult with the parents of the student in respect of the arrangements to be made for counselling.

Proposed section 117F deals with the reporting of violence in schools:

117F.(1) It is the duty of every teacher at a government school to report to the principal of the school without delay any act of violence that the teacher knows or has reasonable cause to suspect has occurred at the school.

If a teacher sees students involved in an act of violence, why should the teacher not report the matter to the principal? Teachers will now have an obligation to report those incidents. Ultimately the principal will be called upon to make an adjudication and determine the course of action to be taken. Proposed section 117F(4) provides:

- (4) The principal's report to the Director-General is to consist of a summary of each report to the principal and is to include:
- (a) details of the incident concerned; and
 - (b) details of any action taken in response to the report (such as disciplinary action and counselling of the persons concerned);
 - (c) the outcome for the victim.

This legislation is for victims. In the near future Parliament will debate legislation for the protection of victims of domestic violence. However, Government members will not support good legislation that aims to protect victims of violence in schools. They do not realise the extent of the problem that exists in the community. One day they will be forced to face up to it, perhaps when someone is found dead at a school. The director-general must report all of those matters to the Commissioner of Police so that he can identify the school and the people involved and determine the action to be taken. I should tell honourable members about problems being encountered in schools in my electorate. As I said, the schools in my electorate have excellent teachers and principals who do a difficult job in a multicultural community, though great financial burdens are placed upon them by the Government.

Many problems are faced by those attending school. I have given one example and could cite more of students and their parents who are frightened of violence being thrust on them. To their great credit, the principals of Benedict Senior College, Regents Park Christian Community School, St. Peter Chanel High School, Birrong Boys High School and Auburn Girls High School have done much to reduce the problem. However, it still exists and has to be dealt with. The legislation should provide protection beyond school grounds to children travelling to and from school in pursuit of an education.

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Schooling in New South Wales is compulsory. A survey by the School Psychologists Australia organisation found that, based on reports by school counsellors, more than 3,000 incidents of violence occurred in New South Wales last year - that is, 3,000 incidents of violence too many. The Bureau of Crime Statistics found that 228 recorded offences of assault occurred in New South Wales Government high schools in 1991 - that is, 228 too many assaults on students seeking only to obtain an education, but who have been victimised by the thuggery and violence inflicted upon them. People want to go to school to learn.

I turn to an issue raised by the Minister for Industrial Relations and Employment in her speech. Both the Leader of the Opposition and the honourable member for Riverstone have done much to bring that issue before the Parliament, before the Teachers Federation, before parents and citizens associations, and before parents themselves. They are not fear mongering or making nonsense - they are telling the truth. When that article, written by a very experienced journalist, appeared in the *Sun-Herald*, the Government had to face up to the truth in various television interviews - including the "Hinch" program - concerning violence. That is the reason the Government put its own mechanism into place in an attempt to reduce violence. The proposed legislation will give teachers and principals the power they have long been seeking in order to deal with violence. It is nonsense to suggest that the bill contravenes the United Nations convention.

Mr O'DOHERTY (Ku-ring-gai) [12.12]: As chairman of the Government advisory committee to the Minister for Education, Training and Youth Affairs I have great pleasure in speaking to the Education Reform (School Violence) Amendment Bill. In relation to the contribution just made by the honourable member for Auburn, shame on him for his gross defamation of the parents, teachers and students of the schools in the Auburn electorate.

Mr Nagle: On a point of order: If the honourable member for Ku-ring-gai wishes to make a substantive attack on me, he should do so in conformity with the rules of this House, or remain silent.

Mr SPEAKER: Order! Honourable members should not be oversensitive to the general thrust and parry of debate in the Chamber. However, in view of the point raised by the honourable member for Auburn, I shall listen carefully to the honourable member for Ku-ring-gai. If he transgresses, I shall certainly draw his attention to the forms of the House.

Mr O'DOHERTY: The honourable member for Auburn may well be sensitive about what is said about him in this place, because if it gets out to the electors in Auburn, and if they find out that he has this morning besmirched the good name of a number of good schools - some of which I have personal knowledge in that electorate - they will judge him very harshly indeed at the next election. The honourable member for Auburn came into this Chamber to talk about a bill presented by his party, yet he delivered a speech of 10 to 12 minutes in which he cited incidents of acts of violence committed allegedly by students in the Auburn electorate. In so doing he has done nothing more than ensure that those schools will have their names besmirched and run down in his community for years to come. Through his efforts those schools will be known as centres of violence, not as centres of excellence. For that most important reason the bill should not be passed in this House today.

Notwithstanding attacks such as that delivered by the honourable member for Auburn, schools are trying hard and are doing an extremely good job within the system. Teachers, principals, parent bodies and students deserve better than to have their names dragged through the papers, dragged through the mud and, indeed, thrown up in this Parliament as centres of violence, not of excellence. The bill ensures that will happen. Any time an incident occurs, up will go the name of the school, and down will go the esteem of the community for that school. The bill is a disgrace for that reason alone, but there are many other reasons it should not be passed. The honourable member for Auburn should be careful about what he says about schools in that electorate because, apart from anything else, he is quite wrong. Many of the incidents he has spoken about occurred on railway stations and outside school grounds.

The question is: Does the bill have any impact on violent acts committed outside school grounds? The answer to the question is no. So the incident on the railway station, with the knives or guns or whatever else the weapon happened to be, as reported by the honourable member for Auburn, has nothing to do with the bill. The proposed legislation covers violence within school grounds. If students from any school the honourable member chooses to name - and I certainly am not going to name them - decide to leave their school, pick up a weapon and have a fight at a railway station, they will be dealt with by law and condemned by the community. But for the honourable member for Auburn to say that such violence has something to do with schools and will be covered by the bill is completely wrong.

The nub of the question is: Does the Government support violence in schools? The answer is no. Does the Opposition want the public to think that the Government supports violence in schools? The answer is yes. How many people support violence in schools? If I conducted a poll of members, not too many would say they do. If I took a poll in the public gallery, not get too many people would hold up their hands. No one supports, condones or likes violence in schools. No one supports, condones or likes violence in the general community. But the honourable member for Riverstone, the shadow minister for education, wants to make political capital out of this issue. As the honourable member for Auburn has admitted, it was driven by the media to start with.

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The honourable member for Riverstone has had excellent political capital in the press from this issue, for he knows it is good to bash the Government by raising the issue of violence, getting a quick, cheap headline and, in the process, defaming good people who are working hard in the system. The level of violence in schools is 10 times less than the level of violence in the community generally. Schools are 10 times safer than the community generally when it comes to violent incidents. Who says so? The New South Wales Bureau of Crime Statistics and Research says that school grounds are 10 times safer than elsewhere in society. Despite that, the honourable member for Riverstone wants members to believe that school grounds are hotbeds breeding violence, and that nothing else goes on there except interracial tension, intersexual tension, and interpersonal tension. He is into all this tension because it is good political cannon fodder for him and for the media.

What does the Minister for Education, Training and Youth Affairs say about it? She says that any level of school ground violence will not ever be tolerated. Schools have done a remarkable job - someone has to say this, because it will not be heard from members opposite - in reducing the amount of violence within school grounds. We have a violent society. That is an unfortunate consequence of the human condition. No one likes that, and everyone would like to do something about it. In our school system we are doing something about it. As the Bureau of Crime Statistics and Research states, the level of violence in our school system is 10 times less than in the general community. That remarkable statistic needs to be trumpeted, not denigrated or hidden as members opposite want to do. We all want to reduce the level of violence. The first step is to condemn it. The Minister for Education, Training and Youth Affairs clearly condemns it, and people within the school system clearly condemn it.

How has the Minister for Education, Training and Youth Affairs dealt with the matter? She dealt with it on many occasions and, most recently, with another package of measures designed to tighten procedures within schools, all of which go much further than the bill proposed by the honourable member for Riverstone. The bill is not only redundant but also quite disgraceful, for the reasons I outlined earlier. What has the Minister done about that? The Minister said that the full force of the law will be relied upon to deal with offenders. Such laws already exist. The honourable member for Riverstone wants to ban weapons and the bill refers to the provisions of the Crimes Act. Why do we need a further bill to ban weapons within school grounds when weapons are already banned? Guns, knives and items that become weapons when used in a dangerous manner are already banned. This measure is redundant and ridiculous.

The Minister said that, on the recommendation of the principal, the expulsion will occur of any student caught with a weapon on school premises, or at school activities conducted off school premises. Of course, that refers to excursions and sports days. Bearing in mind the obligation, duty and responsibility of the State to educate people, expulsion is a serious step. To take away that right to education is the most serious thing the State can do, yet here it is in black and white. But the expulsion mechanism has always existed, and was referred to as recently as August by the Minister, following trouble caused by honourable members opposite. Even the honourable member for Riverstone, who thinks deeply about these matters, acknowledged that expulsion is a serious matter that should be considered carefully, because other steps may be taken before expulsion.

The Minister referred to a warning system for students repeatedly involved in violent incidents on school premises. Once again, principals may use their discretion to implement a warning system. The Government believes that the discretion of the principal is important, yet by this bill the honourable member for Riverstone seeks to remove that provision. If that discretion were taken away from principals, the whole procedure would instantly escalate. The reporting mechanisms sought by the honourable member for Riverstone would result in the name of the school being published. Reporting mechanisms already in place within departmental structures - and reinforced by the Minister - ensure that these incidents are dealt with at the local level within schools. The Department of School Education provides a wide range of professional advice and help to students and parents to resolve the question of violence. Issues are not resolved by throwing rocks at students. If the proposed legislation were passed, one might say that we as legislators were being equally as violent - though not physically violent - as the students.

Students and families already have access to a range of services. The department provides access to conduct disorder units, to counselling services, and to distance education as an option for students who cannot mix with other students in the playground. It is their right and privilege to obtain an education - even though some do not wish to exercise that right - and distance education is one good way of achieving that. Under the department's existing practice, parents are always involved before any action is taken on suspension, exclusion or expulsion. Incidents of violence must be reported to the department, so I do not know why the shadow minister wants to escalate that provision. The question of school gangs and colour gangs has been raised. Colour gangs are becoming a small feature of life on Australian streets in the way that they are a large feature of life on the streets of other cities in the world, Los Angeles being perhaps the primary one. Colour gangs, school gangs, and the colours worn by those gangs, were banned in schools by the Minister some time ago. Clearly it is not acceptable for students to identify with groups intent on violence in our schools.

What else has the Minister done? Permission is required from a member of the school staff before students leave school premises during school hours. That is an important measure and one that is obvious in its application. Behaviour that threatens other students or teachers will be reported to the principal and the matter will be reported to the police for

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action. That is an important reference to exercising the existing law, without having to bring in other laws that will escalate the matter. Unwanted intruders or those who do not have good reason to be on school property will be reported to police. That refers to colour gangs or those who enter the school from time to time to cause trouble. It refers also to probably half the incidents mentioned by the honourable member for Auburn. Principals will have the power to declare vacant any place that is occupied by a student of post-compulsory age who displays a poor attendance record and refuses to comply with school requirements.

The obligation of the State to educate those people ends at year 10. If a student does not wish to be educated further, the principal may say, "You are not here for the right reasons; out you go. Do not pass go; do not collect \$200". It is then the student's responsibility to achieve the qualifications sought - higher school certificate or otherwise - through mechanisms such as TAFE and other facilities opened by the Government in its excellent new strategies for studying for the higher school certificate. Responsibility for alternative placement of excluded students will rest with the Department of School Education, not with the excluding school, so the department might place them elsewhere. [*Extension of time agreed to.*]

Other measures announced by the Minister - and it would take all day to explain them in detail, but it is worth underlining them - give principals the right to review the enrolment of a student with a history of violence. A new kit has been developed and is entitled "Resources for Teaching against Violence. It will be available to schools this month and is aimed at dealing with aggressive and disruptive student behaviour. I return to what I said at the beginning: No one condones violent behaviour. Violent behaviour is best dealt with through education, understanding and helping students understand why they feel violent. That will not be achieved by the measures proposed by the honourable member for Riverstone.

This bill does not address issues such as teaching about violence, counselling about violence or restoring relationships between violent communities. It does not allow the community to recognise the excellent work performed within the school system by principals and teachers who care about this issue, but who do not care to be defamed by the actions of the honourable member for Riverstone, the honourable member for Auburn and any members who want to vote for the legislation. Individual teachers, principals and the Teachers Federation have spoken on this matter.

Mrs Chikarovski: The Principals Federation has.

Mr O'DOHERTY: Certainly the Principals Federation has and I am right in thinking that the Teachers Federation has condemned members opposite. In a political sense that is telling condemnation because, as honourable members would be aware, the Teachers Federation was very close to the Labor Party, but it has walked away from the party in recent years. One would have to say that it is probably five years since the Teachers Federation had much to do with the Labor Party at all. It has opened new channels of communication with the Government, and especially with the Minister, who is in the gallery. I pay tribute to the Minister for the work she has done in reducing the climate of tension and heat in the school system, in particular on the issue of violence. Why has the Teachers Federation walked away from the Labor Party? It is because the Labor Party is not relevant to what is happening in schools and in the community.

Time and again on private members' day, bills are presented by honourable members opposite for one reason only - for the cheap headline, the political quick shot. This bill is an example of a political quick cheap shot from the honourable member for Riverstone. The honourable member for Riverstone will not lay a glove on the Minister for Education, Training and Youth Affairs, the Hon. Virginia Chadwick, because she has got him outmanoeuvred on every flank, even with the Teachers Federation. The honourable member is way out of touch with the federation, with his own colleagues in the labour movement and with the community. It would

be wrong not to recognise the excellent work being done in our schools. If this bill were to be passed, schools would be pilloried in every edition of every newspaper across New South Wales, in all the Sunday papers, and in the weekly papers. Every day defamation of the school system would increase, with the opinion being built up that New South Wales has a violent school system.

It seems that the school system is more violent because there are more reports in the newspapers of school violence. And that is it. The levels of violence are being dealt with and contained within the schools. I repeat what the Bureau of Crime Statistics has said: that the level of violence within schools is 10 times less than the level of violence in our community generally. Honourable members opposite suggest that there is some sort of disgrace attached to the present situation, but we should be proud of the achievements. The record of New South Wales in dealing with violent incidents in the community generally, and especially within the school system, is second to none in the world. Therein lies the hope for a better society.

As we continue with what the Minister has put in train and held firm on, as we continue to re-educate and counsel, as we continue to deal with problems within our school system, we will turn out kids who are better as adults than current adults are. As they grow up with the new values they are taught in the school system those values will be transmitted to their children and, bit by bit, generation by generation, our society will become better, more peaceful and less violent. We will have an Australia that we are proud of and in which many people will want to live. Education is one of Australia's most important export industries. I urge all members to think seriously about voting for the bill because its passage would

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turn the whole process on its head. There may be a cheap headline for the honourable member for Riverstone but the bad press about the school system will cause bad feeling -

Mr Kinross: And lower morale.

Mr O'DOHERTY: Yes, it will cause bad morale among school students for generations to come. Honourable members opposite will be condemned for what they do. I urge all members to toss this one right out of the field.

Ms ALLAN (Blacktown) [12.32]: At the outset I declare a profound vested interest in the debate: my support for the public school system, particularly in my region of western Sydney. I do not intend to skirt the issue. So far the debate in the media has surrounded the present and the future of the public school system. I do not for one moment share the fears of the honourable member for Ku-ring-gai about what will occur within the system as a result of the passage of the bill. In fact, I take this opportunity to congratulate the honourable member for Riverstone on his initiative in introducing the bill.

Two important issues have been raised in the debate. The first is the opportunity provided by the bill to reduce the number of assaults currently occurring within the school system. I shall continue to refer to public schools because I will not pretend - as other people in the debate have pretended - that I know everything about the education system. I shall speak only from my personal experience in the public school system and my recent involvement as the member for Blacktown. The second issue raised is children bearing weapons in schools. There is no such right and it is reprehensible that it should occur. This bill will ensure that the practice does not continue.

As a number of members have stated, we live in an increasingly violent society. Schools and even homes are not immune from the increasing violence. The bill acknowledges that violence is present and it will put in place strategies to deal with that violence. Our schools need to be improved. I am not impressed by the statistics suggesting that schools are safer than homes or the streets of Sydney. Schools and homes should be completely safe for our children. If they are not safe - even if they are a little safer than homes or the streets - that issue must be addressed. From talking and working with school principals generally, I believe principals are particularly frustrated under the present system in dealing with violence in schools. Their sources of frustration are numerous. Principals have to deal with the result of violence in our community. They cannot deal with the causes of violence among individuals or groups within the school system. Some violence in

schools is individual-based but, as other speakers have stated, other violence is gang-based. Irrespective of the type of violence, principals treat only the outcome of a whole set of circumstances that have resulted in an explosive atmosphere.

At present the powers of principals are very limited. This bill seeks to cut through the bureaucratic inertia that has developed in the public education system to allow more effective response to violence. This legislation will empower principals to deal with the violent incidents occurring. Irrespective of what Government speakers have said, principals feel powerless, for a number of reasons, to deal with violence. Following de-zoning, principals genuinely fear that they will be rejected by their local communities if they deal swiftly with violence in their schools. They worry about the acute public embarrassment within the community if people become more aware of the violence in schools. The consequences could be disastrous in a system in which parents increasingly may choose which schools their children attend. Principals and teachers generally have a genuine anxiety - this is reflected in resolutions from principals conferences and some areas of the Teachers Federation in response to the bill - about maintaining enrolments.

Principals and teachers should deal with the problem and face the consequences and in this way address the anxiety communities are feeling. Principals and teachers underestimate the present level of information about schools in communities. They believe that if a violent incident is pushed under the carpet people will not be aware of it. Since debate on the bill began about six months ago I have been telling principals that they should not underestimate the level of knowledge already within the community about what is happening in schools. There is no use trying to hide the fact that violence is occurring with a view to protecting a school's reputation. People already know what is happening. In the longer term greater damage is generally done by attempting to hide what is happening.

The message I have for principals is that this bill will not only empower them to deal with the real problems they are facing but it will also give them confidence that they can deal with the issues in a public way without suffering the consequences they perceive. Principals are frustrated because of the lack of resources. I was interested in the final comments of the honourable member for Ku-ring-gai in which he listed a number of the resources that schools have to deal with these problems. I have been a secondary school teacher. I have also had the opportunity recently to spend a lengthy period in secondary schools in my electorate. Resource allocation has not changed much. In some cases resource allocation for dealing with the personal problems that underpin the nature of this legislation has gone backwards.

It is not correct for the honourable member for Ku-ring-gai or the Minister for Education, Training and Youth Affairs to argue that there are enough resources to deal with the problems that many violent students bring to our schools. I acknowledge that there is an increase in resource allocation in the Budget to enable people to deal with students who have problems. That is a belated and unfortunately limited acknowledgment of the problem. When I was involved in the New South Wales Teachers Federation

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in the 1980s I listened with great interest to debates, which were usually instigated by school counsellors within the organisation, about the need for more resources for teachers and counsellors to work with children, school bureaucracies and the families of children who were having problems. The resources would have ensured that the poor behavioural patterns the children were displaying at school were dealt with at their source. Unfortunately, that is usually their home.

The Government does not have sufficient resources to deal with those problems. This House should not pretend, first, that there is no problem and, second, if there is a problem - which seems to be the mixed message coming from the Government - that this token gesture in the Budget will solve the problem. The bill provides explicit powers to enable school administrators to deal with the problems. I do not know whether any Government members had the opportunity to listen to the President of the Australian Teachers Union, Sharan Burrow, being interviewed by Andrew Olle on his program several weeks ago on her return from an overseas study trip. She was questioned particularly about school violence and the measures used in overseas countries to deal with the violence.

In contrast to the earlier statement of the honourable member for Ku-ring-gai that teachers organisations did not support these initiatives, the particular issue that Sharan Burrow addressed in her interview was the carrying of weapons in school grounds and the actions schools were taking to stop students carrying weapons. Today, unfortunately, students in schools carry weapons. They should not do so and, of course, we should not encourage them to do so. That is the official Government position. Unfortunately, it is happening and principals must be given the power to ensure that students are not allowed to carry weapons. If one really wanted to make political capital in this debate, one would dredge out a list of schools in one's electorate where numerous violent incidents have been reported.

The Minister for Industrial Relations and Employment laughed at that statement. I do not know why she did, but I assure her that I could give her 15 examples of instances in the past two months where parents have come to me to complain about violence in schools. The statistics show that that example is an indicator of the general state of our system. It is no use people pretending that it is not happening. The Government needs to give principals and school administrations the confidence to deal with the problem. It is only belatedly that the Government has discovered this issue. It has been forced into debate by the headlines that have appeared in newspapers over the past six months. No one wants to make education a political football because the only ones that suffer in that process are the students and the schools. My interest in schools in my electorate is quite profound.

I am anxious not only to maintain enrolments but to strengthen them, particularly against the competing enrolments and programs offered in selective schools in nearby areas. I have an interest in maintaining the reputation of schools in my electorate so that it is not tarnished, or not tarnished any further. This is a good bill. It is a step in the right direction. If the Government were serious about dealing with violence in schools, instead of opposing the bill it would be seeking to strengthen it and to ensure that once the bill is carried - and I hope implemented - it can be dealt with in a very successful manner.

Mr RIXON (Lismore) [12.45]: On many occasions Government members have stated in a range of ways that they are concerned about violence, whether among school students or in the wider community. Violence is totally unacceptable, whether at school or in society at large. The Minister for Education, Training and Youth Affairs, the Hon. Virginia Chadwick, recently announced a range of measures signalling a crackdown on school violence. Perhaps now is the time for me to remind the House of some of those provisions. The new measures will complement current welfare and security programs. That is the important thing about them: they complement what is already happening in schools. The ten measures available to schools to use include the expulsion, on the recommendation of the principal, of any student caught with a weapon on school premises or at school activities conducted off school premises. There is a warning system for students repeatedly involved in violent incidents on school premises whereby principals may use their discretion on exclusion.

School gangs and gang colours can be banned in schools. Permission from a member of the school staff will be necessary for students to leave school premises during school hours - a provision that has been available for as long as any professional teacher can remember. Teachers have always had that type of control over their students where they felt it was necessary. Behaviour that threatens other students or teachers will be reported to the principal. The matter will be reported to police for their action if considered necessary. Unwanted intruders, or those with no good reason for being on school property, will be reported to police. Principals have the power to declare vacant the place of any student who displays a poor attendance record and refuses to comply with school requirements. It would be the student's responsibility to negotiate - with the help of his parents, of course - re-enrolment or enrolment in another school or TAFE college.

For excluded students the responsibility for alternative placement will rest with the Department of School Education, not the excluding school. Principals will have the right to refuse the enrolment of a student with a history of violence. The new kit, "Resources for Teaching Against Violence", will soon be available to all New South Wales schools. The kit is aimed at dealing with aggressive and disruptive student behaviour. It is interesting to note that this Government has really displayed its concern for education by making sure that the resources available to our schools, to our public education system, have been increased.

Mrs Lo Po': Except for counselling.

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Mr RIXON: It would be good for the honourable member to read the budgets for last year and this year. She will find that the 1992-93 Budget provided \$4,006,600,000 for education. This year \$4,894,700,000 is provided, an increase of 4 per cent. If the honourable member needs a calculator to work that out, I can lend her one. That indicates that this Government is, contrary to the previous Government, interested in providing resources to schools. Remember the record of the former Labor Government during its last few years. Each year the funds provided for school education in this State reduced in real value. I shall now inform honourable members where that money is going.

Mrs Lo Po': What happened to 2,500 teachers?

Mr RIXON: It is no use having 2,500 or any other number of teachers if the resources are not provided. The previous Labor Government did not provide resources. At that time I was aware of what was happening because I was part of the school system. Resources were not being provided and our schools were falling apart because of lack of interest in education by the Labor Party. If Opposition members care to read the Budget, they will see that provision is made for dealing with discipline and anti-violence measures. Student welfare and curriculum programs are designed to counteract violent behaviour and ensure schools remain safe havens for students. The Government will provide almost \$5 million in additional funds from extended resources and a reallocation of existing resources for new initiatives associated with violence and welfare in schools; an additional 20 specialist teachers to work with behaviourally disordered students; 20 regional Aboriginal community liaison officers; two education officers to specialise in Aboriginal areas; two community liaison officers; 20 school counsellors, and 40 teachers' aides. New primary and secondary support materials have been developed for personal development, health and physical education - all signs of a Government that cares about what happens in schools.

Having taught in the public school system for 28 years, and with six children currently progressing through the public education system, I consider this bill an insult to teachers and an attack on their professional standing. The honourable member for Blacktown said that we should ensure that the community is aware of what happens in our schools. Perhaps the honourable member needs to visit a few country areas. I cannot speak for what happens in the city, but I assure the honourable member that all parents of country school students are fully aware of what happens in the school because the children tell their parents. Not one principal in country schools is attempting to cover up what happens in the schools. It astounds me that the honourable member for Blacktown suggests that parents are unaware of what goes on and that principals are trying to cover up what is happening in their schools and are not working to do what is best for students.

The bill not only attacks the professionalism of the teachers but it does nothing to protect the students from violence. Perhaps it comes later after events have occurred - the big stick measure. Was it not the Labor Party that took the view that the cane ought to be abolished and that other methods should be used to control the discipline problems in the schools? The bill is nothing but a big stick measure, which does not prevent actions; it contains provisions that are not suitable for all schools in New South Wales. The Sydney metropolitan area has 962 schools and the non-metropolitan area has 1,259 schools. The provisions of the bill will not ensure that students are treated as individuals. The bill defines weapon as a firearm or a prohibited weapon. A number of laws already exist to keep firearms under control and weapons out of schools without the need for this bill.

Proposed section 117A(c) of the bill refers to anything made or adapted for use for causing injury to a person". Perhaps members of the Opposition should attend a school athletics carnival to view track and field events. Have Opposition members ever looked at a javelin? It was constructed to spear people but is now an implement used in a field event. What was the discus used for? To wipe out the enemy in times of war. The shot put was used for the same reason. If the provisions of proposed section 117B are applied, someone using those items at an athletics carnival would be liable to spend two years in gaol. The Opposition has not thought about what happens in schools at all. Proposed section 117B(4) allows members of the police force to enter

school property. Many schools employ private security officers, but the bill will prevent their entry to school property.

Proposed section 117C deals with penalties and suspension; it completely ignores what is happening in our schools. All schools have discipline policies that were brought about through consultation with parents, teachers and members of the community. The Labor Party wants to wipe out that consultation and impose its own discipline policy. It believes that parents and teachers are not professional or organised well enough to implement workable discipline policies. The bill is an insult. The amount of paperwork that will be required to report acts of violence is ridiculous. Proposed section 117F states:

It is the duty of every teacher at a government school to report to the principal of the school without delay any act of violence that the teacher knows . . .

It is common knowledge that kindergarten children playing in the playground will thump one another on the nose from time to time. Do the provisions of the bill mean that the teacher has no discretion whether to report? According to the bill, any act of violence must be reported. Where is the discretion? For many years teachers have considered the situation, assessed the case, made judgments, and dealt with the matter. This bill says that the teacher must report to the principal, the principal must report to the police -

Mr J. J. Aquilina: Absolutely.

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Mr RIXON: Absolute rubbish. The bill is overkill and an insult to the teaching profession. Community groups have recognised that it is an absolute waste of time. The Federation of Parents and Citizens Associations of New South Wales in a document dated 25th July stated:

By selectively quoting from theses statistics the Opposition is playing classroom tattle tales and offering no solutions other than draconian punitive legislation to alleviate what Messrs Carr and Aquilina claim to be a problem.

The Metropolitan South West Principals Council in a letter dated 8th June conveyed its strongest support to the Minister for her strong support and leadership in relation to her dealings with the problems related to violence in schools. The National Children's and Youth Law Centre, in a letter from Janina Jancu dated 9th August, states:

We are deeply concerned by the children's rights implications of this Bill which effect children's rights to receive an education as guaranteed by the United Nations Convention on the Rights of the Child, which Australia has ratified.

This bill will not help students in schools; it insults the teaching profession, which the Opposition is supposed to support. Major community groups concerned about students also criticise the bill. [*Time expired.*]

Debate adjourned on motion by Mrs Lo Po'.

PUBLIC ACCOUNTS COMMITTEE

Report: Auditor-General's Office Special Auditing Function Review

Mr TINK (Eastwood) [1.0] : As chairman of the Public Accounts Committee I should like to make a few brief comments about this report. The report was not an easy one for the committee to write because in some respects it is highly critical of the Auditor-General. However, the committee makes no apology for the report. The committee has the important job of overseeing the Auditor-General's Office and, in this particular instance, a previous Public Accounts Committee had specifically recommended that the Auditor-General's special auditing power be referred back to the committee for investigation two years after the introduction of the new program. Having conducted that investigation, the committee discovered that the Auditor-General had not,

as he claimed, conducted three special audits within the terms of the Act. The Auditor-General later conceded that fact in evidence.

However, there seem to be ongoing issues between the committee and the Auditor-General in relation to just what is required of him. It is fair to say that the committee believes that the requirements of the Act are very clear. It requires the Auditor-General to look at economy, efficiency and effectiveness. The Auditor-General's view seems to be that looking at effectiveness can often be very difficult and that it is in the public interest if he, in effect, conducts special reviews which are merely fact-finding exercises. Although the committee has no quibble about the importance of special reviews as such, it is important that the Auditor-General - or anyone else for that matter - spends funds received from Treasury for the specific purpose they were allocated.

The Auditor-General was provided with \$1 million to conduct special audits within the terms of the Act and he did not do so. That is the reason the committee has been critical of him in this report. A further concern is that when this report was publicised in the *Sydney Morning Herald* on 26th June the Auditor-General's Office said, among other things, that the staff had concentrated on efficiency and economy during the audits because they were regarded as the weakest areas. The Assistant Auditor-General was quoted as saying:

In each of these audits effectiveness was not seen as a problem.

When we find that, we don't go wasting our resources trying to prove something is good when we already know it is.

In relation to a particularly controversial audit of disciplined services, the Auditor-General's Office said that the audit had no reason to dispute the effectiveness of the training by the State's disciplined services. I mention those matters briefly because they are at the heart of the problem. A number of witnesses put to the committee that effectiveness cannot be put to one side; it is an integral and ongoing part of a special audit. If the members of the committee thought they were possibly a little off the track in relation to this issue, their views were supported strongly by Professor Bob Walker - whose views, in many instances, are contrary to mine. However, on this matter he is at one with the committee. The committee believes that it should pursue this matter - I hope in a measured and balanced fashion, but nevertheless in a firm fashion. As I have said, when money is granted for a particular purpose, it is important that it be spent accordingly.

It is true that the Public Accounts Committee recommended changes to the Act that were slightly different from the final amendments. However, Parliament has the last word on those matters. The Public Accounts Committee may make recommendations that are not adopted by the Government or taken up by the Parliament. At the end of the day the last word must be with the Parliament, and Parliament's views on this matter are plain. So far as I am concerned, the Auditor-General must comply with Parliament's wishes and not second guess the reports of the Public Accounts Committee which are more in tune with the way he wants to interpret the Act. A firm of consultants, Arthur Andersen and Company, were specifically used for this particular report. The committee has issued a hybrid report. It consists of the Arthur Andersen report in its entirety and a covering report by the Public Accounts Committee. Where appropriate, that format of reporting using consultants is appropriate and sets a good precedent for future use by the Public Accounts Committee and other committees. Finally, I congratulate the members of the Public Accounts Committee and the committee staff on an excellent result and a bipartisan report.

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Mr IRWIN (Fairfield) [1.5]: I commend the Chairman of the Public Accounts Committee for his summation of the committee's report on the special audit function of the Auditor-General's Office. I merely wish to add one comment, which relates to some of the views expressed a moment ago by the chairman in relation to the range of activities required to be included in special audits by the legislation, and the specific position of effectiveness in those activities. It is not merely the legislative requirement that makes it essential to include matters such as effectiveness in special audits. Ultimately the effectiveness of the audit boils down

to action being taken in accordance with the findings of the report.

In the cases examined by the committee, and specifically in the case involving disciplined services training, it was evident that the deficiency of the special audit was that it left an opening for those agencies for whom the report was prepared to ignore a large part of the findings. If a report is to be effective, the agency on which it is reporting should not have a feather to fly with in relation to complying with the recommendations in the report. Apart from the legislative requirements for special audits, the Auditor-General should look at the range of issues that need to be addressed. Effectiveness is perhaps the most important of those, if only to ensure that the report is acted upon in the manner expected.

Report noted.

SELECT COMMITTEE UPON THE PORT MACQUARIE BASE HOSPITAL PROJECT

Report

Mr TINK (Eastwood) [1.8]: I wish to speak briefly to this report. I found the preparation of the report a most difficult exercise as, indeed, was the case in preparing the phase one report and dealing with some of the issues that arose consequent upon that report. I am not pulling any punches when I say that the whole issue put the committee under extreme stress. In that context I should say that the committee worked exceptionally well within the limits of its brief, and everyone tried to co-operate as best they could to achieve an agreed outcome. It is plain that the stresses imposed by the phase one issues continued, and limited what the committee was able to achieve. That highlights the important basic principle that where Parliament cannot agree on a fundamental issue in any productive sense - and plainly that was so in relation to the Port Macquarie Hospital project - it is a fairly big ask to expect a committee to do what the Parliament cannot do.

The reality is that everyone has views which are strongly guided by their party's decisions, and it is impossible to bridge that gap. The content of this report is fairly modest and reflects the inherent conflicts within the committee, notwithstanding the committee's best efforts to overcome them. However, I would not want the consultants to the committee to be thought any less of. The two partners from KPMG Peat Marwick in Adelaide, who assisted on this report and the previous report, did an outstanding job at all times.

However, some things are fundamentally divisive in the Parliament and are not advanced by referral to parliamentary committees. I value the relationships I have with members of the committee, particularly the honourable member for Fairfield, the honourable member for Illawarra and the honourable member for Albury. These conflicts place a lot of strain on the committee members when, in relation to other matters, we do outstanding work on a bipartisan basis. Suffice it to say the committee work, within those confines, was very good - as was, and is in all cases, the work of the staff.

Mr IRWIN (Fairfield) [1.11]: I echo some of the comments made by the Chairman of the Public Accounts Committee in relation to the way this type of issue is dealt with by committee. As he mentioned, considerable strain is generated when many divisive policy issues are the subject of a report. I believe that the phase two report of the committee differed in many ways from the first report. The first report was quite valuable because at least it was able to set out some of the matters of fact relating to the issue, not that that was any less stressful to the members of the committee; but it did place on the public record a number of matters which were not open to dispute when it came to the facts of what is, of course, a thorny issue.

However, I believe that because the second report took on a much broader base it left itself in an area which was very much open ended and it was difficult to settle on the facts. Despite the best efforts of the consultants and every member of the special committee, it was obvious that some major issues had no hope of resolution. The second report was so open ended that it was difficult to lay out the facts in quite the same way as was possible in the first report. I congratulate all members of the special committee on their tolerance. The report will be of considerable value in the setting out of many of the issues which apply in this sensitive area.

In the traditions of the Public Accounts Committee, this report would not be seen as quite as succinct and as quite as effective as so many other reports of the committee. However, there is much to commend in the report and much value in terms of considerations undertaken. I congratulate the consultants to the committee, the members of the committee and also the staff who assisted the committee in preparing and presenting the report.

Report noted.

PUBLIC ACCOUNTS COMMITTEE

Report: Internal Audit in the Public Sector

Mr TINK (Eastwood) [1.14]: This report will become a most important document in public sector management in New South Wales. I received a letter from the Auditor-General dated 15th July wherein he stated that the 45 recommendations of the report will quickly be seen as a seminal document that guides us down development and public sector management. Over the next couple of days there will be more

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developments in relation to the Government's response. I will say no more about that, except that I think the developments will be quite exciting.

I have been intrigued that a relatively archaic, esoteric title, such as internal auditor, has caused so much interest, particularly at a professional level. At the heart of it, however, are the crashes that occurred in Australia in the late 1980s - from OTC to AWA, to Tricontinental and to some of the crashes in Western Australia - where the internal control, management and auditing of companies and public sector bodies were found wanting. Today's taxpayer has to put his hand in his pocket and dig deep to pay for those mistakes. This report is about trying to get some new standards, some new principles to ensure that internal controls are in place to prevent rorts and rip-offs.

We have built responsibilities around chief executive officers of organisations. We believe, and we believe that the public believes, that CEOs should be responsible for internal audit and management of their departments, so we have suggested that this responsibility should be written into their contracts. That is one of our more important recommendations. We have also suggested a line of accountability in terms of annual reporting. Internal audit departments should be required to submit their internal audit plan for the coming year and explain their activity over the previous year so that people can backtrack against what is proposed and what has been done to ascertain whether, in relation to press clippings and the like, the internal audit department is getting it right all the time, some of the time, or never.

If it is never, it can be judged objectively that changes to current practice are necessary. It is all about more efficient, more effective management; it is all about saving taxpayers' money, and it seems to have hit the spot with the profession and the wider community, principally, I suspect, as a result of the failings of the 1980s. I am confident that the report will set a new standard in internal auditing to be adopted Australia-wide and will save everyone a lot of money.

Mr IRWIN (Fairfield) [1.17]: In keeping with what has become a tradition of New South Wales leadership in financial management among governments in Australia, the seventy-first report of the Public Accounts Committee is yet another landmark in establishing the role of internal audit in the financial management of government in New South Wales. As the chairman commented, much of the interest which led to the inquiry and to the report stemmed from a number of quite famous collapses, both in the public and in the private sectors. I believe that the fact that similar collapses have not occurred in the New South Wales public sector - which in some part has been due to the financial controls established in recent years - was more good luck than good management in some cases. The report seeks to establish the machinery to ensure that good luck no longer has anything to do with it, and that good management is behind the excellent financial

management we expect in this State.

In the AWA case Mr Justice Rogers found that negligence in management was a key factor. He referred to the need to establish a proper structure of internal controls. He suggested that the failure of internal audit to carry out any adequate review of the foreign exchange operation with AWA and to follow-up such defects certainly raised queries - that is, the failure to report to the board and so on. These were the kinds of issues that the committee dealt with in examining public sector agencies and their operation.

The conclusions reached by the committee in relation to those issues were simply that it was not good enough to be able to look back and say, "We made it through. We skated across some thin ice, but we got to the other side, so everything is okay". It is very much a matter of making the chief executive officer - and, for that matter, all levels of management - accountable for internal control throughout their organisations. Two of the most important recommendations of the report involve that very aspect. The first is recommendation 14, which states:

Chief executive officers of agencies must set in place appropriate internal controls covering all parts and operations of their agencies, and any doubt about this should be removed by the Treasurer with appropriate amending legislation

The second is recommendation 15, which states:

The performance agreements of chief executive officers should include effective internal control as a key accountability, with appropriate performance indicators and performance targets, and the Premier's Department should take all necessary steps to ensure that this is done.

I suggest that they are two recommendations which the Government must act on urgently. It is not good enough for a chief executive officer or an agency to report that, "Everything has gone well. We came through some tough times. Things were pretty dicey there for a while". It is essential that the mechanisms are in place to ensure that the chief executive officer is aware of what is happening and that incidents are reported to the appropriate level. It is not so much a matter of damage control as internal control. I believe that is the spirit of this report and I believe that New South Wales will be better managed financially if the Government adopts the most important recommendations of this report.

Report noted.

PUBLIC ACCOUNTS COMMITTEE

Report: Infrastructure Management and Financing

Mr TINK (Eastwood) [1.22]: It is with pleasure that I speak in this take-note debate relating to this report. I would particularly like to thank Patricia Azarias and Mike Smart for their input into this report, which has attracted some worldwide interest. Only the other day a former director of the Congressional Budget Office in the United States of America told members of the committee that he was very impressed by the thrust of this report. The issues covered by this report are occurring worldwide.

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What impressed the committee was the fact that the type of monetary investment we are looking for on appropriate terms is subject to worldwide competition. The point is that if New South Wales does not get its act together - or, for that matter, any other jurisdiction does not get its act together - the money, the investment, the construction and the jobs will go elsewhere.

There are three matters I would like to briefly mention in the context of the report. The first is the finding of the committee that the Department of State Development is a total failure. The committee welcomes the announcement by the Premier that he has taken into his own department the new Office of Economic Development, which will administer that which was previously administered by State Development. What

these areas of activity need is a champion. Quite often it is the case that Ministers need to have their heads belted together, to put it bluntly, and the only person who can do that is the Premier. To get some strategic direction it is often necessary to apply that type of pressure, and the committee believes the Premier is the appropriate person to do it.

The report also covered some comments about the Independent Commission Against Corruption. It is important that all dealings be conducted with probity, and the committee believes the ICAC has a role to play in that regard. There is nothing to be gained by taxpayers or anyone else from allowing New South Wales to get into a situation similar to that in which Italy currently finds itself. On the other hand, the committee also believes that the ICAC should spend more of its time on corruption prevention work and less on crash tackling after the fact with hearings and interrogation. As Gary Sturgess, one of the founding fathers of the ICAC, put it, the ICAC needs to be a bit more focused on outcomes and a little less obsessed with process. It is important that the ICAC gets a better feel for the way business is conducted so that it can provide timely advice and intervention, and not wait until problems have arisen and been blown out of all proportion.

Consistent with the Public Accounts Committee's approach to issues, it also looked at confidentiality of contracts. That issue has been topical in relation to the M5 motorway. Basically, the Public Accounts Committee believes in transparency as an important accountability tool. After a conference of all interested parties, the committee devised the idea of contract summaries so that the public will have some idea of the risks confronting government. The committee believes that will add to the credibility of these projects in the long term, because when something is kept secret or held back it gives rise to conspiracy theories which are not helpful to investment. It is better to have the issue on the table, subject to narrow exemptions to protect intellectual property and the like, so that the whole process has more credibility. I am particularly proud of a letter written to the Premier by Michael Perry, President of the Australian Council for Infrastructure Development. It is dated 5th August and it states:

The Australian Council for Infrastructure Development (ACID) was recently formed by major participants in the area of private infrastructure in Australia, covering banking, finance, construction, operation, design, legal and taxation . . .

ACID was formed to provide an interface between the private sector and Governments, both Federal and State, to identify the problems inhibiting the development of much needed infrastructure and to find mutually acceptable solutions to these problems.

A number of members of ACID gave evidence to the Public Accounts Committee during its deliberations . . .

We would like to take this opportunity to congratulate the Committee on the extremely thorough and detailed report and to express our support of its broad thrust and recommendations.

The letter goes on to talk about requesting the Premier to set up a conference of all parties, which he might attend, so that the findings of the committee could be further processed. I think it is important in terms of economic development and jobs growth that some of the people who have signed the letter be mentioned. They include: BHP Limited, Clayton Utz, the Commonwealth Bank of Australia, Coopers and Lybrand, Fletcher Construction Australia, Leighton Holdings Limited, Minter Ellison Morris Fletcher, Schroders Australia Limited, Southern Electric International, Thiess Contractors Pty Limited, TNT Shipping and Development Limited and Transfield Pty Limited. It is a not insignificant list of people who are asking for some action to be taken on this report. At the end of the day, the committee believes the process is about jobs and economic growth. Particularly important to the Public Accounts Committee is the fact that it should occur in an ethical framework where there is disclosure and transparency and without the types of problems that have arisen in Italy and elsewhere as a result of rorts. When rorts occur both credibility and investment are lost.

Mr IRWIN (Fairfield) [1.27]: When the committee commenced its inquiry into infrastructure management in 1991, the topic was one that the committee knew was important but it was fuzzy about exactly where to go and what the major issues were. I commend the efforts of the chairman of the Public Accounts Committee, the honourable member for Eastwood, who, though he took over as chairman part way through the inquiry, was able to pick up on the issue and persevere through to volume one of the committee's report on this

important issue. It is also important to emphasise the contribution of the committee's director, Miss Patricia Azarias, particularly her ability to focus the committee on this particular issue. I am not suggesting by that that the committee had any other directions in mind, but it certainly is a broad issue and, in order to achieve an effective result, the committee needed to focus on the aspects of it which are of greatest importance to the States.

It was pleasing to see the way that both the private and public sectors have added their contributions to this report. The committee conducted inquiries involving many witnesses - it conducted parts of its inquiry overseas - and I believe that the members of the committee are much richer for the experience. I want to briefly comment on one area of

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the report which was of considerable interest to me and which dealt with the question of the confidentiality of contracts. Some controversy arose about certain contracts related to public infrastructure. From the standpoint that private infrastructure often involves a type of monopoly because of the transfer of public assets to the private sector for a period of time, it has been my view that there should be the greatest transparency in all arrangements made between government and private sector contractors.

This issue was resolved, in great part, to my satisfaction. As the chairman of the Public Accounts Committee said earlier, many of the parties to these arrangements got together and tried to sort out the limits to which they could go. The committee, in making its recommendations, has not merely struck a balance or reached a compromise; it has reached an optimum solution. It has provided for the public an opportunity for the fullest possible disclosure. At the same time, it has protected the commercial interests of the private sector, which would otherwise have been penalised if they had been disclosed.

The methodology adopted by the committee recommends itself to other forms of inquiry. That was one of the ways in which the committee arrived at its recommendations. I am more than satisfied with those recommendations. This report is volume one of the committee's inquiry. I look forward to further deliberation in preparing volume two. Both volumes will be landmark reports of the Public Accounts Committee. They represent a step in a direction that has not traditionally been followed by the committee. They will be of great interest to the Parliament. I am sure that that important direction will be followed by both the public and the private sector in the future.

Report noted.

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Report: ICAC Act Review

Mr NAGLE (Auburn) [1.32]: I thank all members of the committee for their hard work in the preparation of this report. I thank also Ronda Miller, Independent Commission Against Corruption staff under David Blunt, Hansard reporters and the numerous witnesses who appeared before the committee to give their views - in particular, Mark Finlay, lecturer of law at Sydney University Law School; Mr Justice Clarke of the Supreme Court; Mr Ian Temby; the Hon. Athol Moffitt; the Hon. E. P. Knoblanche, Q.C.; and the Hon. Adrian Roden, Q.C.

The committee reviewed many sections of the Independent Commission Against Corruption Act, in particular, section 74B(1), which is entitled "Report not to include findings etc. of guilt or recommending prosecution". The committee reviewed this section as a result of an ICAC inquiry which emanated from the Greiner affair. The committee reviewed also appeal mechanisms in the Act and recommended the establishment of additional mechanisms. Another area reviewed by the committee, about which not much has been done at this stage, was the contempt provisions of the Independent Commission Against Corruption Act, in particular, sections 98(h) and 98(i), which refer to a person who:

(h) does any other thing that, if the Commission were a court of law having power to commit for contempt, would be contempt of that court;

(i) publishes, or permits or allows to be published, any evidence given before the Commission or any of the contents of a document produced at a hearing which the Commission has ordered not to be published.

Section 99 refers to "punishment of contempt" and to the right of the Supreme Court to oversee and punish people referred to it by the ICAC. In that regard the committee concluded as follows:

The committee endorses the principle that nothing should be done which suppresses or discourages constructive criticism of the ICAC. However, it is essential that the ICAC have available to it all the means necessary to maintain proper control over investigations and hearings. The ability to take action against contempt in the face of the Commission is an essential tool to this end.

The recommendation continues:

The Committee recommends that the Attorney General establish an inquiry into the contempt provisions which operate in the Courts and other tribunals, including the ICAC, with a view to ensuring consistency in their operations.

Without going into the points made in the extensive submissions of the Hon. Athol Moffitt, the Hon. E. P. Knoblanche, Q.C., and many other people, I advise honourable members that Mr Bersten drew attention to the High Court's recent decision in the Nationwide News case and suggested that this case established the principle that it was inappropriate for contempt provisions to be provided for statutory bodies to deal with criticism. A report in a newspaper of today's date referring to Deborah Cornwall states:

But Cornwall pointed out later that her contempt had been committed at a private hearing of the ICAC, when she had been forbidden under threat of jail to tell anyone she was even there.

"My experience should make the legislators really wonder about the powers of the ICAC and the secretive nature of its proceedings," she said.

It makes me wonder also. As a consequence, I believe the committee should re-examine its position and, in particular, take note of the fact that Jennie Curtin, in another newspaper report, said:

Cornwall also criticised the "inordinate powers" of the ICAC commissioner who had demanded at private hearings last March that she reveal the names of her police sources.

Tony Stephens, in another newspaper report, said:

Justice Abadee also said this scrutiny of the ICAC Act, for the first time, "might cause even ICAC itself, when it goes about its task in the future", to do so in a particular way.

Mr Ian Barker then made a comment about the ICAC being equivalent to a police investigative body. Tony Stephens continued:

Justice Abadee said he was not unsympathetic to Mr Barker's philosophical approach, but Parliament had passed the Act. He said yesterday that the ICAC had been set up to help remove corruption from public life. It had been given "coercive powers" infringing upon common law rights.

An editorial in the *Sydney Morning Herald* refers to what Mr Ian Temby said in relation to Neddy Smith and the contemptuous way in which Neddy Smith failed to answer questions put to him by counsel during those inquiries. Neddy Smith was contemptuous of the ICAC; therefore, he should have been prosecuted. I call upon the Chairman of the Committee on the Independent Commission Against Corruption to hold a further inquiry

into the contempt powers of the ICAC. If this does not occur, I will ask that committee to conduct a further inquiry into those contempt powers as they relate to Deborah Cornwall. The freedom of the media and the public's right to know are important, as is the right of investigation by the ICAC. The committee should re-evaluate its conclusions and make a further recommendation in its report.

I suggested to Deborah Cornwall that she should submit a comprehensive submission to the Committee on the Independent Commission Against Corruption, stating her views of events. Her civil liberties are at risk because of what happened. Contempt powers should rest with the Parliament and the courts of law, not an investigative body whose main purpose is to investigate corruption and educate people about corrupt conduct. Deborah Cornwall should have her day before the ICAC. She should be able to put forward her submission. *[Time expired.]*

Report noted.

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Report: Section 52 of the ICAC Act

Mr NAGLE (Auburn) [1.37]: The Committee on the Independent Commission Against Corruption conducted an extensive inquiry into the problems being experienced in regard to the Independent Commission Against Corruption. Many good recommendations have been made by that committee. Some of those problems have been referred to the Law Reform Commission and, ultimately, appropriate legislation will come before the Parliament. I thank all committee members and those who contributed to the report.

Report noted.

JOINT SELECT COMMITTEE UPON THE SYDNEY WATER BOARD

Report noted.

[Mr Acting-Speaker (Mr Rixon) left the chair at 1.38 p.m. The House resumed at 2.15 p.m.]

QUESTIONS WITHOUT NOTICE

TREASURER AND MINISTER FOR THE ARTS DEFAMATION ACTION

Mr CARR: My question is directed to the Minister for Health.

Mr SPEAKER: Order! There is far too much interjection from the Government benches. Members will extend the normal courtesies to the Leader of the Opposition.

Mr CARR: My question is directed to the Minister for Health. Did Dr Michael Ryan's solicitors write to the Minister's department -

Mr SPEAKER: Order! I call the Minister for Police to order. I call the Minister for Multicultural and Ethnic Affairs to order. The Chair finds the Ministers' behaviour extremely distasteful. I warn all members on the Government benches that should they continue with this behaviour I will take more peremptory action than I would normally take.

Mr CARR: My question is directed to the Minister for Health. Did Dr Michael Ryan's solicitors write to the Minister's department expressing grave concerns about the department paying the Treasurer's legal costs? Did the letter state, "It will obviously be a matter of grave importance to the health department if a substantial asset of the State is effectively abandoned in favour of its Treasurer"? Will the Minister now release all legal advisings and papers on this affair?

Mr PHILLIPS: For the third consecutive day the dinosaur from the swamp hole in Jurassic Park rises once again. The Treasurer has brought down one of the best budgets this country has seen, yet for the first three days of this parliamentary session the Leader of the Opposition has embarked on a sleazebag fishing expedition, which will not find out anything. Yesterday I provided to this House a full briefing by the director-general. As I said yesterday, I did not have anything to do with that legal process.

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

Mr PHILLIPS: It is not proper for me to do so.

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

Mr PHILLIPS: Yesterday, through me the director-general reported and tabled a full briefing to this House. In that briefing the legal opinion of Mr Nicholas, Q.C., stated in part -

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

Mr PHILLIPS: - "Further, I confirm the advice given in that conference that it is my view that the appellant is more likely than not to succeed in his appeal listed for tomorrow. If he did succeed the inevitable outcome will be a new trial on all issues".

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

Mr PHILLIPS: The final sentence of that quote reads, "In all the circumstances I am of the view that at this stage there are commercially compelling reasons to finally resolve the matter." That, and considerably more information, is provided as to why the department made that decision. It was a decision properly taken by the department. What we want to hear -

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Mr Whelan: On a point of order: The Leader of the Opposition asked specifically that the Minister for Health table all the papers.

Mr SPEAKER: Order! The honourable member for Ashfield is debating the matter. There is no point of order, as he well knows. Order! I call the honourable member for Cronulla to order.

Mr PHILLIPS: As I said, a full briefing was provided to this House yesterday on how the department came to its decision. It was a decision that was quite properly taken with all the assurances of the director-general.

Mr Whelan: On a point of order: The Minister for Health tabled a document yesterday. He has not tabled the brief of Mr Nicholas, Q.C. The question that the Leader of the Opposition asked of the Minister for Health -

Mr SPEAKER: Order! I warn the honourable member for Ashfield of the serious consequences of trifling with my earlier ruling.

Later,

Mr PHILLIPS: The facts of the matter raised by the Leader of the Opposition once again today are outlined in the document I tabled yesterday. Following further inquiries from the Leader of the Opposition, I sought further advice from the Department of Health. The department has now provided me with copies of the legal advice on which it based its decision to support the settlement by Dr Ryan with the Treasurer and Minister for the Arts. As I have already emphasised, the department sought independent legal advice on the prospects of the appeal and satisfied itself that there were legally and commercially compelling reasons to accept settlement on the agreed terms.

I am advised that the department has followed due process in resolving this matter. As the settlement of this matter involved a Minister of the Crown, it was quite appropriate for the Department of Health to manage this issue at arm's-length from successive Ministers. Dr Amos, the Director-General of the Department of Health, stated in a document tabled yesterday that in this matter he does not believe there has been any improper conduct and that decisions taken were legally and commercially correct. I table the further advice that I received from the director-general and accompanying documents. I hope that will end the innuendo of the Opposition.

BLUE-GREEN ALGAL BLOOMS

Mr CRUICKSHANK: I direct my question without notice to the Minister for Land and Water Conservation. Is it a fact that phosphorous is the main cause of blue-green algal blooms that are polluting the State's waterways? If so, will the Minister advise what the Government is doing to address this problem?

Mr SOURIS: I thank the honourable member for Murrumbidgee for this important question. This Government is leading the way by tackling strongly the issue of phosphorous in our waterways. A major factor of this problem is the amount of phosphorous from household detergents and washing powders being discharged into waterways. The Government has endorsed a strategy for detergent phosphorous control as one of a range of measures being implemented to control nutrients and water quality as part of the State's algal management strategy. The matter has been high on the list of priorities of the ministerial task force on the Hawkesbury-Nepean river system, which was appointed by the Premier recently. My colleagues the Minister for Health, the Minister for Planning, and the Minister for the Environment and I have been examining how to reduce the occurrence of blue-green algal blooms, and how to deal with them when they occur. The answer is clear: we must reduce the amount of nutrients, particularly phosphorous, in rivers, streams, lakes and water storages at every opportunity.

This is consistent with the common practice of controlling pollution by minimising it at its source. For the Hawkesbury-Nepean river system this means increasing the amount of phosphorous being removed before it reaches the river system, preferably in the home. Everyone in the community can help by examining the amount of phosphorous contained in detergent washing powders and other cleaning agents before making a purchase. We must also reduce runoff of soil and fertilisers into the river, reduce phosphorous from stormwater runoff in urban areas, and stop animal waste from entering rivers. We must also improve phosphorous removal at sewage treatment works.

The detergent phosphorous control strategy involves three parts: first, the Government supporting a 5 per cent by weight phosphorous limit per average wash load in detergents and other cleaning agents - the Government will promote this strategy to industry and to other States; second, the Government introducing truth in labelling and prominence in labelling on detergent packaging, a proposal which New South Wales is taking the lead to develop nationally; finally, developing a communication strategy directed towards minimising the impact of detergent phosphorous in our waterways.

A total ban on detergent phosphorous will not be considered until more technical information becomes available on the environmental effects of the alternatives used in detergents. Some information is available

from overseas, but that is not good enough as far as I am concerned, as the environmental effects must be understood for Australian conditions. To provide this information the ministerial task force has requested that a series of technical studies be carried out, with answers to be provided within six to nine months. This work will be co-ordinated by the State algal committees, because it is an issue which has nationwide implications.

The time frame is critical. I have spoken with the major detergent companies that supply 80 per cent of the market, and they have asserted their willingness to support these strategies. The Government is very
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keen to work with those companies in the interests of the whole community. Working together means having effective measures and mechanisms in place within one year on truth in labelling so that consumers may clearly identify the phosphorous content of detergents and cleaning products they purchase from supermarket shelves. Many products already contain less than 5 per cent of phosphorous, while some totally phosphorous-free products are available.

This is to be applauded, but there is still a long way to go. I fully expect the other States - which have indicated they are willing to support truth in labelling, promote community awareness and work with detergent companies - to follow this State's lead on this very important issue. I encourage people to make a specific and particular choice in selecting detergents in the supermarket, and to ensure that they select either a detergent with a low phosphorous content or even a zero phosphorous content. The Government has had a brochure available for some time -

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

Mr SOURIS: - with a special magnet for the honourable member for Londonderry to place it on his fridge, so that he can read it on a daily basis.

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

Mr SOURIS: One wonders whether the Opposition would make such a commotion if it was 20 per cent behind in the polls. Perhaps it has its own phosphorous-free alternative on the frontbench waiting to take over.

TREASURER AND MINISTER FOR THE ARTS DEFAMATION ACTION

Mr WHELAN: I address my question without notice to the Premier. Did the Treasurer attend a lunch at Parliament House on 22nd July with the Hon. Dr Brian Pezzutti and Dr Michael Ryan? Did the Treasurer produce terms of settlement for his failed defamation action at that lunch? Did Dr Ryan sign the document after the Treasurer falsely stated that Dr Ryan's solicitors had agreed to the terms of settlement?

Mr FAHEY: I would not know whether the Treasurer was at the Orient Hotel, the Mercantile Hotel or in Parliament House on 22nd July.

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

Mr FAHEY: I would not have the faintest idea where the Treasurer was for lunch on 22nd July.

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

Mr FAHEY: In the three days of this week, and certainly yesterday and today - after the presentation of a Budget that will give a great deal of confidence and hope to the people of New South Wales, following the disasters of the Budget delivered in Canberra - the Opposition has not been the slightest bit interested in anything relating to the Budget, or to the future of people in this State. This shows that the Opposition is devoid of any thoughts in relation to the future.

One might have thought that today, as the figures for unemployment were released, the Opposition might have raised unemployment in a rational fashion, or a suggestion or policy. The Opposition has no suggestion or policy. However, it might have directed its attention to the unemployment figures released today, which affect all people in the State and in Australia. For the fifth consecutive month there is an increased trend in employment in New South Wales. With the national unemployment average at 11.1 per cent, the New South Wales average is 10.7 per cent. In the past few months - in fact, since March this year - there has been an increase of about 26,900 part-time jobs in the State.

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

Dr Refshauge: On a point of order: I know that a certain amount of latitude is allowed in answering questions, but this question was specifically about lunch and the terms of settlement between Dr Ryan and the Treasurer. It had nothing to do with anything that the Premier is talking about. I ask that he be directed to answer the question.

Mr SPEAKER: Order! Just before the point of order was taken I thought the Premier was returning to the subject of the question.

Mr FAHEY: Mr Speaker, I was coming back to the question from the corporate raider from Ashfield. The honourable member was obviously concerned about the employment of dining room staff in Parliament House and wanted to be sure that they were well looked after by my Treasurer attending a luncheon there on some day in July. As I have always been concerned about employment, I am endeavouring to point out that, based on the trends, there is clearly a future for employment in this State. There is some risk about the employment of the Leader of the Opposition as the Leader of the Labor Party in New South Wales but, despite that, the trends are encouraging.

Sadly, the people of Australia have had an enormous kick in the stomach by a pathetic Budget in Canberra, by a directionless Prime Minister on issues such as Mabo and by a fall in the Australian dollar. They are the issues - not where the Treasurer has lunch. Those issues ought to be of concern to members opposite. The issue of concern is not employment around Australia but the employment of one person - the Leader of the Opposition. Honourable members are all repositioning themselves - even the honourable member for Campbelltown has moved up in the ranks of the Labor Party. I do not know whether it has anything to do with the television camera and whether he wants people to see the front of him instead of the back of him, but he has moved up in the ranks.

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The honourable member has moved up in the ranks; he has been promoted for looking after the job of the Leader of the Opposition whilst he was enjoying the northern summer in Europe.

BREAST CANCER AND CERVICAL CANCER

Mr SCHULTZ: I address my constructive question to the Minister for Health.

[Interruption]

Members opposite are not interested in this.

Mr SPEAKER: Order! The House will come to order. I ask honourable members to desist from interjecting. I advise the honourable member for Burrinjuck to ask his question without making gratuitous comments. If he does so, question time will be used more efficiently.

Mr SCHULTZ: In view of the rising incidence of breast cancer among women in Australia, what

initiatives are being taken by the Government? Also, what initiatives is the Government taking in regard to cervical cancer?

Mr PHILLIPS: I must say that I am somewhat perplexed as to whether I should give a short answer or a long answer to this question. If I give a short answer I could sit down and be asked to table the menu that the Treasurer and Dr Ryan had at the clandestine meeting held in the dining room of this Parliament. Breast cancer and cervical cancer are serious issues. I have been pleased and honoured to be involved in the development of a national health policy, through the national health summit. That summit brought together health Ministers throughout Australia to address health issues from a totally different perspective to the past.

Most of the arguments with respect to health are over the size of the cake, the distribution of the dollars and how much should be spent. The purpose of the national health summit was to bring Ministers together to develop a national health policy, to have an outcomes focus on health and to concentrate on the decisions we take to raise the health standards of our community, rather than to just concentrate on building hospitals and providing more beds and operations. That process is working very well. At the present time the Government is concentrating on four areas: heart disease, cancer, injury and mental health.

Our achievements in attacking cancer are outstanding. In addition to the \$300 million allocation for cancer this year, the Government is pursuing key goals in tackling cancer, particularly for women. In this year's Budget, the New South Wales mammographic screening program is a \$14 million commitment to addressing the real problem of breast cancer. Breast cancer is one disease in which real progress can be made in reducing the number of preventable deaths amongst women. Of all deaths due to cancer in women, 18 per cent are due to breast cancer. The incidence of breast cancer has gradually increased over the last decade. As with most cancers, early detection is our best weapon.

The Government has actively set out to reduce the number of preventable deaths from breast cancer. Free breast screening is provided for women over 40, and women over 50 are being actively recruited to the program. By the end of this financial year over 260,000 women will have been screened. I am delighted to say that we now have free screening and assessment centres operating in Newcastle, Lismore, Tamworth, western Sydney, northern Sydney, and central and eastern Sydney, and new services are being established this year in southern Sydney and southwestern New South Wales.

Approximately 130 women die every year because of cervical cancer. It is a terrible statistic when we consider that, if more women would have regular pap tests, that figure could be greatly reduced. It may sound like a cliché, but early detection in such cases really saves lives. The Government has joined with the Commonwealth in providing \$2.2 million for a program called the New South Wales organised approach to preventing cancer of the cervix. This program aims to regularly contact women aged between 18 and 70 who register their names. It will remind them when they are due for a pap smear and where they can access services in their local area. As part of the program, we are also committed to improving the accuracy of pap testing and analysis. It is an ambitious campaign. New South Wales is once again leading the battle against cancer. That program is indicative of the Government's commitment to target and reduce women's cancer.

This year women's health has been a big winner in the Budget. The Government is spending \$93 million on women's health services this year, up \$13 million on last year. That is an indication of how serious the Government is about improving the health of women. Our goal is to establish a network of specialist women's services across the State, including the Caroline Chisholm Hospital at Liverpool and the new Royal Women's Hospital to be built at Randwick. The cancer programs for women are a key part of the Government's commitment to women's health. The Government is determined to tackle cancer at all levels: at the national health summit level, by providing new services, through education programs and through early intervention programs, through screening programs and through better clinical health outcome programs. There is a whole range of innovative new programs.

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

Mr PHILLIPS: The battle will be hard fought, but it is worth the fight for the women of New South Wales.

TREASURER AND MINISTER FOR THE ARTS DEFAMATION ACTION

Mr ANDERSON: My question is directed to the Premier and Minister for Economic Development. Did the Treasurer and the Parliamentary Secretary for Health ring the home of Dr Michael Ryan several times prior to the lunch at which the Collins-Ryan litigation was settled? Why did they bring such pressure to bear on a seriously ill public servant? What action does the Premier propose to take?

Mr FAHEY: I think the Minister for Health has given a comprehensive account of this matter on a number of occasions. I have nothing further to add to the remarks of the Minister.

RURAL ADJUSTMENT SCHEME

Mr COCHRAN: My question without notice is directed to the Minister for Agriculture and Fisheries and Minister for Mines. Has the Federal Government honoured its funding obligations to the rural adjustment scheme? Has the Minister received advice on the effect the Federal Government's funding decisions will have on New South Wales farmers?

Mr CAUSLEY: The honourable member has asked a question that is particularly pertinent having in mind the crisis in rural areas. The question relates to the financing of people who are in desperate trouble. Although only a few Opposition members represent rural electorates, I am sure they are aware of the crisis affecting country New South Wales. More than 50 per cent of producers in those areas face eviction from their properties. The rural adjustment scheme has been in place for many years, since 1988. The new scheme was revived and commenced on 1st January. New South Wales agreed to participate in the new scheme only on the basis that the Commonwealth gave a commitment that recipients of subsidies under the 1988 scheme would continue to be supported. In other words, those who had already received loans under the scheme would be assisted through the new rural adjustment scheme. That commitment was confirmed in a letter from Mr B. J. Scott.

Mr Martin: On a point of order: The Minister is anticipating debate on a matter in respect of which notice has been given.

Mr SPEAKER: Order! It is obvious that the member for Port Stephens has not read past rulings of Presiding Officers which have allowed questions seeking factual information which may be of use in forthcoming debates. The question and answer are in order.

Mr CAUSLEY: The only thing for which the honourable member for Port Stephens is notorious is that he knows nothing about agriculture. A New South Wales farmer asked me recently how the Labor Party could possibly have the member for Port Stephens as its shadow spokesman on agriculture. Obviously the honourable member knows nothing about agriculture or about the rural adjustment scheme. The Commonwealth's commitment was confirmed in a letter from Mr B. J. Scott, of the Department of Primary Industries and Energy, to the New South Wales Rural Assistance Authority on 23rd November, 1992. The letter is addressed to Mr G. Maslen, Director of the Rural Assistance Authority. I quote from the second paragraph:

The Commonwealth has agreed that where a State has made a written commitment to support a client for a period of time, up to a maximum of 7 years and be subjected to review, then the Commonwealth will honour such a commitment.

As usual, Keating has no honour. He has withdrawn the commitment. I table that document for the

information of honourable members. What it means to the rural producers of New South Wales, especially those who gained assistance under the 1988 rural adjustment scheme, is that they have been ditched by Canberra. When their loans come up for review we will have no option but to tell many of them that, even though they have made commitments and may have budgeted on the basis of promises made to them by the Federal Government, we will not be able to honour that commitment because it has been withdrawn.

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

Mr CAUSLEY: Obviously that will put many of those people in a desperate situation. Honourable members will recall that the Minister for Primary Industries and Energy, the Hon. Simon Crean, when speaking to the Federal Budget, said that he had clawed back from the States funds that were available through the rural assistance scheme. The fact is that he took money away. The only funds that were available under the New South Wales rural assistance scheme were \$30 million earmarked for those people who had been given assistance under the 1988 scheme. Rather than clawing back the funds, Mr Crean took the funds from those people.

People living in rural areas in New South Wales should be made aware that the Commonwealth has a commitment to withdraw from the rural adjustment scheme. By now they would realise that the Federal Government has no interest in them. The taxation base for the Federal Budget shows clearly that the rural sector has been singled out to bear the brunt of the taxation system put in place by the Federal Government in Canberra. It should be remembered that primary producers who have gained assistance through the scheme have absolutely no income.

Having regard to the taxes that have been lumped on them and the lies told by the Prime Minister during the election campaign that were then reneged on, members opposite - including the honourable member for Drummoyne - should hang their heads in shame. I know it is difficult for the honourable member for Drummoyne to even contemplate being shameful; that is not one of his traits. It is the Labor Party who has reneged on its promises to these people. In the years ahead, when these people have their loans reviewed, as they are entitled to, and are told that the Labor Party has deserted them by reneging on the payments, they will remember who it was who cut off their finance.

PARLIAMENT HOUSE SMOKE-FREE ENVIRONMENT

Dr MACDONALD: I address my question without notice to the Minister for Health. If the Minister's motion relating to a smoke-free environment in Parliament House is supported, will it

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give the Presiding Officers the power to allow members of Parliament to smoke in their own offices though other workers would be required to smoke outside the building?

Mr PHILLIPS: The honourable member for Manly has asked a good and encouraging question. The motion of which notice has been given, and which will be debated during this session, states clearly that the Presiding Officers will be required to follow the provisions of the Occupational Health and Safety Act, which are the same for the Parliament as they are for every other employer in the State. The House should be telling the Presiding Officers that it wants the Parliament to follow the same standards as are set by the Occupational Health and Safety Act for every other employer.

TAB AGENCIES RELOCATION AND UPGRADE

Mr PETCH: I ask the Minister for Sport, Recreation and Racing a question without notice. Is he aware of statements by the Leader of the Opposition criticising spending on the relocation and upgrading of TAB agencies? Is the criticism justified?

Mr DOWNY: The honourable member's question gives me the opportunity to set the record straight on outrageous statements made by the Leader of the Opposition at the recent Australian Labor Party conference.

Mr SPEAKER: Order! There is far too much interjection.

Mr DOWNY: In June this year the man who is so desperate to become Premier of New South Wales - but after today's poll I doubt that he will ever get there - accused government departments of spending millions of dollars on interior decorating. They were his words. He called them lavish office fitouts. To my great concern my department was one of those slandered by the statements made by the Leader of the Opposition. He claimed that over two years these government departments had spent about \$62 million on refurbishments.

Nothing could be further from the truth, especially in regard to the Department of Sport, Recreation and Racing. I can assume only that, as the Leader of the Opposition has no interest in sport, he would not know what was spent by the Department of Sport, Recreation and Racing. In the past two years the department has spent the grand total of \$102,936 on office refurbishment. Once again the statements made by the Leader of the Opposition are typical of the useless, mindless stunts we have come to expect from him. He has absolutely no chance of being Premier of New South Wales, ever.

Mr SPEAKER: Order! There is far too much interjection by members on both sides of the Chamber. The public galleries are full and I am sure members of the public are far from impressed by the behaviour of members. I ask members to conduct themselves with more decorum.

Mr DOWNY: It would seem that the Leader of the Opposition received his information on the Budget Estimates in the usual way: by sneaking around with backbenchers' questions on notice. In this instance the honourable member for Smithfield supplied the question. Then the Leader of the Opposition went off to big-note himself at his party conference and conned the poor gullible delegates from the Labor Party at that conference. As usual he failed to follow through and substantiate any of the ludicrous claims he made. He has not yet substantiated them.

Only two conclusions can be drawn from the information provided by the Leader of the Opposition: first, that he set out to deliberately mislead his own party; or, second - and being charitable perhaps we should prefer it - that the Leader of the Opposition has absolutely no understanding of the internal workings of government departments. Regardless of opinion polls, that conclusion certainly disqualifies him from ever being premier of New South Wales. I was so concerned that we went looking for where the rest of the money in my portfolio had gone. I want the Leader of the Opposition to listen to this because it will be a lesson to him on how my portfolio works.

We found, first of all, that the Sydney Cricket and Sports Ground Trust spent \$100,000 in transferring its office from the Noble Stand at the Sydney Cricket Ground to the Football Stadium. Probably the Leader of the Opposition has never been to the Sydney Cricket Ground. Those works have been funded by renting out the old office to Spotless Catering for \$45,000 per year. Not one cent has come from the taxpayer. We also found out that the Harness Racing Authority was spending \$103,439 on its Bankstown office. Once again, not one cent came from the taxpayer. All that money is coming from the Racecourse Development Fund and is provided by the racing industry itself.

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

Mr DOWNY: That leaves the outfitting and refurbishment of all those Totalizator Agency Board offices in the suburbs. I provide this interesting information for the Leader of the Opposition's own backbenchers because I am sure they would like to know where TAB money is being spent. We found that in the Rockdale electorate \$250,000 was spent on the Brighton-le-Sands TAB office. We found that \$73,000 had been spent at the Bankstown north office, in the Auburn electorate. We found that \$57,000 had been spent up in Nelson Bay - a lovely place - \$57,000 at Narwee, and \$57,000 at Macquarie Fields. At Pendle Hill - the honourable member for Blacktown will like this information - \$55,000 was spent on the TAB office.

In the Drummoyne electorate a grand total of \$200,000 was expended in a similar way. Every single one of those dollars came from the racing industry, not from the taxpayer. The Leader of the Opposition has demonstrated by his actions at the Labor Party conference that not only is he incapable of being Premier but he also has to learn a little about

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sport. I have tickets to the rugby league minor semi-final, and, if the Leader of the Opposition would like to see the game, I would be more than happy to give him one. If he does not want a ticket, I am sure one of his backbenchers would be happy to accept the offer. I thank the honourable member for Gladesville for his question.

DEPARTMENT OF COMMUNITY SERVICES EMPLOYEE Dr MICHAEL RYAN

Mr KNIGHT: I direct a question without notice to the Minister for Community Services. Did the Minister or someone acting on his behalf contact or attempt to contact his departmental employee Dr Michael Ryan, asking him to contact the Hon. Brian Pezzutti prior to the settlement of the Treasurer's litigation? Who asked the Minister to use his position as Dr Ryan's Minister to pressure him into settling his case with the Treasurer?

Mr LONGLEY: This question was asked yesterday. At that time I answered no, and I again answer no to that question.

WASTE RECYCLING

Mr KERR: My question without notice is directed to the Minister for the Environment. What action is the Government taking to encourage recycling in Sydney? In particular, has the Minister considered the specific problems that people living in flats and home units face in regard to this issue.

Mr HARTCHER: I thank the honourable member for Cronulla for his question and his ongoing interest in waste management and recycling generally. I notice that the Leader of the Opposition is leaving the Chamber, as he does regularly when such matters are raised. The Leader of the Opposition, when Minister for the Environment, was responsible for a 33 per cent increase in the amount of waste going into landfill in New South Wales. That figure is significant because it is 3 per cent higher than his popularity rating in the latest opinion polls. Even the garbage rate is higher than Bob Carr's popularity. He and his colleagues in the House - or such of them who are left after the debacle of the Unsworth years - presided over a steady increase in waste in New South Wales.

However, the New South Wales Government, under Premier Greiner and now under Premier Fahey, has presided over a continual decrease in the amount of waste going into landfill. Under this Government led by Premier Fahey that amount has been cut by 17 per cent. Like the popularity of the Leader of the Opposition, that amount is decreasing, and it will continue to fall. Waste is one of the pressing environmental issues facing New South Wales today. Members on both sides of the House would be aware that the Joint Select Committee on Waste Management, chaired very ably by the honourable member for Camden, is due to report soon. Notwithstanding that, we are not interested in waiting and are determined to ensure that we put policies in place that will address this significant issue.

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

Mr HARTCHER: Since 1988 we have saved more than one million tonnes of garbage from landfill and now 65 per cent of Sydney households are participating in the scheme. This means that we do not need as many landfill areas. Recycling, which the Government will fund by more than \$3 million this year, is one of the great environment success stories and is happening here in Sydney with the support of local people and the

Fahey Government. However, 35 per cent of households - almost a million people - are still not involved in saving our resources and protecting our environment. If they can become involved, we can further reduce our waste and reduce the need for additional landfill sites.

One of the biggest problems lies with people living in home units, as suggested by the honourable member for Cronulla in his question. Home units make up almost half the residential accommodation in inner Sydney, in beachside suburbs such as Cronulla and Manly, and in areas such as Lane Cove. Our studies through the Environment Protection Authority show that recycling rates for home units and other multi-occupancy premises such as nursing homes often reveal a zero result. Our research further reveals that local government is not doing enough to make recycling easier in home units.

The EPA study focused on nine local government areas and investigated seven different types of recycling systems at 19 test locations. Information and provision of recycling containers are the biggest factors which influence participation rates. Many councils are simply ignoring high-rise apartment blocks when distributing containers to local residents. Others fail to recognise the difficulties associated with storage of recyclables in units and have treated units as homes. In one case a council gave residents of a 160-unit building 160 individual containers to be put out on the footpath every collection morning. Chaos was created on the kerbside. That result is not good enough and cannot be ignored if we are to achieve our target 50 per cent waste reduction rate by the year 2000. The Government is already providing councils with the financial incentive of \$20 per tonne of material recycled. Those councils which ignored that opportunity in apartment blocks are missing out both environmentally and financially. Their ratepayers are suffering both as environmentalists and ratepayers.

The policy of the EPA is to embark upon a wide-ranging program of community education to encourage members of the community in recycling and composting techniques so that they can pass on these skills to others. The problems of composting for residents of home units are unique and are being investigated through this program. However, the Government does not believe that the entire answer to the waste problem lies in recycling. Effective waste management must come through reducing waste, reusing packaging whenever possible, as well as recycling.

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

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Mr HARTCHER: The honourable member for Manly has an interesting piece of legislation and we look forward to seeing that when it is introduced in the House.

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

Mr HARTCHER: This year the Government will spend more than \$20 million on waste management, including \$5 million on projects by the EPA directly related to waste minimisation compared to zero dollars spent when the Leader of the Opposition was Minister for Planning and Environment. He had no interest in waste management other than to create the great tip at Lucas Heights and the landfills he was so hellbent on pursuing. He has no interest in this bill. Day after day during question time he walks out of the Chamber arrogantly and presumptuously. The Government remains fully committed to reducing the waste stream. It is committed to reducing the burden on the community.

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

Mr HARTCHER: Part of the Government's commitment to reducing waste will be to reduce the number of members opposite after 1995.

PETITIONS

Capital Punishment

Petition praying that the House will enact legislation to reintroduce capital punishment in extreme cases of murder where there is absolutely no doubt that the offender committed the crime, received from **Mr Windsor**.

Serious Traffic Offence Penalties

Petitions praying that the House review the laws relating to road accident fatality or grievous bodily harm and institute severe penalties, received from **Mr Mills, Mr Newman and Mr Shedden**.

Canterbury Civic Centre Redevelopment

Petition praying that the House oppose the proposed development by Canterbury Municipal Council of the Civic Centre site, received from **Mr Zammit**.

Wollongong TAFE Automotive Engineering Courses

Petitions praying that the automotive engineering facilities at Wollongong Technical and Further Education College be upgraded or that a new dedicated facility be built at Shellharbour or Yallah, received from **Mr Markham, Mr Rumble and Mr Sullivan**.

Canterbury Hospital

Petition praying that Canterbury Hospital be retained and upgraded on its present site and that the services it provides continue during upgrading, received from **Mr Davoren**.

Lambton Police Station

Petition praying that the Lambton Police Station be retained, received from **Mr Mills**.

Multicultural Arts Centre

Petition praying that the House support funding for a multicultural arts centre in New South Wales, received from **Mr Zammit**.

BUSINESS OF THE HOUSE

Printing of Papers

Motion by Mr West agreed to:

That the following papers be printed:

Report of the New South Wales Commercial Fishing Advisory Council for the year ended 30 June 1992.

Special Report to Parliament under section 32 of the Police Regulation (Allegations of Misconduct) Act 1978 concerning Allegations of Police Bias against Asian Students, dated 25 June 1993.

Quarterly Report to Parliament under section 14 of the Timber Industry (Interim Protection) Act 1992.

RAIL SAFETY BILL

Bill read a third time.

COMMITTEE ON THE OFFICE OF THE OMBUDSMAN

Report - Minutes of Evidence

Mr TURNER (Myall Lakes) [3.3]: I bring up and lay upon the table the report of the Joint Select Committee on the Office of the Ombudsman inquiring into funds and resources available to the Ombudsman to perform his functions.

Ordered to be printed.

Mr TURNER: I bring up and lay upon the table the minutes of evidence taken before the committee. I move:

That the House take note of the report.

In presenting the Report into the Adequacy of Funds and Resources Available to the Ombudsman, I wish to make certain observations in relation to the inquiry, and generally. Foremost, though, I want to thank the committee for persevering in the long process of drawing together the information necessary to prepare this report. I wish also to thank the Project Officer, Helen Minnican, who has done a fantastic job of taking the inquiry through the various stages necessary to bring it to a conclusion, which of course also involved the collection of an enormous amount of material. Additionally I thank Bill Arkinstall, our in-house financial consultant; Ronda Miller, Clerk to the Committee; and Peita Burgess and Grace Penrose, our assistant committee officers; as well as the hard-working Hansard staff, who assisted in our public hearings. To all those people I say farewell as I will shortly move from the position of Chairman of the Ombudsman's committee. They have been a good team. This inquiry is the first into the Office of the Ombudsman and his administration in the 19 years that the office has been in existence.

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This inquiry came about because of the very public stance the Ombudsman chose to take, as he often does, on what are often political matters concerning visits to, or in the Ombudsman's view the inability to visit, country New South Wales and gaols and detention centres. It was ironic that the Ombudsman's first pleas in this area came in 1991 when he said he could not fund out of his then \$4.277 million budget the sum of \$21,000 to do country visits. He was, however, able to book a trip for himself to Vienna and other parts of Europe, as well as to the United States of America and Canada.

It is all the more remarkable that the Ombudsman, who said he could not fund \$21,000 for country trips in New South Wales, should have underspent his budget in that same year by some \$43,504. Indeed, whilst the Ombudsman made great public play of being the poor relation of Government, whilst he publicly berated the Premier for insufficient funding, a review of his budget allocations from 1986-87 to 1992-93 showed that he in fact underspent his budget by a total of \$1.247 million; yet he made great play about being underfunded. The only conclusion that can be drawn by me from the fact that the Ombudsman underspent his budget, which although disclosed in his annual report was not alluded to in his plea for more money, was that he sought to embarrass the Government in a politically sensitive way by alleging he was denied sufficient moneys by the Government to carry out his work. Either that, or he was not fully aware of the proper administration of his own office.

The report discloses clear inefficiencies in the Office of the Ombudsman. These inefficiencies have retarded the effective operations of that office and the report recommends a considerable number of actions for the Ombudsman to implement to improve the efficiency of his office. Another matter that came to light during the inquiry, which certainly concerned me and I know other members of the committee, was the deal the

Ombudsman has done with the Wang computing company whereby Wang has provided computers to the Office of the Ombudsman free of charge. I believe the Ombudsman should have had more sense than to place himself and his office in such a compromising position by having accepted free computers. What will happen if the Ombudsman is required to look into maladministration in a government department that might involve the Wang computing company? The answer is that the Office of the Ombudsman must be compromised. It is astounding that a person such as the Ombudsman should have even entertained such a deal; indeed, one wonders what the Independent Commission Against Corruption would make of such an arrangement.

It is well known that this Government is to introduce whistleblowers legislation. Indeed, I was a member of the legislation committee that looked into the legislation and the Ombudsman was a person who gave a submission to the committee. The legislation envisages the Ombudsman, the ICAC and the Auditor-General as being agencies to whom a whistleblower can report on maladministration in a government department. It envisages also that a person within one of the reporting agencies who sees, for instance, maladministration in the Office of the Ombudsman, can report the maladministration to the joint parliamentary committee on the Ombudsman.

Former principal investigating officer at the Office of the Ombudsman, Mr Peter Wilmschurst, gave evidence to my committee on 23rd February, 1993, at the committee's invitation following a very disturbing submission by Mr Wilmschurst about the inefficient administration and practices of the Office of the Ombudsman. As a prelude to Mr Wilmschurst's evidence, the Ombudsman, Mr Landa, denigrated Mr Wilmschurst at a public hearing. But, what is totally reprehensible and a betrayal of the obligations of the Office of the Ombudsman to uphold the ordinary person's rights to redress from government was the conspiracy of the Office of the Ombudsman to undermine Mr Wilmschurst. The Office of the Ombudsman constructed questions and had them faxed to a committee member, the Hon. Meredith Burgman, who asked Mr Wilmschurst those questions with the design and intention of undermining his evidence and credibility before the committee. The actions of the Office of the Ombudsman in attempting to manipulate my committee were sinister, conspiratorial and frightening for the administration of justice and for the Office of the Ombudsman in this State. I commend the report.

Debate adjourned.

PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND

Legislative Assembly Trustees

Motion, by leave, by Mr West agreed to:

That in accordance with Section 14(1)(b) of the Parliamentary Contributory Superannuation Act 1971, Malcolm John Kerr be appointed as a trustee of the Parliamentary Contributory Superannuation Fund in place of Christopher John Downy.

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Motion, by leave, by Mr West agreed to:

(1) That Paul John Zammit be discharged from attendance upon the Committee on the Independent Commission Against Corruption and that Andrew Arnold Tink be appointed to serve on such committee.

(2) That a message be sent acquainting the Legislative Council of the resolution.

REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE COUNCIL OF THE UNIVERSITY OF TECHNOLOGY, SYDNEY

Motion, by leave, by Mr West agreed to:

That Adrian John Cruickshank be elected in place of Bruce Leslie Jeffery as the representative of the Legislative Assembly on the council of the University of Technology, Sydney in pursuance of the provisions of section 9 of the University of Technology, Sydney Act 1989.

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PUBLIC ACCOUNTS COMMITTEE

Motion, by leave, by Mr West agreed to:

That pursuant to section 54(5) and (6) of the Public Finance and Audit Act 1983, Peter Lachlan Cochran be appointed to serve on the Public Accounts Committee in place of Raymond Francis Chappell.

JOINT SELECT COMMITTEE UPON WASTE MANAGEMENT

Motion, by leave, by Mr West agreed to:

(1) That Christopher John Downy and Wendy Susan Machin be discharged from attendance upon the Joint Select Committee upon Waste Management and that Michael John Richardson and Barry William Rixon be appointed to serve on such committee.

(2) That a message be sent acquainting the Legislative Council of the resolution.

**REPRESENTATIVE OF THE LEGISLATIVE ASSEMBLY ON THE COUNCIL OF THE
UNIVERSITY OF NEW ENGLAND**

Motion, by leave, by Mr West agreed to:

That Wallace Telford John Murray be elected in place of Raymond Francis Chappell as the representative of the Legislative Assembly on the council of the University of New England in pursuance of the provisions of section 9 of the University of New England Act 1989.

JOINT SELECT COMMITTEE UPON THE SYDNEY WATER BOARD

Motion, by leave, by Mr West agreed to:

(1) That Barry John Morris be discharged from attendance upon the Joint Select Committee upon the Sydney Water Board and that Michael John Richardson be appointed to serve on such committee.

(2) That a message be sent acquainting the Legislative Council of the resolution.

SELECT COMMITTEE UPON PUBLIC SECTOR SUPERANNUATION SCHEMES

Motion, by leave, by Mr West agreed to:

That Raymond Francis Chappell be discharged from attendance upon the Select Committee upon Public Sector Superannuation Schemes and that Peter Lachlan Cochran and Russell Harold Lester Smith be appointed to serve on such committee and that Russell Harold Lester Smith be appointed chairman of the committee.

LEAVE OF ABSENCE

Motion by Mr Kerr agreed to:

That leave of absence for the present session be granted to Phillip Murray Smiles, member for North Shore, on account of absence from the State.

TOTALIZATOR LEGISLATION (AMENDMENT) BILL

Second Reading

Debate resumed from 20th May.

Mr FACE (Charlestown) [3.14]: I lead for the Opposition, which does not oppose the bill. The main purpose of the proposed amendments is to alter the manner in which funds for the operation of totalizators are credited to the Racecourse Development Fund and the Racing Assistance Fund. The Totalizator Act and the Totalizator (Off-course Betting) Act provide for 0.5 per cent of the investments on doubles and trifecta totalizators to be paid into a special deposits accounts known as the Racecourse Development Fund. Amounts deposited to the fund under the provisions last financial year totalled \$4,433,373 - a substantial amount. Similarly, the two Acts provide for a small percentage of investments on superfecta totalizators to be paid into a special deposits account known as the Racing Assistance Fund. Amounts deposited to this fund last financial year totalled \$1,947,477.

Moneys paid into the Racecourse Development Fund are used primarily for the making of permanent improvements to racecourses, and moneys paid into the Racing Assistance Fund are used to maintain the viability of race clubs and for specific research into racing animals. At present the moneys referred to are deposited direct to the funds. However, under policies developed in conjunction with the introduction of accrual accounting and net appropriations to departments, receipts of the nature of these collections should be paid into the Consolidated Fund and be appropriated by Parliament.

I have received two letters from racing clubs which the Minister may care to address. The New South Wales Greyhound Breeders, Owners and Trainers Association Limited is concerned that money deposited into the Consolidated Fund will be taken away from racing. The letter states that the association "would object in the strongest terms to any attempt to include any further money in Consolidated Revenue and thus cause the autonomy of the racing industry to be eroded". The tenor of the letter suggests that the association believes that the money will go into consolidated revenue. The bill provides that the moneys collected be appropriated by the Parliament. This may clarify the position for the association.

The letter from the Newcastle Jockey Club Limited - I see that the Minister is wearing the club tie today - expresses concern that the money paid into the Consolidated Fund may be lost to racing altogether. The letter states that if I were satisfied - and I am - the club would be likewise. The club has a special interest in the 0.5 per cent investment on doubles and trifectas paid into the Racecourse Development Fund. The letter was written in June and since then there have been discussions with the Australian Jockey Club, the Totalizator Agency Board and the Minister, in his early days in the portfolio. I understand there is now a proposal in the pipeline to set up a training maintenance fund, which would be of real benefit to the Newcastle Jockey Club. The club is not given sufficient credit for the training it provides. It is suggested that charges could be lifted but an increase in charges would result in many horses, trainers and owners disappearing from the industry.

The Newcastle Jockey Club plays a very valuable role, as other provincial clubs do, in supporting the major metropolitan clubs. I am satisfied that there will be no loss of revenue to the

clubs. The Parliament will appropriate the money. It is no reflection on the Racecourse Development Fund but the Parliament assuming responsibility for appropriation of the money may avoid some of what has occurred. I do not attribute blame to the Racecourse Development Fund but what happened at Bathurst left a lot to be desired. Clubs now realise that they have to act sensibly. The measures put in place by the Racecourse Development Fund will ensure that things are done properly. I was at Murwillumbah recently. The small club there, with a lot of voluntary labour and a small amount of money, was able to returf the strait, achieving good value for money. It is a step in the right direction for the Parliament to appropriate the money, though the same amount is involved. The Opposition supports the bill.

Mr DOWNY (Sutherland - Minister for Sport, Recreation and Racing) [3.20], in reply: I thank the honourable member for Charlestown and the Opposition for their support of the bill. I take on board the comments made by the honourable member, particularly in regard to the Newcastle Jockey Club. I assure the honourable member that the Government has every intention of ensuring that that jockey club remains viable; and I am sure the jockey club knows that. When I first became Minister I visited the Newcastle Jockey Club, and I am well aware of their concerns.

Motion agreed to.

Bill read a second time and passed through remaining stages.

Homebush Bay Ministerial Corporation (Dissolution) Bill

Second Reading

Debate resumed from 19th May.

Ms ALLAN (Blacktown) [3.21]: The Opposition supports the passage of the Homebush Bay Ministerial Corporation (Dissolution) Bill.

Motion agreed to.

Bill read a second time and passed through remaining stages.

Industrial Relations (Amendment) Bill

Second Reading

Debate resumed from 19th May.

Mr WHELAN (Ashfield) [3.22]: The Opposition opposes this bill, the maiden bill by the new Minister for Industrial Relations and Employment, which will attack workers' rights and entitlements. I will quickly give some examples of how people would be financially prejudiced by this measure if it were to become law. The Government is deeply embarrassed by this bill, and the principle reason for that is the slow and patchy process of enterprise bargaining in New South Wales. The Government has accepted submissions from some employers that there is insufficient room to move beneath award remuneration standards in the system and wants to attract more employers into enterprise agreements by relaxing those standards. This bill, if it becomes law, will remove from awards all penalty rates, whether weekend, public holiday, night shift or afternoon shift, for the purposes of calculating the minimum hourly rate for ordinary time.

At present the Industrial Registrar takes the view that where shift loadings for weekend penalties apply to ordinary time rates, an enterprise agreement cannot provide a rate less than that amount. The minimum standards are already very weak in New South Wales legislation and allow exploitation. The Opposition

cannot permit any further weakening of the present conditions. Penalty rates have been of concern to all in the labour market, employers and employees alike. A document dated August 1991 prepared by the Australian Council of Trade Unions provides an interesting definition of penalty rates. Briefly, the documents states:

Penalty rates apply to work outside standard hours and ordinary periods of work. Penalty payments normally apply for: overtime, work outside normal span of hours, work on Saturday, work on Sunday, work on public holidays, and work at night and at evenings.

Penalty payments are an additional payment for work during those periods.

That is what penalty rates are all about. By the passage of this legislation the Government is hoping to affect workers' salaries. The Minister circulated a letter dated 30th July, 1993, and a media briefing to all members of the Government. The Minister was obviously very concerned that the public perception of this bill, and indeed the reality, is that workers' take-home pay will be diminished. The Minister may shake her head, but allow me to give this example. Take a part-time, adult shop assistant working in a supermarket or department store 16 hours a week, over four days, Monday to Sunday. For Thursday from 5 p.m. to 9 p.m., the award rate including penalty rates is \$50.50; and the award rate excluding penalty rates is \$40.40. In other words a reduction of \$10.10 per work day. The same applies with Saturdays, when the award rate including penalty rates is \$50.50; and the award rate excluding penalty rates is \$40.40. That is a loss of \$10.10 a day for that worker; he or she would take home \$40.40 less a week.

Another example is a casual 20-year old shop assistant working six hours on a Sunday in a supermarket or department store. The award rate including penalty rates is \$99.30; the award rate excluding penalty rates is \$67.95 - a loss of \$31.35 each Sunday. Another example is a full-time adult shop assistant working in a supermarket or department store 38 hours a week over five days, Tuesday to Saturday. The employee has a one hour lunch break each day and a half hour evening meal break on Thursday. In that example the Tuesday and Wednesday rates remain the same - on Tuesday

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working 9.30 a.m. to 5 p.m. and on Wednesday, 10 a.m. to 5 p.m. The award rate, including and excluding penalty rates, is \$65.65 on the Tuesday and \$60.60 on the Wednesday. On the Thursday, instead of receiving \$116.15, which is the present rate including penalty rates, that worker would received \$106.05 - a reduction of \$10.10.

In that example there is no change in the rate for Friday. However, working from 8 a.m. to 5 p.m. on Saturday the present award rate including penalty rates is \$101.00. Excluding the penalty rates, it drops to \$80.80. The total award rate for the week including penalty rates is \$413.95, but excluding the penalty rates it is \$383.80 - a reduction of \$30.15. A 19-year-old part-time nightfill employee working 25 hours a week in a supermarket attracting the 30 per cent shift penalty loading receives the award rate including shift penalty of \$262.62. Minister, with the passage of your legislation the award rate, excluding shift penalty loadings, would be \$202 - \$60.62 less to that worker.

The same situation applies to clerks employed under the provisions of the Clerks (State) Award. Let me give an example of a shift worker on afternoon shift, with a base rate of \$413 per week, who works 38 hours per week with one rostered day off per month, working from 2 p.m. to 8 p.m., Monday to Friday. Under the Clerks (State) Award, and with a 17 per cent shift loading, that worker receives \$413 multiplied by 17 per cent, which takes the worker's rate to \$483.21 per week.

Under an Industrial Relations Act enterprise agreement there is no shift loading. Instead of receiving \$483.21, that worker will receive \$413. The removal of the 17 per cent afternoon shift loading will result in a wage cut of \$70.21 per week or a reduction in wage of 14.5 per cent per week for that worker. It is obvious that the Government was aware that something was wrong in the system. The present Minister for Industrial Relations and Employment was so concerned that she issued a letter to each Government member, but that letter was not made public. A media briefing was given to all local Government members, and for those who could not write there was an attachment of a suggested reply letter -

Mrs Chikarovski: Stating the facts.

Mr WHELAN: A dishonest reply - how they should try to convince the public that they would not be financially prejudiced by the Government's proposal. The Minister cannot deny that happened. I hand the Minister a copy of the shift allowances that I referred to and I ask her to advise whether the information I gave the House is incorrect. If the Minister does that, the Opposition will have to rethink its position, because those figures were prepared by people employed in the industrial movement and who know a great deal more about shift allowance and penalty rates than I, the Minister and others do. One thing I know is that this proposal is nothing more than a savage attack on workers' pays. It has been dressed up because when the Government introduced enterprise bargaining in its industrial relations proposals in 1990 it could not get any employees to set the deals in contracts. The Government failed to recognise that the best deal between employer and employee is one worked out on an even playing field.

The Government has a sledge-hammer approach to trying to improve industrial relations. Anyone with limited experience in the industrial relations movement would know that the best way to treat workers is not by the sledge-hammer approach. The Opposition opposes the bill because it is a clear and blatant attack on the rights of workers' salaries. The Minister says she is concerned about the rights and status of women, which is her other portfolio hat. The people who will be most prejudiced as a result of this approach will be shift workers and the vast number of women workers who work purely because penalty rates are now applicable in their awards. As I have indicated from the figures, the Government intends to reduce wages in some instances by up to \$60 or \$70 per week.

The Government is saying to the women workers, "You take home \$60 per week less than you now take home" and expects the women of New South Wales to believe that the Minister is looking after the status of women. The title of the portfolio is Minister for the Status of Women. The proposal by the Government is the biggest slap in the face to workers, particularly women, who work throughout the whole industrial area. It is the death knell for families who will be expected to live on much less than the meagre salaries and wages they now receive, and it is a direct attack on families, and particularly women. I urge the Government to reconsider its attitude. As I have indicated, the Opposition will vehemently oppose the bill. I stress it is not a simple amendment to an important bill. This is a very important attempt by the Government to reduce the take-home pay of the workers of this State.

Mr MORRIS (Blue Mountains) [3.35]: In understanding the basis of the bill honourable members should first appreciate the manner in which section 122(1) of the Industrial Relations Act has been interpreted to date. If anything needs an overhaul, it is this particular section of the bill. Section 122(1), which is one of the statutory minima applying to enterprise agreements, stipulates that an enterprise agreement cannot prescribe an hourly wage rate for ordinary hours of employment which is less than the applicable award rate for the employee. If penalty wage rates attach merely to time worked outside ordinary employment hours, that is, overtime, it is clear that section 122(1) does not preclude the possible abolition or modification of penalty rates in a freely bargained enterprise agreement.

The difficulty arises where penalty wage rates, through the wording of the award, form part of an award rate for ordinary hours. A typical case would be a specification within an award that all ordinary time worked at nights or on weekends shall be paid at a rate which includes a penalty loading. In this case, a strict interpretation of the Act necessitates that these award penalties, allowances or premiums must be

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included in calculating the appropriate hourly rate for ordinary hours - the base rate - for the purpose of the relevant enterprise agreement. The Industrial Relations (Amendment) Bill is intended to overcome tangible difficulties apparent to various sectors of industry in their attempts to establish terms and conditions of employment which are truly to their mutual benefit.

These difficulties have meant that innovative agreements are liable to be rejected for registration as a result of the unintended application of the present section 122(1) - that was not the Parliament's intention when passing the Industrial Relations Act in 1991. Certainly, there is a call from enterprises at large for more

flexible workplace arrangements to overcome present award restrictions involving wage amounts. Thus, inflexible horse-and-buggy era penalty rate payments imposed on employers in the club, restaurant, retail, security and tourism sectors through present State awards are incapable of elimination or even modification - as individual parties so often want - by enterprise agreements.

At a time when particular industrial and commercial sectors are struggling to survive, let alone expand, and queues of unemployed are at record levels with more than one million people out of work, this anomaly allows the imposition of an unjustified level of costs on enterprises, which quite simply impedes our State and national economic recovery. As I have said, it is the unintended effect of section 122(1) that needs to be corrected if the spread of enterprise agreements in vital service sectors is to be encouraged. Accordingly, the bill, which I firmly support, seeks to amend section 122 to ensure that the minimum hourly wage rate for ordinary hours for enterprise agreement purposes is to be reckoned without regard to penalty rates, allowances or premiums above the base award rate.

In this way the bill aims to ensure that wage schemes established in individual enterprises within those affected industries can most appropriately reflect what is best for that enterprise in terms of its survival and anticipated expansion. That is the simple, limited and true aim of the bill. It cannot be portrayed - as honourable members opposite may unscrupulously seek to label it - as legislation proposing the scrapping of penalty rates from the award system altogether.

Indeed, the bill certainly does not outlaw penalty rates from awards or enterprise agreements. Essentially the bill provides greater scope for more flexible working arrangements to be negotiated between enterprise employers and their employees. Ultimately, a choice will still be available: workers in an enterprise will be free to enter an arrangement having innovative elements and providing greater net benefit, or they will be able to continue to abide by their award, which will still have penalty rate possibilities. Moreover, if workplace parties agree to have explicit penalty wage rates in their enterprise bargain, so be it. That agreement will remain unaffected by the bill. Viewed in the clear light of day, the provisions of the bill will not be seen as targeting the lowering of wages. The protection of the award base rate of pay will certainly continue to apply to enterprise agreements, and parties will not be able to bargain below the safety net.

Furthermore, the additional protection provided by the Industrial Registrar, Commissioner for Enterprise Agreements and the Industrial Court will still be available to ensure that parties have voluntarily entered into a workplace arrangement and that they have a full understanding of its benefits and obligations in relation to the parent award. In summary, the provisions of the Industrial Relations (Amendment) Bill are intended to ensure that the section 122 guarantee of statutory minimum conditions for enterprise agreements applies equally to all, regardless of any artificial restrictions any particular award may impose. The bill should receive the unanimous endorsement of the House. It foreshadows a greater future for the parties to enterprise bargaining to freely make mutually beneficial agreements, to improve their own industrial relations and to contribute to our national economic advancement.

The proposed changes will not abolish penalty rates and will not affect the entitlements of any employee under a New South Wales award - for example, nurses, teachers, hospitality workers, et cetera. Honourable members have just heard a diatribe from the honourable member for Ashfield. What about his mate, big liberal Laurie in Canberra? What a backdown! The Federal Labor Government has Australia in a roaring great mess. Its popularity in the community is through the floor. Australia has a debt of \$172 billion and the Federal Government thinks it is the master of looking after the people in the street. Those days are long gone.

The legislation will make it easier for employers and employees in certain industries to negotiate enterprise agreements, if they so desire. No aspect of existing safety net provisions - minimum wages, sick leave, hours of work, et cetera - will be removed. No entitlements to annual leave or long service leave will be affected. The bill will correct a technical anomaly in the legislation. It will not affect the role of the Commissioner for Enterprise Agreements, whose job is to ensure that employees who propose to enter into enterprise agreements understand how their entitlements will change. The Commissioner for Enterprise Agreements will still be required to satisfy himself that no employee has signed an agreement under duress. I strongly urge all

honourable members to exercise a little common sense and to support the passage of the bill.

Mr YEADON (Granville) [3.43]: The Opposition vehemently opposes this legislation, which will further dilute the minimum safety net requirements in enterprise agreements in New South Wales, as if they are not low enough already. The introduction of this legislation is disgraceful. I have taken the opportunity to peruse some of the Government's propaganda in relation to the bill. The Government claims the bill is merely a clarification of an oversight when the Industrial Relations Act was passed. Nothing could be further from the truth.

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Undoubtedly the Government is deeply embarrassed by the slow, patchy and pathetic progress of enterprise bargaining under the New South Wales system. That is known to all and sundry. Clearly, the Government has accepted the arguments of some employers that they are unable to drive wages and conditions as far as they would like below existing award and agreement standards in New South Wales. The Government has capitulated to their demands and is attempting to fix the situation for those employers.

The bill makes it clear that all penalty rates - whether they be for weekends, public holidays, night shifts or afternoon shifts - are to be removed from the award rate when calculating the minimum hourly rate for ordinary time in enterprise agreements. At present the Industrial Registrar takes the view that where shift loadings for weekend penalties apply to ordinary time rates, an enterprise agreement cannot provide for a rate less than that amount. As I have already stated, the minimum standards in the New South Wales legislation are already weak and, clearly, leave New South Wales workers wide open to exploitation. The Australian Labor Party will not back away from opposing the Government's further attempts to weaken existing conditions.

As I have said, the present system for enterprise agreements in New South Wales is a severe embarrassment to the Government. The Minister has only recently been given responsibility for the industrial relations portfolio, so the blame cannot rest entirely on her shoulders. However, it is clear that New South Wales employers are not prepared to have a bar of the present New South Wales industrial laws. As I understand it, in excess of 700,000 employees covered by awards in the Federal industrial arena are subject to enterprise agreements. In New South Wales the Government has only been able to manage 0.5 per cent of the work force. As I understand it, that is a little more than 150 agreements.

[Interruption]

I am sure there are not too many more than 150. Very few could have been put through in the past few weeks, but the Minister will certainly be able to clarify that in her reply. It is disturbing to note that half of the agreements already in place in New South Wales contain punitive attacks on penalty rates, wages and conditions of employees. I have received a wide range of correspondence from people in my electorate, particularly registered nurses, expressing deep concern about the legislation. It is clear that registered nurses understand what the Government seeks to achieve by this amendment to the Industrial Relations Act. They clearly understand that their wages and conditions are under attack.

I should like to refer to the effect this legislation will have on incomes. The projected loss of penalties for first-year registered nurses in New South Wales on seven-day rotation shifts will result in a 20 per cent loss of income. Similarly, an eighth-year registered nurse will suffer a 20 per cent loss of income. Nurses on Monday to Friday night shifts will lose about 21.5 per cent of their weekly take-home pay. Nurses undertaking part-time Friday, Saturday and Sunday day shifts will suffer a 42 per cent loss in wages. It is little wonder that registered nurses in my electorate are outraged by this legislation and are most concerned about their future employment conditions.

The legislation is designed not as an improvement of the New South Wales industrial relations system and its economic performance, but as an outright attack on wages and conditions. A number of enterprise agreements have already been struck and in many instances they show clearly that the legislation is working to exploit employees. For example, Websters Corporate Security and other security firms talked their employees into entering an enterprise agreement that reduced penalty rates in comparison with the existing State award.

Consequently, their competitors told their employees that the same types of reductions would have to be introduced because they could no longer compete in the market-place. If the Minister wishes, she can refute what I say, but I suggest that she will be unable to because that is exactly what has occurred in the security industry and I can certainly forward evidence of that to her.

Honourable members and Ministers from the other side of the Chamber frequently make bland and banal statements that the inconvenience of working on weekends, working overtime and so forth is a dead issue, that employees are happy to embrace all manner of hours of work at no penalty rates. That is not the case; it is pure propaganda from people whom you would think would know better, particularly the Treasurer and Minister for the Arts who made statements during question time earlier in the week. The International Labour Organisation has a series of conventions and recommendations regarding penalty rates, for example, Convention 31, Convention 61, Convention 76, Convention 93, Convention 106 and Convention 109, to name a few. Working on weekends and working overtime is certainly not a dead issue: it is a prominent issue for employees, their union representatives and the international community generally. This Government will find out how important those issues are when the people who are subjected to this type of legislation vote at the next election.

As the honourable member for Ashfield said, it is quite distressing that the Minister for Industrial Relations and Employment is also the Minister for the Status of Women, because the effect of this type of legislation impacts most on women, particularly unskilled and semiskilled women - employees generally and migrants - and migrant women. It was interesting during question time earlier this week to hear the new Minister for Multicultural and Ethnic Affairs say that this New South Wales Government is setting the pace in matters ethnic, yet the following day legislation was introduced that will have the greatest impact on the migrant constituency.

The Minister for Industrial Relations and Employment can shake her head, but she knows as well as I know that yesterday the Minister for Multicultural and Ethnic Affairs stated clearly that

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ethnic communities have major employment problems. People of non-English speaking backgrounds, many of them in my electorate - Arabic-speaking people; and Turkish-speaking people - are invariably out of work or employed in low paid work. The legislation will do nothing for those people other than undermine considerably their wages, and the Minister knows that as well as I know it.

Let us dispense with all this nonsense about sitting around the table and being equal partners in negotiations. All employers are members of their own unions - employer associations - and are provided with information, guidance and advice by those organisations. Employers enter into negotiations armed with that advice and it is only appropriate that employees should also enter into negotiations with similar advice and expertise from their representative organisations. It is sad that the legislation has been introduced during a period of such high unemployment not only in New South Wales, but throughout Australia.

During negotiations for an enterprise agreement an employer can apply a deal of psychological pressure to have the employees accept the agreement. The employer might say, "You will have to accept this agreement, otherwise there are a couple of hundred thousand people out there waiting to take your job". Advanced and forward-thinking employers do not need this type of legislation. Fortunately, the Granville State electorate boasts a number of such employers and I nominate one in particular, Merck Sharp and Dohme (Australia) Pty Limited situated in Ferndell Street, Granville. Over the past few years that firm has performed extraordinarily in regard to export initiatives and export growth, without the need to rely on this sort of legislation. They examine proper approaches such as best practice and proper technology; they do not simply drive down wages and conditions. [*Extension of time agreed to.*]

That firm is the sort of employer that sets the example and is going places. By and large the legislation is pitched primarily at the small business sector. Many small businesses perform well and are managed well, but small business does have its problems, which have been expounded in studies and surveys by employer organisations over the past couple of years. One of the most telling problems is the lack of financial and accounting expertise of small business operators. They may have a range of expertise in a particular trade and

they may be good tradesmen, but they do not have expertise in the actual day-to-day management of business.

A recent survey indicated that in the vicinity of 70 per cent of failures in small business were due to mismanagement. When small business operators confront problems that are beyond their skills and ability, it is all too easy to turn to the weakest link in the chain and drive down employees' wages and conditions. It is the easiest way of dealing with the problem and it occurs in too many small businesses. Another problem area is the relationship that small business operators have with banks, and I am sure that honourable members on both sides of the Chamber are aware of that. If the Government were serious about improving the economic performance of the State, it would do better to deal with these sorts of issues, rather than browbeating employees into accepting unfavourable wages and conditions, and facilitating the deeds of unscrupulous employers who seek to drive down conditions.

Earlier this year the *Daily Telegraph Mirror* published some interesting background articles relating to a range of enterprise agreements struck in the Seven Hills and Blacktown areas, a little to the west of my electorate. The author of the articles spoke to small business people, invariably in the chemical and cleaning industries. Some of the comments received were horrific. I am sure that the Minister, if she is au fait with her portfolio, would be familiar with the articles I am speaking of. It was distressing to read the comments and to be made aware of the types of attitudes held by a range of those employers. I want to make it clear that that is not the attitude across the board in small business, but that element exists and this type of legislation encourages unsavoury employers to have a field day on the wages and conditions of their employees. That is why the Labor Party is vehemently opposed to the legislation and will remain opposed to it. The Opposition will vote against the legislation.

Mr SMITH (Bega) [4.0]: It is little wonder that the Opposition is polling at 30 per cent. Members of the Opposition seem to have their heads stuck in the sand. The Australian Labor Party is the only political party in Australia that appears not to recognise that there must be flexibility in the way employees are paid. Certainly, that has been well and truly recognised at the Federal level. Laurie Brereton is now selling the bad news to the union movement whilst the Prime Minister is reporting to the employer groups on what a wonderful job he is doing. They recognise that if enterprise agreements are not introduced at a national level, Australia's competitiveness will be eroded even further.

The New South Wales Government is the leader in the field of industrial legislation. I recall a few years ago the trauma the Government experienced when introducing this bill into the New South Wales Parliament and the New South Wales work force. From the Opposition's comments at that time, one would have assumed there would be chaos and absolute disaster at the workplace. Of course, that did not occur and honourable members know that, underneath, the Opposition recognises that there has to be change and we have to compete for jobs and for customers, not only in Australia but also on the world market. We have to make sure that our industrial relations and our businesses work in a competitive manner.

If, as everyone says, Australia is to compete in the Asia-Pacific region, we have to smarten up our footwork on industrial reforms. We have come a long way. However, we have a technical problem with section 122 of the legislation introduced a couple of

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years ago. The honourable member for Granville misrepresented the situation when he suggested that the nurses would lose wages. We are talking here about an alternative to the centralised wage fixing system so that, if employees want to enter into an enterprise agreement, they may; if they do not wish to enter into such an agreement, they are not obliged to do so. It is voluntary and there has to be agreement between employer and employee. The Labor Party is engaging in fear tactics. Nothing is further from the truth than the suggestion that certain groups in the community will lose money. Nurses were mentioned. It does not augur well for the Opposition to keep reporting that particular case.

Section 122(1) of the 1991 Act does not preclude, in a bargained enterprise agreement, the abolition of penalty wage rates that attach merely to time worked outside ordinary employment hours - except where, through a quirk of wording, penalty wage rates form part of an award rate for ordinary hours - that is, where

night or weekend work constitutes ordinary hours and the award stipulates a payment of, say, a bonus of a certain number of dollars during such times. We are trying to free up the system so that, instead of having a fixed system of working hours from 9 to 5, Monday to Friday, people can obtain jobs and factories and small businesses can go back into production. Many people are unemployed and would like to get a job, whether it be normal working hours from 9 to 5, Monday to Friday or working Saturday and Sunday as part of a regular shift. In other words, they may work five days including Saturday and Sunday. Those types of arrangements could be worked out in an enterprise agreement. I am not saying they have to be; they do not, but it would certainly help industries tied to rigid penalty payments, such as the club, restaurant, retail shop and security sectors. For example, a motel business may not get people in to clean the rooms on Saturday and Sunday. If a customer arrives late on Sunday, the management may consider it better to put out the house full sign because of the cost of penalty rates.

Those things may be negotiated between the employee and the employer to enable them to work in a more harmonious way. I am an employer, and I make the point that there is good and bad on both sides of the fence at different times - good and bad employees and employers. At times I have worked as an employee. A business can be successful if there is teamwork within a particular business or enterprise. Under the modern business system, no employer can dominate his employees. It is not possible or permissible to do that, and such employers would simply go out of business because the employees would not tolerate it, the company would not be competitive and there would be unbelievable trouble.

For companies to succeed there has to be teamwork and mutual respect on the part of both employer and employee. They must communicate and combine to make sure that the working conditions throughout the small business or industry are up to each other's standard. There is not the them and us attitude. That has gone. We have to learn that we are working together to produce something for our families, for our children, for the business we work in and for the country as a whole. Until we achieve that, not only in New South Wales but Australia as a whole, we will have immense problems because the rest of the world is leaving us behind.

When this legislation was introduced, New South Wales led Australia in industrial relations. There is no doubt that the centralised wage fixing system was broken by New South Wales. The 70 per cent of people not involved in unions were quite happy and a lot of them simply want to work to make their companies successful so that they can take home a wage that is secure and be in a position to give their families the security they want.

Mr Morris: Like the Shepparton cannery; not like Leeton.

Mr SMITH: Exactly. That is a good example. Members of the Opposition want to stick their heads in the sand and not recognise that changes are occurring in industrial relations. They want to get on with their union mates and get that 30 per cent support from them, but if they do not make some alterations, they will go down even further. Laurie Brereton is under pressure -

Mr Merton: Laurie who?

Mr SMITH: Laurie Brereton, the Federal member who was booed out of the meeting of the Australian Council of Trade Unions. But at least he has recognised the need for change, whereas honourable members opposite are ignoring the fact that change has to take place. The Federal Government has recognised it and all other governments are moving in that direction. It will happen whether the Opposition agrees with it or not. If these alterations to section 122 of the Industrial Relations Act are not made, the restaurant, club, retail and security industries will not have an opportunity to become efficient. That inefficiency will flow through. If people buy goods, part of the cost of those goods will be a direct result of the payment of awards and wages. Amendments should be made to the Act for the good of the community. Basically, the matters that require amending were overlooked when the legislation was first introduced. I support the bill.

Mr DAVOREN (Lakemba) [4.11]: After hearing Government speakers in this debate I am wondering why the Government is going to this trouble to amend the Industrial Relations Act. The amendments are so

airy-fairy they mean nothing. I do not know why the Government is bothering to introduce them. Why were penalty rates originally introduced? Normal working hours are between 6 a.m. and 6 p.m., and anyone working outside those hours is paid a penalty rate. We ask people to work strange hours and, in return, they should receive recompense.

Sometimes things go a little haywire. I can never understand why the railways charge full fares for rail trips during the week, but during the weekend

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when employees are paid penalty rates the cost of fares is reduced. The honourable member for Bega mentioned the hospitality industry. For some time people in the hospitality industry have been bemoaning the fact that they have to pay penalty rates. When penalty rates are reduced will we all have cheaper meals, will the hospitality industry boom and will the cost of accommodation reduce? No one believes that. If penalty rates are removed in those instances, people in the industry will receive additional profits, which I suggest will not be returned to the consumer.

Why is the Government bothering with these amendments? No wonder there is a move to get rid of the Government Cleaning Service. If this bill becomes law, it is estimated that contract cleaners on afternoon shifts working Monday to Friday will lose \$54.70 each week and full-time shift workers working at night from Monday to Friday will lose \$109.40 each week. Honourable members have been told that the privatisation of the Government Cleaning Service will not result in a reduction of services, yet the Government will save all this money. It will do that by reducing the salaries and wages of people working in the industry.

My colleague the honourable member for Ashfield has given many examples of this reduction in wages and salaries. I have had a number of phone calls from nurses working in various public and private hospitals in my electorate and in hospitals adjacent to my electorate. They have all complained that there will be a reduction in their take-home pay. I agree. Why is the Government going through this airy-fairy exercise if it is only to enable enterprise agreements to be more easily negotiated between employers and employees? Who believes that? Enterprise agreements can be negotiated if both parties are prepared to sit down and negotiate. If there is to be a reduction in wages and salaries, there should be a sweetener, but there is no talk about that. If this bill becomes law there will be a reduction in penalty rates but little in the way of a sweetener.

Other speakers have referred to the fact that no problem will arise if everyone sits down and negotiates. I agree with that. But it is extremely difficult to negotiate with a gun at one's head. My colleague the honourable member for Granville referred to Websters Corporate Security, a security firm that negotiated with its employees. Other security firms fell into line and said, "If you do not do this we will lose contracts. You have to take a reduction in wages and salaries". That is certainly what will happen. The Labor Party is violently opposed to these amendments because penalty rates were a hard won battle. Penalty rates are part of the wages and salary package - a package that belongs to people, that makes life worth while and that, in many cases, means the difference between penury and a decent living.

This bill will ensure that all penalty rates are removed from the award rate to facilitate the calculation of minimum hourly rates. Why is the Government bothering with these amendments? Obviously, it wants to reduce wages and salaries. At a time when people are saying that things are tough, the first thing the Government does is to reduce the wages and salaries of people who can least afford it, that is, the workers - the people we represent. When this House debated the price of petrol I can remember people in the Liberal Party and the Minister for the Environment saying that they represented the battlers. Let them look after the battlers now as we do.

The Government should not reduce the wages and conditions of those battlers; it should look after them. I suggest that the purpose behind this bill is to further reduce and dilute the wages and salaries of the ordinary people that this Parliament is supposed to be looking after. I repeat what my colleagues the honourable member for Granville and the honourable member for Ashfield have said: The Opposition is violently opposed to this bill. We will certainly vote against it.

Mr MERTON (Baulkham Hills) [4.18]: We have heard it. The clarion call went out and out they came. Come, comrades, rally the last fight. Let us face or scorn the dust to win the prize. They came in abundance. The first speaker was the honourable member for Ashfield. He spoke about the women of New South Wales who would lose so much per week and be put out of work. Then came the honourable member for Granville, who was a little more up-to-date. And then came the grand master, the honourable member for Lakemba, who gave a speech that was addressed to parliamentarians. His speech was not new; it was written 40 years ago. It had in it all the great furrphies, clichés and ideologies. It referred to the class struggle, the exploitation of the working class and all those sorts of things.

This legislation does not exploit the working class; it will create jobs for people. There is a difference between the Government and the State Labor Party, not to mention its Federal masters. Honourable members opposite are a bit ashamed of their Federal masters. I think they belong to two different parties - a matter about which I will speak in a moment. The Government proposes, through this legislation, to introduce flexibility in our industrial relations system and create jobs, jobs, jobs. But honourable members opposite, who talk only about the past, are living in an era that went out with Jack Lang in the 1950s.

A former Prime Minister once said that the conservative parties were irrelevant. In the 1990s Labor - both State and Federal - is irrelevant. If honourable members opposite do not believe me they should ask the millions of Australians who are unemployed. Ask the many thousands of Australians who have lost their homes because of a recession that was induced deliberately. Ask the people who will no longer be able to afford a motor vehicle. Ask those people who are dismayed, who are the picture of despair, who have no hope for the future and who cannot even afford to buy a bottle of wine to drown their sorrows. What do those constituents think of

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honourable members opposite? They think they are a pack of Judases who sold them out for a few dollars. I have to admit that there are some nice, but misguided, people among those opposite. This Government wants a fair and equitable industrial relations system in New South Wales - a system that will provide security for employees and employers and, above all, create jobs.

The simple explanation is that if a business does not pay it goes broke. If the wage structure is too high so that the boss cannot make a profit, he will close it down. Employers are not running charitable businesses, though some members of the Opposition often mistakenly think that is so, and perhaps a number of employers may be doing so. We must have a fair, equitable and realistic wage structure, and that is what this legislation is all about. The bill provides for more flexible enterprise agreements. The arguments of members of the Opposition contain a fundamental flaw. They forgot one simple word, a word that goes to the heart of this proposition - the word agreement. Agreement denotes: consent; coming to the same conclusion; an agreement between two parties. Enterprise agreements are not forced on employees. Unless employees elect to enter into enterprise agreements there will be no enterprise agreements and the normal award structure will continue.

If the Government were to introduce absolutely hideous measures for enterprise agreements, it would be false for Opposition members to say that we were effectively harming employees. The Government credits employees with a higher level of understanding, intelligence and respect than their would-be champions do. Members of the Opposition take these people for granted. They say they are naive, stupid, and that they will enter into anything. The Government disagrees with that fundamental proposal. Any argument that the Opposition may have had is destroyed by the fact that enterprise agreements by necessity denote agreement by both employers and employees. The honourable member for Granville said that employees require, expect, and deserve union assistance. I have no argument with that proposal, because it is their fundamental right. Employees have the benefit of unions, and employers in many cases have the benefit of employer associations. They have the benefit of advice.

No one is forcing an enterprise agreement upon any employee - end of story, end of argument and, apart from the honourable member for Cabramatta, the end of the Opposition. He is here. He is going to be loyal and true to the end. He alone is holding the flag. He is a courageous man. His colleagues have betrayed him in the same way that the Federal Labor Government has betrayed the people of Australia. Enterprise

agreements are agreements between two parties. Mr Acting-Speaker, from your knowledge and experience in this Chamber, you would recall that the Opposition's arguments today are similar to those that were introduced in 1990-91 when this legislation first came before the Parliament. It was introduced by the current Premier, who was then the Minister for Industrial Relations - and an extremely good one. The same arguments that Opposition comrades raised in 1990-91 were again raised today, but they were proved incorrect. If one were to listen to their arguments in 1990-91, one would have believed that the world was going to come to an end. But it did not. Two years later the sun still shines - though it may not have shined much today - the moon and stars will shine tonight, and tomorrow will be a new day.

Enterprise agreements are a fundamental part of modern industrial policy. Honourable members need not accept my assurance; they should ask their Federal colleagues. As I look across to the seat where for many years Laurie Brereton sat - though for some years he also sat on the Government benches - it is hard to believe that he is leading the charge. Federal Labor understands the importance, significance and relevance of enterprise agreements. Laurie Brereton is now out on a limb. He is in a fundamental conflict with the union movement, which must be sorted out. Time alone will tell whether he has the courage of his convictions. All the measures that members of the Opposition opposed for the past three years are now being pushed by their Federal masters. Either Opposition members are wrong or their Federal colleagues are wrong. I think they are right and Opposition members are wrong. Their fundamental difficulty is that 75 per cent of the Australian people think that they are wrong and that the Federal people are right about enterprise agreements. According to recent polls, the current popularity of the Opposition is 30 per cent, and that is probably stretching it. The New South Wales Labor Party is completely irrelevant to the people of this State.

It is important to examine this legislation. The Opposition has given many illustrations of the tragedies and disasters that might strike if the legislation is passed, but I have answered them by saying there has to be an agreement. If there is no agreement, there is no enterprise agreement, and awards and the existing wage structure are relied upon. Nothing is being forced on people. The honourable member for Bega ably addressed the nursing issue. I guess the majority of nurses do understand the issues but their unions do not. Nurses are a unique section of the community. No one would deny the excellent job that nurses do. Their profession requires a dedication and commitment to which many Australians would not aspire. I believe the majority of nurses understand the situation.

This bill, putting it simply, is an amendment to section 122(1), referred to as the minimum wages condition. It states that such penalty rates, if they are set out, must be carried over as part of the award base rate of pay for application under an enterprise agreement. The Government believes that this section represents an unfortunate fetter to the basic principle of enterprise agreements - that parties should be free to bargain their own conditions of employment, subject to adherence to certain statutory minima. At the time of the enactment of section 122(1) it was never the Government's intention that anachronistic

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penalty provisions built into ordinary hours pay rates should operate to retard the spread of enterprise agreements. [*Extension of time agreed to.*]

I echo the collective thoughts of this Government in stating that there should be a meaningful award base rate of pay, devoid of penalty amounts or premiums, for utilisation as a minimum benchmark for enterprise agreement purposes. This safety net, designed to prevent exploitation of workers by unscrupulous employers, should not continue to encompass premiums which reflect an outdated Monday to Friday, 9 to 5 working hours mentality. The honourable member for Lakemba raised that issue. He said that between 9 and 5 an employee deserves to be paid a certain wage and after the magic hour of 5 o'clock he enters a different era. We are in a different era, with all countries competing for a gradually eroding dollar.

Only efficient countries that can compete on economically viable terms will succeed in the world climate. It is a cruel, hard world. There is probably not much justice in the world at the moment. For a business to succeed it must be a winner. For the boss to be able to hand out an envelope each Thursday or Friday, his business must be a winner. Businesses need to be efficient in order to maintain jobs. Honourable members have seen what has happened to businesses during the recession. I hope, now that interest rates have fallen, that

employers, businesses, industry, and manufacturers can again compete on a fair basis. However, they will not be able to do so if they are cluttered, if they are stymied, if they have lead in their saddles and are weighed down by industrial practices that went out in the 1950s. This legislation does not only apply to manufacturers; it applies to people at local clubs, restaurants, retail shops and security centres.

In the last 10 years there has been a complete revolution in shopping hours. One's parents or grandparents would not believe that Coles supermarkets stay open until midnight on Thursdays, 10 p.m. on Saturdays and 5.30 p.m. on Sundays. We are living in an era where business is competitive and is providing a service. A service is being provided to people who no longer live 9 to 5, Monday to Friday lifestyles. We are providing services for a vibrant community that is looking for hope for the future.

Every ingredient counts. Ingredients such as flexible conditions of work will surely help Australia return to a great era of prosperity. The current enterprise agreement laws relating to penalty loaded wage rates are completely inadequate because ordinary hours of employment are no longer Monday to Friday, 9 to 5. The Government's legislation and industrial agreement must take note of all those factors. However, the legislation has been branded as anti-employee. The bill seeks to unravel the award base rate of pay for ordinary hours from any penalty rate component, but it does not endeavour to stipulate that penalty rates are prohibited in enterprise agreements.

Whatever wage rate the enterprise parties acknowledge as being in their own best interests, well and good, provided it is above the proper base award rate. If enterprise parties do not wish to escape from the award structure with its penalty wage rates, the element of workplace bargaining freedom, which the Government champions unequivocally, allows for acceptance of that choice. In other words, the whole question of whether an employer and an employee desire to leave the regimented structure of wage remuneration is entirely for the parties to agree on - not unilaterally but bilaterally.

The enterprise agreement system is an alternative means of settling employment conditions. It is an important and viable alternative to the award system. I would have thought that was well recognised by now. As I said earlier, Opposition members are not quite with it. After all, enterprise agreements have been operating in this State since January 1991. It may well be that the New South Wales system has provided the model for the Federal Government's review of its own enterprise agreement provisions. With the introduction of this legislation in 1990 by the current Premier, the people of New South Wales were the pioneers in a new era of industrial relations. The Government has carried that achievement with great pride. It is proud because it believes it has served the people of New South Wales well, and the same principles will now serve the whole of Australia if the Federal industrial relation Minister, Laurie Brereton, can succeed on this very delicately poised issue.

Many people with vested interests have denigrated enterprise agreements. There has been a campaign of misinformation about this bill, and I believe much of that information deliberately masks what the bill is about. The bill will not take away people's rights; it will give them flexibility. It will not exploit workers; it will give them jobs. It will not introduce despair in industrial relations for employees; it will give them hope - hope for the future. The Government is proud of its achievements because the people of New South Wales have been given a new deal in industrial relations. The Government carries that achievement with great pride and integrity. People should be free to reach agreement in the workplace - that is relevant to the 1990s. Above all, the Government believes that freedom of choice in the industrial workplace will make business viable.

Viable businesses bring jobs and money to the people of New South Wales. Above all they bring hope and a light at the end of the tunnel. That great long tunnel of recession that was introduced by the Federal Labor Party will disappear and a new era of industrial relations will take over. I commend this legislation as a vital part of recovery for the people of New South Wales from the disastrous recession introduced by the Federal Labor Party.

Mr NEWMAN (Cabramatta) [4.38]: I oppose the Industrial Relations (Amendment) Bill. I listened with interest to the speech of the honourable member for Baulkham Hills, a former Minister for Justice - a

member for whom I have some respect, particularly

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for his good work with the Salvation Army. The honourable member should know of the many difficulties that face unemployed people, people on the poverty line and people attempting to earn a decent wage. I am surprised that he cannot see the con that the introduction of this bill attempts to perpetrate. It is a con act. It is the thin edge of the wedge with respect to penalty rates.

There can be no doubt that the Government is embarrassed by the slow progress of the enterprise bargaining system in New South Wales. The system has been slow because of the conditions set by the enterprise bargaining legislation. That legislation takes away the requirement of union representation in reaching industrial agreements and allows for an open approach. Untrained and unknowing people are able to be involved in the development of industrial agreements. Those people can be easily conned. That has caused an enormous lack of confidence and distrust in the system. The nurses of this State have expressed, in writing, concern after concern in this regard to most members in this House. Nursing is the most noble profession in this State. They have continually put forward their concerns. Does the Minister for Industrial Relations and Employment and Minister for the Status of Women know what some of the nurses are calling her? They are calling her Madam Slash. No, not Madam Lash - Madam Slash. Their big fear is that there will be a dilution of penalty rates in the future.

The Industrial Relations (Amendment) Bill is a clear attack on future penalty rates. It is very clever attack. The bill has been planned with a specific strategy in mind. It was written with the view that future enterprise agreements will have a greater attraction than simply a safety net, as applies at the moment. The replacement of penalty rates and shift loadings with a set rate of pay will be detrimental to employees. Shift work allowances - and I have some experience with such allowances - are an important, integral part of the wages system in this State. I remind honourable members of the difficulties faced by people who work around the clock.

The honourable member for Baulkham Hills mentioned our lifestyle, the modern lifestyle. I do not want people to get to the stage where they disregard their families, where they still have a total work mentality after five o'clock and where they do not think about their children. Members of Parliament often work long hours and are aware of the price paid by families whose breadwinner has to work such hours. People have to be compensated for being denied time with their families on weekends and after hours. The modern position with respect to work should not be one that takes away recognition for after hours relaxation time.

The enterprise bargaining system should maintain the cornerstone, the triangle, of an arbitration commission and employee and employer unions, ensuring proper representation for people entering into industrial agreements. When the enterprise bargaining legislation was before this House I reminded honourable members that section 129 of the old arbitration Act provided for industrial agreements. Consequently there was no need to seek to amend the legislation to provide for enterprise agreements. We all know why the Government set out on this path: it wanted to give employers the opportunity, if they have the expertise, to enter into agreements with non-union labour in factories and offices. It was an attempt to water down workers' conditions because the employers would have the expertise in the bargaining session. Such tactics may be regarded as clever, but they obviously have not worked, having regard to relatively few enterprise agreements in existence.

Having been a unionist for some 17 years, having argued for the provision of shift allowances, and being aware of the difficulties, I recognise the importance of shift loadings. Most people would not realise that employees of the Totalizator Agency Board work beyond normal hours. The National Roads and Motorists Association also provides a service around the clock. Commission after commission has come down in favour of shiftwork allowances in recognition of the problems faced by people who work around the clock. For example, the body requires eight hours' rest, eight hours' work and eight hours' recreation to maintain its circadian rhythm.

Trade unions of this State, particularly the Labor Council, have been most vocal about this legislation.

Time and again they have said they are opposed to the slashing of penalty rates and the reduction of shift loadings, which in turn reduces wages and destroys living standards. As a member of Parliament I will not stand idly by while the living standards of the working people of New South Wales are reduced. That is why I oppose this bill. That is why I am saying to the Government, "Get realistic about enterprise agreements; get realistic about the types of safety factors that you need to have in legislation to protect enterprise agreements". If safety factors are watered down there will be even greater distrust among workers than exists at the moment. The minimum standards that apply at present are already weak in the current legislation and leave room for more exploitation. I do not want to see any further weakening of conditions that were only so recently enacted.

The trade union movement has taken a strong stand in this respect. The union movement in this State has accomplished a great deal for its members - the 38-hour week, annual leave loading of 17.5 per cent, sick leave, minimum wages, maternal and parental leave, superannuation and long service leave, to mention a few. The Government will not have the confidence of the workers or employers until an assurance is given that workers who enter into enterprise agreements will not have imposed upon them less than award provisions. I say that most forcibly in terms of the future of this State.

I do not want Australia to have a collective bargaining system similar to that which operates in the United States, a system that is often marred by heavy
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industrial action. I lean more towards having the industrial agreements systems that prevailed under the New South Wales Industrial Arbitration Act, 1940, as amended. That legislation allowed for industrial agreements to be made, registered and updated and, more important, enabled workers to keep pace with the consumer price increases that occurred from time to time. The honourable member for Baulkham Hills spoke of a rally of unionists flocking into the Chamber. It was not a rally of unionists but rather a rally of members who care for the workers of the State, people who are concerned about after-hours work and shift allowances in their true form.

Shift allowances compensate workers for the sacrifices they make. Those who work shifts make real sacrifices in regard to family as they work late and for long hours. It is important that honourable members understand the difference between ordinary time and after-hours time. The Government has lost sight of that difference in its attempt through the Industrial Relations (Amendment) Bill to shortchange people to whom shift allowances, weekend work and penalty provisions are relevant. I appeal to the Minister to have a second think about the realistic requirements for future enterprise agreements to work successfully. That will not happen until employees in New South Wales can be confident that they will not be conned.

The Government should take note that the Industrial Registrar holds the view that where shift loadings for weekend penalties apply to ordinary time rates an enterprise agreement cannot provide a rate less than that amount. That type of provision should remain as part of the important safety net. All honourable members, the Labor Council of New South Wales and workers have accepted it as a provision that enabled them to maintain shift allowances. I am appalled at the direction in which the Government is heading with this legislation. I shudder to think what will be its next move. I suggest to the Minister for Industrial Relations and Employment that this is a recipe for disaster because of the effect it will have on the wages of employees. It will turn more workers towards the poverty line. [*Time expired.*]

Mr BECKROGE (Broken Hill) [4.53]: I oppose the bill. I come from a well-established union town, which for 110 years has provided New South Wales with wealth and given the Treasury of New South Wales the fruits of the labours of its citizens. Those who work deep in the mines of Broken Hill have laboured underground - and none of us was born to work underground - on shifts of varying hours. If the Government suggests that those who work underground should not be compensated for their dreadful hours, it has lost the plot. The most important consideration for members on this side of the House is people. I know that when Nick Greiner was Premier he had a motto: Put people first. This legislation does not do that.

Enterprise bargaining has been with us since 1924, when the Barrier Industrial Council was set up. Enterprise bargaining is not new to the people of Broken Hill; they have been practising it in a spirit of

co-operation and agreement between the representatives of workers and employers, not only in the mines but in the town. Since this Government has been in office it has started to tear apart those traditional arrangements. Workers are now leaving the system in the hope that they will be freed from controls or practices that were contrary to their philosophical beliefs. I hope that in years to come those people will realise the error of their ways, having left a collective arrangement and become exposed to the avarice of old-time companies such as BHP. Since it was formed in 1987 Pasminco Mining has shown itself to be much tougher than the big Australian - BHP.

Those in the town who work difficult hours took on their employment knowing that compensation would be paid to them for those long hours. People have expressed to me their concern about the bill, whose provisions have no justification. As with most things, penalty rates are added to the cost of the product. A restaurant that opens at the weekends will impose a surcharge; people are happy to pay it, so long as they can get a meal. The penalty rate issue is another example of a philosophical attempt by a Government that wants to reward its own constituency, the big end of town if you like - the employers.

Government members accuse the Labor Party of taking money from the unions, but they want to ensure that the dollars keep coming in from employers. This legislation is another part of that program. It is the first legislation introduced by this Minister. She was hoping to see it pass through the House. I hope that the Independents will show the lead, as they have indicated so far that they are not enamoured of the legislation and want changes made to it. The Opposition totally rejects the bill. On behalf of the people of my electorate I shall endeavour to ensure that the Parliament rejects the bill. The Independents should exercise their independence, see the legislation for what it is, and reject it.

Mr IRWIN (Fairfield) [4.58]: It comes as no surprise to me that the Government has presented this type of legislation. This bill is abhorrent to members on this side of the Chamber. It is no surprise that a Government of this ilk and colour has no understanding of working people in the State. Government members live in a distant world and fail to understand what it means to work outside of regular hours, to work in a totally different environment to that to which they are accustomed, and in circumstances where the regular pattern of daily life is totally disrupted.

[Interruption]

The former Deputy Premier may scoff at such remarks, but in a few weeks the Government, having finished this exercise, will follow it with a week-long festival talking about the importance of family life. I have experienced the effects of irregular working hours on family life; when I was young my father worked afternoon shift. Where ordinary working

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hours are enjoyed, families know that parents will be at home of an evening, helping the kids with their homework, sharing the evening meal and participating in normal family life. In many other families, however, that is not the case. Many thousands of people in this State work afternoon and evening shifts. Those people cannot be on hand when their kids come home from school, or share the evening meal at the family dinner table; they are not at home to watch the 6 o'clock news or the prime time television shows; and they cannot participate in many family activities that are considered the norm.

At present the awards provide in almost every circumstance that shiftworkers should receive financial benefit in the form of a penalty rate to compensate them in some part for not being able to fulfil the normal role expected of them in their family life. That is the way the system worked until this Government came along. This Government has no understanding of the effect of its legislation for it assumes that a regular hourly rate for working regular daylight hours, afternoon shift or night shift will provide for every need. The Government does not understand that having to work outside normal hours or even on a weekend is an enormous penalty to be paid by any person. Those of us who serve in this House, especially parents with young families, know what that penalty means. Country members in particular know what it means to be away from their families. Members of this Parliament, however, are fairly generously compensated.

Many people in this community who receive minimum compensation have to put up with similar disruption to their family life. Yet, as the Government would have it, the proposed legislation will remove penalty rates, which are the only form of additional compensation available to compensate shiftworkers and their families. Those families will suffer as a result. In a modern industrial society the intensity of capital investment demands that the greatest benefit be gained by using machinery around the clock. By and large, members of the work force have made themselves available and are prepared to do such work because they received penalty rates for it. A person living in western Sydney and working outside normal hours in the city or some other area distant from home cannot get to work without a car because no buses or trains run outside those hours.

Mrs Chikarovski: They cannot afford to put petrol in their cars nowadays anyway.

Mr IRWIN: As the Minister has said, people cannot afford petrol. Yet the Minister wants to remove penalty rates that might assist workers to pay for petrol to run a car. The Government refuses to acknowledge that people working irregular hours lack the benefit of regular bus or train services or other public transport that are available within regular hours. The Government wants to wipe away penalty rates that enable shiftworkers to use whatever means of transport they need to get to work outside regular hours. The Government has ignored the effect its legislation will have on the quality of family life.

Before entering Parliament I was employed as a TAFE teacher - one of a select group, as this Government saw us - and spent most of my working life working through after 6 p.m. We received an allowance by way of daylight equivalent, which this Government has since done away with. However, with that first-hand experience I am deeply aware how working those hours disrupts family life and prevents so many normal enjoyments such as watching television or other activities that most people take for granted. I am not a great fan of most television programs, but I know they attract a wide audience. When I was working those irregular hours, the only program I could watch was Humphrey Bear of a morning, because by the time I got home at night there was nothing else on.

Mr West: What about question time?

Mr IRWIN: I am sure the Minister for Local Government and Co-operatives would find Humphrey Bear educationally equivalent to his intellect and would learn something from it. He must have learned nothing from the numerous cases of distress that would have come to his attention as a local member. Similar concerns have been brought to my attention in the electorate I represent, especially from nurses and many other government employees. The Minister has failed to understand the circumstances in which so many shiftworkers find themselves. She does not know how necessary that small monetary compensation is to enable them to provide transport outside normal hours and why that compensation should be given in an attempt to make up for the enormous disruption to their lives through not being able to enjoy regular hours of work - regular hours that so many others take for granted.

By and large, those penalties are small. The benefits to industry of being able to work around the clock and thus get maximum benefit from capital equipment is generally more than enough to provide for penalty rates. Members of the community who know that fellow citizens cannot enjoy a normal lifestyle because of their work patterns would be more than happy to meet the cost of paying them for providing service outside normal hours. Few would begrudge additional compensation to compensate workers for the additional disruption to their lives which they will suffer under the proposed legislation. I have received many representations on this bill, and I have told those who approached me that I will vehemently oppose it. I am proud to do so on behalf of those who made representations to me and also the many thousands who will suffer disruption to their lives and not be fairly compensated. The Government stands condemned for introducing the bill.

Mr KERR (Cronulla) [5.8]: The bill is intended to overcome tangible difficulties apparent thus far to various sectors of the service industry in bargaining terms and conditions of employment which are truly to their mutual benefit. That is what this Government is about - looking after the workers. In 1983 - 10 years ago - the Labor Party took office as the Federal Government. In 1993 what is a former Labor

member of this House talking about but enterprise bargaining? The Labor Party has levelled down the working class of this country. The Labor Party has never been interested to provide those who do more and have additional skills and experience with the sorts of margins they are entitled to.

Mr Bowman: People are working odd hours with difficult days and you want to level them down.

Mr KERR: People who work odd hours and difficult times are entitled to some sort of remuneration. When the Liberal-National coalition came to office, people could have starved to death because the shop up the road was not open. People could not get money in their wage packets for working odd hours - and many who worked behind shop counters were widows with children. A supermarket near my home is open for the benefit of everyone. Cashiers are now earning money to pay for living standards similar to those they enjoyed in 1983 but are not enjoying now after 10 years of hard Labor.

New South Wales is on the edge of the fastest growing economic region in the world, South-east Asia. It must take advantage of its opportunities because the economic growth can assist in providing work for the people of New South Wales. Recent statistics show that more than one million Australians, or 11 per cent, are out of work. But those figures do not tell the whole story. That 11 per cent does not include those who are working part time but would like to do full-time work. It does not take into account the unemployed who, for one reason or another, have not registered for unemployment benefits.

Mr Bowman: It is all right in other States?

Mr KERR: The honourable member for Swansea should realise that I am talking about national figures. Even the *Sydney Morning Herald* has acknowledged that the economic performance in New South Wales is stronger and better than those of other States. That is why we have been able to provide a budget with benefits for the people. The Budget will benefit schools and hospitals and provide for an orderly society by providing efficient law enforcement. It is the people who will benefit from a better society, but the Labor Party put them on the scrap-heap.

The object of the bill is to remove difficulties involved in negative agreements which are likely to be rejected for registration as a result of an unintended and harsh application of the existing section 122(1) award based minimum rate for enterprise agreements. Certainly there is a clamour from industry at large for more flexible workplace adjustment to overcome present award difficulties involving penalty rates. We do not live in a 9 to 5 world any longer. Honourable members should visit Manly Corso to witness the retail hours in those shopping centres.

Mrs Chikarovski: The tourism trade.

Mr KERR: The tourism trade. The livelihood of many people in Cronulla, Manly and other places depends on the passage of this legislation. It will bring New South Wales into line with where South-east Asian countries have been for 20 or 30 years. We all used to talk about Hong Kong cheap labour.

Mr Martin: Now you are talking about Sydney cheap labour.

Mr KERR: I will mention something about this because New South Wales is keeping its head above water.

Mr Bowman: Just.

Mr KERR: Just? It is a very tough life for most people and it will be considerably tougher as a result of the legislation relating to feral animals introduced by the honourable member for Port Stephens. Anyone wishing to study industrial relations and labour law should read the available literature because with collective bargaining in Hong Kong wages have gone up and working conditions have greatly improved. This has

resulted in a prosperous economy. And who benefits from that? The honourable member for Port Stephens ought to visit Hong Kong or, even better, obtain from the Parliamentary Library books with many pictures to acquaint him with what is happening in the rest of the world. I refer to proposed new section 122(1) because that is what everyone is talking about from Manly to Cronulla. I acknowledge visitors from Lismore in the gallery. I think they are business people who will understand what I am talking about. New section 122(1) stipulates that an enterprise agreement cannot prescribe an hourly wage rate for ordinary hours of employment.

Mr ACTING-SPEAKER (Mr Hazzard): Order! It being 5.15 p.m., pursuant to sessional orders the debate is interrupted.

PRIVATE MEMBERS' STATEMENTS

OAK PARK ROCK POOL

Mr KERR (Cronulla) [5.15]: I wish to bring to the attention of the House the water recreational facilities in the Sutherland shire. As I have said repeatedly in this House, Australia is the best country in the world and the Sutherland shire is the best place in the country. However, it is not assisted at the present time by the attitude of the Sutherland Shire Council. Sutherland residents and visitors are undoubtedly aware of the great attraction at South Cronulla's Oak Park, with the park and barbecue facilities supported by the ocean rock pool. In summer these facilities provide considerable enjoyment each day of the week to local residents enjoying a swim or relaxation before or after work, and for visitors during the day, particularly on weekends.

I am sure that many constituents of the honourable member for Port Stephens have walked along the esplanade. I understand that the honourable member also is a devoted fan and has enjoyed barbecues in the area with his family. However, all

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is not what it seems. It is almost beyond belief that Sutherland Shire Council, which has responsibility for this tourist attraction, should abdicate that responsibility by not ensuring the structural integrity of the Oak Park pool. Cracking of the walls allows saltwater to leak back into the ocean at low tide.

I am aware that the honourable member for Port Stephens has had a lot to do with oceanography and the denizens of the deep. When saltwater leaks from the pool, users of the pool are denied its use; they either do not get their swim or have to travel elsewhere. Of equal concern is the potential safety problem when the water level in the pool is low. Hopefully, no one will be injured by the council's neglect of this facility. However, as honourable members would be aware, that cannot be assured because personal liability is a big issue. No one wants any resident to be injured or wants litigation as a result of an injury.

Surely in this day and age, with the council having one of the largest budgets in the State, receiving more than \$107 million from ratepayers each year, the pool's leakage problem could have been rectified. Local government probably has one of the largest budgets in the State, if not in Australia. The problem commenced years ago and has gradually got worse, so much so that the problem may well accelerate in the future. The park's grassed area contains several electric barbecue facilities provided by council. Recently council carried out renovations on the shower and toilet block. Expenditure on these improvements only highlights the lunacy of not ensuring that the ocean pool is usable at all times of the day.

Given that summer is fast approaching and there will be many visitors to Cronulla in the many months of beach weather, I urge the council to commence immediate repairs to rectify the leak. Many members of this House are aware of the problems occasioned by leaks but we at least are lucky: our leaks will not cause physical injury. There is potential for physical injury and residents are being deprived of a facility that they pay good rate money to enjoy. Once again, it is time for Sutherland council to give the ratepayers of Sutherland a fair go.

PORT STEPHENS ROADS

Mr MARTIN (Port Stephens) [5.20]: Tonight I raise the perennial problem of Nelson Bay Road, main road 108, which runs from the industrial highway at Newcastle, in Mayfield, through to the Shoal Bay Country Club Hotel. The road is falling apart and it is time the Government did what Premier Greiner promised - rebuild and upgrade the road. In my maiden speech, five years ago last month, I highlighted the problem. In the following Budget \$14 million was allocated to be spent on the road by 1992, but it has not been. In five years there have been 15 deaths and 479 major accidents on the road. Over a similar distance of the Pacific Highway, from Karuah to Hexham, there were 13 deaths and 405 major accidents. This black spot must be fixed.

Mr W. T. J. Murray: Your Government has taken away the funding for main roads.

Mr MARTIN: The former Minister for Roads, who is on playground duty at the back of the Chamber, interjects. He knows very well that Premier Greiner and Prime Minister Hawke negotiated doing away with tied grants. The State Government milked \$52 million out of the system. That is why the roads have not been improved. It is not right to starve important roads of funding. In the northern part of my electorate there is a major growth problem. Sewerage is nearing completion in the Tilligerry and Tomaree peninsula, with Medowie growing like mad each day as many cars travel on Nelson Bay Road as travel on the Pacific Highway through Karuah. Nelson Bay Road has reached its capacity. The problem is in the Government's too hard basket. A conservative Senator from the Hunter Valley publicly said at a meeting of the Nelson Bay Chamber of Commerce that roads in the Hunter are a disgrace, that money needs to be spent on them and Nelson Bay Road is particularly dangerous.

I see no reason to play party politics on the subject. We should get on with improving the road. At the end of this year the upgrading of the Pacific Highway will be completed to Hexham and there will be a major problem connecting Nelson Bay Road through to the regional airport. Main road 302 joins the Pacific Highway and Nelson Bay Road and Medowie Road goes in the other direction. There are major traffic hazards, safety problems and issues which must be addressed. Richardson Road is also a problem. I am concerned at suggestions that the State is trying to avoid its responsibility by transferring the roads back to local government. It is well known that rural councils cannot afford to take up road funding for major roads, which carry a lot of traffic not generated in the local area. They have traditionally been a State responsibility. The Government has not delivered. Major rebuilding is required from Lemon Tree Passage turnoff back to Williamstown. Passing lanes are needed through the sand hills at Bobs Farm and sections going back towards Nelson Bay. Major reconstruction near Nelson Bay is needed to alleviate traffic pressure.

Over the next few weeks I will have meetings with as many people as I can to try to involve other parties in the work on the \$6 million bypass for Nelson Bay. The road is a death trap - as I reiterate to the Parliament at every opportunity in the hope that one day the Government will listen and provide more than it is currently providing, which barely pays for the white paint on the road and a few tins full of tar to fix potholes every time it rains. I call on the Government to give the people of Port Stephens a fair go.

BARRINGTON TOPS WILDERNESS PROPOSAL

Mr TURNER (Myall Lakes) [5.25]: A green group from Newcastle has proposed that an area covering the entire Barrington Tops National Park and

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an area of 27,000 acres outside the park be declared a wilderness. Acceptance of the proposal would be catastrophic for areas of my electorate, particularly the community of Gloucester - and, in the electorate of Maitland, Dungog - because it would effectively sterilise present forestry operations. About five forests will be affected but in one forest alone harvesting would be cut by about 85 per cent. This would mean quite simply that people whose livelihood depends on that forest - there are many such people in the Gloucester area - will go

out of business.

Even opponents of the proposal agree that true wilderness in the area should be preserved but the ambit claim of the Wilderness Society is nothing short of an attempt to get so much from so many to be kept for so few. In addition to the effect on timber operations, the significant tourism operations around Gloucester and Dungog would be affected, with a resulting impact on the economy of the local towns. Only two days ago the Treasurer stated that tourism in New South Wales would be emphasised. We are thankful that the Treasurer has increased funding for tourism.

The beautiful national parks and State forests around Gloucester and Dungog are ideal for holidaying tourists but their opportunities to enjoy the area will effectively dry up if the area is closed to people with two-wheeled or four-wheeled vehicles and kept for a few able bodied hikers. Four-wheel drive vehicles would also be prevented from using the area. Strong four-wheel drive organisations regularly visit the area. Members of those organisations are mostly responsible and the organisations are self-regulating. Other areas of the State could also be adversely affected by proposals to lock up forestry areas.

What is the Australian Labor Party view on the question? In June a rally of 5,000 people was held in Gloucester. And the population of Gloucester is only 2,500. The rally was a significant sign of the opposition to the proposal. Because nobody from the Labor Party attended the rally it was clear that Labor did not want to be associated with the activity. Curiously, only a few weeks before, the Leader of the Opposition was in Dungog, and he said that the Australian Labor Party did not have any policy on wilderness.

It was startling to me to be told that, because the Wilderness Act 1987 was presented to this Parliament by the Leader of the Opposition; this may be another about-turn by him. It was interesting to receive a letter from the shadow minister for planning and environment which says, inter alia, that current threats to our wilderness from logging, Crown land sales, et cetera means that wilderness declarations are needed urgently. The Government must take the necessary action to achieve this end. That is a policy and it is obvious that the Labor Party is still determined to lock those areas away from the people of New South Wales. An alternative is the 1989 Barrington wilderness management proposal, which recognises three wilderness areas. Many fair-minded persons, certainly including those leading the opposition to the wilderness proposal, have expressed the view that the 1989 plan of management for the Barrington Tops wilderness area is a sensible and proper compromise which can achieve a win-win result; a win for those who wish to preserve the wilderness area, and a win for those who wish to continue their recreational, tourist and financial activities in that area. [*Time expired.*]

UNDER-AGE DRINKING

Mr FACE (Charlestown) [5.30]: Tonight I wish to speak about a matter of considerable concern regarding nightclubs which operate under an on-licence with a cabaret or restaurant endorsement. This situation is out of hand and, as with so many other problems relating to alcohol, no sooner is one problem cleaned up - such as the proof of age card - than some other problem emerges. A contributing factor to this problem is that young people tend to go out late of an evening to enjoy themselves and that these particular licences are open to abuse. Some restaurant operators would not qualify to hold an ordinary licence for a hotel or a club. They believe that they can circumvent the laws - deregulation by stealth, call it what you like. But the Restaurant and Catering Association of New South Wales, which represents the majority of restaurateurs, does not condone that practice. I have always found that association to be responsible. Offenders are certainly not members of that association.

Section 32 of the Act is being abused, in my view. Hotels and clubs quite rightly have conditions placed on them with regard to the entry of young people accompanied by a parent, guardian or other responsible person. Because nightclubs may also be restaurants as such, young people can enter them with immunity provided they are not served with liquor. However, because of the large number of people on those premises, invariably this happens. There are two types of licences, and both have an entertainment extension. Premises

with fewer than 150 patrons have one performer. Premises with more than 150 patrons invariably hold 200 or 300 young people. Yesterday the Minister for Police and Minister for Emergency Services answered a question concerning Cleopatra on High nightclub at Penrith, which is indicative of what is happening throughout the State. In Melbourne these types of licences have got out of hand. I have been told that a policeman is a part owner of these premises. The young people who attend have their hand stamped to indicate that they are not to be served with liquor.

Well, that prohibition is not being observed; the evidence of that is to be found around the adjacent streets. Yesterday a retailer told me that last weekend two windows had been broken at his premises. A computer shop has had four breakages in the last six months, a chicken shop has had two breakages, and there was a stabbing in the near vicinity recently. As I understand from visiting the area last week and speaking to a retailer, who is a reasonable person, young people are more often than not given a hiding

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by large bouncers who seem to delight in throwing them down the stairs. These young people then go to the Penrith mall and take out their frustrations. Yesterday someone asked where young people can go. That is a problem and has always been a problem with young people. However, allowing young people to attend cabaret-type clubs that are now starting to emerge is not a suitable solution. Hoteliers and club managers have to be responsible for young people on their premises having with them, quite rightly, a parent, guardian or other responsible person.

At Cleopatra's this unpleasant situation is emerging quite frequently. I have received major complaints about anti-social behaviour and about groups of young people getting whacked out of their brains on alcohol. Invariably these complaints originate from on-licence restaurants that have a cabaret extension. I ask the Minister for Police to investigate this problem. I ask the Minister to provide selective police enforcement in Penrith because the retailers there are fed up. I am not blaming anyone but the fact is that licensing as a whole needs to be looked at in depth by both the Chief Secretary's Department and the Minister for Police. By approving the premises, the local government authority, Penrith Council, has allowed this situation to emerge. It is questionable whether that approval should have been granted in the first place. Local councils should exercise greater responsibility before they grant those approvals. In my opinion those premises are frequently dangerous for the number of people who attend. Heat and alcohol lead to trouble. I ask the Minister to look closely at this matter.

Mr COLLINS (Willoughby - Treasurer, and Minister for the Arts) [5.35]: I thank the honourable member for Charlestown for raising this matter with my ministerial colleague who has asked me to provide the following particulars. Under-age drinking is of vital concern to parents, to the community, to responsible suppliers of liquor, to juveniles themselves and to this Government. The Government has been active in developing and implementing a range of strategies to combat the problem and much has been achieved. The Government shares the honourable member's concerns about minors gaining access to what are commonly referred to as nightclubs and to late night cabaret entertainment venues. The Government recently amended the Liquor Act in recognition of the need to strengthen the laws relating to minors in licensed restaurants.

Nightclubs are in effect licensed restaurants that have been granted an authority by the licensing court for extended trading hours from 11 p.m. to 3 a.m. Under the new provision minors will be allowed into late trading restaurants only if they are in the company of a responsible adult. This provision is scheduled to commence in December this year and follows on from the introduction, in 1991, of a "responsible adult" requirement for minors in hotels. Those particulars are probably reasonably well known to members of this Parliament. It is fair to say that one of the initiatives of this Government has been a proof of age card. I am pleased that with the strong support given to the cards by the industry and by young people, licensees and clubs are actively adopting the "no proof - no purchase" rule. To date, more than 35,000 cards have been issued to young people in the 18 to 25 years group.

In relation to the particular complaints about Cleopatra on High restaurant, the Minister for Police has responded by saying that he is aware of the complaints raised by the honourable member for Charlestown and that these matters are currently under investigation. There is a complaint pending and therefore I can make no

further comment on this matter. I thank the honourable member for raising this issue.

LANE COVE COUNCIL PLANNING DEPARTMENT

Mr ZAMMIT (Strathfield) [5.37]: I raise a problem on behalf of my constituent Mr Douglas Potter of Strathfield, who is the Managing Director of Harvey World Travel at Strathfield, Burwood and Lane Cove. Mr Potter wrote to me today as follows:

Dear Mr Zammit,

It is with absolute frustration that I contact you on this matter.

I have leased premises at 1-3 Burns Bay Road, Lane Cove, for the purposes of opening the 358th location of Harvey World Travel in Australia, and although I have approval from the Travel Compensation Fund, the body governing travel agents in this country and approval from the NSW Consumer Affairs Department, I cannot gain consent from Lane Cove council, as they feel it is contrary to their zoning policy, that they feel that travel agents are not a shop front retailer.

Harvey World Travel has an estimated turn-over in Australia wide, in excess of 600 million dollars, we are actively trying to employ more people in NSW, but are hindered by semi government officials to control our destiny.

I cannot get any indication from Lane Cove council.

It is signed, "Douglas Potter, Managing Director, Strathfield, Burwood, Lane Cove Harvey World Travel". I telephoned the Mayor of Lane Cove, Councillor James Welsch, approximately 15 or 20 minutes ago. He was extremely critical of the planning department of Lane Cove Council. I asked him whether I could quote him and he said, yes, for me to go ahead and quote him. I also asked him whether I could raise the matter in Parliament and he said, "Yes, go ahead and do so, because I have had enough of the planning department of Lane Cove Council". He used choice words, which I will not repeat in the Chamber.

Today's unemployment figures show a substantial rise in probably every State. We are facing some of the most difficult unemployment problems most of us can remember, yet here is a semi-government authority - Lane Cove Council planning department - condemned by the mayor of Lane Cove. I had better not quote him - because, as I said, he used some words that may best be left unsaid - but he is extremely critical of his own town planning department. When I said to him that I

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should perhaps raise this matter in Parliament - after all, we are here to help business and small business and give them the opportunities to develop and employ people - he certainly encouraged me to go ahead and do so.

In fact, he said he had virtually given up on the planning department of his local council. I find that totally unbelievable, but that is a fact because I have personally spoken to him. If this is the case and if the frustration felt by companies like Harvey World Travel is indicative of what is happening in the town planning department of Lane Cove Council, if the mayor himself says he has virtually given up on them, it is about time that the ratepayers of Lane Cove Council and the councillors took a more active interest in what is going on in the town planning department of Lane Cove Council.

FUEL TRANSPORTATION TO THE CENTRAL WEST

Mr CLOUGH (Bathurst) [5.41]: In reply to a question yesterday afternoon from the honourable member for Blue Mountains the Minister for Transport and Minister for Roads indicated that Shell Oil Company had agreed to transport petrol to the Central West by rail. This announcement was received with a great deal of satisfaction not only by me but by other people in the Central West, including the Highway Safety Action Group, which has been campaigning for many years to have petrol supplies carried by rail rather than by

individual trucks. The Minister indicated that Shell Oil Company would be subsidised to allow the transportation of the fuel.

At that time I wondered why one of the wealthiest companies in the world would need to be subsidised. I accept that without holding a carrot out, the company would not transport its fuel by rail. Therefore, the benefit of transport by rail far outweighs the degree of subsidisation. A few months ago while travelling to Lithgow early one morning I came upon the scene of an accident where a petrol tanker had overturned. Approximately 30,000 litres of petrol were burning. The heat from the fire was so intense that the tanker was completely destroyed, reducing the aluminium component to absolutely nothing, and the concrete roadway exploded. Because of the number of tankers, it is only a matter of time before a tanker carrying a similar load will cause considerable havoc in a township or a city in the Central West.

As I said earlier, I was extremely pleased to hear yesterday about this arrangement, but I was appalled to receive advice only a few hours ago from an eminently reliable railway employee in my district that because the charges are not acceptable, Caltex, which regularly conveys petrol by rail to Dubbo, will not continue to transport its fuel by rail. Consequently, State Rail has lost the contract. The Minister said yesterday that 500 trucks will be taken off the road, but information given to me today suggests that 1,000 trucks will be put back. The situation with the cartage of petrol by road will remain dangerous.

The reason Caltex could not come to an arrangement with the State Rail Authority is unknown to me. It is a tragedy that State Rail personnel should have such little regard for the safety of people living in the Central West that they were not prepared to negotiate with Caltex for the contract. The Minister further said yesterday that he was prepared to negotiate with Shell. Anything that would safeguard people living in the Central West from the dangers associated with the transportation of petrol by road should be considered. For many years - even when Labor was in Government - I have held the opinion not only that senior administrative officers of the State Rail Authority are incompetent but that there are too many of them and that they accept little responsibility for some of the decisions they take.

I ask the Treasurer to refer this matter to the Minister for Transport and Minister for Roads with a view to determining whether the State Rail Authority has lost the contract with Caltex for the transportation of its petrol between Sydney and Dubbo; and, if so, whether the State Rail Authority could make a fresh approach to Caltex. Even if the contract were dependent upon subsidisation, it would be far safer for petrol to be transported by rail rather than by road. I am certain that the people of the Central West, who were so relieved yesterday to hear about the arrangement, will be appalled when they learn tomorrow that Caltex will not use State Rail because of the pricing structure.

WAKEHURST ELECTORATE TEACHERS

Mr HAZZARD (Wakehurst) [5.46]: I should like to comment on a most positive aspect of the Wakehurst electorate. It is not often that credit can be given in a broad-ranging manner to members of the local community, but I am now afforded that opportunity. I should like to praise the talents, expertise, enthusiasm and skill of a most important local community group - the teachers of our children in the Wakehurst electorate. I was privileged to be elected to this House in May 1991. Shortly after that I set about involving myself with my local schools. I was pleasantly surprised to learn that the attitude of teachers has not changed that much since my high school teaching days of approximately 18 or 19 years ago.

I have always found teachers in our schools to be enthusiastic and keen, often being present at school before and after normal school hours. Yet over the years I have heard criticism in the form of throw away lines to the effect that teachers do not pull their weight. There is absolutely nothing that I have seen in the schools of my electorate over the past two and a half years that would indicate anything to support that premise - quite the contrary. My experience as a parent of a five and a half year old child is that teachers sacrifice an inordinate amount of time after school hours to discuss special programs with parents.

The schools in my electorate have introduced a program which requires absolute dedication and sensitivity from parents and teachers - particularly
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teachers, who have the primary responsibility of explaining to children the dangers of sexual and other forms of abuse. It is appropriate to raise that issue this week after honourable members have heard the Minister for Police talk about Operation Paradox. From what I have observed, the schools that have embarked upon this program have done so with great sensitivity. I am encouraged by what my child is learning. The importance of those issues has been driven home to me by other matters.

I should like to place on record that I enthusiastically support all of the schools in my electorate. Three weeks ago I visited Narrabeen Primary School. The school no longer has a full-time principal, but I was honoured to be shown around the school by the teaching principal and to spend time talking with the staff. The enthusiasm of the students, the care and responsibility shown by the teachers and the fact that the teachers knew each child by his or her first name were great sources of encouragement to me. Cromer Primary School is well known in the northern region for its gifted and talented students program. The students at the school are receiving the best of every possible aspect of public education. I cannot speak too highly of that program. Narraweena school has gone ahead in leaps and bounds. It is providing a wonderful education for the students in the Narraweena and Dee Why West area.

Marjorie Mackie, the principal at Collaroy Public School, is doing a wonderful job of reaching out to students. I can also speak highly of Wheeler Heights Public School and Dee Why Public School. Manly High School was the first selective school in the region, and Terry Buggy, the principal, is certainly doing an excellent job. Also well regarded are the private schools - St Luke's School, St John's School and Pittwater House. I will conclude by referring to Fisher Road School, which provides wonderful facilities for disabled children. The degree of encouragement and nurturing offered by teachers at that school leaves absolutely nothing to be desired. I give my complete support to the schools and students in my electorate.

CABRAMATTA ELECTORATE VIETNAMESE COMMUNITY

Mr NEWMAN (Cabramatta) [5.51]: I am most concerned about an article published in the *Sydney Morning Herald* on 6th September entitled "Warning of Asian ghetto". The article states that the Vietnamese enclave in Cabramatta could become a ghetto because of its increasing concentration of Indo-Chinese migrants, unemployment, and disparagement by the rest of Australian society. The article quotes an academic, Monash University Professor Bob Birrell, who I understand is well known in Australian ethnic communities. However, he is unpopular because of his continued distorted references to multiculturalism in Australia. I am most disturbed at the insinuation that Cabramatta will develop into a ghetto. The professor refers to a ghetto as a place of multiple social problems, inhabited primarily by a distinct ethnic group generally held in low esteem by the majority population living elsewhere. I completely reject that implication about Cabramatta. I am here to stand up for the Vietnamese people, who are my constituents and for whom I have the highest regard. The eminent professor must have had a rush of blood to the head. He simply took 1991 Australian Bureau of Statistics figures and decided that because of the combination of unemployment, which is evident throughout the country, and the concentration of Vietnamese people in the City of Fairfield, particularly in Cabramatta, it is inevitable that Cabramatta will become a ghetto. I can assure Professor Birrell that that is far from the truth.

The Vietnamese community in the City of Fairfield and, indeed, in Cabramatta has made an enormous contribution to small business, to the culture of the area, to the cuisine with their many restaurants, and to tourism. Best of all, the Vietnamese community has given us something that we probably will not see for some years to come: its next generation, its children, many of whom are now coming through the education system. To give the House a typical example, recently I visited a Vietnamese family as a result of a tragedy. They had six children. One child had a degree in science; another had a degree in medicine; another had a degree in engineering; another was a fashion designer and another was studying business accountancy at university. What a magnificent achievement for that family!

The Vietnamese community in my electorate is extremely religious. It practises Buddhism and Christianity. The Cabramatta Catholic mass is one of the largest in the area. Unfortunately, at times a small minority has given the community a bad name because of crime. We want to be rid of that minority. Frankly, the return of those people to their homeland is supported by the great majority of Vietnamese. In the 1950s Yugoslavs and Italians pioneered the area within my electorate. Much the same was said about them. They are now well integrated. They are in business and have done a great deal for the area. Their image has improved. I believe the image of the Vietnamese community will improve also. However, the Vietnamese community will certainly not get a fair go if academics like Professor Birrell make unfounded insinuations based only on statistical information that Cabramatta will become a ghetto. I invite honourable members to visit my electorate. They will see why the Vietnamese and 109 other nationalities are there. The cost of living is low, accommodation is cheap and the community has access to shops and restaurants to fulfil their needs. I am proud of that group of people in my electorate.

Mr COLLINS (Willoughby - Treasurer, and Minister for the Arts) [5.56]: Having visited the Cabramatta electorate and Vietnam, I totally endorse the comments of the honourable member for Cabramatta about the Vietnamese community, one of the larger ethnic groups in his electorate. The Vietnamese people are undoubtedly an extremely

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committed, hard working and industrious sector of our population. They bring to the Australian community a rich history, strong traditions and, I believe, a great cultural input which will show in the years ahead. I have no doubt that like all new groups of migrants arriving in this country, they may undergo a minor settling in period. But such groups are quickly absorbed into the Australian community, which has shown such a strong tradition - I would argue the best tradition in the world - of taking in different cultural groups, ensuring that they prosper within Australian society and benefit from the Australian way of life, and that they are able to contribute to and greatly enhance that way of life. The point made by the honourable member for Cabramatta is well taken, and the Government would certainly frown on any suggestion that a ghetto mentality about his electorate is emerging.

FISHERIES INSPECTORS

Mr SCHULTZ (Burrinjuck) [5.58]: I raise an issue of deep concern to me and more particularly to all the amateur fishermen and people associated with the restocking of the freshwater streams and waterways throughout the southern part of New South Wales, particularly in the Kosciusko National Park area and the rivers and streams stretching from Crookwell in the southeast to Jindabyne. My concern is about a proposal contained in a discussion paper, leaked to me some weeks ago, which I discussed with the Minister for Agriculture and Fisheries and also with the Premier. As a result of that discussion I had a sympathetic ear from the Premier regarding my concerns about the effect of the proposal on a \$60 million plus industry centred around tourism and based on the fishing industry and the waterways in those areas.

Today I had a representative meeting with the Minister for Agriculture and Fisheries, with people associated with the Monaro Acclimatisation Society and the Tumut Acclimatisation Society. We presented the Minister with a petition containing the signatures of 1,750 people concerned about the possibility of removing fisheries inspectors from the electorate of Burrinjuck, particularly in the areas of Tumut and Yass. The proposal also sought to remove fisheries inspectors from Jindabyne and to centralise fishing operations, or policing of the waterways, from Cooma and Narrandera which, in effect, would create a situation where illegal poachers would be well and truly into fisheries stocks, particularly the large stock of the only known source of Murray crays in Jounama Pond in the Talbingo area, and out of the area before the so-called flying squads were able to reach the scene of the illegal activities.

Sadly, the meeting with the Minister did not produce what I would call a constructive and positive response. I deplore the slow and negative action of this Government in terms of action to be taken by NSW Fisheries and the National Parks and Wildlife Service regarding the removal of inspectors and, more importantly, the removal of the policing carried out by inspectors in those areas. It also saddens me that when

this Government came to office in 1988 and removed inland fishing licences, the then Minister for Agriculture and Rural Affairs, the Hon. Ian Armstrong, in a letter to one of my constituents at Talbingo, said:

I would emphasise that the Government is committed to funding any revenue loss following this decision.

The abolition of the Inland Angling licence will allow Fisheries Inspectors to devote their fulltime and resources to detecting and deterring illegal activities and habitat destruction.

Despite those assurances, NSW Fisheries is going down the track of so-called efficiency gains and removing the very people who are stopping the illegal activities of removing fish stocks. Each year many people voluntarily keep those stocks up to scratch by putting fingerlings into the stream. I am absolutely amazed that, despite my very real concerns and my public statements, the Government of which I am a member has adopted the attitude that, if it does not appear to be a vote-winning exercise or a political exercise, it need not worry.

Let me put the Government and the Premier on notice: If this is the way in which the Government treats its backbenchers, those Government members who have genuine concerns about their constituents and the way those constituents are treated when they raise strong issues of concern through their local member in this House and in delegations to Ministers of this Parliament, the Government has to do some reckoning. I can assure honourable members that the Government and its Ministers will see me in a vastly different role to the one I have traditionally played when I return to this House five weeks down the track. [*Time expired.*]

Mr COLLINS (Willoughby - Treasurer, and Minister for the Arts) [6.3]: I thank the honourable member for Burrinjuck for his contribution this evening and I reassure him, on behalf of my ministerial colleagues, that we note extremely carefully the views that he has put before the House on this issue and on other issues which he has raised on behalf of his constituents. The honourable member for Burrinjuck is known to be an extremely diligent and hard-working backbencher who has always had the best interests of the Government at heart, but equally has always fought for his constituents in this Parliament. As one Minister in the Government, I acknowledge his forthrightness and the fact that he has taken the opportunity this evening to raise these matters is an indication of it. I reaffirm that commitment by all Ministers to listen to matters raised in Parliament by every member during this grievance opportunity each day and, in particular, the contributions of the honourable member for Burrinjuck.

FLOOD-PRONE PROPERTIES

Mr IRWIN (Fairfield) [6.5]: I raise an issue of concern to a growing number of residents in flood affected areas of the Fairfield electorate. In 1991, under a program introduced by the Federal

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Government, State Government and local government, a system of financial grants for house raising replaced a former system of low interest loans. Funding provided under a global arrangement for a range of flood mitigation measures, including house raising, was set up under a long-term plan to assist flood affected urban areas. In the City of Fairfield the program is claimed to have provided \$1 million to assist in the raising of 40 homes. Fairfield Council expects to continue the program for the next 10 years and, at this rate, to raise 400 flood affected properties above the one in 100 year flood level.

However, for many flood affected residents the program offers no immediate assistance and, in cases brought to my attention, residents have been informed that they can expect to wait at least five years before they will be offered the grant. This situation is of concern to families who plan to renovate or to extend their homes. In the case of renovation, residents face the continuing risk of flood damage to new work and the risk of damage when house raising is undertaken. As might be expected, this has led to a situation where many properties have been allowed to fall into a state of disrepair. Residents wishing to extend their homes face a further difficulty: Where growing families require additional space, the prospect of extending the family home is an obvious option, but in the case of flood affected residents, Fairfield Council is reluctant to approve extensions which will, at a later date, be required to be raised. The Director, Technical Services, Fairfield City Council, wrote to

me on 4th March, 1993, and made this point clear:

The proposal does present a policy issue that both this Council and the Public Works Department, as the State agency responsible for flood mitigation policy and funding, will need to resolve. The issue is that any additions that may be approved, will need to be raised at a future date at a higher cost than what would have occurred if the existing houses had been raised. Clearly, existing owners who wish to make minor additions to their houses will be disadvantaged if those extensions are not allowed to proceed before funding is available to offer voluntary assistance towards house raising.

I should also point out that the house raising policy does not allow for houses to be raised ahead of their planned timeframe to facilitate owners who may wish to carry out major extensions. These types of proposals are considered to be a form of "queue jumping" and approval would disadvantage those owners who were waiting in line for their turn to arrive.

In relation to the last point, there is concern that for those waiting for house raising the schedule will not be met and there is also some doubt that council's claim that 40 homes have been raised in the past year is correct. For many residents the uncertainty of the program is not assisted by a reluctance to prepare a priority list of those homes to be raised. Faced with the alternative of selling their flood affected homes at a price well below the cost of finding another, residents have few alternatives.

Recently I wrote to the Deputy Premier, Minister for Public Works and Minister for Ports, seeking his views on the development of a program whereby residents could be informed of their place in the priority listing of residents to be assisted with grants. The value of such a program would be that residents would have some idea of the waiting time before a grant is offered, which would enable them to plan for the renovation and extension of their homes in the future. While I can only agree with the views of Fairfield Council that preference be given to residents who wish to extend their homes, I would suggest that part of the funds set aside for grants be made available to residents who wish to raise their homes at their own expense.

Such a program could at least cover the costs associated with survey work and application fees to the council associated with such work. The smaller grants would be appreciated by those residents who have an urgent need to raise their homes, and would reduce the cost of the scheme in later years when a full grant would otherwise be made. As residents taking up smaller grants would not be eligible for the full grant, they could not be accused of queue jumping. However, in the broader case there is a need to reassess the progress of the flood mitigation program to devote a greater proportion of funds to house raising - the only truly effective means of reducing the risk of property damage from flooding. I ask the Deputy Premier to give close consideration to the proposals that I have put forward and provide welcome assistance to the flood affected residents of Fairfield.

Private members' statements noted.

FUNERAL COSTS OF MACQUARIE FIELDS HOUSE FIRE VICTIMS

Mr KNOWLES (Moorebank) [6.10], by leave: I wish to bring to the attention of the House the actions of the Premier in supporting the families of three young children who were tragically burnt to death in their home in my electorate only a week ago. Honourable members will recall a house fire in Macquarie Fields in which three young children and their father were trapped. Unfortunately, the three children were unable to be rescued. I pay tribute to all who participated in the rescue attempt, particularly the local fire services.

Also, I draw the attention of honourable members to the efforts of the Mayor of Campbelltown, Mr Les Patterson, and the Director of the Campbelltown Migrant Services Association, Mrs Mary Seaman, to raise the funds necessary to bury the three children. The family was without funds and was, therefore, finding it extremely difficult to pay for the funerals at a cost of approximately \$6,000.

A public appeal in the local newspaper raised \$2,000 but, with the funeral scheduled for this Saturday, things were looking grim. I was pleased and proud to be advised by the Premier this morning that he, on behalf of the Government, had agreed to contribute the balance of those funds to allow those young children to be

buried with the dignity and respect they deserved. On behalf of my constituents I thank the Premier and the Government for that action.

[Mr Acting-Speaker (Mr Rixon) left the chair at 6.13 p.m. The House resumed at 7.30 p.m.]

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INDUSTRIAL RELATIONS (AMENDMENT) BILL

Second Reading

Debate resumed from an earlier hour.

Mr KERR (Cronulla) [7.30]: Before dinner I was referring to section 122, subsection (1).

Mr Scully: Of what?

Mr KERR: I am glad the honourable member for Smithfield asked that question because it indicates the level of concern and knowledge of honourable members opposite. For the information of the honourable member for Smithfield, tonight we are debating the Industrial Relations (Amendment) Bill. The honourable member for Smithfield might now be better informed when he casts his vote. Earlier, when I was talking about enterprise bargaining, I mentioned that one of the mates of the Leader of the Opposition discovered, after a 10-year search, that the benefits of enterprise bargaining are not just for employers.

Mr Scully: They are for the worker.

Mr KERR: As the honourable member for Smithfield has said, the benefits of enterprise bargaining are for the worker. The Government will deliver to workers the benefits of increased productivity and flexibility, and rewards for labour.

Mr Beckroge: That is what we want.

Mr KERR: The honourable member for Broken Hill says, "That is what we want". This bill is designed purely to combat the unintended effect of section 122(1), whereby the spread of enterprise agreements in vital service sectors is retarded. Which honourable member in this House is in favour of retardation? We will find out when it comes to a vote. The proposed amendment to section 122 will simply ensure that the minimum hourly wage rate for ordinary hours for enterprise agreement purposes is to be calculated without regard to penalty rates, allowances or premiums above the base award rate. The key words in this amendment are "the base award rate". This proposed reform will allow for a proper and realistic recognition in enterprise agreement pay rates of the wider spread of hours in which certain service industries must engage staff to satisfy customer-client demand. Customers are the general public, otherwise known as constituents or voters.

Mr Kinross: They are not the general public.

Mr KERR: They may not be the general public.

Mr SPEAKER: Order! There is far too much audible conversation in the Chamber. Members who wish to converse will do so outside.

Mr KERR: But we are here to serve the general public. This bill masks no hidden Government agenda.

Mr Scully: Rubbish!

Mr KERR: The honourable member for Smithfield says "Rubbish!" He might have a point when he

talks about a hidden agenda. He did not even know what was being debated tonight. When the business paper is placed behind the Speaker's chair the honourable member for Smithfield regards it as a hidden agenda because it is behind the chair. Let me make it clear, even for the honourable member for Smithfield. In fact, the honourable member for Smithfield would probably think that the Government had a hidden agenda if it used letters in the writing of such an agenda. This bill masks no hidden Government agenda for the direct scrapping of penalty rates - a matter about which honourable members opposite are so fearful. Let me put that fear to rest, even for the people in Manly. That is not what this bill is about. As a result of this bill's passage enterprise workers will be free to enter into an agreement that has innovative elements and provides a greater net benefit.

Mr Scully: Come off it!

Mr KERR: That is true. At the next Labor caucus meeting the honourable member for Smithfield can have an enterprise agreement -

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

Mr KERR: He can have an enterprise agreement -

Mr SPEAKER: Order! I call the Minister for Multicultural and Ethnic Affairs to order.

Mr KERR: At the next Labor caucus meeting honourable members opposite can have a performance agreement, but they will not receive more than 35 per cent in the poll ratings.

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

Mr KERR: The position is -

Mr SPEAKER: Order! I call the Minister for the Environment to order. I ask all honourable members to exercise a little more decorum. If they do not discipline themselves, I will discipline them or direct that they leave the Chamber.

Mr KERR: Under this legislation Opposition members will still be able to get penalty rates to go into caucus meetings. As a result of this bill's passage enterprise workers - like honourable members opposite - will be able to enter into an agreement which has innovative elements and provides a greater net benefit, or they can continue to be regulated under an award which will have penalty rate possibilities. The bill refers to workplace parties. Honourable members might not qualify there; we might have to extend the definition. We might have to go into Committee and say, "Workplace parties include the Labor Party or any faction thereof". But that is a matter for the Committee.

The bill's provisions are not about lowering actual wages. Enterprise agreements are totally consensual in nature. It is assumed that individual workplace entities - employers and employees - know what will be in their best interests in bargaining for future conditions of employment. The protection of a true award base rate of pay for enterprise agreement

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participants will remain in the Act's current protective mechanisms involving the Industrial Registrar, the Commissioner for Enterprise Agreements and the Industrial Court. We are not going back to the jungle. We appreciate the need for those safety nets. We need to ensure that State officials still have a role to play. Every Government member accepts that. That is what this legislation is about. It would be a pity if this debate were adjourned and the Government had to withdraw the bill. [*Time expired.*]

Dr MACDONALD (Manly) [7.38]: I move:

That this debate be now adjourned.

Question put.

The House divided.

Ayes, 44

Ms Allan	Mr Mills
Mr Amery	Ms Moore
Mr Anderson	Mr Moss
Mr A. S. Aquilina	Mr J. H. Murray
Mr J. J. Aquilina	Mr Nagle
Mr Bowman	Mr Neilly
Mr Clough	Mr Newman
Mr Crittenden	Ms Nori
Mr Face	Mr E. T. Page
Mr Gaudry	Mr Price
Mr Gibson	Dr Refshauge
Mrs Grusovin	Mr Rogan
Mr Hatton	Mr Rumble
Mr Hunter	Mr Scully
Mr Irwin	Mr Shedden
Mr Knight	Mr Sullivan
Mr Knowles	Mr Thompson
Mr Langton	Mr Whelan
Mrs Lo Po'	Mr Yeadon
Mr McBride	
Dr Macdonald	<i>Tellers,</i>
Mr McManus	Mr Beckroge
Mr Martin	Mr Davoren

Noes, 42

Mr Armstrong	Mr D. L. Page
Mr Blackmore	Mr Peacocke
Mr Causley	Mr Petch
Mr Chappell	Mr Phillips
Mrs Chikarovski	Mr Photios
Mr Cochran	Mr Richardson
Mrs Cohen	Mr Rixon
Mr Collins	Mr Schipp
Mr Cruickshank	Mr Schultz
Mr Fraser	Mr Small
Mr Glachan	Mr Smith
Mr Griffiths	Mr Souris
Mr Hartcher	Mr Tink
Mr Hazzard	Mr Turner
Mr Humpherson	Mr West
Mr Kinross	Mr Windsor
Mr Longley	Mr Yabsley
Ms Machin	Mr Zammit
Mr Merton	
Mr Morris	<i>Tellers,</i>
Mr W. T. J. Murray	Mr Beck

Mr O'Doherty

Mr Kerr

Pairs

Mr Carr

Mr Baird

Mr Doyle

Mr Downy

Mr Harrison

Mr Fahey

Mr Iemma

Mr Jeffery

Mr Markham

Dr Kernohan

Mr Ziolkowski

Mr Smiles

Question so resolved in the affirmative.

Motion agreed to.

Debate adjourned.

LIQUOR TAXATION (AMENDMENT) BILL

REGISTERED CLUBS (TAXATION) AMENDMENT BILL

Second Reading

Debate resumed from 20 May.

Mr WHELAN (Ashfield) [7.47]: I am delighted to speak to the Liquor Taxation (Amendment) Bill because -

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

Mr WHELAN: - during question time today the Premier alluded to my interest in this issue. I am instructed by the shadow minister that the Opposition will agree to this machinery provision. Though the Minister succinctly set out the purpose of the bill in her second reading speech, I ask her to address a couple of matters in her reply. The bill provides for the automatic cancellation of -

Mr SPEAKER: Order! Members wishing to converse should leave the Chamber, and that includes the honourable member for Manly and the honourable member for Mount Druitt.

Mr WHELAN: - a liquor licence should the fee not be paid within a certain period, which is defined as two months. I note that a qualification in the bill states that an applicant may apply to the court within two months after the cancellation of the licence. That seems reasonable enough in the circumstances. I ask the Minister: How did the Government arrive at the figure of two months, and what provisions are to be made in the Act to enable an application to be heard within a period of two months? If the application is lodged, does it mean that it is lodged within two months of the date of cancellation, because often there may be some unfortunate and regrettable delay in making the application. That is the only question that I have, but I am not leading for the Opposition on this bill - the honourable member for Charlestown is.

Mr FACE (Charlestown) [7.50]: I lead for the Opposition, which will support the bills. The bills propose to introduce amendments to the Liquor Act 1992 and the Registered Clubs Act 1976. The liquor and registered clubs regulations contain provisions relating to the duty payable on gaming devices

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operated in hotels and clubs. The current duty schemes were placed in the regulations when they were introduced by the Government so they could be monitored and to enable fine tuning, if required, to be

undertaken quickly and efficiently. They were introduced subject to being transferred into substantive Acts once they had been fully established, in line with the longstanding tradition that taxation provisions should be contained in principal statutes, not regulations.

I do not dispute that the duty schemes have operated successfully for some time. I originally indicated that they should be included in the Acts, and it is appropriate that they be transferred. The schemes will not be changed, as has been construed by some people within the industry; they will merely be put into the Act. Also, the regulations contain provisions to cancel a liquor licence or club certificate if licence or registration fees are not paid within two months of the due date. Those provisions, which were inserted by the previous Government, have operated since 1988. Though the provisions were in place, the Opposition's policy for a long time has been to give more sympathy and more latitude to people making late payments. From time to time clubs miss payments for various reasons. Sometimes there is a change of secretary in a small club and, as this job is often performed on a voluntary basis, clubs do not realise that payments have not been made.

In November last year the Supreme Court held that the provisions were outside the regulation-making powers contained in the Liquor Act. An appeal against that decision was subsequently dismissed. It is therefore necessary to transfer those cancellation provisions from the regulations into the substantive Acts. The Minister has provided me with amendments, which the Opposition will not oppose. It is a burdensome task to have to go to court to achieve those provisions. The bills achieve the transfer of the cancellation provisions while providing a new mechanism for any licence or certificate issued under those Acts that may be cancelled for non-payment of fees to be reinstated, upon reasonable cause. The reasonable cause provisions are adequate.

In accordance with the advice of the Solicitor General, the bills also contain provisions that will validate licence and certificate cancellations that have occurred since January 1988. The Liquor Act and the Registered Clubs Act require payments to be made to the Liquor Administration Board by the due date or penalties accrue. If those payments are made by direct deposit to a financial institution, they may not be received by the board on the same date. Provision was made in previous policy for payment to be made through a bank. The date of payment is deemed to be the date of receipt by the bank or licences could be cancelled because of an argument as to the date of receipt of payment. When payment falls due on a Monday holiday, many payments have not been received until the Tuesday. This Opposition policy is a sensible one. Provisions contained in the bill will result in the date of payment to the financial institution being considered as the date of payment to the board.

The bill will allow a more sensible attitude to late payments. There is a commonly held belief within the club industry that most clubs have secretary-managers. I was amazed to discover that nearly two-thirds of clubs in New South Wales do not have secretary-managers but rely on voluntary workers. The Chief Secretary's Department, in liaison with the Liquor Administration Board, has recently issued some documents reminding clubs of dates they have to meet. They are to be complimented on the quality of the literature. Whether the club is large or small, members often suffer because of the failure of the club to meet its commitments. Therefore, the wrong people are punished. Clubs could be made insolvent if they fail to meet their commitments by a specified time.

The Opposition supports the bill. It will go a long way towards overcoming the problems. The provisions contained in the objects of the bills should have been implemented previously, though the Government wished more time. The Minister said in her speech that the new schemes were placed in the Act, that it was practical to monitor them, and that everyone was happy with that situation. To this day the hotel industry is far from happy with turnover tax. Under a previous Minister, the tax was to apply to both the hotel and the club industry. The club industry rebelled against turnover tax as against tax on profit, which is an Opposition policy. It has been made plain to the Australian Hotels Association and to hoteliers that it would be changed to profit tax but be revenue neutral in any subsequent government. It is inappropriate to tax people on turnover.

One industry is taxed on turnover while another industry lobbied against the tax and is now taxed on profit rather than on turnover. I realise that the Minister's comments were well intentioned, but they are far from the mark because not everyone is happy about the difference between tax on turnover and on actual profit. I

support the bill.

Mrs COHEN (Badgerys Creek - Chief Secretary, and Minister for Administrative Services) [8.0], in reply: I thank the honourable member for Charlestown for his contribution to the debate and for his support for this legislation. The provisions of the legislation were made very clear during my second reading speech and during the speech of the honourable member for Charlestown. This legislation provides a benefit to both the liquor industry and the registered clubs industry. The provisions allow for a much fairer system in the interests of small business.

The honourable member for Ashfield asked how the period of two months was arrived at. It is in fact two months upon two months; in other words, the licence holders have two months to pay the penalty, and then have an additional two months from the date the penalty is due. Under the previous arrangements they lost their licences if they did not pay within two months; they now have a further two months to pay. That seems fairer. As to how the two months was arrived at, we have to draw the line somewhere. As the honourable member has stated, there is ample

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notification of when the penalties are due, the due dates and the penalties therein. I commend the bills to the House.

Motion agreed to.

Bills read a second time.

In Committee

The TEMPORARY CHAIRMAN (Mr Tink): Order! The Committee will first consider the Liquor Taxation (Amendment) Bill.

Schedule 1

Amendments, by leave, by Mrs Cohen agreed to:

Page 14, Schedule 1, lines 5-13. Omit all words on those lines, insert instead:

(3) However, clauses 37 and 37A of the Regulation are taken never to have operated to cancel a licence for failure to pay a licence fee, or an instalment of licence fee, payable in respect of a licensing period commencing in January or February 1993.

Page 14, Schedule 1, lines 28-34. Omit all words on those lines.

Schedule as amended agreed to.

The TEMPORARY CHAIRMAN: Order! The Committee will now consider the Registered Clubs (Taxation) Amendment Bill.

Schedule 1

Amendment by Mrs Cohen agreed to:

Page 18, Schedule 1, lines 5-14. Omit all words on those lines, insert instead:

(3) However, clauses 19 and 20H of the Regulation are taken never to have operated to cancel a registration certificate or licence for failure to pay the registration fee, or an instalment of the registration fee, or for failure to pay the licence fee, payable in respect of the registration period commencing in January 1993 or the prescribed period commencing in February 1993.

Mrs COHEN (Badgerys Creek - Chief Secretary, and Minister for Administrative Services) [8.6]: I move:

Page 18, Schedule 1, lines 28-34. Omit all words on those lines.

The amendments are necessary to ensure that the provisions of the bill that validated the cancellation of a licence for non-payment of an instalment do not apply to the licence fee instalments paid in January and May of this year. Following the Supreme Court decision made in November last year, no licences or club certificates have been cancelled where payment of an instalment was not made within two months after the due date. Instead, disciplinary action in the form of a complaint has been taken in the Licensing Court.

The bills exclude this year's January instalment from the cancellation provisions but include the May instalment as it was anticipated that the bill would be passed in May of this year, prior to the expiry of the two-month period after the May due date. This was not the case, so the bill must now be amended to exclude this year's May instalment from the cancellation provisions. The bill did not specifically include gaming machine licences in the provisions I have just mentioned. Therefore, the amendments clarify the reference to the licensing period and thereby ensure that the cancellation provisions do not apply to this year's gaming machine licence payment.

Amendment agreed to.

Schedule as amended agreed to.

Bills reported from Committee with amendments, and report adopted.

APPROPRIATION BILL

PARLIAMENTARY APPROPRIATION BILL

BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL

MOTOR VEHICLES TAXATION (AMENDMENT) BILL

ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

Second Reading

Debate resumed from 8th September.

Mr RIXON (Lismore) [8.10]: I am pleased to be able to speak in support of the Appropriation Bill and the cognate bills presented by the New South Wales Treasurer. This Budget will reduce State debt and continue to expand State services. It is a sensible and sensitive Budget that will give special help to those in need. It is a Budget that displays responsible economic management. It is a Budget that, by reducing debt and insisting on improved performances from government trading enterprises, keeps down taxes and charges. The 1992-93 Budget resulted in a deficit of just under \$1 billion. This year's Budget will reduce the deficit to \$890 million. The deficit is expected to be reduced to \$600 million in 1995-96 and to be reduced further in following years.

This debt control provides for the welfare of our children and future generations and is a model that other governments in Australia could well follow. As the Treasurer said in his Budget Speech, the planned reduction of New South Wales debt goes hand-in-hand with other strategies: tax restraint; the gaining of better value for money; the reform of government trading enterprises; and clearer priorities for government services. Those services are extremely important to the people of New South Wales, and especially to the people of my

electorate of Lismore. They have been enhanced and improved by the Budget. Recurrent expenditure on law and order and public safety has been increased by 4.2 per cent, providing a grand total of \$1,829.3 million.

The people of the Lismore electorate welcome this recognition of the special difficulties society faces in these recessionary times. Desperation and stress

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cause greater social problems. Crimes against property and individuals and drug abuse crimes increase in recessionary times, putting even more stress on our police and court services. These problems are evident in a very beautiful area centred on the town of Nimbin, where drug-related deaths per capita are higher than in any other area of New South Wales, except possibly in centres such as Kings Cross. There the police especially need the support of additional services and resources, which the increase of 4.2 per cent in expenditure will help to provide.

I am pleased that \$1.8 million has been allocated in this Budget to commence the construction of much needed courtrooms at Lismore. The \$5 million structure is expected to be commenced immediately and to be completed by 1995. The courtrooms will help to provide an improved service and reduce court waiting times. The land on which the building will be located, alongside the present court house, has already been purchased and cleared. Though the work of police is important, it is even more important to try to reduce crime through the provision of social and community services. These come under the administration of the Hon. Jim Longley, Minister for Community Services and Minister for Aboriginal Affairs. The 6.3 per cent increase in funding for social and community services, to \$1,175.2 million, will ensure this important work will be continued and expanded.

Funding for social and community services falls into 11 broad categories: community support services, \$301.3 million; supported accommodation for people with disabilities, \$174.9 million; crisis support and accommodation, \$81.1 million; child care, \$78.2 million; substitute care, \$64.6 million; support for families, \$56.8 million; child abuse, \$33.7 million; corporate services, \$24 million; protection, guardianship and advocacy, \$3.7 million; concessions to pensioners, \$282.3 million; and other agencies, \$20.5 million. As there is tremendous need to expand services, especially for the disabled and disadvantaged in the Lismore electorate, I welcome this increase in expenditure. Money provided for health services has increased by 7 per cent to \$4,940.7 million, with the Richmond River District Health Service receiving a record allocation of \$101.54 million. That is a 23.01 per cent increase in real terms since I was elected as a member of this House in 1988 and includes funds to help reduce elective surgery waiting lists, as well as \$2.6 million that will go towards the completion of stage four of the redevelopment of Lismore Base Hospital.

The redevelopment of the Lismore Base Hospital, due for completion by December 1994, will give the Richmond Valley a network of 11 hospitals that will be able to provide excellent services to the expanding population in the Lismore and Ballina electorates. Once again funds for education have been increased in this Budget by 4 per cent, to \$4,894.5 million. This will enable the commencement of stage one of the new school at Nimbin that is expected to be completed in 1995 at a total cost of \$2.99 million. Funds have been allocated also for painting and repairs at Casino High School, Goolmangar Public School, Goonellabah Public School, Kadina High School, Kyogle High School, Leeville Public School, Lismore High School and Rappville Public School.

The Lismore electorate will benefit also from the \$1.091 million allocated for maintenance funding for the North Coast Institute of Technical and Further Education. The other exciting development in education in the Lismore electorate will be the establishment of the stand-alone university in Lismore. Everyone awaits with great interest the announcement of the name of the new university. All the educational services in the Lismore electorate will continue to be provided and maintained so that the region has the resources it deserves - in stark contrast with what happened under the former Labor administration.

The provision of housing is extremely important in an area with a fast growing population, so the 2.7 per cent increase in capital funding and the 38.2 per cent increase in recurrent funding, bringing the total provided for New South Wales housing, water and sewerage to \$1,711.2 million, is important to the far North Coast.

The funding to complete construction of 51 units of accommodation in Lismore, Casino, Coraki and Nimbin, for work on the Kyogle and Nimbin sewerage systems and for the Nimbin water supply will continue to enhance the reputation of the Lismore electorate as the most desirable residential address in New South Wales, and indeed in Australia.

Roads are of vital importance to the people of country areas and were neglected by the former New South Wales State Labor Government. Funding for roads was drastically cut by Paul Keating's Federal Labor Government. The far North Coast of New South Wales was neglected by the road planners of previous Labor governments, making the comparison between roads in southern Queensland and roads in northern New South Wales unfavourable to this State.

Good roads to Brisbane and to the Gold Coast are tremendously important to our industries. The money provided for the Summerland Way, which is the shortest route between Sydney and Brisbane, for the Kyogle to Murwillumbah road, which is the shortest route from Sydney to the Gold Coast, for the Lismore to Nimbin road and for the Bruxner Highway through Goonellabah is extremely valuable. The \$1.624 million allocated to start work on that Bruxner Highway section from Lombardos roundabout to Kadina High School is sorely needed. A four-lane divided highway ends at a roundabout, at which there is a single-lane road running either way that is in a sad state of disrepair. That piece of road, a deteriorating narrow carriageway, carries in excess of 20,000 vehicles a day and is very important for both commuter and commercial traffic. At last the roads of the Lismore electorate are being improved and will continue to be improved until the appropriate roadway standard is achieved.

I congratulate the Hon. Bruce Baird on the great work he is doing as Minister for Roads. This responsible allocation will greatly help the people of

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the Lismore electorate to obtain the high quality roads they deserve. Numerous other special provisions have been made in the Budget for the Lismore electorate, including \$267,000 for the continued development of electric power. Because the area is growing so quickly, demand for electricity requires that major power lines into the area be upgraded. Those funds will be spent in three main areas: the Armidale to Lismore line, which is gradually being improved and upgraded; around the Lismore area itself; and the area from Lismore to Mullumbimby. Each of those lines are multimillion dollar projects. The Armidale to Lismore line is well on the way towards being constructed. [*Extension of time agreed to.*]

The Lismore to Mullumbimby line is currently in the planning stage and consultation is taking place with people in that area. The allocation of \$267,000 this year towards that multimillion dollar project may seem to be small, but it is adequate for what is needed and will be most helpful. An amount of \$261,000 is being provided for the relocation of the Richmond-Tweed State Emergency Service headquarters. Currently those headquarters are right beside Lismore police station, on the banks of the Wilson River. The growing population means that the police station in Lismore will have to be expanded. The SES headquarters are being taken over by the police, and new headquarters are being provided for the SES in Goonellabah. Those headquarters will be just across the border from the Lismore electorate in the Ballina electorate. I will have the support of the honourable member for Ballina in ensuring that those important headquarters are fitted out to the benefit of all people in the region.

A sum of \$120,000 has been provided for improvements to Casino railway station. The exterior of the railway station has just been rebuilt. The station has new parking areas, new bus bays and a fully constructed bus interchange. The booking office has been upgraded. Full commuter systems have been put in, and the office is able to provide top quality service to the people of the region. These funds will be provided to enable the platform, which was of suitable level for the old trains, to be raised. Line modernisation and improvement through that area has lifted the line slightly. Because the XPT is slightly higher than the older trains the platform is to be raised as well so that people will be able to step straight out - not down - from the XPT on to the platform. Those funds will be welcome at Casino.

Coraki is another very historic town in the Lismore electorate. For many years around the turn of the

century Coraki, situated on a branch of the Richmond and Wilson rivers, was one of the biggest towns on the North Coast and the centre of the grazing and shipping industries, with many boats coming and going. But in recent years the shipping trade has declined and the wharf at Coraki has deteriorated and become quite unsafe. The Budget has allocated \$11,000 towards the continued construction of the Coraki wharf, upon which work has already commenced. That \$11,000 will benefit this joint project between the Richmond River Shire Council and the New South Wales State Government.

An amount of \$80,000 will be provided for blue-green algae research and control in the Richmond Valley. Toonumbar Dam on the Richmond River has had a problem with blue-green algae, and that is rather puzzling because the catchment area of that dam does not have a town or many houses above it, virtually no agricultural industry, and is almost completely covered by rainforest and State forests. People in that area cannot claim that the dam is polluted by run-off from a town, from fertilisers or anything else, yet the problem has arisen during dry periods. This rather interesting project will seek to establish exactly why blue-green algae is growing in that dam and determine ways and means of controlling it. That part of the electorate is one of the fastest growing population areas in the State. Consequently, Rocky Creek Dam, Toonumbar Dam and perhaps other dams which might be constructed in the future will need to provide good clean water. That research, funded through the \$80,000 allocation, will be of great value to people in that area for many years to come.

The people of the Lismore electorate and indeed people throughout New South Wales will benefit from budget strategy. The central issue had to be to contain debt. Anyone who suggests otherwise would be deluding the people of New South Wales. A responsible long-term approach has been taken to debt reduction, and that will reduce ill effects on the community and avoid tax increases. Commonsense priorities have been set for spending on health, housing, education, roads, law and order, community services, employment and training. Responsible members of Parliament will support the Budget to ensure a stable and prosperous future for all citizens and their children. All Government members join with me in congratulating the Hon. Peter Collins, the New South Wales Treasurer, on the work he has done. I support the Budget.

Mr SCHULTZ (Burrinjuck) [8.29]: The Budget is most responsible and is ideal for these times. The Budget is an indication of the sensible approach taken by the new Treasurer to the needs of the community generally, more particularly to the needs of the community in rural sectors, and more specifically to the needs of rural people in the Burrinjuck electorate, which I represent. The health budget received a significant boost, as announced by the Treasurer, to a record \$5.25 billion. That increase is an acknowledgment of the magnificent contribution by the Minister for Health, the Hon. Ron Phillips.

My electorate encompasses part of the Riverina and its budget has increased by \$18.72 million over the 1988 figures. That represents a 23.7 per cent increase in real terms. The Southern Tablelands, which is also partially represented in the Burrinjuck electorate, has received an increase of 19.67 per cent in real terms over the 1988 Budget figures, or \$17.93 million. The new district health boards will achieve significant savings because the Government undertook to phase out regional departments of health. This will result in a significant contribution to all district and base hospitals in the Burrinjuck electorate. That is

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ample proof that the Minister for Health is ensuring that the health budget dollar is delivered in its entirety to the coalface of health, that is, to the patients.

The Minister for Public Works, the Hon. Ian Armstrong, has identified the need to upgrade sewerage works in small rural towns. Water supply augmentation also has been undertaken. The Tumut sewerage works has been allocated \$500,000 to assist the Tumut Council with the construction of the Tumut sewerage augmentation scheme. I thank the Minister for that funding. It is important in this environmentally sensitive climate that people in rural New South Wales have the opportunity to process raw sewage to a level where it can be utilised more constructively without harming the environment.

The Crookwell sewerage augmentation scheme has received \$1.1 million to assist the council in its augmentation of the Crookwell sewerage system. I am extremely grateful for that, and I am sure the Crookwell community also is appreciative of the Minister's endeavour to assist them to upgrade the sewage treatment plant.

Many towns have had difficulty supplying sufficient water during very dry periods - something we take for granted from time to time. The Minister has allocated \$593,000 to assist the Boorowa Council to complete its augmentation work and ensure that the Boorowa water supply system meets the needs of ratepayers in the area.

The Minister for Education, Training and Youth Affairs, the Hon. Virginia Chadwick, has listened sympathetically to my submissions with regard to the Berrinba Public School at Yass. That school has many demountable units and has been waiting patiently for at least 15 years for them to be replaced with permanent buildings. The Minister has allocated \$1.7 million to ensure that those demountables are replaced. On behalf of the Yass community, in particular, the parents and citizens association, and the parents and teachers, I thank the Minister for her magnificent contribution to the education of children in the Burrinjuck electorate. The Minister has approved maintenance programs for schools in my electorate. For example, \$200,000 will be spent on maintenance of the Young Technology High School, the first technology high school in rural New South Wales. That high school is gaining a reputation for turning out highly skilled pupils. I commend the Minister for her vision in recognising that rural children should receive the same opportunities as those taken for granted by children in metropolitan areas.

From time to time the Minister gets peeved at my continual niggling for additional funding. However, she recognises the importance of looking after schools, especially those small isolated schools in the hills around Gundagai, Tumut and the beautiful Kosciusko area in the southwest. Funds have been made available also for upgrading and maintaining schools that are administered by single teachers who are committed to the task of educating children. I refer in particular to Bongongo Public School, Gadara Public School, Rye Park Public School, Galong Public School, Stockinbingal Public School, Wee Jasper Public School and Young Public School, which all require an injection of funds to ensure that they present a professional image and provide staff with a professional environment in which to work.

The Government has committed itself to funding structural maintenance requirements that have been long ignored and, on many occasions, pushed aside. Recently, on behalf of the Minister, I opened a new administration block at the Boorowa Central School, a magnificent school that is using technology to cater for pupils from kindergarten through to year 12. Satellite technology and language subjects are available to those children. They are being taught to speak fluently in French, Indonesian and Japanese. I congratulate the school upon its initiative. The teachers do not receive the recognition they deserve for their professional attitude in ensuring that rural children receive a sound education.

The provision of solar navigation lights on dams has been acknowledged by the Minister for Public Works and Minister for Ports. Burrinjuck Dam and the great Blowering Dam - upon which a few years ago the world's water speed record was set - are situated in my electorate. I am grateful that the Minister recognises that for accidents to be avoided, navigation aids are necessary. With regard to housing, my parliamentary colleague the Hon. Robert Webster, has seen fit to answer my plea for additional units of Department of Housing accommodation. I thank the Minister for his magnificent contribution to the elderly and those desperately in need of housing in my electorate. At Cootamundra seven units, at a cost of \$220,000, will be provided. Though this is a minuscule amount in terms of the overall Budget, it is very much appreciated by my constituents. The Minister has seen fit also to allocate to the Tumut community 13 units of accommodation at a cost of \$700,000-odd. I admire him for his vision. Young township will receive two further units of accommodation. If that Minister continues to show such initiative, he will be a Minister in this Government for a long time.

A rewarding aspect of being the member for Burrinjuck is the diversity of horticultural and agricultural products grown in the area. Young is the capital of Australia's cherry industry. Tumut produces the radiata pine used to build houses, among other things. Ministers would be well aware of the magnificent contribution people in my electorate make to the economy of New South Wales. At Batlow \$42,000 has been provided for the replacement of tools and equipment for the Forestry Commission. That may be a small amount but it is appreciated as a recognition of the people in the area. The Batlow community is facing problems because of a local cannery, which has connections to the Letona cannery at Leeton. The cannery at Batlow has operated professionally and profitably for five years. A wise investor could take over the plant, improve its efficiency

and provide local employment and thereby increase the economic viability of the town.

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Nursery plant and equipment to grow pine seedlings has been purchased at a cost of \$216,000, and \$1.08 million has been provided for the capitalisation of overheads for softwood regional growing stock. An amount of \$1.27 million has been provided for the surveying and construction of road and bridges to service the pine forests in the area. Another \$1.9 million will be provided over the next 15 years for culture and forestry improvement in pre-commercial plantations. The Minister has vision: he can see that there will be a demand for softwood production in the Burrinjuck electorate, and that will assist to drag the country out of the recession that the vandals of the Federal Labor Party have created in their 10 years in government. The present leader, Mr U-turn Keating, quickly back pedalled when he saw the reaction of the general public to his deplorable and immoral Budget.

I turn now to Mr Nice Guy, Can Do Baird, the Minister for Transport and Minister for Roads. What a magnificent contribution that man has made in my electorate. He has provided new rail coach interchanges. He has worked towards the federation of Australian rail services. He has reviewed signalling, laid new track and injected \$525,000 for ballast so that super freighters can use the track. He is just Mr Nice Guy. I cannot describe him in any other way. He has injected \$164 million into the Burrinjuck electorate. My colleague the honourable member for Monaro knows the reason for that injection of funds: the Hume Highway runs through the eastern side of the electorate, from Goulburn to Tarcutta. The honourable member for Monaro and I inspected the highway. We saw the speeding trucks. Deaths have occurred on that stretch because of the state of the highway. Around the Gunning area in one year there were many road deaths.

Mr Cochran: There were 26 in eight months.

Mr SCHULTZ: Yes. The honourable member pushed vigorously for the Federal Government to provide money to stop the carnage that was occurring daily in the electorates of Monaro and Burrinjuck. Fortunately, the Federal Government heard the pleas of responsible members of the New South Wales Parliament and, in response to their pressure, provided funding. [*Extension of time agreed to.*]

I may begrudge giving kudos to the Federal Government but if we do not give kudos to the Federal Government for saving lives we are not fair dinkum, and we have to be fair dinkum in this game. For example, construction of the dual carriageway south of Jugiong has been allocated \$22 million in this year's Budget. I thank the Federal Government for that. Construction of a dual carriageway on the Barton Highway will receive \$19 million. The honourable member for Monaro would be pleased about that because spending on the Barton Highway complements spending on the Yass bypass. The population of the town of Yass in the next 10 years will be boosted, I hope, to about 50,000. I thank the Federal Minister for spending approximately \$132 million of \$164 million in those areas. He has acted responsibly in the interests of road safety.

Labor ignored the road needs of rural people for 10 years. In 1988 the coalition inherited rural roads which were built 15 to 20 years ago to take traffic at half the present volume and of half the present weight. Maintenance cannot keep pace with the destruction of rural roads. The State Government has a 3c per litre petrol excise and another 3c is taken under the 3 x 3 program - 3c a litre for three years. The program was needed for a quick injection of funds for roads that were in a deplorable state. No one knows better than I do the state of rural roads in 1988. Since December I have had to replace two windscreens in my car because one shire in my electorate did not responsibly use the money it was allocated in September last year. I hope that council will wake up that it is in the interest of road safety that it use the funds.

The responsible, can do Minister has allocated \$2.1 million for the restoration of major arterial roads in the Burrinjuck electorate. The Minister has allocated for the councils in the area, for their determined works on public roads, \$692,000. The Minister has allocated \$1.6 million for the enhancement of major arterial roads under the 3 x 3 program, and \$1.2 million for council proposed works on classified roads. That amounts to \$5.65 million of 3 x 3 funding going where it is supposed to go, into bad roads that need a quick injection of

funds to make them safe for the motorists who drive through the electorate of Burrinjuck and for the people who live in the Burrinjuck electorate and use those roads.

The Minister did not stop there. He made sure that there were more funds allocated to the shires for enhancement, restoration and preservation of State and regional roads and he also gave them regional road block grants. I represent 11 shires in the electorate of Burrinjuck covering an area of slightly more than 23,000 square kilometres. How is that \$7.1 million broken down? Boorowa shire received \$822,000; Crookwell shire received \$906,000; and Cootamundra shire, where I live, received \$860,000, and so on. That is a magnificent contribution by that Minister, another responsible member of this very responsible and professionally managed Government.

The Minister for Land and Water Conservation has funded community based natural resource management projects to the tune of \$79,000. Under the National LandCare program, projects for dry land salinity water use in the Upper Lachlan-Murrumbidgee catchment surrounding the Yass area - much needed funding - amounted to more than \$141,000. I thank the Hon. George Souris for the magnificent contribution he has made as the new Minister in this Government, complementing the initiatives taken by his parliamentary and Cabinet Ministers. This Minister has a grasp on his new portfolio and has used it very sensibly. Under the national LandCare program the Minister has funded the mapping of saline susceptible soils.

People living in the metropolitan area may not realise the problems encountered in rural New South Wales regarding soil degradation, soil salinity and

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rising water tables. Rural people have massive problems with water tables rising to six inches below the surface of the land which is to be farmed. As an example, in the township of Boorowa one can see on the brickwork of some houses stains from the salt that has been forced up from the subterranean soil to as high as 10 bricks from ground level. That salination devastates the land and the salt kills everything it settles on.

This Government needs to seriously address these problems so that the land will be very productive for our children and their children in the years to come. The Government needs to look at the problems that we created in our ignorance 100 and 200 years ago, and even as early as a decade ago. Thankfully, the rural community has recognised that. Regardless of what the mad environmentalists and the greens say about locking up land, we rural people recognise that we have abused the environment and we are addressing the problem. Rural people are changing their farming habits and are now planting trees. I know of one grazier who, in the last 12 months, has planted about 37,000 trees on his property. That is an indication of the concern that rural people have about rising water tables.

The National LandCare program, because of river salinity catchment problems, has injected \$170,000 into the Boorowa area. I would love to see \$1.3 million allocated for that area, but I am realistic enough to know that that cannot reasonably be expected without borrowing money. This Government, unlike the Leader of the Opposition, has attempted to reduce its debt and has attempted to constrain its borrowings, trying to keep them at zero level. One cannot responsibly expect to help this State get back on its feet and help the economy of this country by continuing to borrow money. It is easy to make brash promises in the public arena without explaining to the people where the money is coming from and how much money needs to be borrowed and how long it will take to pay it back. The Government knew about that when it came to government in 1988. The Minister for Land and Water Conservation is a great Minister. I hope other honourable members have been treated by the Minister as well as I have.

Mr Cochran: What a good Minister.

Mr SCHULTZ: He sure is. He has given me \$25,000 in funding for the conservation catchment project at Breakfast Creek. Good on you, Minister! The Minister for Transport and Minister for Roads has given my electorate money for rural coach services, local commuter services in Yass, which covers four locations along the Barton Highway. The Minister has done a top job there and has my total support. As the member for Burrinjuck I am humbled at the way in which Ministers have treated me, as a relatively new member, in terms

of my experience in politics. I am happy to say that one must lean gently on these Ministers. The honourable member for Monaro knows about pushing the leaning process; he is an expert at it. He knows that if Ministers are gently leaned on they will come good with the goodies. The Ministers have done that with this Budget and I have absolutely no doubt that they will come good with the goodies in years to come.

I thank the House for the opportunity of talking tonight about the magnificent contribution that this Government is making to New South Wales. I know that Mr Acting-Speaker agrees with me that there are a lot of intelligent people in New South Wales who, when we come to election in 1995, will look at the Opposition and look at this Government's performance and ask, "How could we have another Labor Government in this State after what we have put up with from the Federal Government. We really have to put this Government back in, but when we put them back in we will give them a majority of at least six or seven seats and we will make sure that the non-aligned Independents, the so-called unelected premier and his associates on the independent benches here, do not keep the power that they have". The voters in New South Wales will deal with the arrogance of the Independents so that the New South Wales Government can get on with managing the economy of this State as responsibly as it has done since 1988.

I would like to say a few things about the Independents, but I do not believe it appropriate to talk about their double standards during the budget session. I will do that later. I will now tell the House about the Independents putting pressure on this Government to have extra staff when no other member of this Parliament, not even members on the opposite side of the Parliament, have additional staff. The Independents use the pretence that they are getting a lot of pressure from the community which generates a lot more work. Let me inform the House that if the Independents worked in their electorates as hard as some members in the Liberal sector they would need five or six staff. I compliment the Government on the responsible way it has delivered the Budget. [*Time expired.*]

Mr HARTCHER (Gosford - Minister for the Environment) [8.59]: I am very proud to serve as a Minister in the Fahey Government and I am determined to contribute to further improving the protection of the environment in our State. When I was elected as a member of Parliament in 1988 I had one major aim in mind - helping the people of my community, the electorate of Gosford. For years under Labor governments Gosford and the Central Coast were, unfortunately, treated like second-class citizens, always appearing somewhere near the end of the queue when it came time to parcel out the budget cake. This was compounded by the blind eye and deaf ear that Labor in Canberra turned to the Central Coast. Since 1988 it has been my main goal to change that attitude and to get a fair share for the people of Gosford. I remind myself of that goal every day.

Indeed, when I initially entered Parliament in 1988, Labor's legacy was evident wherever one looked at Gosford and generally at the Central Coast - run-down services, literally crumbling roads, a virtual goat track as the entry to Gosford, an archaic

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health system, and a lack of schools in a growth area. Thanks to the Labor mates who were more concerned with getting their names on the plaques of flashy megaprojects in the Sydney CBD, even that most basic and most necessary of services - the sewerage system - did not work. With the help of my colleagues in the coalition Government, I have addressed each of those needs, trying to fix what Labor only promised and never delivered.

I am pleased that the 1993-1994 Budget is another important step towards providing for the people of Gosford and the Central Coast first-rate services, improved roads, high quality health care, and better and more schools. The Government has taken great strides in the past and the Budget represents more significant progress toward redressing Labor's wrongs. It may take a while to fix Labor's mess, but I am determined to get the job done. Several areas of priority were identified for the Budget by myself and some people in my community. Health care has always featured prominently on my list, but more so this year as the Central Coast becomes an increasingly popular place of residence - and the Government has done very well.

The Central Coast Area Health Service has been allocated a record \$136.68 million, representing an increase of \$54.66 million since 1988 - the largest such increase in the State. I am particularly pleased that

\$350,000 of that allocation will be used for community based health initiatives and mental health programs, which are areas of real need. Significant gains have also been made in education. In relation to capital works in new allocations at Gosford schools, Brisbania Public School will receive \$10,000; Erina High School, \$270,000; Erina Heights Public School, \$10,000; Gosford East Public School, \$80,000; and Terrigal High School, \$5,000; Woodport Public School will receive \$57,000 and Empire Bay Public School \$69,000 for ongoing capital works assistance.

These allocations are a significant recognition by the Government of the growing needs in the Gosford electorate. Schools in the electorates of Peats, Wyong and The Entrance also did well in the Budget, which demonstrates that this Government is about progress and people - not cheap politics like the Labor Party. The Government is concerned about giving all kids a future, not just the ones who live in this electorate or that electorate. An exciting new initiative on the Central Coast in the 1993-1994 Budget is a \$100,000 regional marketing grant for Central Coast tourism. Thanks to the recession we had to have, given to us by the Federal Government, alarming levels of unemployment have now been reached on the Central Coast. This Government is determined to reduce unemployment by assisting the growing tourism sectors - one of the best job producers in our area.

The Gosford and Central Coast communities will benefit also from the newly announced \$13.1 million statewide tourism advertising strategy. This has been discussed with members of the Gosford Chamber of Commerce and Industry and I hope some of that money will boost their businesses and help them employ more local residents. The Budget also continues the Government's strong commitment to provide better transport for the Central Coast. Tomorrow I will have the honour to officially open the new Gosford railway station with my colleague the Minister for Transport. Thanks to our active local Rotary club, on Saturday the entire community will welcome the opening of the new station.

The Minister for Transport and I will cut the ribbon at the exact spot where he and I stood some years ago and promised a new railway station for the people of Gosford and the Central Coast. The Government has delivered that promise. The Government has also recently announced the release of new Tangara trains. A further \$1 million will be spent this year finalising the railway station, and \$610,000 will be spent on associated railway works. In the meantime, the Australian Labor Party criticises the design of the railway station for not providing appropriate lifts, though Debbie Coleman and the local disability council have given the station the thumbs up as the first easy access railway station for New South Wales. It just shows that the coalition members are the builders and ALP members are the knockers.

Commuting to Sydney, Newcastle and elsewhere or visiting the coast will be further improved with the completion of the bus interchange outside the new railway station at a cost of \$205,000, as well as the completion of the new CBD car park facility at a cost of \$860,000. I mentioned earlier that when I was elected a member of Parliament the sewers in my electorate did not work - that is, for those who were lucky enough to have them. The Government has changed that predicament and continues to build a better sewerage system. The Minister for Public Works and I have worked together to deliver a further \$700,000 this year for the Gosford sewerage scheme, including the upgrade of the Kincumber plant and pump station. The Kincumber plant is a first-class facility for sewage treatment, which ensures we not only have an excellent sewerage system but we have magnificent beaches and high water quality. This was an important win for a growing community.

The Central Coast will also benefit from the Government's enhanced commitments for the provision of child care, family support, and services for the aged. The Gosford electorate will certainly benefit from the statewide increase of more than 14 per cent for community services. Many residents on the coast are hurting because of the inadequacies of Labor, but the Government will not sit idly by. My constituents, as well as the leaders of the local senior citizens community, Anne Reynolds at Terrigal and Eleanor Allen at Gosford, will be particularly interested in the programs for senior citizens. I am proud to point out that the unique and fragile environment of the Central Coast is being looked after by the Government. Honourable members may be aware that my first public political act was working on a nature conservation issue on the Central Coast. Together with my colleagues, I proudly continue to do that.

For example, through the Public Works Department \$90,000 will be spent on foreshore erosion control at Davistown, Koolewong and Woy Woy, including the construction of sandstone sea walls and rock armouring at those three locations. This will further enhance public access as well as stopping further degradation. A coastal study will be conducted from Forrester's Beach to MacMaster's Beach at a cost of \$75,000. This is an important first step in developing a coastal management plan for this fragile stretch of coastline. As part of its 1993-1994 environmental trust grants program, the Environment Protection Authority will give a number of grants in Gosford totalling more than \$91,000, including \$1,800 for Chertsy Public School's earth recycling program, \$14,000 for a nature trail at Gwandalan Public School, \$17,000 for Rumbalara Field Studies Centre and \$44,000 for Gosford Council to help manage the valuable coastal open space system.

I am sure that these groups will use the funds to improve our environment, which, after all, is our collective responsibility. Our goals will only be achieved through a community based project where everyone works together. All of this money comes from the unique polluter pays system instituted by this Government. Earlier this year, after much work with people in the local environmental movement such as Andrew Sourry, Allan Strom and Gwen Parry-Jones, I also had the pleasure of announcing a new national park on the Central Coast, Popran, as well as a new nature reserve, Ourimbah. In the Budget, the Government has maintained its funding commitment to national parks on the Central Coast and elsewhere. I note with pleasure that yet again the Government's expenditure on the environment has increased in comparison to the days when the Leader of the Opposition, as Minister for Planning and Environment, cut the budget of the State Pollution Control Commission and sacked staff.

Finally I would like to discuss roads in Gosford. I am proud to have worked for more than five years on this vital issue. Not long ago I lent my strong support to a roads summit on the Central Coast which identified the problems with roads. I stated that I would be working hard in this regard, particularly on Avoca Drive and the Donnison Street bridge flyover. My constituents have seen me inspecting roads sites with representatives of groups like the Avoca Drive Action Committee, whose active chairwoman is Robyn Minogue, or the Erina Progress Association, whose dynamic president is Anne Howe. This process is yielding results, although there is a long way to go to make up for the years of neglect by Labor.

When it comes to Central Coast roads the Fahey Government and the member for Gosford mean business, spending a now confirmed sum of nearly \$40 million this year alone, including \$2.5 million for the construction of the Donnison Street bridge. Funding for the project will continue through until 1997. It should be noted that although the then New South Wales Minister for Roads, Laurie Brereton, promised a Donnison Street bridge in the mid-1980s, it took this Government to make sure it will finally be built. An amount of \$964,000 has been allocated for the reconstruction and widening of Avoca Drive from The Entrance Road, Erina, to Kincumber. Funding for this project will continue through until 1999. I am determined to make sure that community consultation takes place on this project, especially to ensure pedestrian safety for schoolchildren in the Kincumber area.

Other allocations include \$800,000 for improvements to the Pacific Highway; \$7,713,760 for improvements to, and further construction of, the F3 Freeway; \$446,000 for improved access from side streets to the Pacific Highway at Kariong; \$1.484 million for other traffic facilities on the Central Coast; \$6,881,090 for road preservation and other works; \$1,276,750 for local government road improvements and \$268,000 for minor works on the Central Coast. The Government is also committed to the re-opening of the Pacific Highway at Cheero Point. I am delighted, together with community campaigners like Jim Lloyd, that the Minister for Transport and Minister for Roads has today signalled that work on that project will commence shortly. Let us hope the Federal Government will now meet its responsibility and pay its fair share of the costs.

The State Government has made a big commitment to restoring the land slip at Cheero Point. It has earmarked \$2.3 million in funding in this year's Budget for the project. However, the Federal Government must now contribute \$1 million. I am optimistic that the Hon. Frank Walker, the Federal Member for Robertson and Special Minister of State, will now renew his campaign to have the Federal Government meet its

commitments. I also take this, my first public opportunity, to congratulate Frank on his promotion to the Federal ministry. Unlike many of his State counterparts, Frank shares with me the belief that people come before politics, and I am pleased to work with him for the benefit of the Central Coast. Finally in relation to roads I want to re-affirm in this Chamber that my campaign to improve Central Coast roads will not rest on its laurels. There is still a long way to go and, together with the local community, I intend to do the hard work to get what we want. That may not always win me headlines, but clearly, as proved by this year's Budget, my efforts are on the right track. I will leave the stunts and cheap shots to others and get on with the job of fixing what was left wrong for too long under Labor. Indeed, I am optimistic that in 1993-94 I will secure further commitments to Central Coast roads.

This Budget, the first budget introduced by the Hon. Peter Collins, is about fairness, equity and common sense. I am pleased that it is more than fair for the people of Gosford and the Central Coast. I believe they have come out big winners at every level of major Government expenditure. They have come out big winners in all aspects of State government on the Central Coast. All people on the Central Coast have come out big winners, be they in the electorate, which I am proud to represent, or in the electorates of

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Wyong, Peats and The Entrance, which are temporarily represented by Labor members. Under this Budget more than \$200 million has come the way of the people of the Central Coast to ensure that appropriate infrastructure and services are put in place.

This is the budget of a caring and responsible Government. This is the budget of a Government committed, despite the recession, to ensuring the best possible deal for the citizens of the Central Coast and the people of New South Wales. The Government has been fiscally responsible but has brought home the bacon. The Government has shown, through its budgetary process, that it can not only preserve the State's triple-A rating and look after the management of the State's deficit, but it can also provide the necessary infrastructure for all citizens of the State. As a Minister, I am proud to have played a part in the formulation of the Budget. As a member, I am proud to acknowledge the contribution the Budget has made to my electorate and to my constituents. The Fahey Government has shown its determination to acknowledge its responsibility to the people of this State. I am proud, as are my colleagues, to be part of it. I support the Budget.

Mr YABSLEY (Vaucluse) [9.17]: I support the Budget brought down by the Hon. Peter Collins. I should like to address various aspects of that Budget that relate to the electorate of Vaucluse. The New South Wales Budget has continued sound economic management and shown a preparedness to continue the strategy of microeconomic reform, of exercising restraint in government expenditure, and of adhering to the principle that the Government will not deficit fund its activities for the State of New South Wales. Honourable members will remember the election of the Greiner Government in 1988 and the principles that were established through the Commission of Audit chaired by Mr Charles Curran.

It is clear that despite the burden of the recession and the limited and decreasing funding from Canberra, the Government has been prepared to abide by those important principles of economic management, which are predicated on ensuring that we do not spend more than we receive. If that is the driving principle behind economic management, it augurs well for the future of the State of New South Wales. A little later I will refer to some of the more broadly based economic issues that relate to the State of New South Wales. However, before doing so I want to deal with some matters that relate particularly to the electorate of Vaucluse.

Nothing is more important to the Vaucluse electorate than the renaissance of the Bondi Beach precinct. That renaissance, of course, goes hand in hand with a commitment to ensuring that the water at Bondi Beach is clean. Honourable members now realise what their former colleague and former Minister for the Environment, the Hon. Tim Moore, referred to as the removal of the brown scar at Bondi. That has resulted from a preparedness to utilise large amounts of money to ensure adequate sewage treatment. In this year's Budget the Water Board has continued to apply funds to the Bondi sewage treatment plant controls upgrade and the Diamond Bay-Vaucluse ocean outfall diversion scheme. That scheme will be a major, and in many respects final, diversion to make sure that raw and untreated sewage discharged from the Diamond Bay-Vaucluse ocean outfall is diverted through a tunnel project and linked into the Bondi outfall.

The Budget provides an initial allocation of \$500,000 for the Diamond Bay-Vaucluse ocean outfall, against a total commitment of \$10.5 million to ensure that the all important diversion scheme is built. It also provides allocations for other important works this year totalling \$8.3 million, including the Bondi sewage treatment plant automated sludge withdrawal at a cost of \$450,000, and the Bondi sewage treatment plant interim chemical assisted sedimentation scheme at a cost of \$1.5 million. These are all vital components in ensuring that the water at Bondi is clean. It is but an illustration of how the Water Board is ensuring that our coastline and waterways are clean, which is nothing less than what the people of Sydney expect and deserve.

An important stage has been reached for the future of Bondi. I think it is fair to say that over the decades Bondi has been studied to death. Various proposals have been made relating to the entire Bondi precinct from headland to headland, with a particular emphasis on the park, the pavilion and Campbell Parade. I hope that next year's Budget will provide a meaningful allocation to achieve the renaissance of Bondi. People are often keen to distort what that actually means; that it means the redevelopment of Bondi. I do not think anyone wants to see the redevelopment of Bondi. That debate was had eight years ago when the ill-founded notion of Camelot by the sea was put forward and was rejected not only by the local residents, but also by those who want Bondi to be nurtured as a world-famous tourist precinct and as an important commercial hub of the eastern suburbs.

I think the word renaissance is appropriate to describe the refurbishment of the magnificent main street of Campbell Parade, with its outstanding art deco facade buildings that date back to the first decade of the century. We want to ensure that that facade is preserved and enhanced. On this occasion I give some credit to Waverley Council for the final report that was recently brought down in relation to Campbell Parade, a proper local area traffic management scheme for Campbell Parade to get rid of what is appropriately described as the shamle parade appearance. I hope that is something we can look forward to in the next Budget.

It should also be pointed out that in the lead-up to the Federal election, the Federal Minister for the Environment embarked upon what could only be described as an extraordinary huffing and puffing exercise, saying that the Federal Government would weigh in with funding to assist with the renaissance of Bondi. As one might expect, that is all it was -

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huffing and puffing. Not a cent of Federal Government money has been received, nor has there been any indication that it will be. It is up to the State Government and Waverley Council to knock on the door of the Federal Minister for the Environment so that she ensures that the Federal Government comes good with an appropriate level of funding so that the burden is shared among local government, State Government and Federal Government in relation to what is, after all, a world-famous precinct - Bondi and Bondi Beach.

Recently I put to the Minister for Planning a proposal to establish a section 22 committee, which is something that was done some years ago under the Environmental Planning and Assessment Act. I think that may be an appropriate mechanism to bring together representatives from various levels of government, as well as of the community, to ensure that plans for Bondi are put forward in a constructive way, and to get people around the table seeking consensus on what needs to be done. It has been talked about for a long, long time and it is an ideal worth aiming for. It is something I am very keen to contribute to ever since I have been the member for Vaucluse.

It is also significant to point out that the Budget provides an allocation, through the Minister for Public Works, for coastal management works at Bondi Beach and Rose Bay totalling \$93,000, \$85,000 of which will go towards completing the \$440,000 four-stage works for the Bondi seawall stabilisation project in front of the North Bondi Surf Lifesaving Club - to be matched on a dollar-for-dollar basis by Waverley Council. A further \$16,000 will be spent restoring the Lion Park seawall, with Woollahra Council matching the Government's allocation on a dollar-for-dollar basis. The work at Lion Park involves rehabilitating and restructuring the seawall to enhance the stability and beauty of the sandstone, which protects one of the most picturesque public waterfronts on Sydney Harbour.

I refer also to the Budget's significant health care allocation for the eastern suburbs, and particularly for the Vaucluse electorate. It is significant that the health budget has increased to a record \$5.2 billion, which will significantly benefit the residents of the eastern suburbs. The Budget allocation for the Eastern Area Health Service, under the able chairmanship of Mr John Walton, is \$452.9 million, including planning money of \$500,000 to commence the relocation of the Royal Hospital for Women to Randwick. The people of New South Wales will benefit from the extra money that the coalition Government is pouring into health and it is worth pointing out that it is doing so despite the worst recession for many decades. It is a sign of the Government's commitment to health care that the health budget has increased by 7.7 per cent. For the first time the Government has allocated \$300 million in the health budget to specifically treat and care for cancer patients. That benefit will be appreciated statewide, not least of all in the Vaucluse electorate, because it is a problem that affects the community overall.

I should now like to turn to Budget issues that have a statewide significance. One area in which the New South Wales Government has really been at the cutting edge and has set an example that has been followed by State governments around Australia is the involvement of the private sector in the provision of infrastructure. Governments should be able to take proposals to the private sector with regard to roads, hospitals, correctional institutions or whatever the case may be, to seek expressions of interest and creative ways of financing those proposals, building them, managing them and, perhaps in turn, transferring them back to the public sector - which may not always be the case. The reality is that unless there is creativity in the way some projects are approached, the chances are they may not be achieved.

That is why initially the Greiner Government and subsequently the Fahey Government have pursued a determined course of involving the private sector in the provision of infrastructure. An interesting trend has emerged and it is very ably covered in the report of the Public Accounts Committee entitled "Infrastructure Management and Financing in New South Wales". As the report points out, the trend is of declining public investment in infrastructure in New South Wales as a proportion of gross State product. The significance of that - "significant" in the context of it being good and not a bad thing - is that it frees up the financial resources of government so that they can be applied in other areas as the private sector, on a user-pays basis, accepts responsibility for major infrastructure projects. I think that is a very worthwhile and innovative approach and I add my support for it as one of the fundamental directions of the New South Wales Government.

Despite whatever specific objections may be raised - and in recent times extraordinary and ill-founded objections have been raised in connection with the Port Macquarie Hospital - I have no doubt that we will see that continuing and increasing involvement of the private sector in major infrastructure. On the drawing board are projects as innovative as the airport-city rail link, revolving very significantly around the provision of commercial space right through the southern part of Sydney between the city and the airport. That project represents an exciting and healthy balance of involvement of both the private sector and the Government.

I now turn to what, as a former Minister for Tourism, I consider to be one of the most exciting inclusions in the budget: a 43 per cent increase in the allocation to the Tourism Commission of New South Wales. That at long last is a real recognition of the value of tourism. Ministers for tourism have been saying for a long time that one of the greatest frustrations in that very important and dynamic portfolio is that tourism is dismissed as being at the flaky end of the scale. Nothing could be further from the truth. In New South Wales and Australia-wide, tourism is an industry that is growing, dynamic, and bringing in an extraordinary amount of revenue.

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As I was reminded when I first took over the tourism portfolio, it requires the export of 50 tonnes of coal to generate the same income as is generated by two Japanese honeymooners staying in Australia for one week. That is an interesting comparison and we should never lose sight of the fact that tourism is an area of strong economic input and is of major significance to the Australian economy. When we look at the target of Australia having something like five and a half million to six million inbound tourists by the turn of the century - up from a figure of approximately 2.8 million now - it gives us some idea of what we have to look forward to.

Irrespective of that all-important decision to be made in Monte Carlo on 24th September on the Sydney Olympic bid, the future for tourism is incredibly bright. With a 43 per cent boost to tourism funding we have a lot to look forward to. I commend the Minister for Tourism, the Hon. Virginia Chadwick, and also the Chairman of the Tourism Commission, Mr Wolfgang Grimm, because I know that some serious lobbying and negotiating was necessary to make the powers that be in Treasury understand that they were not playing games with their request for greater funding for tourism. Tourism funding will provide a return over and over again. As the Federal Government recognised some years ago when John Brown was able to achieve a similar quantum increase in the level of funding for the Federal tourism commission, so too have we seen a very welcome funding increase at State level.

The budget is a continuation of sound economic management for the people of New South Wales. We knew, because we took those hard decisions in 1988-89, that New South Wales would be least affected by the recession. As has been so often said, we would be the last to go into the recession and the first to come out of it and that has certainly proved to be the case. The Budget brought down by the Treasurer of New South Wales has ensured that that strategy is intact and that New South Wales is on track.

Mr D. L. PAGE (Ballina) [9.37]: I commend the Budget. Not only is it good news for the people of New South Wales in the context of the economic environment we are faced with, but it is particularly good news for people in the Ballina electorate and the people of the North Coast. The budget strategy was clear and obvious to anyone who is thinking about where the finances of New South Wales should be directed during the next 12 months and beyond. The fundamental strategy was formulated to contain the level of debt and to maintain the level of core services that government should provide to its people.

It is worth noting that the Treasurer, the Hon. Peter Collins, has achieved a very good balancing act in providing funding for the core services that are important to the State Government and, at the same time, in making sure that fiscal responsibility is maintained. The Budget was formulated amidst a lot of economic pressure. The New South Wales Government was facing considerable budgetary pressures in pursuing its strategy prior to the Budget. New South Wales finances have been hard pressed over the past several years because of a decline in financial grants from the Commonwealth Government; and diminishing returns on State tax receipts, due to the effects of the national recession and property markets, brought about by the misguided policies of the Labor Government in Canberra. The *Northern Star*, which is probably the most influential daily newspaper on the North Coast, said it all in an editorial entitled "Budget medicine":

The New South Wales budget handed down yesterday is just another indicator of government trying to reign in expenditure now that the good times are well and truly over. The years of borrowing to the eyeballs, stacking jobs in the Public Service and not worrying about inefficient, wasteful bureaucracy in government services, are gone for good. In yesterday's balancing act, Treasurer Collins has lifted spending in health, social services and education . . .

The article continues in relation to the local area - and I think this is particularly important for the North Coast and my electorate:

As an important growth area, the North Coast has been well treated by the Government

This is a newspaper, I have to say, that is not prone to singing the praises of the Government. It continues:

The allocation of funds for schools, hospital redevelopments, roads and the Yamba Port is to be applauded. Hopefully some of the tourism funds and regional development money will also flow our way. This hard times budget appears to have a significant sweetener for the North Coast.

That editorial sums up the general feeling with which the Budget has been received statewide. It reflects also the benefits people on the North Coast will receive. I cannot leave this editorial without commenting on the cartoon next to it. I think the cartoon is probably the best summation I have seen of the New South Wales Budget. I am sure that the Minister for Multicultural and Ethnic Affairs will agree that this cartoon depicts the

Premier of New South Wales, the Hon. John Fahey -

Mr Photios: Driving a car robustly.

Mr D. L. PAGE: - driving a car robustly. The number plate of the car the Premier is driving has on it the word "Budget". The cartoon depicts also the Federal Labor Treasurer, John Dawkins, in a car on the blocks; its wheels have fallen off. John Dawkins is looking very disappointed as John Fahey speeds by. The Federal Government's Budget has fallen apart and the Federal Treasurer, John Dawkins, yells out to John Fahey as he speeds past, "Show off".

The New South Wales Government has got it right again. The Federal Government, as everyone knows, has continued to get it wrong for many years. Before speaking about my own electorate, and the North Coast in particular, I want to say a little more about the economic environment in which this Budget was formulated and why I believe it has been well received by the media and economic commentators. Commonwealth general purpose payments have fallen.

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So, too, have receipts from State taxation due to the slowing of the economy since 1989-90. In 1992-93 total revenue from real estate duty, land tax, government property sales and share duty decreased by 30 per cent in real terms - a significant decrease compared with the 1988-89 figure. That revenue is estimated to provide only \$1.7 billion to the Consolidated Fund in 1993-94 because of the slow recovery of the national economy from the recession.

Let us look in broad terms at what is going out and what is coming in. Total budget revenue from both Commonwealth grants and State tax receipts is estimated at \$18.4 billion, while total budget sector outlays are estimated at \$19.3 billion. That means a deficit forecast of \$890 million for the year, which is a reduction in the size of the deficit. Given that situation, I think it is worth noting that the New South Wales Government has identified quite clearly in an economic and social document that its priorities are to be directed towards health, education and key government social and community services. No one could disagree with the importance of these areas of government services and the need to improve them.

The 1993-94 Budget, a responsible Budget, sets clear strategies to contain debt, to be responsible about debt, to reduce the deficit - which I indicated has been reduced by \$100 million - and maintain the quality of important government services in which the community demands State governments should have an involvement. Seventy-five per cent of the Budget is expended in the key areas of health, education and training, community services, law and order and the mandatory costs of debt and superannuation. I will go through the segments of the Budget that are important to the State, to the North Coast and to the Ballina electorate in particular. I will comment first on health, as it is a major priority for the New South Wales Government; therefore it is the largest area of expenditure in the State Budget.

In the 1993-94 Budget health has been allocated \$4.9 billion, including \$315 million for capital expenditure. That represents a 4.6 per cent increase in real terms on last year's funding. One of the key health priorities in my electorate has been the redevelopment of Byron Bay hospital. I am delighted to see in the capital expenditure allocations a \$2.7 million allocation for the redevelopment of that hospital. I am sure that will be warmly welcomed by everyone in my electorate. The redevelopment of that hospital has been an ongoing concern for the people of Byron Bay for many years - a matter that the previous Labor Government, when in office, continually refused to do anything about. As so often is the case in my electorate, it has taken the election of a conservative member, who is part of a conservative government, to introduce a range of capital improvements, including in this case the redevelopment of Byron Bay hospital. The planning for that redevelopment is under way, and we expect funding to flow in the course of the next year. I confidently predict that that redevelopment will be concluded by the end of 1994.

For me, as a local member, the real highlight in this Budget is education. I doubt whether any honourable member in this Parliament could claim three new schools in his or her electorate and an extension to an existing high school that will cost a total of about \$17 million. I can claim that in my electorate. I am very proud to be

part of a government that is allocating funds for the education of our young people. After all is said and done, education has to be one of the priorities of any government. A number of schools in my electorate have received planning approval. The first is Wollongbar Primary School. Also, East Ballina High School, which will become part of Southern Cross Primary School - it will be the first K-12 school on the North Coast - will receive an allocation of over \$9 million. Clunes Primary School will have seven permanent classrooms, an administrative block, a library, a food service unit, a hall and associated site works. Funds have also been allocated to replace double classroom blocks at Dunoon Primary School and Bangalow Public School.

These budgetary allocations have been made 12 months after other schools have been completed in my electorate. Last week the Minister for Education, Training and Youth Affairs opened a \$5 million school, Southern Cross Primary School, at East Ballina. A \$4 million new school at Ocean Shores will soon be opened and students will commence in term four this year. I do not believe anyone can claim achievements similar to those in my electorate. Two new schools have been built, not to mention the redeveloped Byron Bay Primary School. I do not have enough time to enunciate all this Government's fantastic achievements since it has been in office and since I have been the member for Ballina. This Government has allocated an incredible amount of money for those areas that require it. That is exactly as it should be.

The North Coast did not exist under the former Labor Government. Barrie Unsworth and Neville Wran did not know or need the North Coast of New South Wales when they were in government. It was not a question of their survival in government being predicated upon winning North Coast seats. This Government does care about the people on the North Coast and is allocating funding to that region. The North Coast has the highest growth rate in New South Wales. The Chief Secretary and Minister for Administrative Services, for whom I have great affection, knows that the western part of Sydney is growing at a rapid rate. As a local member for that area, quite apart from the excellent job she does as Minister, she is making a fantastic effort to match resources to growth. If one takes the growth of Sydney and the North Coast of New South Wales as a whole, at present the figures show that the North Coast is growing at an average rate that is twice the average rate of growth of the Sydney area.

The other day I released the North Coast urban planning strategy. The North Coast population is growing at an average rate of 2.3 per cent per annum. The Tweed is growing at a rate of 4 per cent, and in my area it is 3.5 per cent to 4 per cent. Any

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responsible Government must ensure that funds are allocated to the areas of need, whether it be the western suburbs of Sydney or the North Coast of New South Wales. It gave me great pleasure to read in the Budget Papers that my electorate has been allocated funding for the construction of three brand new schools - one high school and two primary schools - together with the construction of two other primary schools and a couple of other significant school improvements. This funding would not have happened under the previous administration.

Mr Nagle: That is why I am not getting the money in my electorate.

Mr PAGE: The money is going to areas of need. It is appropriate that the money is allocated to where the children are who need to be accommodated, and that is what is happening. We have high growth and we are getting the funds. There is nothing political about it. It is a case of good local members arguing cogently and coherently to make sure that they get their just deserts. Frankly, under the Labor administration the people on the North Coast did not get their just deserts, and they know it. It should be recognised that the *Northern Star*, a newspaper not normally known to be particularly supportive of the Government, published an editorial that I mentioned earlier that the North Coast is being well treated by the Government by putting the money where the growth is. I assure honourable members that it will be recognised by the people in the March 1995 election.

I have dealt with the redevelopment of Byron hospital. Lismore Base Hospital, a category 4-5 base hospital for the North Coast, has also received a significant injection of funds for the development of its final construction stage, not to mention the record of \$101 million in recurrent expenditure, which represents a 25 per

cent increase in health recurrent expenditure for the North Coast since the coalition parties came to government. A 25 per cent increase in health funding for the North Coast since 1988, again matching the dollars where the demand is, is a fantastic achievement. The good news does not stop with health and education. Lennox Head sewerage works and the Byron Bay beach protection program involves an additional allocation of \$9.18 million. The Lennox Head beach protection works - a joint project with the council - will receive \$611,000, not to mention the amount of \$6.25 million allocated for the provision of water supply in the growth area through the Rous County Council. All up, my electorate is looking at a capital works allocation of more than \$46 million. *[Extension of time agreed to.]*

I am indebted to the House for granting me an extension of time. This will allow me to remind the people of the North Coast and the people of New South Wales generally of the fantastic measures this Government is taking to ensure that the people of the North Coast, and the Ballina electorate in particular, get their fair share of the tax dollars that they pay to the Commonwealth and that are eventually returned to New South Wales. A number of other important allocations have been made by way of capital works. These include: an allocation of \$30,000 for the upgrading of the Byron Bay railway station and \$300,000 to assist the Byron council to commence construction on the Ocean Shores sewerage augmentation project. This funding will enable the council to improve the effluent quality and to provide additional capacity to cater for the continuing growth in the area. As I said before, the Government is committed to the Ballina-Lennox Head sewerage project, which involves the augmentation of the Lennox Head sewage treatment works and the upgrading of the Lennox Head-Ballina distribution system. That commitment was not evident under the administration of the Labor Government.

I recommend to honourable members who are free to travel to the North Coast that they should holiday at Lennox Head at Christmas. They will be pleased to note that the beach front, with its beautiful park, has been transformed. The Lennox Head dune care and sea wall programs have improved the amenity of the people and, more importantly, they have protected the township from the effects of a cyclone. This is a positive measure by the Government, involving a total expenditure in this financial year of more than \$600,000. A number of other important achievements in my electorate include a \$30,000 allocation for improvements to recreational boating in the Ballina electorate. The town of Ballina is located on the Richmond River - an important recreational amenity for the community. The North Coast community has never had it so good as they have under our Government. Before I became a member of Parliament, the North Coast did not receive a significant allocation for roads. This Government has more than doubled the amount of money to be spent on State highways in the Ballina electorate. Before I became the member for Ballina I saw a letter from the former Minister for Roads, the Hon. Laurie Brereton, to a constituent of mine in which he wrote that the Bangalow bypass would not go ahead for at least another 10 years. I am pleased to inform the House that not only has that been proved wrong, but the Bangalow bypass will be completed - and we are talking here about a \$20 million project that Laurie Brereton said would not happen for another 10 years - at the end of 1994.

This reflects the commitment of the Government to the North Coast. An amount of \$8 million has been allocated in the Budget for the completion of the Bangalow bypass. That is only the beginning. The Ballina cutting was commenced in 1983 - the beginning of the story of Labor's mismanagement. Between 1983 and 1988 the Labor Government allocated about \$500,000 to the project. About two weeks ago I opened the Ballina cutting - a beautiful deviation that straightens out a formerly winding and unsafe section of road, at a cost of about \$6.5 million. That work was carried out in less than five years. It was a 10-year project, and 99.8 per cent of the funding for the project has been provided during the Greiner and Fahey administrations. The Government's achievements are visible. We are talking about real improvements in roads - projects that Laurie Brereton said could not be provided for at least 10 years.

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Three new schools and an extension to a high school have been built, and two new schools were built last year. I defy other local members to enumerate these types of achievements. One of the most important initiatives, perhaps not in dollar terms but certainly in direction, is the increased allocation for tourism. Most people who have had the opportunity to visit the North Coast of New South Wales will know that very few

places are more beautiful than Byron Bay and Ballina.

In the campaigns that were so fiercely contested prior to the 1988 election, I was inundated with visits to the region by Labor Ministers. My electorate and the electorate of the honourable member for Murwillumbah were the flavour of the month. They would arrive on a Friday afternoon to conduct the compulsory interview with the local media and would stay for the weekend to make sure they had a good feel for the area and to talk to local constituents. The Labor Party did nothing in terms of providing additional funding for tourism. I am pleased that the Government has doubled the allocation this year for regional tourism. There has been a significant increase - 56 per cent - in tourism funding over the whole of New South Wales. It is important that that money is well directed.

The money will be directed to improving marketing strategies and ensuring that the level of domestic tourism is maximised. Seventy six per cent of overseas visitors arrive in Australia through Sydney. Many Japanese tourists travel through Brisbane and the Gold Coast to northern New South Wales. The money will ensure that tourists take the opportunity and time to see rural Australia, particularly the most beautiful part of rural Australia with the best beaches and the friendliest people in the world. I commend the Government for its foresight in allocating additional money to tourism. I agree with the comment of the honourable member for Vacluse about the importance of tourism as an economic generator of jobs and opportunities for the people of Australia. It should not be relied on as the only industry, but it is a very important industry which can provide many jobs and many economic opportunities for the people of the far North Coast.

In conclusion, I welcome a new scheme that has been announced by the Minister for Sport, Recreation and Racing in this year's Budget, which I believe will have particular benefits for growth areas such as the North Coast of New South Wales. I was heartened by the announcement of the Minister in the Budget Papers that a new program called the developing areas assistance scheme will provide \$2.5 million for a new capital works program that will shift the focus of regional sport planning to give top priority to the State's top growth areas.

I represent an area that is growing twice as fast as the city of Sydney. It is important that our sporting and recreational facilities are developed to accommodate this rapid population growth. I commend the Government for the additional funding. However, I would have preferred a little more. The sporting community of the North Coast has produced some wonderful athletes over the years. It boasts many fantastic young players of sports such as soccer, tennis and hockey. Yet it does not have the regional sports facilities that it desperately needs. I commend the Government for introducing the new program. The Minister for Sport, Recreation and Racing and the Premier were instrumental in its introduction. This financially responsible Budget will be of tremendous benefit to the North Coast.

Debate adjourned on motion by Mr Nagle.

House adjourned at 10.7 p.m.
