

# LEGISLATIVE COUNCIL

Tuesday 12 March 2002

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**The President (The Hon. Dr Meredith Burgmann)** took the chair at 2.30 p.m.

**The President** offered the Prayer.

## ASSENT TO BILLS

Assent to the following bills from the previous session reported:

Classification (Publications, Films and Computer Games) Enforcement Amendment Bill  
 State Revenue Legislation Further Amendment (No 2) Bill  
 Statutory and Other Offices Remuneration Amendment Bill  
 Superannuation Legislation Amendment (Miscellaneous) Bill  
 Crimes Amendment (Sexual Servitude) Bill  
 Justice Legislation Amendment (Non-association and Place Restriction) Bill  
 Universities Legislation Amendment (Financial and Other Powers) Bill  
 Higher Education Bill  
 Wollongong Sportsground and Old Roman Catholic Cemetery Legislation Amendment (Transfer of Land) Bill  
 Fisheries Management Amendment Bill  
 Parliamentary Remuneration Amendment Bill  
 Road Transport Legislation Amendment (Heavy Vehicle Registration Charges and Motor Vehicle Tax) Bill  
 Coal Industry Bill  
 Courts Legislation Further Amendment Bill  
 Evidence Legislation Amendment Bill  
 Grain Marketing Amendment Bill  
 Residential Tenancies Amendment Bill  
 Statute Law (Miscellaneous Provisions) Bill (No 2)  
 Industrial Relations Amendment (Public Vehicles and Carriers) Bill  
 Police Service Amendment (Promotions and Integrity) Bill  
 Police Powers (Drug Detection Dogs) Bill  
 Crimes Amendment (Self-defence) Bill  
 Criminal Legislation Amendment Bill  
 Aboriginal Land Rights Amendment Bill  
 Criminal Procedure Amendment (Justices and Local Courts) Bill  
 Crimes (Local Courts Appeal and Review) Bill  
 Justices Legislation Repeal and Amendment Bill  
 Cemeteries Legislation Amendment (Unused Burial Rights) Bill  
 Children (Criminal Proceedings) Amendment (Adult Detainees) Bill  
 Courts Legislation Amendment (Civil Juries) Bill  
 Disorderly Houses Amendment (Brothels) Bill  
 Environmental Planning and Assessment Amendment (Ski Resort Areas) Bill  
 Gaming Machines Bill  
 Industrial Relations (Ethical Clothing Trades) Bill  
 Landcom Corporation Bill  
 National Parks and Wildlife Amendment Bill  
 Transport Administration Amendment (Rail Access) Bill

## ADMINISTRATION OF THE GOVERNMENT

**The PRESIDENT:** I report the receipt of the following message from His Excellency the Lieutenant-Governor:

OFFICE OF THE GOVERNOR  
 SYDNEY 2000

B. L. DAVIES  
 Official Secretary

for LIEUTENANT-GOVERNOR

The Honourable James Jacob Spigelman, Chief Justice of New South Wales, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Council that, consequent on the Governor of New South Wales, Professor Marie Bashir, being absent from the State, he has this day assumed the administration of the Government of the State.

27 December 2001

**ADMINISTRATION OF THE GOVERNMENT**

**The PRESIDENT:** I report the receipt of the following message from Her Excellency the Governor:

OFFICE OF THE GOVERNOR  
SYDNEY 2000

Marie Bashir  
GOVERNOR

Professor Marie Bashir, Governor of the State of New South Wales, has the honour to inform the Legislative Council that she re-assumed the administration of the Government of this State on 15 January 2002.

15 January 2002

**GAMING MACHINES BILL****LANDCOM CORPORATION BILL****INDUSTRIAL RELATIONS (ETHICAL CLOTHING TRADES) BILL****NATIONAL PARKS AND WILDLIFE AMENDMENT BILL****CHILDREN (CRIMINAL PROCEEDINGS) AMENDMENT (ADULT DETAINEES) BILL****TRANSPORT ADMINISTRATION AMENDMENT (RAIL ACCESS) BILL****ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (SKI RESORT AREAS) BILL****DISORDERLY HOUSES AMENDMENT (BROTHELS) BILL****COURTS LEGISLATION AMENDMENT (CIVIL JURIES) BILL****CEMETERIES LEGISLATION AMENDMENT (UNUSED BURIAL RIGHTS) BILL**

**Messages received from the Legislative Assembly agreeing to the Legislative Council's amendments.**

**BILLS RETURNED**

The following bills were returned from the Legislative Assembly without amendment:

Police Service Amendment (Promotions and Integrity) Bill  
Industrial Relations Amendment (Public Vehicles and Carriers) Bill  
Police Powers (Drug Detection Dogs) Bill

**ANTI-DISCRIMINATION AMENDMENT (DRUG ADDICTION) BILL****Restoration****Motion by the Hon. Michael Egan agreed to:**

That according to Standing Order 201 the bill be restored to the Business Paper and that the second reading of the bill stand an order of the day for the next sitting day.

**LAW OF EVIDENCE BILL (pro forma)**

**Bill read a first time.**

**BUSINESS OF THE HOUSE****Temporary Chairmen of Committees: Suspension of Standing Orders****Motion, by leave, by the Hon. Michael Egan agreed to:**

That standing orders be suspended to allow the nomination of seven members to act as Temporary Chairmen of Committees during the present session.

### TEMPORARY CHAIRMEN OF COMMITTEES

**The PRESIDENT:** According to the standing order and the resolution of the House in that behalf, I nominate the following honourable members to act as Temporary Chairmen of Committees during the present session: the Hon. Jennifer Gardiner, the Hon. John Hatzistergos, Reverend the Hon. Fred Nile, the Hon. Dr Brian Pezzutti, the Hon. Janelle Saffin, the Hon. Helen Sham-Ho and the Hon. Henry Tsang.

### DEATH OF THE HONOURABLE JAMES ALEXANDER CAMERON, LL.M., A FORMER MEMBER OF THE LEGISLATIVE COUNCIL

**The PRESIDENT:** I announce the death on 19 January 2002 of the Hon. James Alexander Cameron, aged 72 years, a former member of this House. On behalf of the House I have extended to his family the deep sympathy of the Legislative Council in the loss sustained.

*Members and officers of the House stood in their places.*

### DEATH OF HER ROYAL HIGHNESS PRINCESS MARGARET

**The PRESIDENT:** I announce the death on 9 February 2002 of Her Royal Highness Princess Margaret, aged 71 years, sister of Her Majesty Queen Elizabeth II. On behalf of the House I have extended to Her Majesty and members of the royal family the deep sympathy of the Legislative Council in the loss sustained.

*Members and officers of the House stood in their places.*

### INDEPENDENT COMMISSION AGAINST CORRUPTION

#### Report

**The President** announced that, in accordance with the Independent Commission Against Corruption Act 1988, she has received a report of the Independent Commission Against Corruption entitled "Report on investigation into matters concerning John Kite and the National Parks and Wildlife Service", dated December 2001.

**The President** announced that she had authorised that the report be made public.

### FOREST AGREEMENTS AND INTEGRATED FORESTRY OPERATIONS APPROVALS

#### Amendment

**The President** announced, in accordance with the Forestry and National Park Estate Act 1998, the receipt of an amendment to integrated forestry operations approvals for Eden, Lower North East and Upper North East regions, dated 6 November 2001.

**The President** announced that she had authorised that the amendment be made public.

### CLERK OF THE PARLIAMENTS PUBLIC SERVICE MEDAL

**The PRESIDENT:** I announce that the Clerk of the Parliaments, Mr John Denton Evans, was awarded the Public Service Medal in the 2002 Australia Day Honours for outstanding service to the New South Wales Parliament. I extend to him the congratulations of all honourable members and staff of the Legislative Council.

### TOKYO METROPOLITAN ASSEMBLY BUSHFIRE MESSAGE

**The PRESIDENT:** I have received the following letter from the Tokyo Metropolitan Assembly and the President of the Japan-Australia Friendship League at the Tokyo Metropolitan Assembly:

The Hon. Dr Meredith Burgmann  
President of the Legislative Council  
New South Wales Parliament

January 7, 2002

Dear Ms Burgmann,

Upon hearing of the major bushfires set out around Sydney, we would like to express our deep sympathies for you and through you the residents in the area on behalf of the Tokyo Metropolitan Assembly and Japan-Australia Friendship League at the Tokyo Metropolitan Assembly.

We regret to hear that the fires, still burning since the year end at more than 100 spots, have consumed many houses, caused power failures, and brought breaks in water supply with no signs of abating. It is also reported the downtown in Sydney has also been engulfed in smoke.

We hope the bushfires will stop as soon as possible, allowing all of you to get back to the normal life and restore the hit areas.

We pray for the safety of the Honorable Dr Meredith Burgmann, all of the members of the New South Wales Parliament, and all of the persons concerned in rebuilding the devastated areas for their diligent efforts.

Yours respectfully,

Toshiya Mita  
President of the Tokyo Metropolitan Assembly

Tatsujiro Hashimoto  
Vice-President of the Tokyo Metropolitan Assembly

Sato Hirohiko  
President of the Japan-Australia Friendship League at the Tokyo Metropolitan Assembly

### **TABLING OF PAPERS**

**The Hon. Michael Costa** tabled the following papers:

Forestry Restructuring and Nature Conservation Act 1995—Report of Forestry Industry Restructuring Expenditure for the period 1 January 2001 to 30 June 2001

Listening Devices Act 1984—Report of Attorney General under section 23 of the Act for year ended 31 December 2000

National Environment Protection Council (New South Wales) Act 1995—Report of National Environment Protection Council for year ended 30 June 2001

**Ordered to be printed.**

### **GENERAL PURPOSE STANDING COMMITTEE No. 5**

#### **Report**

**The Hon. Richard Jones**, as Chairman, tabled Report 14 entitled "Abolition of the Hawkesbury-Nepean Catchment Management Trust", dated March 2002, including minutes of proceedings, transcripts of evidence, submissions and correspondence.

**Report ordered to be printed.**

**The Hon. RICHARD JONES** [2.43 p.m.], by leave: The Committee found no evidence whatsoever that the former Minister had consulted with anyone on his decision to abolish the Hawkesbury-Nepean Catchment Management Trust. It would appear that the former Minister made an appalling blunder in abolishing the trust. He did not consult the community, the trust, his department or other Ministers. Apparently, he consulted absolutely no-one. No evidence received by the Committee indicated that the former Minister had consulted anybody at all on his peremptory decision to abolish the trust. The only documents seen by the Committee were a letter to the Premier and a response from the Premier in which he advised the former Minister to be careful in abolishing the trust. He clearly was not careful.

As a result of this peremptory abolition of the trust the former Minister alienated some 7,000 volunteers who worked with the trust in Western Sydney, as well as all their families and friends. Those people were involved in bush regeneration, water testing and the like, as well as many other community activities. All of that involvement and those activities came to a complete standstill virtually overnight as a result of the former Minister's appalling decision.

**The Hon. Greg Pearce:** What arrogance!

**The Hon. RICHARD JONES:** It smacks of both arrogance and ignorance. A shocking decision such as this is bound to have political repercussions for the Government. It is a pity the former Minister was not reined in. The former Minister, in an attempt to excuse his abolition of the trust, said that the trust did not provide value for money. That is absolutely untrue. The trust was found to have provided value for money in doing the work that it was charged to do, and this was shown by an independent inquiry. The trust was not

supposed to be undertaking on-the-ground works. It did, however, co-ordinate a gigantic program, involving the community, to improve the protection of the catchment and also was very successful in attracting extra funds, at a ratio of about 3:1. So, not only did the trust provide value for the money it received, but it raised extra money from the Federal Government and from the community and other organisations. Its operations obviously were very successful. The committee made four findings and five recommendations. Due to time restrictions, I will not read all of them. Part of finding 1 stated:

At the time of its abolition the Trust was performing its required regulatory roles within its budget allocation.

In finding 2, the committee, found that:

... the Minister failed to consult his Department, the community or other agencies in making his decision to abolish the Trust.

Part of finding 3 stated:

Other than savings in administrative costs, the committee does not believe that the publicly stated reasons for the Minister's decision to abolish the Trust are supported by persuasive evidence.

Finding 4 stated:

The most significant impact of the Minister's decision to abolish the Trust has been to damage the relationship between the Department of Land and Water Conservation and the community within the Hawkesbury-Nepean region.

Recommendation 1 states:

... any annual savings in administrative overheads resulting from the abolition of the Trust be committed to expenditure on catchment management within the Hawkesbury-Nepean catchment.

Recommendation 2 states:

... the re-establishment of community representation so that the community can participate directly in catchment management issues in the Hawkesbury-Nepean.

Recommendation 3 states:

... that the Department of Land and Water Conservation... contact all persons on the former Trust's mailing list.

Recommendation 4 is interesting. It states:

... that a River Manager for the Hawkesbury Nepean Catchment be appointed ...

That is a very good idea. Recommendation 5 refers to the re-establishment of the trust by Act rather than by regulation, so that the Minister cannot abolish that trust at his whim. This is a very well written report. I strongly commend those involved in its preparation. I mention in particular Vicki Buchbach, who wrote the report, Steven Reynolds and Annie Marshall. Honourable members will enjoy reading this excellent, well-researched report. The former Minister will not enjoy reading it because it condemns him utterly for his appalling decision to abolish the trust. That trust should not have been abolished.

**The Hon. JAN BURNSWOODS** [2.48 p.m.], by leave: I would not have sought to take up the time of the House except that the Hon. Richard Jones has somewhat misled the House in relation to this report. For instance, he failed to mention not only that all of the findings and recommendations were a matter of division—a matter that, not surprisingly, was at the call of the Government members—but also that, in respect of a number of the findings and recommendations that the honourable member mentioned, and indeed the conclusions in the short chapters that preceded them, the Hon. Malcolm Jones argued that the chair's draft was overstated, or misleading, or used unfortunate phrases. For instance, quite a lot of time was spent—

**Leave withdrawn.**

## **STANDING COMMITTEE ON SOCIAL ISSUES**

### **Issues Paper**

**The Hon. Jan Burnswoods**, as Chair, tabled issues paper 4 entitled "Foundations for Learning: A new vision for New South Wales?", dated 12 March 2002.

**Ordered to be printed.**

**HUNTER WATER CORPORATION MANAGING DIRECTOR****Return to Order**

**The Clerk** tabled, in accordance with the resolution of the House of Wednesday 12 December 2001, documents relating to the Managing Director of the Hunter Water Corporation received by him on Friday 21 December 2001 from the Director-General of the Premier's Department and referred to in paragraph 1 of the resolution of the House of 12 December 2001, together with an indexed list of documents.

**GENERAL PURPOSE STANDING COMMITTEE No. 1****Report**

**The Clerk** announced, in accordance with the resolution of the House of 13 May 1999, the receipt of Report No. 17 entitled "NSW Workers Compensation Scheme: Second Interim Report", dated January 2002, together with minutes of proceedings.

**The Clerk** announced that pursuant to the resolution he had authorised that the report be printed.

**GENERAL PURPOSE STANDING COMMITTEE No. 2****Report**

**The Clerk** announced, in accordance with the resolution of the House of 13 May 1999, the receipt of Report No. 13 entitled "Quality of Care for Public Patients and Value for Money in Major Non-metropolitan Hospitals in NSW: Discussion Paper, Parts 1, 2 and 3", dated March 2002, together with minutes of proceedings.

**The Clerk** announced that pursuant to the resolution he had authorised that the report be printed.

**The Hon. Dr Brian Pezzutti:** I seek leave to make a very brief statement.

**Leave not granted.**

**STANDING COMMITTEE ON LAW AND JUSTICE****Report**

**The Clerk** announced, in accordance with the resolution of the House of 25 May 1999, the receipt of Report No. 18 entitled "Review of the Crimes (Forensic Procedures) Act 2000", dated February 2002, together with minutes of proceedings, transcripts of evidence, submissions, tabled documents and correspondence received by the committee.

**The Clerk** announced that pursuant to the resolution he had authorised that the report be printed.

**The Hon. RON DYER** [2.53 p.m.]: I move:

That the House take note of the report.

**Debate adjourned on motion by the Hon. Ron Dyer.**

**STANDING COMMITTEE ON LAW AND JUSTICE****Report**

**The Clerk** announced, in accordance with the resolution of the House of 25 May 1999, the receipt of Report No. 19 entitled "Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council: Third Report", dated February 2002, together with minutes of proceedings, transcripts of evidence, submissions, tabled documents and correspondence received by the committee.

**The Clerk** announced that pursuant to the resolution he had authorised that the report be printed.

**The Hon. RON DYER** [2.54 p.m.]: I move:

That the House take note of the report.

**Debate adjourned on motion by the Hon. Ron Dyer.**

**STANDING COMMITTEE ON STATE DEVELOPMENT****Government's Response to Report**

**The Clerk** announced, pursuant to the resolution of the House of 25 May 1999, the Government's response to Report No. 23 entitled "Merger of Country Energy Distributors", tabled on 31 May 2001.

**The Clerk** announced that pursuant to the resolution he had authorised that the report be printed.

**COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION****Report**

**The Clerk** announced, pursuant to the Sydney Water Catchment Management Act 1998, the receipt of a report entitled "Audit of the Sydney Drinking Water Supply Catchments managed by Sydney Catchment Authority: Interim Report to the Minister for the Environment, NSW State Government", dated December 2001.

**The Clerk** announced that pursuant to the Act he had authorised that the report be printed.

**AUDIT OFFICE****Report**

**The Clerk** announced, pursuant to the Public Finance and Audit Act 1983, the receipt of a report entitled "Performance Audit Report: Department of Information Technology and Management: Government Property Register", dated January 2002.

**The Clerk** announced that pursuant to the Act he had authorised that the report be printed.

**REGULATION REVIEW COMMITTEE****Report**

**The Clerk** announced, pursuant to the Regulation Review Act 1987, the receipt of Report No. 22/52 entitled "Second Report on the Fisheries Management (Aquaculture) Regulation 1995 and the Fisheries Management (Aquaculture) Amendment (Administration) Regulation 1999", dated February 2002.

**The Clerk** announced that pursuant to the Act he had authorised that the report be printed.

**COMMITTEE ON CHILDREN AND YOUNG PEOPLE****Report**

**The Clerk** announced, pursuant to the Commission for Children and Young People Act 1998, the receipt of Report No. 6/52 entitled "Learning to Run ... Review of the Second Annual Report of the Commission for Children and Young People for the 2000-2001 Financial Year", dated February 2002, incorporating edited transcripts of evidence.

**The Clerk** announced that pursuant to the Act he had authorised that the report be printed.

**COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION****Report**

**The Clerk** announced, pursuant to the Independent Commission Against Corruption Act 1988, the receipt of Report No. 7/52 entitled "General Meeting with the Commissioner of the ICAC—30 November 2001", dated March 2002.

**The Clerk** announced that pursuant to the Act he had authorised that the report be printed.

## PETITIONS

### Drug Use Regulation

Petition praying that the social problem of drug use not be extended by legislation and that drug use be proved harmless beyond doubt before decriminalisation, received from **Reverend the Hon. Fred Nile**.

### Stem Cell Research

Petition praying that the House support adult stem cell research and oppose the creation and use of embryos for stem cell extraction, received from **the Hon. Duncan Gay**.

### Cyanide Heap Mining

Petition praying that cyanide heap mining be banned, received from **Ms Rhiannon**.

### Freedom of Religion

Petition praying that the House reject proposals to reform the Anti-Discrimination Act which would detract from the exercise of freedom of religion, received from **the Hon. Ron Dyer**.

### Branch Line Above Rail Community Service

Petition praying that above rail community service obligations on branch lines be reinstated until branch line infrastructure is upgraded to a standard to ensure competitiveness with main lines, received from **the Hon. Duncan Gay**.

### Gay and Lesbian Mardi Gras

Petition praying that legislation be introduced to allow ethnic groups to take over the Gay and Lesbian Mardi Gras to produce a multicultural ethnic parade, received from **Reverend the Hon. Fred Nile**.

## BUSINESS OF THE HOUSE

### Notices of Motions: Suspension of Standing Orders

#### Motion, by leave, by the Hon. Michael Egan agreed to:

That standing orders be suspended to allow the moving of a motion relating to members giving notices of motions for today only by lodging them with the Clerk at the Table.

## NOTICES OF MOTIONS

**The Hon. MICHAEL EGAN** (Treasurer, Minister for State Development, and Vice-President of the Executive Council) [3.02 p.m.]: I move:

That, for today's sitting of the House, members may give notices of motions by delivering a signed copy to the Clerk at the table, such notices to be entered by the Clerk on the Business Paper in random order.

For the information of honourable members I advise that I have lodged, or will be lodging, with the Clerk notices of motions with respect to the following matters: adoption of sessional orders, appointment of standing orders, House, Library and Printing committees, restoration of private members' business items inside the order of precedence, restoration of contingent notices of motions, reappointment of the Mental Health Select Committee, contingent notice for bills to be received from the Legislative Assembly and precedence of general business until 6.00 p.m. tomorrow.

#### Motion agreed to.

**The PRESIDENT:** For the information of honourable members I advise that I intend to adopt the procedure followed last session, when members seek the call for notices, to allow only one general business notice of motion to be given by a member on each call from the Chair. This practice will not apply to Ministers

or to members giving contingent notices of motions. The Chair will continue to recognise the Leader of the Opposition first after Ministers, but will then alternate the call between the Government, Opposition and crossbenches until all notices have been given.

### **DISTINGUISHED VISITORS**

**The PRESIDENT:** I welcome into the public gallery a delegation from the University Council of the China University of Political Science and Law. The head of the delegation is Shi Yajun.

### **STANDING COMMITTEE ON LAW AND JUSTICE**

#### **Reference**

**The Hon. RON DYER** [3.06 p.m.]: In accordance with paragraph 14 (2) of the resolution establishing standing committees dated 25 May 1999, I inform the House that the Standing Committee on Law and Justice has received the following reference from the Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts:

That the Standing Committee on Law and Justice inquire into and report on a proposal to introduce a State Arms Bill to regulate the use of coats of arms in connection with the Parliament, the courts, the office of the Governor and State instrumentalities. In conducting its inquiry the committee should have regard to:

- (1) whether the provisions of the proposed State Arms Bill meet its stated policy objectives; and
- (2) any related matter.

### **BUSINESS OF THE HOUSE**

#### **Sessional Orders: Suspension of Standing Orders**

**Motion, by leave, by the Hon. Michael Egan agreed to:**

That standing orders be suspended to allow the moving of a motion relating to the adoption of sessional orders, in globo, forthwith, notice of which was given this day.

### **SESSIONAL ORDERS**

**The Hon. MICHAEL EGAN** (Treasurer, Minister for State Development, and Vice-President of the Executive Council), [3.05 p.m.]: I move:

That the following sessional orders be adopted:

#### **Prayers**

That, during the present Session and unless otherwise ordered, Standing Order 10A be amended to read:

- 10A. Upon the President taking the Chair each day, if there be a Quorum present as provided by the 10th Standing Order, the President will offer the following Prayers:

"Almighty God, we humbly Beseech Thee to vouchsafe Thy blessing upon this Parliament. Direct and prosper our deliberations to the advancement of Thy glory, and the true welfare of the people of our State and Australia.

Our Father, who art in Heaven: Hallowed be Thy name. Thy Kingdom come. Thy will be done in earth, as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation; but deliver us from evil: For Thine is the kingdom, and the power, and the glory, for ever and ever, Amen."

#### **Sitting Days**

That, during the present Session and unless otherwise ordered, this House meet for the despatch of business each week as follows:

Monday 11.00 a.m.  
 Tuesday 2.30 p.m.  
 Wednesday 11.00 a.m.  
 Thursday 11.00 a.m.  
 Friday 11.00 a.m.

### Questions

That, during the present Session and unless otherwise ordered:

1. Questions are to commence at 4.00 p.m. on Monday and Tuesday, and at 12.00 noon on Wednesday, Thursday and Friday.
2. Whenever the House adjourns to a day and time later than the time appointed in paragraph 1, Questions are to commence 30 minutes after the time appointed for the meeting of the House.
3. If, at the time for interruption:
  - (a) a division is in progress, the division is to be completed and the result announced,
  - (b) the House is in Committee of the Whole, the Chairman is to leave the Chair and report progress, and any business then under discussion, if not disposed of, is to be set down on the Notice Paper for a later hour of the sitting.

### Petitions

That, during the present Session, a copy of every Petition received by the House is to be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the Petition.

### Cognate Bills

That, during the present Session:

1. Whenever a Minister intimates to the House that Bills specified by the Minister are cognate Bills:
  - (a) the Bills may be introduced on one Motion for leave and be presented and read a first time together,
  - (b) one Motion may be moved and one Question put in regard to each of the several stages for the passage of the Bills through the Council, but the Bills must be considered separately in Committee of the Whole.
2. When Bills sent from the Assembly are reported by the President as cognate Bills, the first reading and subsequent stages may be proceeded with in a similar manner.

### Right of Reply to Ministerial Statements

That, during the present Session and unless otherwise ordered, the Leader of the Opposition, or a Member nominated by the Leader of the Opposition, may speak to a ministerial statement, not exceeding the time taken by the Minister in making the statement.

### Motion for Adjournment

That, during the present Session and unless otherwise ordered:

1. On any Motion for adjournment to terminate a sitting:
  - (a) the Question is to be put not later than 30 minutes after the Motion has been moved or, when a Minister desires to speak or is then speaking, at the conclusion of the Minister's remarks,
  - (b) any Member may speak for 5 minutes on matters not relevant to the Motion, but must not refer to matters which are not in order.
2. Proceedings must be interrupted at 5.00 p.m. on Thursday and 3.45 p.m. on Friday to permit a Motion for adjournment to be moved to terminate the sitting if a Minister thinks fit.
3. If, at the time of interruption:
  - (a) a division is in progress, the division is to be completed and the result announced,
  - (b) the House is in Committee of the Whole, the Chairman must leave the Chair, report progress and seek leave to sit again.
4. When any business under discussion, if not disposed of, is interrupted under this Sessional Order, the debate is to stand adjourned and be made an Order of the Day for the next sitting day at the end of Government or General Business, as the case may be fixed for that day, but so as not to preclude the operation of Standing Order 67, unless a motion is moved without amendment or debate for the adjournment of the debate to a day to be stated.

### Divisions—Recording of Pairs

That, during the present Session and unless otherwise ordered, Members paired on any division must be recorded by the tellers. The names of all Members paired must be recorded on the tellers' lists and be printed in the Minutes of the Proceedings and *Hansard*.

### Ministerial Reply to Adjournment Matters

That, during the present Session and unless otherwise ordered, a Minister may, before the House proceeds to the business of the day, make a statement in relation to any matter raised on the Adjournment at a previous sitting.

### Leadership of Parties and Groups

That, as soon as practicable after each periodic Council election and whenever changes occur the leaders of parties or groups with two or more Members in the House may announce the leadership of the parties or groups represented in the House.

### Questions on Notice

That, during the present Session and notwithstanding anything contained in the Standing Orders, the procedure in relation to Questions on Notice is varied, as follows:

1. Notices of Questions, signed by a Member, must be handed to one of the Clerks at the Table during the sitting of the House.
2. The Clerk is to publish in a *Questions and Answers* Paper, printed and circulated to Members, Notices of Questions in the order in which they are received.
3. The reply to a Question on Notice is to be delivered to the Clerk and is to be published in the *Questions and Answers* Paper.
4. Ministers must lodge answers to Questions on Notice within 35 calendar days after the question is first published.
5. If an answer to a Question on Notice is not received within 35 calendar days, the President is to inform the House on the next sitting day the details of any Question not answered. The relevant Minister must immediately explain to the House the reason for non-compliance.
6. If, after explanation in the House, the Minister has not submitted an answer within 3 sitting days, the President is to again inform the House and the Minister will again be called to explain. This procedure is to continue until a written answer is submitted.
7. During any adjournment of the House, replies to Questions on Notice may be delivered to the Clerk.
8. A *Questions and Answers* Paper is to be printed and circulated on any prorogation of the House.

### Bill Passed—Message to the Assembly

That, during the present Session and unless otherwise ordered, Standing Order 191 be amended to read:

191. After the third reading the Bill is to be deemed to have passed the House and the Clerk is to certify its passage. The Bill is to be sent, with a Message signed by the President, to the Assembly for concurrence.

### Introduction of Public Bills

That, during the present Session and notwithstanding anything contained in the Standing Orders:

1. When any Bill, except a Bill sent from the Assembly, has been read a first time and ordered to be printed the second reading may be moved forthwith or made an Order of the Day for a later hour or for a future day. Immediately following the second reading speech by the mover, debate is to be adjourned until a future day which must be at least five calendar days ahead.
2. However, if a Minister declares a Bill to be an urgent Bill and copies have been circulated to Members, the Question "That the Bill be considered an urgent Bill" must be put forthwith, without amendment. If that Question is agreed to, the second reading debate and subsequent stages may proceed forthwith or at any time during any sitting of the House.

### Matters of Public Interest

That, during the present Session and unless otherwise ordered:

1. A Member may give Notice of a Motion, for a day to be stated "That the following important matter of public interest be discussed forthwith (stating the matter to be discussed)".
2. On the day proposed for moving the Motion it is to be called on immediately before the House proceeds to the consideration of business set down on the Notice Paper for that day, except business taking precedence under Standing Order 55 (Matters of Privilege).
3. When the Motion has been moved, the Question is to be decided without amendment or debate except a statement by the mover and a statement by a Minister not exceeding 10 minutes each.
4. If the Question is agreed to, discussion of the matter may proceed for one and a half hours on the same or subsequent sitting days, except the reply of the mover.

5. The speech of:
  - (a) the Member moving the motion,
  - (b) the Minister first speaking,
  - (c) the Leader of the Opposition, or a person nominated by the Leader, first speaking when the Motion has been moved by a Member of the Government,

must not exceed 15 minutes each. The speech of any other Member or the proposer in reply must not exceed 10 minutes each.
6. When discussion of a matter of public interest is adjourned to a subsequent sitting day the Order of the Day for resumption is to take precedence of all other business on the Notice Paper for that sitting day, except business taking precedence under Standing Order 55 (Matters of Privilege).
7. More than one Notice of Motion may be given for any one sitting day, although only one motion on a Matter of Public Interest may proceed on any one sitting day. The House will consider the question of urgency on the motions for which notice has been given in the order in which they appear on the Notice Paper.
8. A Notice of Motion for a Matter of Public Interest not reached on the day set down for consideration, will be set down on the Notice Paper for the next sitting day, with precedence of all other Notices of Motions for Matters of Public Interest not specifically set down for that day.
9. The resumption of an adjourned discussion and one new matter may be dealt with on the same day.
10. Matters of Public Interest will only be considered on days on which Government Business has precedence.

#### **Routine of Business**

That, during the present Session and unless otherwise ordered, the House is to proceed with its business each day in the following routine:

1. Formal Business under Standing Order 57.
2. Presentation of Petitions.
3. Notices of Motions.
4. Any proposal under Standing Order 13.
5. Ministerial Statements.
6. Ministerial replies to matters raised on the Adjournment.
7. Motions and Orders of the Day, or vice versa, as set down on the Notice Paper.

#### **Proposing of Questions on Amendments**

That, during the present Session and notwithstanding anything contained in the Standing Orders, when any amendment is proposed in the House or Committee of the Whole, the Chair may put the question "That the amendment be agreed to".

#### **Committals**

That, during the present Session and unless otherwise ordered, Standing Order 171 be amended to read:

171. After the second reading of a Bill, unless the Bill is referred to a Select or Standing Committee:
  - (a) the President may inquire of the House if leave is granted to proceed to the third reading of the Bill forthwith; or
  - (b) a motion may be made without amendment or debate "That the President do now leave the Chair, and the House resolve itself into a Committee of the Whole to consider the Bill in detail" or a future day may be appointed on motion for consideration of the Bill in Committee of the Whole.

#### **Message from Assembly Transmitting Bills**

That, during the present Session and notwithstanding anything contained in the Standing Orders, and unless otherwise ordered:

Whenever the President has several Messages from the Legislative Assembly to report transmitting Bills for concurrence, the President may inquire if leave is granted for procedural motions for the first reading, printing, suspension of Standing Orders, where applicable, and fixing the day for the second reading, to be dealt with on one motion without formalities.

#### **Precedence of Business**

That, during the present Session and unless otherwise ordered:

1. Government Business is to take precedence of General Business on Monday, Tuesday, Wednesday, Friday and after 5.00 p.m. on Thursday each week.
2. General Business is to take precedence until 5.00 p.m. on Thursday each week.

### **Precedence for Disallowance of Statutory Instruments**

That, during the present Session and notwithstanding anything contained in the Standing Orders:

1. A Notice of Motion to disallow:
  - (a) a Statutory Rule under section 41 of the Interpretation Act 1987; or
  - (b) any other Statutory Instrument or document made under the authority of any Act and which is subject to disallowance by either or both Houses of the Parliament,

is to be placed on the Notice Paper as Business of the House.
2. On the day proposed for moving the Motion the House will first decide on a Question proposed without amendment or debate "That the motion proceed forthwith".
3. If the Question is agreed to, the Motion will then proceed as Business of the House.
4. If the Question is not agreed to, the Motion will become a General Business Notice of Motion and will be set down on the Notice Paper of General Business for the next sitting day at the end of business already set down for that day.
5. The debate on any motion moved under paragraph (3) of this Sessional Order is to be conducted as follows:
  - (a) the Member moving the motion and the Minister first speaking may speak for not more than 15 minutes,
  - (b) any other Member and the mover in reply may speak for not more than 10 minutes,
  - (c) if the motion is not sooner disposed of, after a total time of one and a half hours debate, the President is to interrupt proceedings to allow the mover of the motion to speak in reply, and
  - (d) the President will then put all questions necessary to dispose of the motion and any amendments.

### **Unproclaimed Legislation**

That, on the second sitting day of each month, a Minister table a list of all legislation that has not been proclaimed ninety calendar days after assent.

### **Answers to Questions without Notice**

That, during the present Session and unless otherwise ordered, where Questions are put without notice by a Member and the Minister concerned refers the Question to the appropriate Minister in another place:

1. The Minister must provide the answer to the House within 35 calendar days after the Question was first asked.
2. If an answer to a Question without Notice is not received within 35 calendar days, the President is to inform the House on the next sitting day of the details of any Question not answered. The relevant Minister must immediately explain to the House the reason for non-compliance.
3. If, after explanation in the House, the Minister has not provided an answer within 3 sitting days, the President is to again inform the House and the Minister will again be called to explain. This procedure is to continue until an answer is provided.
4. During any adjournment of the House, replies to Questions without Notice may be delivered to the Clerk.
5. Answers to Questions without Notice delivered to the Clerk are to be printed and circulated on any prorogation of the House.

### **Parliamentary Secretaries**

That any Member appointed as a Parliamentary Secretary under section 38B Constitution Act 1902 may exercise the powers and perform the functions conferred upon Ministers by the procedures of the Legislative Council, but may not be asked or answer questions which may be put to Ministers under Standing Orders 29 or 32 or represent a Minister before a Committee considering estimates.

### **Private Members' Business**

That, during the present Session and notwithstanding anything contained in the Standing Orders, the procedure for the consideration of General Business (referred to as "Private Members' Business") is varied as follows:

1. Any Member may give Notice of Motion of an item of Private Members' Business for debate during the Session.
2. On days set apart for General Business, the House is to consider items of Private Members' Business in the sequence established by a draw conducted by the Clerk of the House at the beginning of the Session and from time to time.

3. (1) As soon as practicable after the adoption of this Sessional Order and the Sessional Order granting precedence to General Business, the Clerk of the House is to conduct a random draw of 12 Members' names from items of Private Members' Business already placed on the Business Paper, to establish the order of precedence for 12 separate items.
- (2) To the extent that there is a sufficient number of notices on the Business Paper, the draw is to be conducted from the names of Members with notices in the following order:
  - (a) Opposition Members,
  - (b) Cross-bench Member,
  - (c) Government Members.
- (3) The names of Members with notices will be drawn separately in the sequence shown in sub-paragraph (2) to determine their relative position in the order of precedence for the first 12 items.
- (4) The items drawn will appear in numerical sequence from 1 to 12 on the Business Paper under "Items in the Order of Precedence". Those items not drawn in the order of precedence will appear on the Business Paper under "Items outside the Order of Precedence".
- (5) The Clerk is to notify the Members involved, no later than 1 day prior, of the date, time and place of the draw.
- (6) The order of precedence must not contain more than 12 items at any time.
- (7) As soon as possible following the draw, each Member whose name has been drawn and who has more than one notice of motion on the Business Paper, is to notify the Clerk which notice of motion is to be placed in the order of precedence. If a Member does not notify the Clerk within 2 working days, the first motion standing on the Business Paper in the name of the Member will be included in the order of precedence.
4. Whenever necessary during a Session, the Clerk is to conduct a further random draw, in the manner set out in paragraph 3, to establish additional items of Private Members' Business so that there are not more than 12 items. A Member who has an item already listed in the order of precedence is not eligible to have their name chosen.
5. The establishment of an order of precedence for Private Members' Business does not prevent a Member from giving notice of Private Members' Business which is to be listed on the Business Paper, under "Items outside the Order of Precedence" in the order given.

#### **Debate on Motions**

6. (1) An item of Private Members' Business, other than a bill, must not receive more than three hours of debate.
- (2) When an item of Private Members' Business other than a bill, is being considered:
  - (a) the mover of the motion may speak for not more than 30 minutes, and
  - (b) any other Member may speak for not more than 20 minutes.
- (3) When an item other than a bill is not earlier disposed of, at 15 minutes before the end of the time provided for the consideration of the item, the President is to interrupt proceedings to allow the mover of the motion to speak in reply for not more than 10 minutes. The President will then put every question necessary to dispose of the motion, forthwith and successively without further amendment or debate, unless the motion is withdrawn as provided by the Standing Orders.

#### **Debate on Bills**

7. (1) Where there is debate on the question for leave to bring in a bill the following time limits will apply:
  - (a) a maximum of one hour of debate,
  - (b) the mover of the motion, and any other Member, may speak for not more than 10 minutes, and
  - (c) 10 minutes before the end of the time for debate, the President is to interrupt proceedings to allow the mover of the motion to speak in reply for not more than 10 minutes.
- (2) On any motion being agreed to for leave to bring in a bill, the question on the first reading and printing will be taken together as one motion, and put without amendment or debate.
- (3) Where there is debate on the question for the second or third reading of a bill the following time limits will apply:
  - (a) the mover of the motion may speak for not more than 30 minutes, and
  - (b) any other Member and the mover in reply may speak for not more than 20 minutes.

- (4) After the second reading speech of the mover, debate on the bill must be adjourned for at least 5 calendar days, while retaining its position in the order of precedence.
- (5) In Committee of the Whole on a bill there is no time limit on speeches.

An item of Private Members' business listed in the Order of Precedence may be postponed. However, an item of Private Members' business in the order of precedence that is postponed for a third time will be removed from the order of precedence and set down at the end of private members' business outside the order of precedence unless the House otherwise orders, on motion moved without notice.

When an item of private members' business is dealt with on days set aside for Government business this sessional order applies.

#### **Citizen's Right of Reply**

That, during the present session and notwithstanding anything contained in the standing orders, a notice of motion to adopt a report from the Standing Committee on Parliamentary Privilege and Ethics on a citizen's right of reply is to be placed on the notice paper as business of the house for 6 days after the giving of the notice of motion.

#### **Questions Without Notice**

That, during the present session and notwithstanding anything contained in the standing orders, the following general rules apply to questions without notice:

##### **Questions to Ministers and other Members**

1. Questions may be put to Ministers relating to public affairs with which the Minister is officially connected, to proceedings pending in the house, or to any matter of administration for which the Minister is responsible.
2. Questions may be put to other Members relating to any matter connected with the business on the notice paper of which the member has charge.
3. Questions may be put to a Chair of a committee relating to the activities of that committee, but the question must not attempt to interfere with the committee's work or anticipate its report.
4. At the discretion of the President, 1 supplementary question may be immediately put by the member who asked a question to elucidate an answer.
5.
  - (1) The asking of each question must not exceed 1 minute and the answering of each question must not exceed 4 minutes. A Minister may seek leave to extend the time for an answer by 1 minute.
  - (2) The asking of a supplementary question must not exceed 1 minute and the answering of each supplementary question must not exceed 2 minutes.

##### **Rules for Questions**

1. Questions must not contain:
  - (a) statements of fact or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated,
  - (b) arguments,
  - (c) inferences,
  - (d) imputations,
  - (e) epithets,
  - (f) ironical expressions, or
  - (g) hypothetical matter.
2. Questions must not ask:
  - (a) for an expression of opinion,
  - (b) for a statement or announcement of the government's policy, or
  - (c) for a legal opinion.
3. Questions must not refer to:
  - (a) debates in the current session, or
  - (b) proceedings in committee not yet reported to the House.

4. Questions must not anticipate discussion upon an order of the day or other matter on the notice paper, except an item of private members' business outside the order of precedence.
5. An answer must be relevant to a question.
6. In answering a question a member must not debate the question.
7. The President may direct that the language of a question be changed if it is unbecoming or not in conformity with these rules.

These sessional orders are the same in substance as those adopted last session. Copies have been circulated to members.

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Restoration of Business: Suspension of Standing Orders**

**Motion by leave, by the Hon. Michael Egan, agreed to:**

That standing orders be suspended to allow the moving of a motion relating to the restoration of private members' business, in globo, forthwith, notice of which was given this day.

## **RESTORATION OF BUSINESS**

**Motion, by leave, by the Hon. Michael Egan agreed to:**

- 1 That all Private Members' Business inside the Order of Precedence and interrupted by the close of the previous session, be restored to the Business Paper in the order in which it last appeared and at the stage it had reached.
- 2 That contingent notices of motions standing on the Business Paper at the end of the last session in the names of various members relating to the following subjects, be restored to the Business Paper:

Take note of paper  
 Instruction to Committee of the Whole  
 Precedence of item of business  
 Passing of bill through all stages  
 Conduct of business of the House  
 Precedence of business after Prayers  
 Precedence of Government Business  
 Censure of Minister  
 Contempt of House

## **DEATH OF SIR ARTHUR RODEN CUTLER, VC, AK, KCMG, KCVO, CBE, KStJ, A FORMER GOVERNOR OF NEW SOUTH WALES**

**The PRESIDENT:** I announce the death on 21 February 2002 of a former Governor of the State, Sir Arthur Roden Cutler, Victoria Cross, Knight of the Order of Australia, Knight Commander of the Order of St Michael and St George, Knight Commander of the Royal Victorian Order, Commander of the Order of the British Empire, Knight of the Most Venerable Order of St John of Jerusalem, aged 85 years.

**The Hon. MICHAEL EGAN** (Treasurer, Minister for State Development, and Vice-President of the Executive Council) [3.10 p.m.]: I move, without notice:

1. That this House express and place on record its deep regret in the loss to this State by the death, on 21 February 2002, of the former Governor of the State, Sir Arthur Roden Cutler, awarded the Victoria Cross for exceptional courage, Knight of the Order of Australia, Knight Commander of the Order of St Michael and St George, Knight Commander of the Royal Victorian Order, Commander of the Order of the British Empire, Knight of the Most Venerable Order of St John of Jerusalem.
2. That the President convey to Lady Cutler and family the profound sympathy and sorrow of the Members of the Legislative Council in the loss sustained by the death of her distinguished husband.

For many Australians, Sir Roden Cutler, VC, was the very model of a celebrated military commander, towering in full regalia over any ceremonial parade. He was certainly a towering figure as Governor of New South Wales. Arthur Roden Cutler established a record for length of service. He spent 15 years in the post, from January 1966

to January 1981, beating the 12-year term of the previous longest-serving incumbent, Lachlan Macquarie. Sir Roden was the only Australian artillery officer to win a VC in World War II and the only soldier to ever win that decoration fighting against Vichy French forces, in Syria in 1941. Never has a Governor of a State or a Governor-General of Australia received as much positive publicity and as many congratulatory messages upon both their appointment and retirement. In a changing world it seems unlikely that any future vice-regal figure will generate the kind of enthusiasm that Sir Roden enjoyed.

Sir Roden Cutler was something of a departure from the traditional pattern of New South Wales Governors—mostly drawn previously from the British aristocracy or the ranks of senior military brass. He was born in Manly on 24 May 1916 and was educated at Sydney High School and the University of Sydney, where he took a degree in economics. His heroism was demonstrated early in life. As an 18 year-old lifesaver Sir Roden swam to the aid of a surfer who was being circled by a large shark. The shark brushed him twice as he helped the surfer to the beach. As an officer in the 2/5 Field Regiment in the Syrian campaign against Vichy French troops, Sir Roden won his VC for what was described as "most conspicuous and consistent gallantry ... and outstanding fighting" at the fiercely contested village of Merdjayoun. One of his men later recalled: "He was cool, he was calm, his orders were clear and concise. There was not one element of panic, and that did a lot to inspire those serving under him." He led an assault which captured enemy positions and largely contributed to the taking of the village. Three weeks later, during the battle of Damour, Lieutenant Cutler personally captured eight enemy soldiers from three machine-gun posts, but was severely wounded. His right leg was amputated at a field dressing station.

After being invalided home and discharged from the army in December 1941, Sir Roden became State Secretary of the RSL and then Assistant Commissioner at the Repatriation Department. In 1946 he entered the Diplomatic Service and was appointed as High Commissioner to New Zealand, the start of a very long and distinguished diplomatic career. Sir Roden was only 30 years of age at the time. After a 20-year career as an Ambassador he became Governor of New South Wales, at the age of 50. Sir Roden was a great supporter of organisations such as Australian Red Cross, Legacy, Girl Guides Australia, Scouts Australia, St John Ambulance, and the RSL. A cricket lover, and an accomplished sportsman in his younger years, Sir Roden was patron of the Bradman Museum in Bowral. In 1998 Sir Roden joined forces with close friend, and former war nurse, Mollie Edwards to raise \$2 million for a memorial, in Canberra, to nurses from the services.

Sir Roden received five royal honours—AK, KCMG, KStJ, KCVO, and CBE. He was knighted three times. Sir Roden married Helen Morris in 1946 and they had four sons. Lady Cutler died in 1990. He is survived by his second wife, Lady Joan Cutler, and his sons. At the end of her biography, *Roden Cutler, VC*, Colleen McCullough felt the need to include a two-page conclusion—perhaps because she feared the book did not have enough darkness to reflect the light of her subject—in which she wrote:

But it is all distinct as it is true: the heroism, the almost limitless willpower, the degree of intelligence and commonsense, the ability to control primal instincts, the uncanny knowledge of people and events, the warmth, the humour, the fidelity, and—most astonishingly of all—the humility.

Sir Roden Cutler always drew special cheers at the Anzac Day parade in Sydney, travelling near the head of the procession in a military vehicle. He would have made a great Governor-General of Australia. And he nearly was. Prime Minister Harold Holt proposed that Cutler should succeed Lord Casey at Yarralumla, and Cutler is thought to have been willing. But Holt drowned in December 1967 and was replaced by John Gorton, who kicked his leadership rival, Paul Hasluck, upstairs into the Governor-General's job. Gorton's decision probably changed the course of Australian history. When Sir John Kerr, who succeeded Sir Paul Hasluck, told Sir Roden of his decision to dismiss the Whitlam Government in 1975, Cutler is understood to have said the proposed action was wrong. In the McCullough book he went on the record, declaring:

Had I been acting as Governor General, I would never have gone against the advice of my Prime Minister. I still think Kerr should have let the Parliament sort the mess out itself. It would have.

Sir Roden was one of three sons of Mr Arthur William and Mrs Daphne Cutler, formerly of Bathurst, New South Wales. He was immensely popular with people from all walks of life and often was bewildered by his continuing popularity during a long and lasting public life. As one Australian journalist put it, apart from being a war hero, a diplomat, the longest-serving Governor of New South Wales, a person with regal presence, and a devoted family man, Sir Roden had, lurking beneath his statesman's bearing, a hint of classic Aussie self-deprecation.

Sir Roden believed that the job of Governor required leadership. That view prompted him to comment on issues from time to time in the national interest, although it might have been thought safer and more

comfortable not to have done so. Sir Roden Cutler was truly a great Australian, and was a great representative of every Australian in the many capacities he held. As a young member of this Parliament, I admired the way Sir Roden, as Governor of New South Wales, took great interest in the younger members of Parliament who attended Government House for the presentation of the Address-in-Reply and on other occasions. Certainly the State is the poorer for Sir Roden's passing.

**The Hon. MICHAEL GALLACHER** (Leader of the Opposition) [3.18 p.m.]: I join with the Government in paying tribute to the late Sir Roden Cutler. Sir Roden stood out as the most well-known Governor of this State because of his outstanding character, reflected in his exemplary conduct himself and performance of his duties, whether in combat in Syria during the Second World War, with the Australian Diplomatic Service, as our longest-serving Governor from 1966 to 1981, or as a patron and supporter of many charitable and community organisations. He always put others ahead of himself.

Sir Roden was as courageous in private life as he was in the military. The Leader of the Government spoke about Sir Roden, at the age of 18, swimming out into the surf to the aid of a swimmer who was being circled by a shark. In 1941, as an artillery officer in the 2/5 Field Regiment, Second AIF, he was awarded our nation's highest decoration, the Victoria Cross, for courage in action. As a result of wounds suffered during that battle, he lost his leg. He put the wellbeing of others above his own comfort. After being invalided out of the Army and returning home in 1941 he became State secretary of the RSL, then worked for the Repatriation Commission, before entering the diplomatic service. He represented Australia in Sri Lanka, Egypt and the Netherlands, and was Consul-General in New York.

Sir Roden was named Governor of New South Wales at the relatively young age of 49, and his service to this State reflected his character. He was not afraid to speak his mind, particularly on matters of importance. In 1945 he attacked the Australian Government over the pittance given to returned servicemen to enable them to obtain civilian clothes after their efforts in defending our nation. Many years later he gave a thoughtful and considered opinion to author Colleen McCullough on the 1975 constitutional crisis. His ability to relate to people from varied backgrounds stood him in good stead throughout his life. Whether as a young officer inspiring the soldiers who served under him, as a diplomat representing this State and country, or as a Governor conducting business with her Royal Highness the Queen, he is remembered with respect and well-deserved affection for his relationship with and fondness for the people of New South Wales.

After his busy role as Governor, which followed his diplomatic and earlier wartime service, Sir Roden could have scaled back his involvement in a number of causes. However, he continued to actively support the Red Cross, Legacy, the Girl Guides, the Scouts, St John Ambulance and the RSL. As recently as 1998 he was involved in helping to raise \$2 million for a memorial to nurses in the armed services. Sir Roden was one of a generation who lived through many of the great changes of last century. He was born during World War I, lived through the Depression, survived World War II, and saw the beginning, duration and end of the Cold War. He witnessed many changes in our society and major milestones in the development of our great nation. I join with other members of this House in extending my deepest sympathy to Lady Joan, his family and friends. His life is a guide for all of us. He was a truly outstanding Australian.

**The Hon. DUNCAN GAY** (Deputy Leader of the Opposition) [3.22 p.m.]: The death of Sir Roden Cutler signals the end of an era in New South Wales. One need only read the tributes that have been paid to Sir Roden in the media, in speeches, including a terrific speech by the Premier at Sir Roden's funeral, in the letters pages of major newspapers, and in the tributes from our colleagues in the Legislative Assembly, to gauge the deep respect held for Sir Roden, especially by residents of country New South Wales.

Arthur Roden Cutler was born in 1916. He attended Manly Public School and Sydney Boys High School before undertaking studies in economics at the University of Sydney. It was through Roden Cutler's military service that his commitment and bravery came to the fore. Fighting with the AIF in the Syrian campaign, Roden Cutler was noted for his courageous actions as a forward scout—a courage evident in his other careers—seeking out enemy positions and coming under heavy machine-gun fire on several occasions while relaying directions back to his artillery officers. In July 1941 Roden Cutler was badly wounded in his right leg by a French machine-gunner. He lost the leg and was repatriated from Lebanon to Australia. I am sure many honourable members will have seen the photograph of Roden Cutler being carried by his fellow soldiers after sustaining that injury.

His return from the battlefield marked the start of a long and distinguished diplomatic career during which he took up several international postings. Those postings included stints as the High Commissioner to

New Zealand, Ceylon and Pakistan, Australian Minister to Egypt, Consul-General in New York, Australian delegate to the United Nations, and Ambassador to the Netherlands. He was knighted for his services in 1965, at the age of 49, and was appointed Governor of New South Wales the following year. Many country communities, sporting groups and charities remember Sir Roden Cutler warmly as a larger than life Governor who did his level best to travel to as many functions as possible in rural and regional New South Wales. He was always willing to attend as many functions as he could fit into incredibly tight itineraries.

Sir Roden retired from the office of Governor in 1981, 15 years to the day after his appointment. He was the longest-serving Governor of New South Wales, his period in office surpassing the previous 11-year record held by Governor Macquarie. In retirement, Sir Roden maintained a high public profile. He was the last chairman of the State Bank before it was privatised, president of the State Council of the Boy Scout Association, and patron of more community and charity groups than one could count.

Sir Roden passed away on 21 February, at the age of 85. He distinguished himself in three very diverse careers. Not many members of this House could think of others who have distinguished themselves in such a diversity of careers. He was a great Australian. We express our deepest sympathy to Sir Roden's wife, Lady Joan, and to his family, on the death of a man who changed the public perception of the Vice-Regal role and who inspired people across New South Wales.

**Reverend the Hon. FRED NILE** [3.26 p.m.]: Like Sir Roden, I was a young lieutenant in the Sydney University Regiment. I wish to place on record the support of the Christian Democratic Party for the motion moved by the Leader of the Government:

That this House express and place on record its deep regret in the loss to this State by the death, on 21 February 2002, of the former Governor of the State, Sir Arthur Roden Cutler, awarded the Victoria Cross for exceptional courage Knight of the Order of Australia, Knight Commander of the Order of St Michael and St George, Knight Commander of the Royal Victorian Order, Commander of the Order of the British Empire, Knight of the Most Venerable Order of St John of Jerusalem.

That the President convey to Lady Cutler and family the profound sympathy and sorrow of members of the Legislative Council in the loss sustained by the death of her distinguished husband.

Other honourable members have spoken about Sir Roden's impressive careers as a soldier, as a diplomat, and as Governor of this State, and I fully support their comments. I place on record my appreciation of and praise for those who organised and attended Sir Roden's impressive State funeral in the Anglican cathedral. Former Archbishop Marcus Loane gave an outstanding sermon. Two other Archbishops, former Archbishop Harry Goodhew and current Archbishop Peter Jensen, took part, and Premier Bob Carr gave an excellent eulogy.

After the funeral service I was deeply impressed by the organisation and participation of the armed services outside the cathedral in George Street. Those present viewed a ceremony that is not often conducted on the public streets of our city. More than 300 Australian soldiers, in disciplined military formation, preceded the gun carriage carrying Sir Roden's coffin, which was accompanied by a military escort. Hundreds of soldiers lined George Street shoulder to shoulder. It was a fitting tribute to one of our heroes, Sir Roden Cutler. He was indeed a hero and an ideal model for our youth. He should be remembered and promoted as a model in Australia's education system, particularly in New South Wales. I fully support the motion.

**The Hon. Dr ARTHUR CHESTERFIELD-EVANS** [3.29 p.m.]: As I pay tribute to Sir Roden Cutler I note that he was a director of Rothmans Foundation from 1987 to 1994 and that he was on the Rothmans board from 1984 to 1993. I recognise that Sir Roden Cutler was a great man, but it should be noted that he was on the board of a tobacco company, that tobacco companies are responsible for the death of about 45 Australians per day, including about 13 people in New South Wales, and that this Parliament has been extremely remiss in not taking stronger action against the tobacco industry. The tobacco industry's consistent use of distinguished people in marketing positions and on the boards of tobacco companies is a longstanding policy that has done immense damage to public health. It is unfortunate that Sir Roden Cutler was on the board of a tobacco company. That aspect of his life must be noted—

**Reverend the Hon. Fred Nile:** You're outside the terms of the motion.

**The Hon. Dr ARTHUR CHESTERFIELD-EVANS:** I believe it is necessary to speak the truth when people die.

**The Hon. John Jobling:** Point of order: The condolence motion moved by the Leader of the Government is extremely specific. We may address ourselves to that condolence motion and, I contend, nothing else. The Hon. Dr Arthur Chesterfield-Evans is now grossly outside the terms of the condolence motion.

**The PRESIDENT:** Order! Standing Order 81 provides that a member cannot digress from the subject of the motion being debated, which in this instance is clearly a motion of condolence. The honourable member will cease the line he is arguing and conclude his contribution to this motion of condolence.

**The Hon. Dr ARTHUR CHESTERFIELD-EVANS:** The Australian Democrats express their condolences to the family of Sir Roden Cutler.

*Members and officers of the House stood in their places.*

**Motion agreed to.**

### **GOVERNOR'S SPEECH: ADDRESS-IN-REPLY**

#### **First Day's Debate**

**The PRESIDENT:** I report the receipt of a copy of the Speech made on Tuesday 26 February 2002 by Her Excellency the Governor and which is recorded in the *Minutes of Proceedings of the Legislative Council*.

**The Hon. HENRY TSANG** [3.33 p.m.]: I move:

That the following Address be adopted and presented by the Whole House to the Governor, in reply to the Speech which Her Excellency had been pleased to make to both Houses of Parliament.

*To Her Excellency Professor Marie Bashir, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.*

MAY IT PLEASE YOUR EXCELLENCY—

We, the Members of the Legislative Council of the State of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's Speech, and to express our loyalty to the Sovereign.

We assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, and that we will faithfully carry out the important duties entrusted to us by the people of New South Wales.

We join Your Excellency in the hope that our labours may be so directed as to advance the best interests of all sections of the community.

It is with great honour that I move the adoption of this House's Address in Reply to Her Excellency the Governor's Speech on the opening of the third session of the Fifty-second Parliament. As a unifying symbol of our State, Her Excellency has always shown great understanding and compassion for the less fortunate members of our community. Her Excellency's commitment to the many organisations and causes to which she has pledged her support has been fulfilled with great dignity and distinction. For example, the community is pleased that Her Excellency agreed last year to be the patron of one charity organisation very close to my heart—the East West Philharmonic Orchestra. The Governor's acceptance will not only encourage better understanding between Eastern and Western cultures through music but also support newly arrived professional musicians and young Australians in their chosen field.

Her Excellency and Sir Nicholas have displayed the greatest qualities required in the undertaking of their duties on behalf of the community and are deserving of our appreciation. In acknowledging Her Excellency's excellent work on behalf of the State I should also like briefly to pay my respects to a former Governor who recently passed away. Sir Roden Cutler was not only the longest-serving Governor of this State; as many have rightly noted he was also a great Australian. He was a Victoria Cross winner, a gallant soldier, a diplomat and later a governor. He represented the noble spirit that eludes too many in public life. His pleasant, generous and always dignified nature made it easy for members of the public to engage with him and to like him.

I came to know Sir Roden and his family quite well. As Deputy Lord Mayor of Sydney and a life member of the RSL, I often looked after him in my office during his frequent visits to the town hall for the sesquicentenary, military parades and other functions to honour our servicemen and servicewomen. It was always my great pleasure to do so, and I enjoyed our interaction. I salute Sir Roden's contribution to New South Wales and to Australia.

Her Excellency outlined in her Speech some of the Government's legislative program for this year. Many areas of policy are of great interest to the community—areas that touch most of us in some way. In this

speech, however, I should like to deal briefly with as many of those issues through my experiences as a member of this House as well as my early days as a refugee, a community activist, a self-employed businessperson and, later, a local government councillor. Last year our political landscape was tarnished by the abuse by the privileged few of the inherent weakness of the underprivileged for crass political gain. Indeed, an election was fought and won on a great work of fiction about the most desperate people—all manufactured by a Federal Government that we now know knew much more than it cares to admit.

The losers in this process were not only those most vulnerable people, the refugees, but also we the public who were lied to and greatly diminished as a nation. In contrast to this duplicity, the program outlined in Her Excellency's address contains real initiatives that will only enhance people's lives. Although those initiatives are wide-ranging, I will concentrate on the key portfolios of the economy, trade, police, transport and education. As a stark comparison to the fiscal mismanagement of the Federal Government, the New South Wales Government has delivered six budget surpluses, and the economy is in a strong position.

We know that the Howard Government chose to blow a massive surplus to buy its way back into office—and that does not include the recent revelation that billions of dollars were wasted on speculative foreign exchange transactions. The New South Wales Government, in contrast, will not sacrifice the budget surplus that it has worked hard to deliver, all the while delivering important services to the community. The Government is strongly committed to employment in regional centres. As a city-based member, I support the Government's program of decentralisation and moving jobs from Sydney's central business district to where they are most needed—in outlying centres. The Government has created more than 2,000 new jobs in rural and regional New South Wales since its election in 1995, and it has relocated 1,100 jobs.

During the next three years the Government will create or relocate another 1,500 or more public sector jobs to regional areas. As Her Excellency outlined in her Speech, among those will be: 440 WorkCover jobs in Gosford; 160 Department of Mineral Resources jobs and 150 positions for the Police Infringement Processing Bureau in Maitland; 132 jobs to Lithgow with the State Debt Recovery Office; 100 positions to Dubbo to establish a Centre of Excellence in Land and Water Management; 58 Department of Local Government positions to Nowra; 84 new positions with the Fire Brigade on the Central Coast; and 24 positions to Wellington with the Department of Land and Water Conservation. Job creation in these areas is very important as employment sustains the entire community. The community can only stand to gain as public sector employment enhances the prospects of private sector job creation in these areas.

Our economic health will depend increasingly on our ability to retain our competitive advantage in the export market. East Asia is our largest trading partner, and trade between New South Wales and East Asia continues to grow. New South Wales has a healthy share of Australia's overseas market. Exports from New South Wales for the financial year 2000-01 grew by a strong 22.4 per cent to more than \$42 billion. China's entry to the World Trade Organisation [WTO] will see more opportunities for New South Wales exporters in an increasingly liberalised Chinese economy. For example, under WTO rules the tariffs on wine imports into China were slashed from 65 per cent to 14 per cent. Australian companies are already taking advantage of their competitive advantage in exporting high-quality premium wines in the expanding Chinese marketplace. China will also be required under the WTO rules to open up its cotton market and accept at least 3.5 million imported bales.

As the Premier stated last year, this is great news to cotton growers across the State as the Chinese mills prefer Australian wool to American wool. Those two examples mean jobs for New South Wales and jobs in country New South Wales. The New South Wales Government recognises the importance of East Asia to our economy, and the Premier has travelled to the region several times on trade missions and other visits to consolidate our friendship and to sell New South Wales. As a member of the Government I relish that task, and I want to see more New South Wales companies succeed in the export market.

As part of our engagement with the region, New South Wales will play a leading role in celebrating the thirtieth anniversary of the establishment of diplomatic relations with China by the Federal Whitlam Government. Indeed, as many honourable members might know, Gough Whitlam recognised the importance of a strong relationship with China and was the first Western leader to travel to Beijing—even before United States President Nixon. We are now in the midst of reaping the benefits of this far-sighted policy. The Government will set up a reference group comprising distinguished Australians and Chinese to oversee the planned celebrations.

The appointment of my colleague the Hon. Michael Costa as Minister for Police has seen considerable progress made by the Government in crime prevention. The Minister has already overseen a number of

initiatives to improve policing in New South Wales, including tough anti-gang measures to tackle crime in Western Sydney. He has shown that the Government is willing to take tough decisions and to follow them up with tough action. Her Excellency spoke of the Government's proposal to introduce a number of measures that will ensure we live in safer communities—wherever we live. Those measures will include the removal of the presumption in favour of bail for repeat offenders—a welcome move by our police force, as is the proposed legislation to consolidate general police powers into a single Act of Parliament.

Courts will be required to take into consideration the personal circumstances of victims, such as their age or any disability, when general sentencing principles are set out in law. The safety of the community is not guaranteed solely through increased powers to the police. It can never be. The community needs to be involved in crime prevention. As a proud son of Greek-Cypriot migrants, the Minister is well placed to understand the needs of communities, in particular migrant communities. I was proud to accompany the Minister on a visit to Chinatown to discuss local policing concerns with Chinese community leaders. The meeting was very productive and canvassed a number of issues, including the role of ethnic police liaison officers and their interaction with the community.

The Government is looking at ways to increase the participation of ethnic communities in policing and to recruit more police from diverse ethnic communities. As a result, the New South Wales Police Service is conducting an advertising campaign to recruit officers from culturally diverse backgrounds. I am pleased that the formation of the Police Advisory Council will include April Pham, from the Vietnamese Women's Association of New South Wales. This positive move seeks to build bridges between the police force and our diverse multicultural community. The Cabramatta anti-drug strategy is up and running, bringing together government agencies, local communities, businesses and organisations with the police to develop effective solutions to local crime. The focus now has to be on putting more police on the frontline—helping local communities solve local problems. The appointment of Greater Hume Region Commander Clive Small to the Premier's Department will strengthen the Government's resolve in developing and co-ordinating local crime prevention plans for communities.

Her Excellency also mentioned the Government's major plans in transport. The management of transport facilities during the recent Olympic Games offered but a glimpse into the near future. The Government is committed to the improvement of the State's roads and transport infrastructure, with several projects announced. Motorists will welcome the announcement of the commencement of construction of the Cross City Tunnel later this year. The tunnel will not only alleviate the mayhem of city traffic, but as a result will also contribute to a significant reduction in the level of pollution with freed city traffic. The Western Sydney Orbital and the Liverpool-Parramatta dedicated bus transitway will add to the transport infrastructure in Sydney's west. These initiatives are also planned for this year.

Plans for the Lane Cove tunnel will be finalised this year, thereby addressing the volume of traffic on Epping Road that passes through that area. We cannot forget the success of the M5 East extension. Not only has it been a great success; the project was delivered on budget and six months ahead of schedule. Public transport is also being addressed. Our rail network is being expanded. Stage one of the Parramatta to Chatswood railway extension will begin later this year. This most innovative project will have a far-reaching impact—for example, in education, students from the western suburbs gaining easier transport alternatives to attend Macquarie University and the University of Technology, Sydney. The congestion of the CityRail network will be eased with the introduction of the first of 135 new rail carriages, which are on order or being built, as well as the new timetable on 21 April. These all-important projects will significantly benefit the community.

The Government has increased education spending to a record level of \$7.6 billion for 2001-02. This financial commitment backs the Government's strong support for education, in particular public education. The quality learning environment of our schools is being maintained with another 25,000 computers going to public schools across the State by the end of 2003. This is in addition to 90,000 computers already in State schools. The Government is providing 300 scholarships in subject areas such as maths, science and English to address teacher shortages in areas of need, such as western and south-western Sydney and country New South Wales. The Government is ensuring, through a strong education system, that our children and the next generation are properly equipped to compete in a globalised economy.

Her Excellency also announced a record budget for the health system in New South Wales, with recurrent funding at a record \$8 billion this year, and with major projects starting in Shoalhaven, Gosford and Wyong. The increasing popularity of the use of complementary medicine, particularly traditional Chinese medicine, has seen the Government leading the way in pushing for a uniform national approach to its regulation.

A position paper is being prepared by the Department of Health at the Minister's request, and it will be available soon for public consultation. Quality health care for New South Wales patients is the key for the Government.

With many improvements planned in training and infrastructure, the Government also will introduce legislation on innovative and cutting-edge technologies such as gene technology. Her Excellency has announced an important legislative program for this year. It covers the basic issues that will benefit our lives directly. Others will guarantee that New South Wales retains its prime position as Australia's premier State with a healthy, vibrant and diverse economy and people. I commend the motion to the House.

**The Hon. AMANDA FAZIO** [3.52 p.m.]: I am honoured to second the motion for adoption of the Address-in-Reply to the Governor's opening Speech, which outlined the Government's legislative and budgetary program for the third session of the Fifty-second Parliament. I feel particularly honoured to have the privilege of seconding the Speech of Her Excellency Professor Marie Bashir, AC, who was appointed as the first female Governor of New South Wales in March 2001. As Her Excellency noted in her Speech, 2002 marks the centenary of women's suffrage in both the Commonwealth and New South Wales parliaments, and Professor Bashir called upon all members to join with her in honouring this milestone of equality and democracy. I concur with Her Excellency's comments, and I am sure that the community would be better served by having a Parliament that better reflects the make-up of the community at large.

The Carr Labor Government has continued its program of sound economic management, providing improved schools and hospitals and ensuring that the State is on a sound footing for the future. The legislative program set out by the Carr Government for the third session of the Fifty-second Parliament will continue to provide the people of New South Wales, whether they live in the city or in regional areas, with safer communities, better schools and hospitals, and economic growth that will provide jobs and promote investment. The Carr Government is delivering on its electoral commitment of "jobs, schools and hospitals".

2002 is the Year of the Outback and I am very pleased that I now have four country duty electorates to represent. Those electorates are Myall Lakes, Northern Tablelands, Tamworth and Upper Hunter. The Carr Labor Government is committed to ensuring that rural and regional communities have fair access to public sector services. The Government is committed to a program of decentralising public sector jobs from metropolitan areas to country areas. The record of the Government in this regard is impressive. In the last seven years the Government has created more than 2,000 new jobs and relocated more than 1,100 jobs to regional and rural areas of the State. I am proud to be a member of a government that will continue this commitment in the next three years by creating or relocating 1,500 more government jobs to rural and regional areas.

This year the Government is opening access centres in 45 small towns across the State, to improve access to services such as car registration, boating licence renewals and applications for birth certificates. Last year the Government announced one-stop shops to deliver natural resource programs. A natural service centre will be opening shortly in Tamworth. It is important to note that the Carr Labor Government is committed to giving country people access to government services. Those government services were slashed in country regions under the Greiner-Fahey Government. Restoring a fair go to the country is a major commitment of the Carr Labor Government.

Under the Carr Labor Government, spending on education has increased to a record level of \$7.6 billion in 2001-02. The Government is implementing its priorities of maintaining high standards of achievement in New South Wales schools and of valuing the work of and providing support to teachers. I choose to send my children to a local primary school because I have confidence in the quality of education they are receiving and I appreciate the supports and links they are developing within that school community.

The teachers and support staff I have met at the school have impressed me greatly with their dedication to their chosen professions and their willingness to work with families and support groups, such as the parents and citizens group and the school band committee, to provide a quality education to all children at the school and to develop the children's interest in learning and exploring new areas of knowledge. The improvement of the physical environment of schools by school capital works, upgrades and maintenance will cost more than \$1.7 billion over the next four years. By the end of this financial year an extra \$70 million will have been spent to fund priority building and security upgrades for schools throughout New South Wales.

As an example of the assistance given in just one of the duty electorates I represent, last year \$760,850 was allocated to schools in the Myall Lakes electorate under the minor capital works program, which enables a

wide range of minor works to be carried out to improve school facilities for students and staff. The following local schools in Myall Lakes received funds under the minor capital works Program: \$155,000 to Gloucester High School for air cooling of hot spots in permanent buildings and upgrading the science laboratories; \$97,000 to Gloucester Public School for air cooling of hot spots and to enclose a liquefied petroleum gas tank; \$33,000 to Booral Public School for airconditioning; \$7,000 to Stroud Road Public School for enclosure of a liquefied petroleum gas tank; and \$2,850 to Stratford Road Public School to upgrade a shade shelter. Those are typical of the improvements occurring across the State as a result of the Carr Government's commitment to improving schools.

The Government has focused efforts on improving the literacy of pupils at New South Wales schools, and since the election of the Carr Labor Government pupils in New South Wales have achieved the best literacy result in Australia and some of the best in the world. Through introducing innovative measures such as the Premier's Reading Challenge, the interest of children that has been stimulated in reading by the Harry Potter books is being built upon. The challenge is designed to foster a love of reading in children, laying a strong foundation of success in all areas of life. Children in years 5 to 8 who read 20 books—including 15 from the Premier's Reading Challenge booklist—before 31 July this year will receive a signed certificate from the Premier. And, if they meet the target for four years in a row, they will receive a gold certificate.

Parents play an important role in developing a child's love of reading, and by their use of the Premier's booklist they can be assured that their children are reading books that are appropriate and will further their interest in reading. As well, this year the Government is expanding the Count Me In Too and Counting On numeracy strategies to an extra 274 primary schools and 41 secondary schools. By giving students a strong grounding in literacy and numeracy, the opportunities open to them in tertiary education and employment options are greatly enhanced.

The Computers in Schools program is ensuring that children across the State have access to the new information age and can experience the advantages of Internet access when researching subjects and completing school projects. When I visited Limbri Public School, outside Tamworth, which is a small one-classroom, one-teacher school, the classroom was just as well equipped with computers as the school that my children attend in the inner west of Sydney. Children are gaining information technology skills, which they can use for their advancement and which will enhance the skills base in New South Wales generally. The Government has provided 90,000 computers and will provide 25,000 additional computers by June 2003.

The Carr Labor Government has encouraged parents to become more involved in their local school communities. Research has shown that children are happier, more secure and feel supported when parents are involved in their education. I know that at my children's school and at most other schools parents regularly volunteer to help children with reading programs, and assist at canteens, sports events and excursions. By assisting in these ways, parents can not only enrich students' education and learning enjoyment but also ensure that the contribution of the local public school is recognised, thereby strengthening community links. The introduction of the \$50 back-to-school allowance should be recognised for the way in which it has helped so many families to relieve the financial stress of sending their children back to school.

**Pursuant to sessional orders business interrupted.**

## **QUESTIONS WITHOUT NOTICE**

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### **PHUONG NGO TRIAD ENFORCER ALLEGATION**

**The Hon. MICHAEL GALLACHER:** My question without notice is to the Minister for Police. What is his response to the comments made by Mr Richard Basham on the Alan Jones program yesterday morning that Phuong Ngo used the 5T Gang as the enforcers for his triad at the same time he was running the major Australian Labor Party branch in Cabramatta? Will he institute an independent inquiry into these serious allegations?

**The Hon. MICHAEL COSTA:** I never heard the interview so I am not aware of the comments that were made, but I am happy to take the question on notice.

### AMUSEMENT RIDES INDUSTRY SAFETY REGULATIONS

**The Hon. JAN BURNSWOODS:** My question without notice is to the Minister for Industrial Relations. Will he tell the House what measures the Government has put in place to ensure that amusement rides are operated safely?

**The Hon. JOHN DELLA BOSCA:** I thank the honourable member for her ongoing interest in the safety of amusement rides and for raising this important matter so that I can provide information to the House. Honourable members can be assured that amusement rides operating in New South Wales are subject to comprehensive safety requirements. Five years ago following a tragic accident at Rylstone there was a complete overhaul of the safety regulations covering the industry. In that year WorkCover commenced a compliance blitz, inspecting 197 amusement devices. During the following year this Government introduced laws that laid down extensive requirements for amusement ride design, operation, inspection and registration.

Under those laws, in New South Wales all new amusement rides must be designed and manufactured in accordance with the relevant Australian standard. All amusement rides must be directed, operated and maintained in accordance with the Australian standard. Non-coin operated, powered amusement rides must be registered with WorkCover on an annual basis. A qualified engineer must inspect each amusement ride annually and certify that it is safe to operate before WorkCover will allow it to be registered. The qualified engineer must certify that the device complies with the Australian standard. Amusement ride operators must keep log books to note information about the inspection, direction and maintenance of the ride. Each year, to ensure compliance with these requirements, WorkCover inspectors undertake a targeted inspection and audit of amusement devices at the Sydney Royal Easter Show and the Newcastle show. In order to ensure that WorkCover's surveillance activities achieve broad industry coverage, safety audits are also conducted at a selection of New South Wales regional shows and other targeted events and locations.

Following the initial blitz, each year WorkCover inspectors in New South Wales conduct approximately 150 amusement ride inspections. In addition to WorkCover's licensing and inspection functions, WorkCover contributes to improved safety management in the amusement device industry in a number of ways. These include liaising with key industry groups, contributing to industry forums, distributing safety alerts, and producing safety guidance material for owners and operators of amusement devices. These also include contributing to the development of Australian standards on amusement devices, and providing advice and assistance to other Australian jurisdictions including South Australia, which recently introduced safety requirements commensurate with those operating in New South Wales. Over the past three years, audit results have indicated a significant increase in the level of compliance with safety requirements by amusement device owners and operators. The regulations, inspections and safeguards introduced by this Government have made the industry as safe as is practicable.

### PACIFIC POWER INTERNATIONAL PRIVATISATION

**The Hon. DUNCAN GAY:** My question is to the Treasurer. Now that he has completely abandoned his election commitment not to privatise the electricity industry, by announcing the sale of Pacific Power International, will he explain how this announcement fits with his no privatisation policy that he took to the people of New South Wales at the last State election? Will he also outline to the House what other parts of the electricity industry he now plans to sell?

**The Hon. MICHAEL EGAN:** I am very glad to inform the Deputy Leader of the Opposition that while there is a Carr Government in New South Wales, or indeed its successor or successors, there will be no privatisation of the State's electricity assets. In other words, the assets that are currently publicly owned—the generators and all the poles and wires for electricity distribution—will remain in public ownership.

**The Hon. DUNCAN GAY:** I ask a supplementary question. Treasurer, do you believe that anyone in New South Wales trusts you?

### POKER MACHINES CURRENCY LIMITS

**The Hon. Dr PETER WONG:** My question without notice is to the Special Minister of State, representing the Minister for Gaming and Racing. My question relates to the Government's recent decision on poker machines and problem gambling, namely, the abandonment of plans to slow machines or ban machines taking \$50 and \$100 notes. What were the reasons for the Government's decision? Was the decision based in

part on research carried out by the University of Sydney's gambling research unit, which was funded by the gaming industry? Has the Government accepted the findings of this research before they have been subject to peer review?

**The Hon. MICHAEL EGAN:** I think I am the Minister representing the Minister for Gaming and Racing.

**The Hon. Dr Brian Pezzutti:** You have no idea.

**The Hon. MICHAEL EGAN:** I have not, actually, and indeed I do not know the answer to the question, so I will refer the question to my colleague the Minister for Gaming and Racing and obtain a response.

### UNAUTHORISED WAGE DEDUCTIONS

**The Hon. RON DYER:** I direct my question without notice to the Minister for Industrial Relations. Will he outline to the House the assistance that is available to employees who have had deductions made from their wages without their consent?

**The Hon. JOHN DELLA BOSCA:** Employers who make unauthorised deductions from their employees' pay packets are breaking the law. In the past month inspectors from the Department of Industrial Relations recovered more than \$7,500 which had been illegally deducted from the pay of a number of employees. Employees must be paid in full. Deductions such as health fund contributions—even union dues—must have the written permission of the employee concerned. In a recent case a Department of Industrial Relations inspector helped an employee of a Merriwa farming company recover several thousand dollars that had been illegally deducted from his termination pay. The employee had been required by his boss to undertake a course for a stock and station agent's certificate. Under duress, the employee had been forced to sign a form allowing deductions for a range of items including course fees, books and accommodation, which amounted to more than \$3,500.

In another case a plant operator for an excavation company at Forbes was reimbursed \$1,750 for a number of illegal deductions. His boss had required the employee to pay for servicing the equipment that the employee was operating. He also was made to pay for the spare parts out of his wages. The New South Wales Department of Industrial Relations got the money back for him. Also, a supervisor working under the metal and engineering award in Matraville received \$1,886 for wages and holiday pay that had been deducted illegally from his termination payment.

Most employers understand their legal obligations to pay their employees in full and that only authorised deductions are to be made from their employees' pay, but some business owners have paid their employees less than the employees' full entitlements in order to cover their own cost. Employers may face a penalty of \$10,000 for underpaying employees. Courts can also order employers to pay lost wages and interest. If employees feel they have been short-changed or if employers want to ensure that they are complying with the law, honourable members can advise them to visit the department's web site at [www.dir.nsw.gov.au](http://www.dir.nsw.gov.au) or contact 130 205, the department's free hotline.

### FIREFIGHTERS DEATH AND DISABILITY BENEFITS

**The Hon. Dr ARTHUR CHESTERFIELD-EVANS:** I direct my question to the Leader of the Government. In light of the bravery of New South Wales fire service personnel during the December and January bushfires, will the Government now give a commitment to address the current disparities in death and disability benefits for firefighters under the three different State superannuation schemes? These schemes currently offer three different levels of benefits depending on when members joined the service and which superannuation fund they joined at the time of employment.

**The Hon. MICHAEL EGAN:** I will take the honourable member's question on notice. However, he would be aware that the Government has made an offer to New South Wales Fire Brigades employees. They are seeking coverage for accidents that happen when they are not on duty—in other words, 24 hours a day. If they have a skiing accident or they have an accident bungee jumping, or something of that nature, they want coverage for that. I do not think that is appropriate.

**The Hon. Michael Gallacher:** What if they are injured when they are maintaining their fitness so that they are able to continue in their job?

**The Hon. MICHAEL EGAN:** I think that is a bit far-fetched. I will refer the honourable member's question to my colleague the Minister for Emergency Services and obtain a response.

### **PHUONG NGO CHINESE NEW YEAR PRISON CELEBRATIONS**

**The Hon. PATRICIA FORSYTHE:** My question is to the Minister for Fisheries, representing the Minister for Local Government. What action has the Minister taken to address concerns raised by Fairfield Councillor Mr Thang Ngo about the ability of the current inquiry into the Phuong Ngo Chinese New Year party to discover the truth when witnesses are not required to make sworn statements? What action will be taken to address concerns that witnesses are unlikely to make completely truthful statements without being compelled to do so?

**The Hon. EDDIE OBEID:** I will convey the honourable member's question to my colleague the Minister for Local Government. However, I comment that the former Premier Nick Greiner's Government was among those closest to the person who has been mentioned.

### **INDEPENDENT ENTERTAINMENT NETWORK**

**The Hon. IAN MACDONALD:** My question without notice is to the Minister for Juvenile Justice. What is the New South Wales Government doing to assist young people in accessing safe and affordable recreational activities?

**The Hon. CARMEL TEBBUTT:** The ability to access drug-free, alcohol-free and safe recreational opportunities is an issue for young people. The Independent Entertainment Network [INDENT], a commitment of the New South Wales youth policy, was also a recommendation of the New South Wales Drug Summit. INDENT is based on local youth committees linking with support organisations working together to stage local youth-driven, all-age drug-free and alcohol-free events. MusicNSW is funded by the Government to implement and manage the project. The good thing about INDENT is that it supports young people to stage their own events and showcase local youth talent in locations where young people have limited entertainment options.

In 2001, 127 INDENT events were organised and held across New South Wales. That represents 127 opportunities for young people to access youth-driven, safe, drug-free and alcohol-free entertainment in their local communities and 127 opportunities for young people playing in garages to get out and perform in front of an audience. INDENT provides opportunities for young people to develop skills in event management. INDENT not only enables young people to access safe entertainment opportunities; it also provides training and skill development for young people. Over 100 young people attended the INDENT forum last October. Workshops covered sound production, event management, marketing and promotion and, perhaps the most difficult of all, understanding the music business.

Following the forum I was pleased to present the inaugural INDENT awards including the best event, which was won by Poolgrind in Goulburn. I was recently able to approve the 15 partnerships that will be running INDENT events in 2002. The partnerships have received grants of up to \$6,000 for INDENT committees in Marrickville, Parramatta, the Hunter, Newcastle, Bathurst, Deniliquin, Albury, Narrabri, Muswellbrook, Port Macquarie, Forster-Tuncurry, Byron Bay and Kyogle. Each partnership granted is based on a local plan designed by young people for a program of at least four events throughout the year. It is critical that young people are part of the submission in order to attract the funding.

In addition to partnership grants, INDENT provides funding for one-off events such as Poolgrind, which has been held in Goulburn for the second time. I congratulate the Goulburn Youth Council on its organisation of this successful event. I quote the words spoken by one of the young people who organised the event:

The night was a success, everything went off like clockwork thanks to the many helpers that contributed to the cause and all had fun. Everyone had a great night—enjoying the pool, skate ramp and outdoor environment. Police support was terrific and commended the Goulburn Youth Council on the organisation of the event. They were extremely happy with how smoothly it ran.

Local residents in Goulburn expressed some concern about the noise that might be generated by Poolgrind. It is interesting to note that the local paper published a supportive editorial about the young people who organised Poolgrind—something that does not always happen. Often there is a temptation for members of the local media to jump on the bandwagon and say, "Isn't it terrible? Young people will be congregating and there will be a lot of noise. We will need to control this event." The local paper in Goulburn was positive about the young people

who were organising Poolgrind. Essentially, the local paper said to some of those complaining, "Let young people just have this one night when they can enjoy themselves." That is an indication of how successful a program like INDENT can be.

Applications for the current round of one-off grants close today and will be considered over upcoming weeks. I look forward to announcing the results in April. I add that it is not too late to apply this year as another round of funding will be announced in June 2002. This is an important opportunity for young people to be able to put on events in their local communities for drug-free, alcohol-free and safe entertainment. [*Time expired.*]

#### SEVEN MILE BEACH SAND EXTRACTION

**The Hon. IAN COHEN:** My question is addressed to the Special Minister of State, representing the Minister for Planning. Will the Minister call a commission of inquiry into current proposals by Cleary Brothers to clear more rare coastal forests and swampland at Seven Mile Beach, Gerroa, in the extension of previous sand extraction operations? Will the Minister take into account the compounded effect of proposals by a developer, understood to be Pepper Resorts, which is highly controversial in my home area of Byron shire, to build a massive tourism development in the proposed new and previous sand extraction areas at Seven Mile Beach, Gerroa, rather than ensuring that Cleary Brothers rehabilitates to the maximum extent possible the existing sand void as a wetland nature reserve? How does such massive tourist development and the projected sand extraction fit in with the Government's coastal policy?

**The Hon. JOHN DELLA BOSCA:** No doubt the issue that the honourable member has raised is an important one. I assume that it falls within my portfolio area as I represent the Minister for Planning in this place. I will refer the question to that Minister for his consideration.

#### PHUONG NGO CHINESE NEW YEAR PRISON CELEBRATIONS

**The Hon. JENNIFER GARDINER:** My question without notice is to the Special Minister of State, representing the Minister for Corrective Services. Will the Minister table a list of invitees to the Phuong Ngo Chinese New Year party at Long Bay gaol? How many convicted killers were on the invitation list?

**The Hon. Michael Egan:** How many convicted killers were at Kerry's party?

**The Hon. JOHN DELLA BOSCA:** I am tempted to say, "You show me yours, and I'll show you mine." I do not think we will talk about lists of invitees to the party that was referred to in the other place earlier today. I will refer the question, in the spirit I believe the honourable member intended, to the Minister for his response.

#### COFFS HARBOUR YOUTH ON THE GO PROGRAM

**The Hon. IAN WEST:** My question without notice is to the Minister for Juvenile Justice. What action is the New South Wales Government taking to provide further support for the Coffs Harbour Police and Community Youth Club's innovative program Youth on the Go?

**The Hon. CARMEL TEBBUTT:** I thank the Hon. Ian West for his important question, because the Youth on the Go program is a very good program. I had the good fortune to see some of the work being done in the program when I visited Coffs Harbour last October. I am pleased to inform the House that the New South Wales Government has been able to assist the Coffs Harbour Police and Community Youth Club [PCYC] by providing special funding of \$40,000 to continue its Youth on the Go program. As I said, I had the opportunity to visit the PCYC and inspect the program for myself.

The staff of the Coffs Harbour Police and Community Youth Club are to be congratulated on their dedication and initiative in developing the program, in particular the controller Barry Butler. The North Coast has one of the State's highest levels of youth unemployment. Given this environment, it is important that the community offers positive programs that can help young people obtain work or enter further education. Youth on the Go is one such program.

The Coffs Harbour Police and Community Youth Club developed Youth on the Go to provide education and training opportunities for young people at risk of entering the juvenile justice system. One particularly impressive feature of the program is that it brings together a range of government and non-

government agencies in Coffs Harbour to work effectively together. It provides a real opportunity for many young people at risk who are part of the program to learn from older people, particularly older boatbuilders, who are able to pass on not only their boatbuilding skills but also their life skills. I think that is one of the reasons why the program works as well as it does. It offers courses on healthy living, communication skills, literacy and numeracy skills, and small motors maintenance and repair. The program also offers extended courses in boatbuilding and the Lifesaving Bronze Medallion qualification.

In developing the program, the PCYC was keen to ensure it included the principles of self-determination and community responsibility. The broader aim of the program is to effect lasting and meaningful change to the lives of the young people who participate. A second and equally important aim of the program is to reduce the number of offences committed by young people in the Coffs Harbour region. The program is jointly supported by the Department of Juvenile Justice, the Harbour Youth Centre, TAFE, Centrelink, the Mid North Coast Aboriginal Education and Training Unit, Coffs Harbour City Council and Coffs Harbour PCYC.

The program runs over 36 weeks with up to 40 students participating. The courses are accredited by TAFE and attempt to place the students into full-time employment or further study when completed. The PCYC and program partners are to be congratulated on putting together this successful program. The \$40,000 provided by the Government will help the program to build on its already successful record.

### **VOLATILE ORGANIC COMPOUNDS**

**The Hon. ALAN CORBETT:** My question is addressed to the Minister for Industrial Relations. Is the Minister aware of the CSIRO building, construction and engineering research undertaken by Stephen Brown and Min Cheng into the concentrations of volatile organic compounds [VOCs], including benzene, in new car interiors? Is the Minister further aware that the research showed high concentrations of VOCs in new cars, especially those reaching the market soon after manufacture? Given that VOCs have been previously associated with sensory irritation, and impairment of performance and memory, will the Minister follow up this issue with respect to the timing of purchase of government cars and as an occupational health and safety issue for drivers of new government cars?

**The Hon. JOHN DELLA BOSCA:** I am aware that research has been undertaken by Stephen Brown and Min Cheng in relation to volatile organic compounds and the fact that they appear to be prevalent in new motor vehicles. In fact, just before question time the Hon. Alan Corbett made available to me a brief abstract relating to that research. I repeat the undertaking I gave the honourable member before question time: I will relay the information to the WorkCover Authority.

**The Hon. Duncan Gay:** This is not a question without notice.

**The Hon. JOHN DELLA BOSCA:** Yes, it is. The honourable member gave me the information.

**The Hon. Duncan Gay:** No, it's not. He gave you the question before question time.

**The Hon. JOHN DELLA BOSCA:** The Deputy Leader of the Opposition is being a very grumpy old man in relation to this. I think he should be on the Hon. Jennifer Gardiner's list. As I was pointing out, just prior to question time the honourable member gave me a copy of this fairly technical research, and I have undertaken to him privately and am now placing that undertaking on record—

**The Hon. Duncan Gay:** Then it was on notice.

**The Hon. JOHN DELLA BOSCA:** The honourable member did not give notice of the question. He did not show me the question; he showed me the research. I will be happy to use that research and provide the honourable member with a complete answer as soon as I receive one from the WorkCover Authority.

### **PHUONG NGO POLITICAL ASSISTANCE**

**The Hon. CHARLIE LYNN:** My question without notice is to the Special Minister of State. Did the Minister ever promise, at the Minister's lunch on the day of John Newman's murder, or at any other time, to help Phuong Ngo get an ALP seat in the New South Wales Parliament?

**The Hon. JOHN DELLA BOSCA:** As I understand the standing orders in this place, the questions that members may ask Ministers must relate to public affairs in New South Wales and therefore my responsibility as a Minister. As the question does not fall into that category, I can provide no better answer than to ask the honourable member to place the question on notice and I will deal with it appropriately.

### PASTORAL AND AGRICULTURAL CRIME

**The Hon. TONY KELLY:** My question is to the Minister for Police. What is the latest information regarding pastoral and agricultural crime?

**The Hon. Dr Brian Pezzutti:** Where's the stock squad?

**The Hon. MICHAEL COSTA:** I am going to talk about the stock squad. I thank the Hon. Tony Kelly for his important and timely question, because it gives me an opportunity to outline what the New South Wales Government has done in relation to rural crime. I recently met with the New South Wales Farmers Association to discuss a range of issues affecting farming communities across New South Wales and was advised that there is a range of crimes unique to pastoral communities. This includes the theft of livestock, fuel, machinery and agricultural chemicals. That is why the Government is introducing its rural crime package to address the concerns of communities in rural New South Wales.

The current New South Wales Police restructure will also deliver a range of additional facilities to local area commands which will support regional and rural New South Wales. The rural crime package also includes a number of measures that will specifically deal with crime in the bush. One key element of the package will be the appointment of specialist rural crime investigators. Deputy Commissioner (Operations) Dave Madden has advised me that all 32 non-metropolitan local area commands will each have a rural crime investigator. I am further advised that these rural crime investigator positions will be allocated from the new general duties position scheduled to come in during 2002-03.

**The Hon. Duncan Gay:** Are they extra?

**The Hon. MICHAEL COSTA:** They are extra. The police will undergo a training course at the University of Sydney Orange campus. The New South Wales Farmers Association has publicly endorsed the rural crime investigators, as has the New South Wales Rural Lands Protection Board. They believe that rural crime investigators will be more effective than the former stock squad; that the investigators will be able to tackle a range of rural crimes devastating to farmers. Once again, this demonstrates how much the National Party has drifted from its traditional constituency. The Leader of the National Party, George Souris, is touting the stock squad as the solution to rural crime problems, but the New South Wales Farmers Association takes precisely the contrary view. I can understand why young, enthusiastic members of the National Party want to leave that party.

**The Hon. Dr Brian Pezzutti:** Point of order: There has not been a stock squad in New South Wales for two years.

**The PRESIDENT:** Order! The Hon. Dr Brian Pezzutti has been warned many times about making a debating point in the form of a point of order. The Minister may continue.

**The Hon. MICHAEL COSTA:** As I said, once again this shows how the National Party of this State is drifting away from its traditional rural and regional constituency. Is it any wonder that young people with dynamic ideas leave the National Party? More people will leave the National Party in the coming weeks. *[Time expired.]*

**The Hon. TONY KELLY:** I ask a supplementary question. Will the Minister elucidate on his answer?

**The Hon. MICHAEL COSTA:** In a media release issued on 27 February the chief executive officer of New South Wales Farmers Association said:

... the rural crime investigators would fulfil the requirements of the old Stock Squad, but they would also be trained in the broader requirements of rural policing.

It is time that the National Party started to listen to the farmers in New South Wales. If its members got out of the inner city and went back to the bush they would hear what the farmers are saying. They are saying that they want rural crime investigators, not the old stock squad. In addition, the meeting with the New South Wales Farmers Association led to an announcement about additional fines to deal with offences such as trespass. I am pleased to report that we will bring before the House proposals for on-the-spot fines for minor trespass—those fines being about \$550—as well as on-the-spot fines for minor unauthorised hunting and for carrying prohibited weapons. Members of the National Party ought to take note: Go out and consult with farmers in regional New

South Wales and they will come up with these ideas. While members of the National Party throw abuse across the Chamber they will be as irrelevant as they have always been, and more and more young people will desert their party. I will welcome them to our side.

### LAND CLEARING ASSISTANCE

**The Hon. MALCOLM JONES:** My question is to the Minister for Juvenile Justice, representing the Minister for the Environment. Notwithstanding the bushfire inquiry recently announced by the Minister and given that the inquiry is not likely to produce a report until at least July, will the Minister move to reduce red tape and assist private landowners with their efforts to reduce fuel loads on their land during the autumn months—the most opportune time for such clearing? If so, what will be the nature of such assistance and how will it be implemented?

**The Hon. CARMEL TEBBUTT:** I will refer the question of the Hon. Malcolm Jones to the Minister for the Environment and undertake to get a response to the issues he has raised as soon as possible.

### MOTOR VEHICLE THEFT

**The Hon. GREG PEARCE:** My question is to the Minister for Police. Why does New South Wales have the worst recovery rate for stolen vehicles, given his Government's election promise several years ago to introduce effective, affordable, electronic vehicle-tracking devices to deter car theft? How many more cars will be stolen before the Government meets this election promise?

**The Hon. MICHAEL COSTA:** Car theft is a serious problem and we need to deal with it. Car theft is a serious problem in every State of Australia and in most countries. This morning I was pleased to hear the National Motor Vehicle Theft Council spokesman say that New South Wales is leading the nation in addressing car theft. Contrary to reports by the Leader of the Opposition, New South Wales police advise that the intact recovery rate for stolen vehicles is 85 per cent. Commander Dick Adams said today:

The figures in the paper are an exaggeration.

He went on to say:

... the picture is not as dire as has been suggested.

Commander Adams and the police recognise the challenges. Commander Adams also said today:

Sydney is the most populous city in the biggest State in Australia and our vehicle fleet is consequently the largest in the country. It is also the oldest and therefore the most prone to theft.

The Opposition says that we need more police to solve the car theft problem. The Government has just announced a second Sydney campus to train more police. The second campus will be taking in an extra 800 students. As at 28 February 1,500 recruits were in training. The force expects to test 1,700 police between now and May next year—these are record numbers. If the community wants more police my message is: more police are on the way. The Opposition says we need an anti car theft task force. The Government has already announced an anti car theft task force. Under Superintendent Ken McKay the Gangs and Organised Crime Strike Force became operational on 1 February. Twenty-two officers are attached to that strike force, and a further 30 will be part of it from 1 July. The Government is also working with the Crime Commission to develop new anti-rebirthing laws. We have a policy, we have a strategy, and the police reject the comments made by the Leader of the Opposition as alarmist and as part of a pathetic attempt to whip up— *[Time expired.]*

### RECREATIONAL FISHING FEE

**The Hon. PETER PRIMROSE:** Will the Minister for Mineral Resources, and Minister for Fisheries outline the progress being made to implement programs associated with the recreational fishing fee?

**The Hon. EDDIE OBEID:** Fish are a community-owned resource. The Government is making sure that our community has a say in the way we manage this resource. Just over a year ago, on 1 March 2001, the first New South Wales recreational fishing licence went on sale. Today I am pleased to advise the House that the licence has been an outstanding success—more than 418,000 licences were sold in the first 11 months. As a result, more than \$8.4 million in anglers' fees have been raised for better recreational fishing. This is a tremendous result. It shows that our anglers are keen to help the New South Wales Government manage this important resource. These fees are placed in trusts and are only used for projects resulting in better recreational fishing.

Angling is highly seasonal. One of the most dramatic increases in sales occurred over the summer. More than 50,000 licences were sold in the lead-up to the Christmas holidays—one of New South Wales Fisheries busiest times. I thank our recreational fishers for their strong support, and I assure anglers that their money is hard at work. The funds are already being used for a number of education, research, conservation and compliance programs. This money will be used to buy out 190 commercial fishers working in 29 areas that the community has asked to be designated as recreational fishing havens. Some \$19 million has been earmarked for this buyout, which should be completed by the end of this year. More than 480 commercial fishers have already registered interest in being voluntarily bought out.

In addition, \$800,000 of fees are being used to expand the successful Fishcare Volunteers program to our coastline and inland areas. Just last weekend new Fishcare Volunteers were out in force helping to protect the marine environment around Long Reef. In late February I announced that nearly \$500,000 will be spent on new research and safety programs. This includes \$25,000 to help the Australian National Sportfishing Association's angel ring rock fishing safety program. A further \$230,000 will be spent on a two-year trial of special buoys to attract game fish species, and \$200,000 will be spent on vital research of catch results from recreational fishing havens. These projects would not have been possible without the support of our anglers. Once again I thank our recreational fishers for their tremendous support, and I look forward to updating the House on new projects as sales continue.

### BYRON BAY MARINE PARK

**The Hon. RICHARD JONES:** I ask the Minister for Fisheries whether radical elements amongst fishers used famous author Di Morrissey's name in advertisements saying that she opposed the Byron Bay Marine Park when in fact she does not. Will the Minister treat submissions from fishers on the Byron Bay Marine Park with considerable suspicion as many of them will have been dishonestly obtained? Will the Minister confirm that Byron Bay Marine Park will provide a considerable boost to the Byron Bay economy not only through increased tourism but also through marine species increasing in abundance as a result of no-take zones in the park? Will the Minister disregard the dirty tactics used by a tiny minority who oppose the marine park and the tremendous boost it will provide to the people of Byron Bay?

**The Hon. EDDIE OBEID:** I thank the Hon. Richard Jones for his important question and, notably, his continued support for marine parks. The Carr Labor Government has had as a political objective and a policy the creation of three marine parks, which it has created since it came to government. I should add that there are another three marine parks to come. It is well recognised that marine parks with multi-uses—marine parks with sanctuary zones, habitat protection zones, areas for commercial fishing and areas for recreational fishing—are a great attraction. Not only do they help to maintain the sustainability of the biodiversity of marine life; they are great tourist attractions. Independent economists have said that the future zoning of the Solitary Islands Marine Park will bring more than \$6 million of economic activity to that local region.

New South Wales Fisheries will consult with the community, as it has done in the past. It will listen to the views of all the different users of the parks. At the same time it will not be carried away by people who use other people's names to object to the presence of marine parks. Byron Bay is a very important area. It is one of the locations being considered at the moment as a marine park. The people of New South Wales can be proud that eventually we will have six marine parks, which will be tremendous for the sustainability of marine life within these important precincts. Most importantly, for generations to come, tourists and local people will be able to visit and enjoy those marine parks and participate in sustaining marine life in those parks.

I assure the Hon. Richard Jones that we will not be dismayed or sidetracked by people who feel that marine parks are not part of the environment in which we want to live. We will continue to consult with the community and to respect the views of all sectors of the community. My colleague in the other House, Minister Bob Debus, who has co-carriage of the Marine Park Authority, and I will listen to and take advice from the community, and hopefully we will get the balance right in terms of the best use.

**The Hon. Duncan Gay:** Show us your fishing licence!

**The Hon. EDDIE OBEID:** The Deputy Leader of the Opposition should not talk. He should understand that the ranks of the National Party are disgruntled. National Party members cannot get through to their leaders—you and George Souris—that there must be reform and that you must have policies. You do not have any policies. You are very feisty when you come into the Chamber, but you are bankrupt. You have no policies. Even young members of the National Party, who have tremendous potential, are dismayed. They are walking out of the party. If you want to be taken seriously, come into this House with some policies. *[Time expired.]*

### MOTOR VEHICLE THEFT

**The Hon. Dr BRIAN PEZZUTTI:** My question without notice is addressed to the Minister for Police. Why is Sydney the car theft capital of Australia, given the Government's election promise seven years ago to increase police patrols of car theft hot spots such as car parks, shopping centres and clubs?

**The Hon. MICHAEL COSTA:** I thought I had already answered this question. Once again the figures the Opposition is running around with have been disputed and rejected by New South Wales police. New South Wales police indicate that we have a recovery rate of 85 per cent. The Government has a strategy which includes more visible police. In addition, it has a strategy which involves the organised crime and gangs squad focussing on dealing with this problem. Car theft is an issue, but the police are doing a tremendous job. We have an 85 per cent recovery rate. The figures that the Opposition is running around with are nonsense.

**The Hon. Dr Brian Pezzutti:** Point of order: My question is not about car theft recovery rates; it is about increased policing of car parks, clubs and car theft hot spots. My question is specific and it requires a specific answer.

**The PRESIDENT:** Order! There is no point of order. The Minister may proceed.

**The Hon. MICHAEL COSTA:** That is the way to win elections—no publicity! That is exactly what you should continue doing—no publicity. You do not need publicity. I assure you that no publicity is the way to go for the next 12 months. It is a brilliant strategy. I do not know where the Hon. Dr Brian Pezzutti has been for the past few months, but I announced a restructure that will deliver precisely what he is talking about: front-line, visible policing. It will be a requirement that all police officers engage in front-line policing. As part of the process, I have also announced the establishment of what we call pacts to enable the community to identify hot spots to ensure that they are adequately policed by our police, in addition to the Government's commitment to record numbers of police. Clearly, this Government has law and order under control.

### FOX STUDIOS EXPANSION

**The Hon. AMANDA FAZIO:** My question without notice is to the Treasurer. Will the Treasurer provide the House with updated details of the expansion of studio space at Fox Studios?

**The Hon. Michael Gallacher:** Are you on the list?

**The Hon. MICHAEL EGAN:** I would be far more worried if I were on Amanda's list than on Costa's list. They are a very impressive lot. Throughout question time I have become increasingly frustrated because I have not been asked a question in almost 45 minutes—that is unbelievable! If this practice continues, I will institute that part of the day's proceedings be for answers without questions. I come into this Chamber briefed to the eyeballs. Before I enter the Chamber I make a list of all the questions that the Opposition should ask me. I make sure that I have all the answers and that I know what I will say.

**The Hon. Michael Gallacher:** Why don't we end up with the answers?

**The Hon. MICHAEL EGAN:** You will get plenty of answers about the Australian Technology Showcase. The decision by Fox Studios to expand its filmmaking capacity is great news for the State's film industry, and will no doubt lead to the creation of even more film industry jobs in New South Wales. Last week I signed the necessary agreements to the initial Government approval allowing Fox Studios to add a further 2.1 hectares to its existing film studio area of 11 hectares. Fox Studios have also submitted a development application to the Minister for Urban Affairs and Planning. The biggest brake on film-making in New South Wales has been a lack of studio space. I understand that the makers of the latest *The Matrix* movie have had to use outside warehouses, as well as other Fox Studio space, to keep to schedule. It is expected that following this announcement, films such as *The Matrix* will have access to the best facilities during their entire production schedule.

**The Hon. Duncan Gay:** Internal Labor polling has said that you should not be on the media any more. Who will play you?

**The Hon. MICHAEL EGAN:** Really? Has anybody seen this internal Labor polling? Why don't they show it to me?

**The Hon. Michael Costa:** It says you are very popular.

**The Hon. MICHAEL EGAN:** Does it?

**The Hon. Eddie Obeid:** Seven budgets and a surplus—of course you are popular.

**The Hon. MICHAEL EGAN:** I know that.

**The Hon. John Della Bosca:** And you are more popular with conservative voters than Kerry Chikarovski.

**The Hon. MICHAEL EGAN:** Am I? I accept the word of my deputy. While large-scale international productions occupy most of the studio space, the expansion will also allow for increased space for smaller productions. At any one time there is an estimated \$10 billion worth of footloose movies being made around the world. [*Time expired.*]

**The Hon. AMANDA FAZIO:** I ask a supplementary question. Will the Treasurer elucidate on his answer?

**The Hon. MICHAEL EGAN:** Currently Canada gets the lion's share of the film-making business, but the extra studio space will put us in a much stronger position to compete. The expansion of the film studio area is a result of the recent closure of the Back Lot entertainment complex. Buildings in the former Back Lot will be used for film studios and production offices, and the space will be subdivided. For example, the Commemorative Pavilion, which previously housed the Titanic Experience ride, will be turned into a sound stage; and the Lights, Camera, Action Theatre will become an 800-seat theatre, suitable for recording live audience programs. The film and television industry is now worth an estimated \$3.54 billion to the State's economy. This announcement is a major step forward for film-making in New South Wales and can only enhance Sydney's capacity and reputation as a major centre for filmmaking.

#### SYDNEY 2002 GAY GAMES

**Reverend the Hon. FRED NILE:** I ask the Treasurer a question without notice. Did the Premier announce last year that the Government had rejected a request from the Sydney 2002 Gay Games, which will be held in November, for a cash advance of more than \$300,000 and that the Government would not provide the Gay Games with any financial support? Did the Government recently make a commitment to the 2002 Gay Games for the provision of logistic support by relevant agencies, as well as staff support through secondment—including staff of members of Parliament—on full pay? How many public servants and/or parliamentary staff will be seconded to the Gay Games on full pay? What will it cost taxpayers and the public purse to provide organisational staff and logistic assistance for the Gay Games? Will it exceed the original \$300,000? Will they have to refund the cost of the Gay Games? [*Time expired.*]

**The Hon. MICHAEL EGAN:** I do not recall the specific announcement to which Reverend the Hon. Fred Nile referred. I am not aware of the matter that he raised in the second part of his question. I will refer his question to my colleague the Premier and obtain a response.

#### JOHN NEWMAN MURDER INVESTIGATION

**The Hon. RICK COLLESS:** My question without notice is to the Minister for Police. Will the Minister investigate allegations made by Dr Richard Basham on yesterday's Alan Jones Radio 2GB program that senior police were reluctant to thoroughly investigate Phuong Ngo's involvement in the John Newman murder? Was that because of Phuong Ngo's well-known close ties to the Australian Labor Party?

**The Hon. MICHAEL COSTA:** It is amazing that during the first question time of this session of Parliament Opposition members have run out of questions. They have asked the same question twice. It is quite pathetic. The National Party is in disarray—its people are walking away from it in droves. And all they can do is repeat the same question!

**The Hon. Duncan Gay:** Point of order. The Minister is misleading the House. It was not the same question. The problem is that the Minister is not listening—this Government does not listen any more. Madam President, I ask you to draw the Minister into line because he has definitely misled the House. It was an entirely different question.

**The PRESIDENT:** Order! I warn members not to use points of order to make debating points.

**The Hon. MICHAEL COSTA:** I reject the suggestion that I have misled the House. Everybody knows that the National Party is in disarray. I stand by that comment. I answered this question when it was asked about 50 minutes ago.

### **MINERAL SANDS EXPLORATION AND MINING**

**The Hon. HENRY TSANG:** My question is to the Minister for Mineral Resources. What recent developments have helped to encourage the development of the mineral sands industry in this State?

**The Hon. EDDIE OBEID:** I commend my colleague for his keen interest in mineral resources throughout the State. The New South Wales Government continues to actively encourage investment and exploration in our regional areas. The Murray Basin's vast mineral sands deposits, which we share with South Australia and Victoria, are exciting potential developments. It is estimated that this resource could be worth \$20 billion—and most of it is in New South Wales. This Government actively encourages the development of mineral sands deposits in the far west of our State. Exports of our mineral sands will help create new jobs where they are most needed—in country New South Wales.

**The Hon. Doug Moppett:** What have you done to stop it from going down to Portland in Victoria?

**The Hon. EDDIE OBEID:** Why not listen to my answer, then ask me a question? I would be happy to answer it. Today I am pleased to advise of a major step forward in this new industry. In late January the Minister for Planning, Dr Andrew Refshauge, approved a development application for a company called BeMaX Resources. Today I have handed over a lease to BeMaX subsidiaries Peregrine Mineral Sands and Imperial Mining (Australia) and to Probo Mining Ltd for the Ginkgo mineral sands proposal. This is an historic milestone in our State's minerals industry. It is great news for far western regional communities. Today's announcement has been warmly welcomed by the member for Murray-Darling, Mr Peter Black. This lease is the first mineral sands development in our State's section of the Murray Basin. And it is also great news for the local community since most of the Murray Basin heavy mineral sands are on our side of the border.

The Ginkgo mineral sands venture is located 40 kilometres west of Pooncarie. This project would create 145 new jobs during the construction of the new mine. When fully operational, the mineral sands operations will provide 70 jobs. More than 440,000 tonnes of concentrate will be harvested each year. Over the 14 years of the mine's productive life, it is expected this development could generate up to \$1.2 billion. This is great news for New South Wales, and in particular it is great news for communities round the Murray Basin. I thank my colleague in the other House the honourable member for Murray-Darling for his continued support of this project and for his numerous meetings with these companies to make sure that this project got off the ground. I am very pleased to say that I hope we can help in the provision of a magnificent industry for that region, and it in particular for the community of Broken Hill.

**The Hon. MICHAEL EGAN:** If members have further questions, they may like to place them on notice.

**Questions without notice concluded.**

### **GOVERNOR'S SPEECH: ADDRESS-IN-REPLY**

#### **First Day's Debate**

**Debate resumed from an earlier hour.**

**The Hon. AMANDA FAZIO** [5.03 p.m.]: At a time when the cost of raising a family has been made more difficult by a number of measures introduced by the Howard Federal Government, this one initiative—the \$50 back to school allowance—has helped families battling to make ends meet. The imposition of the GST on families, through the taxation of items never previously taxed and the increases in the costs of child care, outside school hours and vacation care have made life far more difficult for working families. The back to school allowance helps parents buy educational basics such as shoes, uniforms, backpacks and sports gear. This year the parents and guardians of 1.1 million children will benefit, at the cost of \$56 million. I know from talking to parents at school that this allowance really helps because it arrives at a time when families are usually facing some financial stresses following on from the Christmas period and the summer school holidays.

For children who have behavioural difficulties, the Government has introduced a raft of measures to try to minimise the number of young people who drop out of school and then face a future with little formal education and little hope of being able to establish themselves in a valued role in our community. Last year the Government announced a package of measures costing \$46 million to provide 11 new special schools, 17 tutorial centres and 46 specialist staff to help children with disruptive behaviour. Some of those centres have been established in duty electorates that I represent. It is very good that these sorts of measures are being implemented right across the State. These children deserve to be given every opportunity possible to achieve their potential.

I have focused on the positive policies of the Carr Labor Government on education because that highlights the Government's strong commitment to set solid foundations for the future of this State. I am confident that the education that my children and all pupils at public schools are receiving will give them the knowledge and skills they need to be successful in life and that they will be able to contribute to the advancement of New South Wales. The State Government is helping out not only in the area of education. In health, we now have \$8 billion in recurrent funding this year. That is the highest level of recurrent funding ever in a New South Wales health budget.

Major improvements in hospitals are being made both in the number of new hospitals being opened and in hospital security. The Minister for Health has addressed the results of a statewide audit of hospital security by implementing a number of measures. Those measures include duress alarms for staff, closed-circuit television, better lighting, screens, grilles and locks and up to an additional 120 security personnel across the State, at a cost of \$5 million a year. The Minister has stated that the Government will do whatever is necessary to ensure that the safety of nurses, doctors and other health workers is paramount.

At the moment I am a member of the Select Committee on Mental Health. Mental health has been identified as a priority in the health budget of the current financial year. In recognition of that priority, the Government is opening new inpatient mental health units. One of those units is located at the Taree hospital, which is in my duty electorate of Myall Lakes. That inpatient mental health unit is different from those that one mostly encounters. Recently, a senior staff member of New South Wales Health noted that one major difference with the health unit is that, instead of being located at the back of a hospital behind the carpark and the amenities block, it is actually at the front of the hospital, making mental health an issue that is not shoved into the background but one that is seen as open and upfront. The focus on mental health issues really needs to be recognised.

The Manning Base Hospital mental health unit cost \$36 million. The Government has announced that a new \$385,000 cardiac ultrasound machine will be installed at that hospital. Redevelopment of the Manning Base Hospital and the introduction of the Taree mental health unit means that the residents of Manning Valley, Great Lakes and Gloucester will have access to an excellent health facility that will deliver a wide range of health services locally. With the improved integration of services such as community health, mental health and general hospital services, the community now has the opportunity to access a full range of services with one single visit. The integrated approach to health care gives patients the convenience of a one-stop shop for their health care needs, while health care professionals have the advantage of increased networking and communication channels leading to improve patient care.

Another initiative to which Her Excellency referred in her address to the Parliament is the Families First program. This program needs to be afforded special recognition, because the Families First program really is tackling the problem of families who struggle to operate in what we would deem to be a normal way. Families who are under stress, have financial problems or are not structured in the normal way can be given a great deal of assistance through the Families First program. This program currently operates in 11 areas across New South Wales, including the North Coast, Central West, Hunter, Central Coast, Southern Highlands and western and south-western Sydney. I visited a number of Families First services, particularly home visit services, and I have spoken with the clients of those services. They can attest to the fact that their families are being held together by the existence of the Families First program.

The benefits of the program include improved child and maternal health, better functioning families, and a reduction in conditions that can lead to child abuse, juvenile crime and substance abuse. A new initiative in Families First is a service to help families in the Taree, Great Lakes and Gloucester areas. Funding for a new Families First service will help parents in those areas to meet the challenge of managing their young children's behaviour. A parent educator will assist parents with information and education for managing behaviour in preschool-age children and help families to improve their understanding of child development and child stimulation.

The Government has recognised that access to a good quality early childhood service greatly reduces the likelihood of kids experiencing difficulties when they begin school and that managing children's behaviour is one of the myriad tasks facing parents of young children. Under the State Government's Families First initiative, \$35,000 in recurrent funding has been made available through the Department of Community Services to manage support services to provide the parent-educator service. The new service, which will employ one parent educator, will provide parenting education sessions at local preschools for parents of children aged from nought to eight years and it is envisaged that approximately a dozen parents will attend each session.

The parent educator will work with parents in a group setting to help parents to develop their parenting skills. The aim is to improve educational, health and social outcomes for the children. The parent educator will work closely with local children's services to access parents and will link with professionals from service providers such as the Department of Health, the Department of Community Services, early intervention and Aboriginal services, and private consultants, where required, so that experts can present information to families. If parliamentarians are desirous of building a strong future for New South Wales, it must be said that ensuring that we have well-functioning families with parents who understand their responsibilities and their role—in setting an example for their children, in providing a stimulating learning environment, in providing good nutrition and in ensuring that their children get to school—is of paramount importance.

Without the underpinning of Families First, our job as a government would be very much harder. As well as providing practical assistance to families, the Government is trying to make sure that the community is a safer place in which to live. In relation to law and order issues, I think that the Government has shown that it is very good at responding to community concerns. With a new Minister for Police in place, the Government has been proactive in supporting the police and making the job of people in the Police Service a lot easier. Examples of these initiatives are the provision of stenographers and dictaphones for police officers so that they will have to spend as little time as possible being bound up with paperwork inside police stations and will instead be able to spend more time out in the community, working the beat and making sure that they create a visible presence to allay any concerns that members of the public may have. That is a simple initiative, but it is one that will make life a lot easier for police officers.

We should commend the Minister for Police on that initiative because there is nothing worse while visiting a police station than to see somebody who is an experienced pursuit car driver and highly trained in a number of specialist fields struggling to type out a statement for a witness to sign. Honourable members should be supporting initiatives that allow police officers to be best used—initiatives that will allow police officers to spend more time doing police work and less time doing office work. Changes to the Bail Act which target repeat offenders are proposed and that will also ensure that the community feels safer. People who continue to commit crimes while they are on bail will forgo the option of bail.

It must be said that the treatment of prisoners after they have been convicted or even while they are being held on remand should take account of the fact that New South Wales has a record prison population currently. The Government is responding to that by providing better accommodation, by expanding the number of gaols that exist in New South Wales and by ensuring that there is an adequate segregation of high-risk prisoners from other prisoners. The opening of the new high-risk security unit at Goulburn gaol is an indication that the Government is taking its responsibilities very seriously. It is also worth noting that currently New South Wales has the lowest breakout rate over a number of years under the administration by the Minister for Corrective Services.

As well as providing all the services I have mentioned, there is a need to stimulate the community in cultural activities. The provision of arts funding for districts outside the metropolitan area is a very important initiative. Just the other day I represented the Premier at the launch of Opera Australia's Opera in Schools program for 2002. The Government has provided extra funding for expanded programs to allow Opera in Schools to travel to rural and regional areas this year. This will allow children in primary schools in districts that are outside the metropolitan area to experience opera and to gain an appreciation as well as an understanding of the arts. Moreover the Government has continued the City of the Arts program.

Last year Armidale was the City of the Arts and this year that privilege has been conferred on the city of Port Macquarie, which has a new regional gallery. The Government is providing arts funding to assist in the provision of arts activities and arts programs for the people of Port Macquarie. On a personal note, I am pleased that the Government has been able to provide recurrent funding to the Museum of Contemporary Art. The funding will provide some stability for the museum and the scope for forward planning. Despite a lack of funding on the part of the Federal Government, the New South Wales Government is working hard on tackling some of the problems that are causing difficulties in rural and regional areas of this State, such as the major problem of salinity.

During 2002, the Government will finalise key regional natural resource management plans, including catchment management blueprints, water-sharing plans and regional vegetation management plans, but one of the greatest challenges faced by this State is the issue of salinity. The Government continues to implement the strategy agreed at the Salinity Summit held at Dubbo two years ago. Approximately 50 major projects are either complete or under way throughout New South Wales and they involve more than 600 land managers. Later this year the Government will host a business roundtable conference to further develop market-based solutions such as salinity credits and carbon credits. But this action is being made more difficult because of the Federal Government's slow and piecemeal approach to tackling the problem of salinity.

The Federal Government is making it very hard for State governments to take any positive action to address the problem, especially when the issue is made more complicated by rivers crossing State borders. The Murray River crosses four State boundaries. It is very difficult to deal with such a problem on a State-by-State basis. A concerted and co-ordinated response is required, with the Federal Government taking the lead. However, currently that is not happening. The Federal Government is ignoring the salinity issue and has failed to provide sufficient funds. The Federal Government will continue to ignore the issue: The Federal Government has no incentive to address this issue properly because it does not want to co-operate with State Labor Governments. It would be remiss of me to conclude my speech without commenting on the bushfires that raged in New South Wales during the Christmas and New Year period.

It is necessary to recognise the value of resources that the State Government has contributed to assist volunteer and rural firefighters. In November last year I attended the local bushfire control centre in Armidale in the company of the Minister for Emergency Services, Bob Debus, and the honourable member for Northern Tablelands, Richard Torbay, where we met most of the local rural fire brigades when a number of them had new trucks handed over to them. I spoke in particular to a team from the Devils Pinch-Black Mountain Bush Fire Brigade who spoke to me about the difference that having better equipment—a better truck and better communications—made to them. They were very grateful for the upgraded equipment that they have been given.

It must be remembered that these local volunteers are ordinary members of the community. Many of them are women whose husbands are in the firefighting services. When a bushfire breaks out and both parents are out fighting it, their children stay with neighbours. Their level of community commitment and their willingness to face dangers that most people who live in cities would never have to confront impressed me, and members of this House should be very thankful that we have such a strong volunteer spirit in New South Wales as well as in other Australian States. We should not forget that volunteers came from other States and that, on occasions, New South Wales volunteer firefighters provide assistance to other States. The general spirit of volunteerism and commitment to community gives us hope that the future for New South Wales will be good. The legislative program that has been set out by the Carr Government for this third session of the Fifty-second Parliament will ensure that we have a sound basis for New South Wales in the future. The directions that are being taken and the foundations that are being laid are the sorts of directions and foundations that we need for a strong and viable future. I commend the motion to the House.

**The Hon. JAMES SAMIOS** [5.20 p.m.]: On behalf of the Opposition I speak in the Address-in-Reply debate on the Speech delivered by Her Excellency Professor Marie Bashir, AC, on 26 February 2002, on the occasion of the opening of the third session of the Fifty-second Parliament. In expressing the appreciation of the Opposition to the Governor of New South Wales and Sir Nicholas Shehadie for their role in the opening of Parliament, the Opposition notes the historic role that Her Excellency plays as the first woman to be appointed Governor of New South Wales. It is also worthy of note that Her Excellency Professor Marie Bashir, the thirty-second Governor of New South Wales, is the first Australian of Lebanese background to be appointed to this high office. Her appointment further emphasises the important role that Australians of culturally diverse backgrounds are playing in the social and cultural development of our State and nation.

In emphasising the important role of the Government's legislation we must never forget our most important resource—our people. It is pleasing to note the reference in Her Excellency's Speech to the important role played by volunteer firefighters in one of the worst bushfires in our State's history which happened over the Christmas and New Year period. Furthermore, the Opposition endorses the tribute paid to the people in our rural communities for their stoic qualities and determination. It is also important for us to remember and to appreciate the significant role played by people of culturally diverse backgrounds in the social and cultural development of this State.

Since the arrival of the First Fleet from the United Kingdom in 1788 modern Australia has been a nation of migrants who have come from 140 nations and from some 230 ethnic backgrounds. That is particularly

significant for the people of New South Wales as this State continues to receive the greatest number of migrants into Australia, swelling its work force and underpinning the economic and social development of our State and our nation. I emphasise that point because we must never forget that our greatest resource is our people; that we are a nation of migrants; and that our policy of multiculturalism plays a vital role in underpinning the social cohesion and economic stability of New South Wales.

In this regard it is disappointing to note that nowhere in the Governor's Speech was any reference made to our multicultural resource, nor was any reference made to plans for the further development and growth of the Community Relations Commission, formerly the Ethnic Affairs Commission of New South Wales. In 1999 the former Governor stated in his Speech:

The proposed Community Relations Commission will have a broader role in utilising the benefits of our culturally diverse society for the benefit of the whole society.

We would have liked to have heard something about that in the current Governor's Speech. After all, the commission plays an important role as the bureaucratic arm of the Government in implementing its important ethnic affairs policy. Its mission statement, which now provides a citizenship role, also includes the promotion of multiculturalism in New South Wales by realising equal participation and social justice for members of ethnic communities and by fostering respect for cultural diversity. An important role is also fulfilled by the Ethnic Communities Council of New South Wales which has articulated issues confronting ethnic communities since 1975 through its affiliated organisations and volunteers.

If we are to acknowledge the importance of multiculturalism in this State we must constantly measure the progress of organisations such as the Community Relations Commission Wales and the Ethnic Communities Council. It was disappointing that no mention was made in the Governor's Speech of the new developments and new funding proposals for bodies such as these. We are reminded in the Governor's Speech of the tremendous weight of history and tradition in this Legislature, yet where are the notable achievements of this Government over the six to seven years that it has held office? In particular, I draw to the attention of honourable members the issue of crime prevention and the failure of this Government over those six years to provide an effective strategy that involves a true visibility of police in crime-prone areas and the support of our multicultural resource.

Furthermore, the recommendation of the Legislative Council's General Purpose Standing Committee No. 3 reflects adversely on the Carr Government's achievements in the past and the lack of co-ordination between its policies in policing. Certainly crime prevention is not the responsibility of the police alone, but it is incumbent on the Government to show true leadership in the co-ordination of strategic initiatives, particularly at the lower level. This portfolio contains the issues of the day—issues which are important to the safety of families and the community and issues which I believe underlie the importance of our successful democratic process.

I recently visited the United Kingdom and I can state categorically that in that country there is an emphasis on police visibility from which we could learn. Police visibility in the United Kingdom is reflected also in the stop-and-search initiatives that are used to resolve particularly difficult situations. The Minister should visit the United Kingdom at the earliest opportunity to see how that country is tackling these issues. A further reference in the Governor's Speech that I would like to address briefly is in relation to the strength of the New South Wales economy. No doubt honourable members are aware that our economic strength is largely due to praiseworthy economic management by the Federal Government, which over the last six years has provided a number of initiatives in support of the New South Wales economy.

Such initiatives included strong financial support for the 2000 Olympic Games held in Sydney, and also strong financial support for the annual intake of migrants into New South Wales, estimated to be approximately 46 per cent of the total annual intake. A recent example of the Howard Government's important role in the economic health of this State is to be found on the front page of today's *Australian Financial Review*, which states inter alia:

Prime Minister John Howard has won a deal from the United States to roll back last week's controversial tariff decision so that 85% of Australia's \$450 million annual steel exports will have unfettered access to the United States.

This means that 85% of BHP Billiton's, 700,000 tonnes a year of American steel exports, will be tariff free.

I would like to refer to the Governor's comment that "There is a tremendous weight of history and tradition in this legislature, the nation's first parliament, the home of Australian democracy." I believe that on occasions such as this, the opening of Parliament and the Address in Reply, we should remind ourselves of the benchmark legislation of the past, legislation of which we as a democratic society can be very proud.

In closing I would like to refer to the principles of multiculturalism that were introduced in the House and passed as legislation. I might add that the initial move to produce the principles of multiculturalism came about during John Fahey's time following a Cabinet decision by the State Coalition Government of the day. Those principles of multiculturalism are:

- (1) Parliament recognises that the people of New South Wales are of different linguistic, religious, racial and ethnic backgrounds, who, either individually or in community with other members of their respective groups, are free to profess, practise and maintain their own linguistic, religious, racial and ethnic heritage. It does so by supporting and promoting the following:
  - (a) Principle 1  
All individuals in New South Wales should have the greatest possible opportunity to contribute to, and participate in, all aspects of public life in which they made legally participate.
  - (b) Principle 2  
All individuals and institutions should respect and make provision for the culture, language and religion of others within an Australian legal and institutional framework where English is the common language.
  - (c) Principle 3  
All individuals should have the greatest possible opportunity to make use of and participate in relevant activities and programs provided or administered by the Government of New South Wales.
  - (d) Principle 4  
All institutions of New South Wales should recognise the linguistic and cultural assets in the population of New South Wales as a valuable resource and promote this resource to maximise the development of the State.

**The Hon. RICK COLLESS** [5.34 p.m.]: It is with pleasure that I respond to the Governor's Address of 26 February, at the opening of the third session of the Fifty-second Parliament. Firstly, I congratulate Governor Bashir on the impeccable manner in which she has executed the role of Governor over the last 12 months. She has brought new dimensions to a very important role: accessibility to the community, understanding of those in need and genuine affection for the people of New South Wales.

I was very pleased to hear the Governor announce the Government's key objectives of modernising the State's infrastructure, promoting investment and jobs, creating safer communities, providing world-class hospitals and jobs, and protecting our unique environment. However, I was somewhat confused about the Government's record in these areas given what has occurred in rural and regional New South Wales over the last seven years. Many of the announcements seemed to have a familiar ring to them—almost as though we have heard it all before. People in rural and regional New South Wales will believe it only when they see it happen, and over the last seven years the Government has not shown the people in these areas that their community is valued.

The Government has not shown rural and regional communities that they should have fair access to public sector services. With regard to the announced 45 access centres to improve access to State Government services one must ask where these centres are to be located and whether the towns of Ashford, Bombala, Bulahdelah, Coonabarabran, Eugowra, Gresford, Gulargambone, Gunning, Guyra, Hallidays Point, Mendooran, Ulong and Urana will be included in the 45 centres? Is this a case of the State Government attempting to take credit for the Federal Government's program of providing rural transaction centres [RTCs] to small communities? Will the Carr Labor Government simply be "rebadging" a Howard-Anderson initiative in the 13 towns where RTCs already exist operationally, or will they push their way into the 53 towns in which the Federal Government proposes to shortly establish rural transaction centres? Can the Government identify the 45 small towns, in addition to the proposed and operating RTCs, where these facilities will be provided?

Honourable members would be well aware of my interest in and understanding of the impact of the various environmental instruments that have been imposed on farming families, local rural communities and regional centres in rural and regional New South Wales. One of the many problems with the implementation of much of this legislation is the need for so many different government departments to have an input into approval processes such as the Native Vegetation Conservation Act. The Governor's announcement that three natural resource service centres will be established—one has already been opened in Deniliquin, one is to be opened in Tamworth, and a third is to be announced—was welcome news to my ears. At last, I thought, the Government has finally realised the need to have a one-stop shop for approvals for applications under legislation such as the Native Vegetation Conservation Act. A landowner will be able to walk into the natural resource service centre

with his application for vegetation management and have it assessed, all in one stop. Is that not what the term "one-stop shop" really means? I would have thought so. However, some discreet inquiries reveal that no such "one-stop shop" exists.

The natural resource service centre is, in reality, a receptionist located in the Deniliquin office of the Department of Land and Water Conservation who can give to the frustrated landowner when he walks in the door copies of the application form and the names and addresses of all the different government departments and agencies he will need to contact before his application can be processed. The owners of freehold agricultural land will still be required to outlay many thousands of dollars for the preparation of species impact statements, the hiring of consultants to prepare vegetation management plans, the seeking of approval from other agencies, and the associated bureaucratic processes that seem to be aimed at making this exercise as difficult as possible for the farmer. That is the reality of managing this legislation that has been imposed by three successive Ministers for Land and Water Conservation of this Government.

If the approval is not forthcoming, the landowner has lost many thousands of dollars in the fees associated with preparing the application, and then he also loses the potential annual income as a result of the proposed development not going ahead. This can cost the farmer hundreds of thousands of dollars in lost income. In just two case studies I have conducted—one at Armidale and one at Tottenham—the average loss of income was \$150,000 per farm per year. Subject that \$150,000 to the multiplier effect and one finds that the result of the refusal of one clearing application is the loss of economic activity in each community of about \$750,000 per year.

**The Hon. Duncan Gay:** Three-quarters of a million dollars.

**The Hon. RICK COLLESS:** Yes, in every community where one clearing application has been refused.

**The Hon. Duncan Gay:** I bet there have been many more than one.

**The Hon. RICK COLLESS:** Hundreds of applications have been refused. Far more applications have been refused than approved. That is a huge loss in economic activity to rural communities. In addition to that annual loss of income, the loss of farm asset value is approximately \$500,000 per property, and that exacerbated by market forces makes the land on which an application for clearing has been rejected almost unsaleable, almost worthless, on the freehold market. A properly researched investigation by Associate Professor Jack Sinden from the University of New England identified that the average loss in land asset value as a result of the implementation of the Native Vegetation Conservation Act was 21 per cent within the Moree Plains Shire. This finding supports the anecdotal evidence that I have collected over a number of years about the economic impact of the implementation of the Native Vegetation Conservation Act.

Individual farming families and their local communities are bearing the whole cost of the implementation of an ideological agenda that is not based on valid science. Individual farming families cannot afford this. Rural communities cannot afford this. The Deputy Prime Minister and National Party Federal member for Gwydir in his address to the Australian Bureau of Agricultural and Resource Economics Outlook Conference last week made the very valid point that it is unfair to expect rural Australia to meet the whole cost of the country's environmental requirements. He went on to say that policies emanating from command and control legislation have the effect of hollowing out land titles without triggering any right to fair treatment or compensation and are unlikely to achieve their stated environmental objectives. This perspective has a certain amount of sympathy from senior managers within the Department of Land and Water Conservation, with one regional director stating in his annual report released just recently:

To suggest that farmers with a median income of \$31,000 who have an average age profile of more than 55 and are market 'price takers' can support environmental services on behalf of the wider community without third party contributions is displaying ostrich behaviour.

This is a regional director talking about the Government's proposals.

**The Hon. Duncan Gay:** Is he still there?

**The Hon. RICK COLLESS:** He is still there. He goes on to say:

Moving towards affirmative action in our reform agendas requires:

our commitment (non zealot approach)—

in other words, forget the ideological approach and base the action on proper facts—

our capacity to demonstrate profitable farming systems which are also environmentally friendly  
the goodwill of the farming community who have the on-ground carriage of change—

that is a very important point to remember—

a willingness for the broader community to contribute to external benefits which accrue.

He goes on to say:

If we fail to grasp these pragmatic realities in our work the responsibility for any reform shortcomings may well rest with us  
rather than the rural sector.

It is refreshing to hear that there is still at least some commonsense remaining in the bureaucracy after seven years of brainwashing by a Labor government, with a Minister presently at the helm in New South Wales who has shown a complete lack of understanding of the intricate complexities of the Land and Water portfolio.

**The Hon. Doug Moppett:** He has bigger fish to fry.

**The Hon. RICK COLLESS:** He sure has. He says he is meeting with people who could not care less about what Deputy Prime Minister John Anderson is saying, but the people I have spoken to in rural and regional areas, including the President of the New South Wales Farmers Association, Mal Peters, are strongly supportive of the stance taken by the Deputy Prime Minister. Just how out of touch can the Minister for Land and Water Conservation be? Just how out of touch have the three Ministers in this portfolio been since 1994? The talk around the saleyards and the bars of country shows—not places you normally see city-centric ALP Ministers—is of complete frustration with these rules and regulations being imposed upon individual farming families and rural communities.

I turn now to the announcement, or should I say re-announcement, of some 1,500 jobs to be created or relocated to regional centres throughout the next three years. As a National Party member representing rural and regional areas of this State, I am very interested in the deployment of jobs to regional centres, particularly the smaller regional centres such as Cowra, Mudgee, Narrabri, Gunnedah, Inverell, Tenterfield, Glen Innes and Maclean, which do not have the employment pulling power of larger regional centres such as Wagga Wagga, Dubbo, Tamworth, Armidale or Grafton.

The disappointing news from the re-announced 1,500 jobs was that no jobs were created for smaller regional centres, with the exception of Wellington—a decision we know to be purely political in nature. The absolute absence of any announcements for my two duty electorates, Northern Tablelands and Clarence, must raise the question of the effectiveness of the local members in those two electorates. There are no jobs for Armidale, Inverell, Tenterfield, Glen Innes, Guyra, Grafton, Maclean or Yamba.

**The Hon. Duncan Gay:** Why did they let them put their submission in when they knew they would not get it?

**The Hon. RICK COLLESS:** That is a very good question. It was rather ironic that the honourable member for Clarence, on the day following the Governor's Address, moved an urgency motion in another place in an attempt to discredit the new National Party member for Tamworth, John Cull, before he had made his inaugural speech. The honourable member also attacked the Deputy Prime Minister and National Party member for Gwydir, John Anderson, in what could only be called a shallow and childish political stunt. This is the same member who has no sway in his own Cabinet and who is unable to represent his own electorate and capture jobs in a big re-announcement. This is the same local member who is not able even to properly represent his own ministerial portfolio of Local Government.

Last week, at transport forums in Armidale and Grafton—which were organised by the National Party and to which all local government councils in the Northern Tablelands, Tamworth, Clarence and other coastal electorates were invited—the Armidale to Grafton Road was identified as the number one priority for funding. The honourable member for Clarence does not properly represent his own portfolio area of Local Government because he does not recognise that the number one priority for road funding by all councils in Clarence and the Northern Tablelands is the road from Grafton to Armidale, which still has eight kilometres of gravel road that have not yet been identified for State Government funding. If he does recognise this road as the number one

priority, why are there still eight kilometres of very rough and barely trafficable gravel pavement still unfunded on this road? Where has all the money gone, Minister? Certainly it has not gone into the Minister's electorate of Clarence.

The Minister for Local Government would do much better to work harder at representing the people of Clarence and negotiating with his Cabinet colleagues for a better deal for roads and jobs than embarking on political stunts. Improving the road infrastructure, and the State's infrastructure generally, must be a priority for this and for future governments of all persuasions. Over the past few weeks there has been considerable debate about the future planning for Western Sydney's rail infrastructure and the Governor's announcement that construction will commence on the Cross City Tunnel, the Western Sydney Orbital, the Liverpool to Parramatta bus transitway and the Parramatta to Chatswood railway. It is very important that planning and proper debate occur before final decisions are made about major infrastructure improvements. Meanwhile, farmers wishing to move their grain from Coonamble to the nearest seaport for export have two options. The first is to put it on rail at the Coonamble silo railhead for freight to the main line at Dubbo. The problem with this option is that the rail wagons can be loaded only to about half their capacity.

**The Hon. Duncan Gay:** They probably charge more there than they do down the line.

**The Hon. RICK COLLESS:** They do, and the loaded train can travel at only about eight kilometres per hour! The Hon. Tony Kelly agrees with me. A round trip that should take only four hours—from Dubbo to Coonamble and back by rail; 160 kilometres at 80 kilometres an hour—

**The Hon. Tony Kelly:** That's why we are spending all the money in the next two years.

**The Hon. RICK COLLESS:** Not on the Coonamble branch line. A round trip that should take only four hours travelling time, plus the time to load the wagons, in fact takes two trips of about 40 hours, or about 80 hours, to move the same amount of wheat. One can only guess at the extra cost of transporting grain from Coonamble as a result of the decrepit rail infrastructure, but it is more expensive by at least a factor of 20. The other option is for farmers to cart their grain by road to Narrabri to put it on the main Moree to Werris Creek rail line. This involves a 170-kilometre road transport trip each way via the village of Pilliga. This is now undoubtably one of the worst roads in Australia as a result of the hundreds of thousands of tonnes of grain being transported over it. The Narrabri and Coonamble shire councils are at their wits end attempting to maintain this road—of course without any substantial assistance from the State Government.

It is significant that at a series of transport forums called by the member for Barwon, Ian Slack-Smith—the forums were held in Narrabri and Coonamble and involved all the local government councils in the Barwon electorate—the Coonamble to Narrabri road was given the number one priority for additional funding in the Barwon electorate. Farmers are transporting their grain to Narrabri because they save between \$5 and \$10 per tonne on freight, as Freightcorp has been charging extra to transport grain from Coonamble because of the deteriorated and unserviceable condition of the Coonamble branch line.

**The Hon. Duncan Gay:** This is a Government trick to get it off the rail and on the road.

**The Hon. RICK COLLESS:** As the Deputy Leader of the Opposition points out, this is a Government trick to get the grain off the rail and onto the road. If this Government is serious about modernising the State's infrastructure, then let us modernise the State's infrastructure, not just the infrastructure in the Sydney urban area. The Governor also advised us that one of the Government's key objectives is to provide world-class schools and hospitals. If the Government is to be believed about this program, every small community would immediately be jumping for joy about the imminent improvement in these facilities, particularly hospitals. Since 1995 the state of rural health has declined to the point that crisis meetings are now being held in the bush. Hospitals are losing their specialists and specialist facilities, on average nurses are reaching retirement age and there are no job prospects for trainee nurses in hospitals such as Inverell hospital.

The concept of sending nurses to university for their initial training is leading to the complete disintegration of the nursing profession in rural and regional New South Wales. Young ladies leaving school who wish to study nursing are required to travel to Newcastle or Sydney, pay their own way through university and incur higher education contribution scheme fees before they can earn a single cent from working as a nurse. There are no jobs for young ladies in country centres under this model. This has serious social ramifications for smaller communities, as was eloquently enunciated by Associate Professor Margaret Alston, Director of the Charles Sturt University Centre for Rural Social Research, at the Australian Bureau of Agricultural and Resource Economics conference in Canberra.

Associate Professor Alston said that jobs were virtually disappearing for country women aged from 15 to 24 years, and that the problem is so serious that a gender imbalance is occurring to such a level that young men are finding it difficult to find wives in regional areas. Associate Professor Alston made a particular point about the loss of services, the lack of access to public transport and the lack of access to tertiary education as problems that governments need to address, not only for the provision of jobs in country towns but also for maintaining the viability of the social fabric of rural and regional communities. It is time to put nurse training positions back into country hospitals, to put jobs back into country towns and to bring down the average age of nurses in smaller regional centres. The academic training for nurses can still proceed, but a new model for that training needs to be developed to allow for jobs in country towns and rural communities.

The Governor also said that the Government's program will advance the objective of creating safer communities. The Government's record on public safety is also questionable. Inverell police station has been understrength for several years, despite many representations being made by mayors and members of Parliament. It was pleasing to have Inverell police numbers finally brought up to strength through the appointment of several officers and the transfer of one officer from Tenterfield to Inverell. This created a hole in Tenterfield, which was filled by transferring an officer from Tingha and leaving an unfilled vacancy at Tingha police station. Tingha police station comes under Inverell local command; so now Inverell station is up to strength, but Inverell local command is understrength once again.

**The Hon. Doug Moppett:** That's probably why they recalled the dog squad.

**The Hon. RICK COLLESS:** The Hon. Doug Moppett is right. Strategies such as these are simply a case of too little too late. It is simply a case of moving the deck chairs on the *Titanic*—a reactive response rather than a proactive response. The utilisation of the Hawkesbury campus of the University of Western Sydney—formally Hawkesbury Agricultural College; it is the college where agricultural extension officers were trained in an era when agricultural advisory services were more important than regulations, fines, and tree and water police—as a police training academy is an insult to every old boy and old girl of Hawkesbury college. Not only is it an insult to former graduates but it is an insult to all the agricultural industries and farmers who have relied on Hawkesbury graduates for their front-line industry representatives. Where are the agricultural students who should be training at Hawkesbury college? Have they been pushed out by the police trainees?

If there had been a proper approach to police training over the past seven years there would not now be a need for the reactionary approach of, firstly, finding an institution that has been training agricultural extension officers since agricultural extension first started in Australia in the late 1800s; secondly, making the decision that we do not now need extension officers because we will regulate and prosecute farmers, rather than help and advise them; thirdly, filling that institution with police trainees; and, finally, sending all existing extension officers to Goulburn Police Academy to learn policing techniques so they can successfully prosecute farmers for attempting to create the very wealth that lines the Minister's pocket.

Meanwhile, in the suburbs of towns such as Inverell law-abiding citizens who are minding their own business in their own homes are being harassed by criminal elements and thugs on a daily basis. An Inverell businessman and community leader has had to resort to sleeping in his business premises at night because his business has been broken into repeatedly. Last week the local radio station, 2NZ, had \$20,000 worth of electronic equipment stolen in a break, enter and burgle crime. The Minister for Police sits in this House comfortably with the Government saying that a key objective is to create safer communities. Good luck, Minister! You still have a long way to go to achieve that. In conclusion, the Government's program as outlined by the Governor is to be commended. In reality, however, I have serious doubts about many of the programs achieving the objectives the Government says they will achieve.

If the Government is serious about modernising the State's infrastructure, then modernise all of the State's infrastructure, not just the infrastructure in Sydney. If the Government is serious about promoting investment and jobs, then provide investment and jobs in all rural and regional centres, not just those that suit its political purposes. If the Government is serious about creating safer communities, then put in place proactive programs that will overcome the inherent problems in country policing as well as attempt to solve the problems in the city. If the Government is serious about providing world-class schools and hospitals, then put in place programs that will achieve this in rural and provincial centres as well. Finally, if the Government is serious about protecting our unique environment, then it needs to go back to square one and truly evaluate the success of the misguided regulatory program it is imposing on the wealth-creating freehold landowners of this State.

**Debate adjourned on motion by the Hon. Tony Kelly.**

## ADJOURNMENT

**The Hon. IAN MACDONALD** (Parliamentary Secretary) [5.59 p.m.]: I move:

That this House do now adjourn.

### UNITED STATES OF AMERICA STEEL TARIFFS

**The Hon. IAN WEST** [5.59 p.m.]: The announcement by the leader of the free world, George "Dubya" Bush, last Wednesday, 6 March, to increase steel tariffs is yet another page in the book of American hypocrisy. In the words of George Bush in September 2000 in relation to imports, "More and more of our imports come from overseas." As the Treasurer, the Hon. Michael Egan, said last week, "The US tariffs are not compliant with free trade, economic good sense and the longstanding US-Australia alliance." The President of the United States gave this advice to a conference in Quebec last April:

It is very important for folks to understand that when there's more trade, there's more commerce.

Or, again in his own words, maybe he just wanted to "make the pie higher". It seems that the whole free world, free trade, level playing field about which we all heard so much is a bit of pie in the sky. Hard-nosed capitalism is not about level playing fields, and when competitors talk about free trade or level playing fields they are having you on, because the idea is to win, not to be best friends. The "good guy" stuff is simply a public relations exercise, and we know the American spin doctors are the best at making something look good. This is about domestic politics, and in George Bush's own words in New Hampshire in January 2000:

I know how hard it is for you to put food on your family.

Prior to the announcement, United States tariffs on Australian steel products were set at less than 3 per cent—they now stand at 30 per cent. America exempted Argentina, Mexico, Canada and some developing countries including Turkey and Thailand, but not New South Wales. The move demonstrates the double standards applied by America to the rest of the world. During his election campaign George Bush said:

I would be a free trading President, a President that will work tirelessly to open up markets for agricultural products all over the world. I believe our American farmers can compete so long as the playing field is level. That is why I am such a strong advocate of free trade and that is why I reject protectionism and isolation because I think it hurts our American farmers.

After he visited China he said:

I'll never forget the contrast between what I learned about the free market at Harvard and what I saw in the closed isolation of China. Every bicycle looked the same. People's clothes were all the same. A free market frees individuals to make distinct choices and independent decisions. The market gives individuals the opportunity to demand and decide, and entrepreneurs the opportunity to provide.

That is the same man who said that on attaining office he would:

... end tariffs and break down barriers everywhere entirely, so the whole world trades in freedom. The fearful build walls. The confident demolish them. I am confident in American workers and farmers and producers.

New South Wales, especially at Port Kembla, is among the top 10 per cent of the most efficient steel producers in the world. Last week the Treasurer pointed out that Australian steel is almost \$40 a tonne cheaper than United States steel imported from the east coast. Using figures provided by the Institute for International Economics, a 30 per cent tariff across the board would save some 13,500 steel jobs, but cause the loss of more than 100,000 jobs in steel-consuming industries in the United States; translate into a subsidy of \$US750,000 for each steel job saved through tariffs; and lift the price of steel goods to United States consumers by \$16 billion over four years. George Bush has acted on the fringes of legality with this tariff announcement, and is playing loose and fast with world trade.

America accuses other countries of dealing in terror, yet it is far and away the largest holder of weapons of mass destruction in the world. America funds and displaces governments the world over through covert interference, yet still goes on about democratic freedoms. In December 2000 in Texas George Bush said in relation to voting, "The great thing about America is everybody should vote." America consumes more fossil fuels than any other country in the world, yet refuses to sign the Kyoto agreement. America uses the United Nations when convenient, yet owes billions in rent. America imposes its culture, values and economic systems on the rest of the world and then plays by an entirely different set of rules. To my mind, the notion of a fair and free trading world should have regard to and be able to define what is "free" and what is "fair". Competition is about winners and losers, and so if there is going to be trade between countries, naturally—*[Time expired.]*

## AUSTRALIA DAY CELEBRATIONS

**The Hon. PATRICIA FORSYTHE** [6.04 p.m.]: On this our first full sitting day this year I advise the House of three events that I attended in connection with Australia Day. I do so because I believe that each event reflects positively not only on the organisations involved but on the communities that were celebrating Australia Day. On the eve of Australia Day I was pleased to attend, as I have in past years, the Australia Day celebrations of the United Australian Lebanese Movement Ltd at the Holroyd Centre. As part of the celebrations, and in addition to an address from the Federal Minister for Immigration and Multicultural Affairs, the Hon. Philip Ruddock, and an Australia Day ambassador, Councillor John Wearne, eight outstanding Australians of Lebanese background were presented with awards in honour of their contributions to the Australian community. Those acknowledged were Buddy Farah, Dr Glen Coorey, Joseph Harb, Mahmoud Daher, Peter Maroun, Sam Samcou, Dr Tatiana Dalati and William Bowmore. The highlights of the achievements of each are far too numerous to describe in detail. I must, however, single out Bill Bowmore because not only has he been Australia's major art and arts benefactor, but for much of his life he was a proud Novocastrian who made an enormous contribution to my city, including my university.

On Australia Day I was pleased to attend a breakfast with my colleagues Jillian Skinner and the Hon. John Hatzistergos with the Australian Armenian community. They celebrated Australia Day with a number of inspiring speeches and beautiful singing from a young member of the community. As part of the breakfast Mr Noubar Soghomonian was named the Armenian Australian of the Year for his contribution to the Armenian community in Australia. On Sunday 27 January at the Parramatta Town Hall I joined John Brogden, Wayne Merton, Barbara Perry and Federal member Ross Cameron to share in the celebrations with the United Australian Lebanese Assembly. The evening was a joyous and fun celebration. Seven people were honoured with awards for their contributions in a number of fields. They were Michael Jalil Beydon, arts; Tony Issac, business; Nada Nasser, youth and community services; Samar Tenian, Arabic media; Edmund Taouk, Arabic and ethnic media; Nadia Ajami, a mother involved in business and charity; and Dr Ghassan Hage, academia and writing.

Each of those occasions was most memorable and a wonderful opportunity to celebrate Australia Day with communities that are proud of their heritage and proud to celebrate Australia Day. The most memorable aspect of the events, however, was the way in which the freedom that underpins our way of life, but possibly taken for granted by many Australians, is so valued by each of those communities. Australia Day is an important community day for all Australians and there is no doubt that its place within our community has been enhanced considerably in recent years. While millions of Australians celebrate this special day in many different ways, the combining of celebrations that acknowledge Australia's modern history, our heritage and the heritage and cultures of the many nations from which Australians have come gives this day a richness that cannot go without comment. Congratulations to each of the communities that I have mentioned and to the myriad of others that make their unique contribution to Australia Day. Australia is a multicultural community, and that is never more clearly shown than in the way that Australia Day is celebrated.

## MULTIPLE CHEMICAL SENSITIVITY SUFFERERS HEALTH SERVICES

**The Hon. ALAN CORBETT** [6.08 p.m.]: "Multiple chemical sensitivity" [MCS] is defined in a publication entitled "Multiple Chemical Sensitivity: A 1999 Consensus", in the Archives of Environment Health 1999, volume 54, No. 3, at pages 147 to 149. The widely accepted six consensus criteria of multiple chemical sensitivity are: it is a chronic condition, it presents with symptoms that recur reproducibly, it is characterised by symptoms which occur in response to low levels of exposure to chemicals, its symptoms are induced by multiple unrelated chemical agents, its symptoms improve or resolve when exposure is reduced or withdrawn, and it involves symptoms which involve multiple organ systems. At present in New South Wales no hospital facilities or ambulance services have implemented a protocol to ensure that those with multiple chemical sensitivities will be adequately cared for without worsening their condition, for example, when they require medical tests or treatment for chemical reactions, injuries, acute and chronic illnesses, and surgery.

On 20 September 2001 I wrote to the chief executive officer of the Wentworth Area Health Service, asking him to examine the feasibility of using the United States Mercy Medical Centre protocol for the management of patients with multiple chemical sensitivities in hospitals of the area health service. In response to my request on 3 January 2002 the acting chief executive officer stated that the protocol had been reviewed, but he stated that:

Given the likelihood that only a few patients might require the measures detailed in the protocol, and that the benefits of instituting the protocol have yet to be scientifically shown, the considerable investment needed to implement the protocol in full is not considered appropriate.

I fail to understand how those conclusions could be reached given that the prevalence of multiple chemical sensitivity in New South Wales is unknown. Indeed, in a letter dated 4 October 2001 the Parliamentary Secretary to the Minister for Health stated:

The Department is presently exploring the possibility of estimating the prevalence of self-reported chemical sensitivity in the NSW population.

A reliable study in the United States of America has indicated that MCS may afflict up to 12 per cent of the population. Applying these results to New South Wales, 12 per cent could hardly be considered a few patients. A copy of this particular study has been given to and appreciated by New South Wales Health, as stated in a letter to me on 30 November 2001. The Mercy Medical MCS Protocol has been tested in hospitals in America. I have also located another protocol developed by the Canadian Society for Environmental Medicine called "Guide for Hospital Staff in Caring for Persons with Allergies/Sensitivities, Discussion Draft 1997". The Canadian guide states:

When persons with sensitivities are in hospital, it may be difficult or impossible to determine whether the onset or exacerbation of symptoms is related to the condition precipitating the admission, illness apprehensiveness, provocative agents in the air, food or water, one particular medication, drug combinations, or overlap of any of these factors.

Patients' needs vary widely. Not all the following measures need to be taken for every patient. Nevertheless, it may be advantageous to institute as many as possible to minimise the necessity for special adjustments for each atopic or sensitive patient. An additional benefit will be lowered pollutant exposures and better indoor quality for all patients and staff, including those with recognised sensitivities.

I have also located a 1996 publication entitled "Healthier Hospitals" by Toni Temple. This is a comprehensive guide to assist in the medical care of patients with multiple chemical sensitivity disability. The purpose of the book is to educate hospital administration staff and medical personal on proper care and consideration for the special needs of MCS patients. I urge the New South Wales Government, in particular New South Wales Health, to rethink its position on multiple chemical sensitivities, to ensure those with this disability are adequately and equitably cared for by the New South Wales health system. Indeed, they might initially consult WorkCover New South Wales, which has taken this issue seriously. To do nothing is to condemn some people, including my wife, to a situation in which, in the event of a hospital emergency or the requirement for surgery or medical tests, they will be placed at high risk of the condition becoming worse even before any investigation or intervention is performed. On 1 February 2002 the Minister for Health was reported in the *Daily Telegraph* to have said:

I am determined to ensure people, wherever they live in the State, can receive the very best of health care when they need it.

I trust the word "people" will now include those with MCS, such as my wife.

### OPERA AUSTRALIA'S 2002 SCHOOLS PROGRAM

**The Hon. AMANDA FAZIO** [6.12 p.m.]: On Friday 1 March 2002 I had the pleasure of representing the Premier at the launch of Opera Australia's 2002 Schools Program. Over 29 weeks Opera Australia's 2002 schools tour will perform to approximately 56,000 students in kindergarten to year 6, in an estimated 300 performances in 200 primary schools in both metropolitan and regional areas of New South Wales. Regional performances will include centres as far north as Nambucca Heads, west to Dubbo and south to Wollondilly. The 2002 tour builds on two previous and very successful schools tours in 2000 of Humperdinck's opera *Hansel and Gretel* and in 2001 of Mozart's *The Magic Flute*, both of which received funding support through the New South Wales Ministry for the Arts. The ministry increased its annual level of support to \$50,000 in 2001 to provide for an expanded tour.

The tour itinerary for each of the New South Wales schools tours has been prepared by Opera Australia in collaboration with Nora Goodridge Management. From 2002 all of Opera Australia's education and access activities, including its primary schools tours in New South Wales and Victoria, were embraced under the OzOpera banner, which has Richard Gill as its artistic director-designate to take up responsibilities in 2003. The State Government's support for this program is an important part of its commitment to allow access to the arts by people, young and old, across New South Wales. The New South Wales Government is committed to making opera an important part of the musical education and cultural experience of every child in the State.

In 2000 the State Government enabled Opera Australia to realise its ambition of touring to primary schools in New South Wales by providing a grant of \$40,000 for a schools version of Humperdinck's opera *Hansel and Gretel*. Opera is no longer an inaccessible art form. I understand schools clamoured for bookings

and the work proved extremely popular with young audiences. The 2000 tour of *Hansel and Gretel* presented a total of 185 performances to about 34,000 students in 123 New South Wales primary schools. The 2000 tour accessed a range of school communities, with the tour covering almost 15,000 kilometres in both metropolitan and regional areas of New South Wales. More than 13 per cent of performances were presented in western Sydney and approximately 9 per cent in regional areas, including centres in the Hunter region, the Blue Mountains and Lithgow.

Following the success of this tour the New South Wales Government committed funding of \$50,000 per year to enable the schools tour to become an ongoing program. The second schools tour was presented to schools in 2001. The production of Mozart's *The Magic Flute* presented 286 performances to about 37,000 students in 184 primary schools in both New South Wales and the Australian Capital Territory. Each tour presentation has been endorsed by the New South Wales Department of Education and Training, which ensures cohesion with the existing curriculum guidelines for school music, drama and social sciences. This ensures an integrated approach to the introduction of opera into schools. The OzOpera Schools Company provides an environment in which some of Australia's finest young singers can bring their performing skills to some of the most demanding audiences in Australia—primary school children.

The first performance of the *Barber of Seville* was performed in front of the children from Bourke Street Primary School. It was great to note that the children sat for the hour duration of the performance without wriggling, becoming distracted or losing their interest in the opera. It was wonderful to see the children so engrossed in the performance and engaging with the performers. An important part of the presentation is a questions and answers session at the end of the performance in which children can ask performers about being involved full time in the entertainment industry, about why they chose opera and drama as their career, and about some of the technical aspects of how the production was presented. I understand several recent OzOpera Schools Company graduates will be performing major roles in Opera Australia's Sydney and Melbourne seasons this year. One former member, Rachele Durkin, is now a member of the Young Artists Program at the Metropolitan Opera, New York.

The 2002 OzOpera Schools Company tour of New South Wales is a production of *The Barber of Seville*, which has already enjoyed enormous success in Victorian schools. This year the New South Wales tour is receiving additional corporate support from OzOpera's principal sponsor, Esso-Mobil, and support from Hertz Car and Truck Rentals. Their assistance is gratefully acknowledged. Congratulations to Brian Castles-Onion and Christine Anketell on refining this version of Rossini's opera for our primary schools, and congratulations to Opera Australia on its commitment to making opera accessible to young people in New South Wales.

### SPRINGHURST FIBRE-OPTIC CABLE INSTALLATION

**The Hon. DUNCAN GAY** (Deputy Leader of the Opposition) [6.17 p.m.]: This evening I wish to detail to the House the situation facing a farmer who has been adversely affected by the actions of a New South Wales State-owned electricity company. The farmer to whom I refer owns a property half an hour south of Albury, just over the Victorian border at Springhurst. His property lies in the path of a high-capacity fibre-optic cable that has been laid from Sydney to Melbourne by a private company. Enerserve, a division of EnergyAustralia, acted as the lead contractor on the installation of the fibre-optic cable, and it is with Enerserve that the farmer alleges his problems originate.

The problem arises because, it is alleged, during the installation of the fibre-optic cable horizontal drilling across the property in question pierced an aquifer that supplies water to a spring on the property. I have been informed that Enerserve staff were informed of the exact location of the spring and were specifically requested not to drill through the spring in order to install the cable. However, the contractors ignored the advice of the property owner and proceeded with the drilling. The aquifer was pierced by the horizontal drilling with the result that the spring was irreparably damaged.

Recently, when I was in the area to attend the National Wild Dog Control Summit in Wodonga, I took the opportunity to visit the property and to view at first hand the damage that had been done. It was quite obvious to me that the aquifer feeding the spring had been pierced by the horizontal drilling during the initial cable-laying activities. My visit just a few weeks ago occurred during dry summer weather and the spring and the adjacent areas below it were completely dry, with the exception of a small wet drainage area at the entry site on the horizontal drill hole on the opposite and lower side of the road from the spring. It was obvious that the water from the spring was draining from the spring aquifer through the drill hole from the higher side of the road to the lower side of the road.

The spring was the property owner's only source of stock water on the higher side of the road. It had been a permanent source of water: That was obvious from the type of vegetation in the vicinity of the spring and below the spring on the road reserve. This type of vegetation would not be growing in an area that was normally summer dry. It was obvious that until very recently this area must have been permanently wet with flowing water, consistent with the property owner's claims that the spring was a permanent water supply. It is also clear that the original route chosen by Enerserve diverted in a dogleg fashion to actually cross the spring which I understand had been clearly identified to the contractors on site. After the matter was raised with the contractors and the company which owns the cable the work was redone. The second route chosen by the contractors completely avoided the spring and travelled in a straight line. I cannot understand why the second route was not chosen during the initial planning for the installation of the cable. If that had happened, the damage to the aquifer and the water supply would have been easily avoided.

This has been a matter of some contention to the property owner who has been frustrated by the response he has received from Enerserve and other parties to which he has taken his complaint. To try to resolve this issue, today I wrote to the managing director of EnergyAustralia, Paul Broad, seeking his advice on what action Enerserve is prepared to take to remedy the damage caused to the property. There is a range of other issues relating to the installation of this cable which I believe also need to be addressed, but time precludes me from expanding on those issues tonight. I have raised this issue because I am concerned that the advice of a property owner was totally ignored. As a result, he has suffered damage to his property which may otherwise have been avoided. It appears that the arrogance of the people involved on site has caused a lot of litigation and it will end up costing the farmer and this State-owned organisation a lot of money. This is an unfortunate situation and one that I hope will never be repeated.

#### **DEATH OF THE HONOURABLE JAMES ALEXANDER CAMERON, LL.M., A FORMER MEMBER OF THE LEGISLATIVE COUNCIL**

**Reverend the Hon. FRED NILE** [6.22 p.m.]: I wish to pay tribute to the life and witness of an outstanding New South Wales parliamentarian James Alexander Cameron, the son of a blacksmith who became truly a wordsmith. James Cameron was born in 1930 in the town of Coraki on the Richmond River in northern New South Wales. He was the only child of the local blacksmith, Donald Cameron, and schoolteacher Dorothy Betheras. Two other brothers did not survive owing to a lack of medical services. Jim scraped into the world rather precariously, his health further knocked by contraction of rheumatic fever when he was aged 12. During his secondary studies at North Newton Intermediate and Canterbury Boys High School, the shy only child discovered a capacity for oratory that would become a feature of his adult life and vocation. However, he failed to matriculate and, after leaving school, took up a staff position at the New South Wales Liberal Party secretariat under the patronage of John, now Sir John, Carrick. He worked as a speech writer to Opposition Leader Pat Morton, a youth organiser and a campaign worker.

Studying at night after work, Mr Cameron matriculated and sold his beloved Jaguar Mark IV to fund a five-year bachelor of laws course at the University of Sydney. He graduated in 1961 and was admitted to the Sydney Bar, where he practised for the next seven years at Selbourne Chambers. His detailed study of the rule of law and parliamentary democracy without Christianity and the Reformation was his first step towards embracing Christianity. The second great spiritual importance came in the form of a tall, athletic 20-year-old Outward Bound instructor named Helen Bickett—an active Christian and deputy leader of the youth fellowship at St Stephen's Presbyterian Church, Macquarie Street, which is just across the road from Parliament House. Although rejected eight times, Mr Cameron reflected on matters of personal faith required for consideration by the object of his affection. They were finally married at St Stephen's in March 1963. Together with his adventurous and forbearing companion—and determined not to repeat the isolation of his own childhood—the marriage produced six children, Jock, Ross, Margaret, Christina, Dundan and Lachlan, who have produced 16 grandchildren.

The 16-year parliamentary career that followed Mr Cameron's election to the State seat of Northcott in 1968 involved serving variously as Speaker of the Legislative Assembly, Shadow Attorney General, Opposition Leader of the House and briefly as Deputy Leader and acting Leader of the Opposition. He added intellectual ballast to the social conservatives on red-rag issues such as Australia's participation in the Vietnam War, homosexual law reform and abortion, and as a delegate to three Constitutional conventions in defence of the constitutional monarchy. The Liberal Party leadership moved to the left in the early 1980s and Mr Cameron resigned in 1983 to successfully contest an upper House seat on the Call to Australia ticket. The then Opposition Leader, Bob Carr, attended to hear his inaugural speech as a mark of respect for the "pre-eminent orator of a generation". Eight months later Mr Cameron's parliamentary service ended with a near fatal heart attack while

he was addressing a Call to Australia dinner at Cronulla which he attended with me. He was sitting at the table when suddenly he fell from his seat because he had suffered a massive heart attack—an almost fatal heart attack. As a result, he was forced to resign from the upper House because of his heart condition.

Mr Cameron had been the only member of the Legislative Assembly to vote against the establishment of the organ transplants program, and he was the first one to use it. Faced with imminent death, with his youngest son still only eight years of age, he readily abandoned his earlier reservations and submitted to the scalpel of the late Dr Victor Chang to become Australia's forty-third and oldest heart transplant recipient at the age of 55. At that point he was told that he might live for another five years but he certainly lived a lot longer than that. He made a complete recovery and had hoped to resume his Call to Australia seat in the upper House, but that was not possible as honourable members would know. He spent the following nine years before his retirement with the New South Wales Law Society, defending his beloved common law. He was reconciled with the Liberal Party and entertained its State council with contributions of eloquence and humour as well as the defence of core values and great principles until shortly before his death.

His children will remember him as a devoted if demanding father who cared deeply about them and who left a legacy of hope, confidence and the abiding conviction that the world is filled with opportunity, that there is a God in heaven, and that every human life is precious. James Alexander Cameron lived from 9 November 1930 until 19 January 2002. We thank God for the memory of James Alexander Cameron.

### **ANCIENT FORESTS CHARTER**

**Ms LEE RHIANNON** [6.27 p.m.]: Tomorrow I will represent the Greens at the launch of the 2002 ancient forests charter. This charter, which has been organised by Greenpeace, will be presented to the Australian Government's delegation in attendance at the ancient forests summit which will be held shortly in The Hague. The planet's original forests are in crisis. I do not think many honourable members would disagree with that statement. Four-fifths of the world's forest cover has been destroyed, degraded and fragmented, and most of that has occurred during the past 50 years. Australia is contributing to this loss through its willingness to allow the logging of its old growth forests, through land clearance and by importing and consuming tainted and destructively logged forest products. Moreover Australia is failing to provide leadership to find supporting solutions or alternatives to this crisis.

The charter that many people will be signing tomorrow urges the Australian Government to provide leadership at the sixth meeting of the conference of the parties to the convention on biological diversity. The Greens are urging that leadership be shown by the implementation of immediate measures to halt global ancient forest degradation and loss, by protecting Australian native forests through the immediate establishment of a moratorium on logging of old growth and other key forest areas, and by establishing a global ancient forest fund of \$15 billion annually to enable the immediate implementation of measures and moratoriums. The Greens congratulate Greenpeace on this initiative because Greenpeace has done much groundbreaking work in saving the world's forests. We are sure that the actions of Greenpeace will go a long way towards assisting us to save the dwindling forests of the world.

**Motion agreed to.**

**The House adjourned at 6.29 p.m.**

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