

# LEGISLATIVE COUNCIL

Tuesday 22 February 2005

---

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

**The Clerk of the Parliaments** offered the Prayers.

**The PRESIDENT:** I acknowledge that we are meeting on Eora land.

## CHAMBER BROADCASTING AND TIMING SYSTEMS

**The PRESIDENT:** I inform the House that storms over the past weekend appear to have damaged electronic equipment affecting the operation of the television, sound broadcasting and timing systems in the Chamber. Members should be aware that various television cameras, microphones and timing system displays are not fully functional and until they are fully repaired some difficulties may present.

I inform the House also that during the recess a video titling system was installed for the Chamber television system. The main features of the new system are the display of the name of the member speaking and the subject matter of debate and, with regard to debates that are timed, a timer countdown. I trust that members will appreciate this new enhancement, which will become operational once repairs are effected to damaged equipment.

## DISTINGUISHED VISITORS

**The PRESIDENT:** I draw the attention of members to the presence in the President's Gallery of the Hon. John Cowdell, MLC, President of the Legislative Council of Western Australia.

## ASSENT TO BILLS

Assent to the following bills reported:

Special Commission of Inquiry (James Hardie Records) Amendment Bill  
 Statute Law (Miscellaneous Provisions) Bill (No 2)  
 Health Services Amendment Bill  
 Gene Technology (GM Crop Moratorium) Amendment Bill  
 Crimes (Administration of Sentences) Amendment (Parole) Bill  
 Crimes Amendment (Child Pornography) Bill  
 Duties Amendment (Land Rich) Bill  
 Gaming Machines Amendment Bill  
 Health Legislation Amendment (Complaints) Bill  
 Health Registration Legislation Amendment Bill  
 Nurses and Midwives Amendment (Performance Assessment) Bill  
 Home Building Amendment Bill  
 Jury Amendment Bill  
 Juvenile Offenders Legislation Amendment Bill  
 Law Enforcement (Powers and Responsibilities, Amendment (In-car Video Systems) Bill  
 Licensing and Registration (Uniform Procedures) Amendment (Photo ID) Bill  
 NSW Self Insurance Corporation Bill  
 Redfern-Waterloo Authority Bill  
 Rookwood Necropolis Amendment Bill  
 Shops and Industries Amendment (Special Shop Closures) Bill  
 Smoke-free Environment Amendment Bill  
 Workers Compensation and Other Legislation Amendment Bill  
 Legal Profession Bill  
 Local Government Amendment (Public-Private Partnerships) Bill  
 Teaching Services Amendment Bill  
 University Legislation Amendment Bill

## LEGISLATIVE COUNCIL VACANCY

### Resignation of the Honourable Michael Rueben Egan

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

Office of the Governor  
Sydney 2000

8 February 2005

Dear President

I have the honour to inform you that I have received a letter from the Honourable M R Egan MLC tendering his resignation as a Member of the Legislative Council of New South Wales with effect from 8 February 2005.

I have acknowledged receipt of a letter from Mr Egan and have informed him that you have been advised of his resignation.

A copy of the resignation is attached.

Yours sincerely,  
Marie Bashir  
Governor

I have acknowledged Her Excellency's communication. An entry regarding the resignation of the Hon. Michael Rueben Egan has been made in the Register of Members of the Legislative Council.

I advise the House that I received also the following communication from Michael Rueben Egan dated 20 February 2005:

20 February 2005

Dear Madam President,

You will be aware that on the 8 February 2005, I tendered my resignation from the Legislative Council to Her Excellency, the Governor.

To my absolute amazement, Her Excellency called my bluff and accepted it.

Therefore, notwithstanding our ideological and theological differences, I am forced to beg you to convey my sentiments to the House.

As you know, late last year I became the Father of the House, signifying nothing more than longevity of service.

I recall our debate on the abolition of the Upper House at a meeting of the Kings Cross Branch of the Australian Labor Party a few years ago. You should too, because I beat you hands down.

When I was asked at my final press conference whether I would like to take the rest of the House with me into retirement I answered honestly: "yes".

But I am a realist, and I now reluctantly concede that it will be some time before our great Party changes its name to the Australian Labor (electricity privatisation and upper house abolition) Party.

Therefore, I have gone fishing.

Nonetheless, I would be most grateful if you would convey my serious appreciation and sincere thanks to the House, its officers and members.

My admiration for the Clerks of the Parliament and all the parliamentary staff, with the exception of the violent and vicious Warren Cahill, is unbounded.

Please remind Mr Cahill that he now has a record and a second offence should see him behind bars.

I am also very grateful to all—well, nearly all—of my colleagues, on both sides of the chamber and on the cross benches for the co-operation, good humour, and many courtesies that have been extended to me over so many years.

Public and parliamentary service is a noble vocation, and the overwhelming majority of people who both choose and are chosen to perform it do so faithfully and well.

Please also give my regards to Paddy.

Yours faithfully,

Michael Egan  
A very happy little feather duster.

**DEATH OF THE HONOURABLE HENRY BERNARD FRENCH, AM, A FORMER MEMBER OF  
THE LEGISLATIVE COUNCIL**

**The PRESIDENT:** I announce the death on 10 January 2005 of the Hon. Henry Bernard French, AM, aged 82 years, a former member of this House. On behalf of members 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.*

**PARLIAMENTARY ETHICS ADVISER**

**Report**

**The President** tabled, in accordance with the terms of the agreement made with the Clerk of the Parliaments and the Clerk of the Legislative Assembly, the annual report for the period ended 30 November 2004.

**INDEPENDENT COMMISSION AGAINST CORRUPTION**

**Report**

**The President** tabled, pursuant to the Independent Commission Against Corruption Act 1998, the report entitled "Report on Investigation into the Conduct of the Hon. Peter Breen MLC", dated December 2004.

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

**Ordered to be printed.**

**CHILD DEATH REVIEW TEAM**

**Report**

**The President** announced the receipt, pursuant to the Commission for Young People Act 1998, of a report entitled "Sudden Unexpected Deaths in Infancy: The New South Wales Experience", dated January 2005.

**The President** announced further that it had been authorised that the report be made public.

**MINISTRY**

**The Hon. JOHN DELLA BOSCA:** I inform the House that on 21 January 2005 Her Excellency the Governor accepted the resignations of the following Ministers:

The Hon. Andrew John Refshauge, MP, as Minister for Education and Training  
The Hon. Michael Reuben Egan, MLC, as Treasurer, Minister for State Development, and Vice-President of the Executive Council, and as a member of the Executive Council  
The Hon. Patrick Carl Scully, MP, as Minister for Roads  
The Hon. Michael Costa, MLC, as Minister for Transport Services, and Minister Assisting the Minister for State Development  
The Hon. John Arthur Watkins, MP, as Minister for Police  
The Hon. Carmel Mary Tebbutt, MLC, as Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth  
The Hon. Reba Paige Meagher, MP, as Minister for Fair Trading, and Minister Assisting the Minister for Commerce

On the same day Her Excellency the Governor appointed the following persons to the offices indicated:

The Hon. Andrew John Refshauge, MP, as Treasurer, and Minister for State Development  
The Hon. John Joseph Della Bosca, MLC, as Minister for Ageing, Minister for Disability Services, and Vice-President of the Executive Council  
The Hon. Patrick Carl Scully, MP, as Minister for Police  
The Hon. Michael Costa, MLC, as Minister for Roads, Minister for Economic Reform, and Minister for Ports  
The Hon. John Arthur Watkins, MP, as Minister for Transport  
The Hon. Carmel Mary Tebbutt, MLC, as Minister for Education and Training  
The Hon. Reba Paige Meagher, MP, as Minister for Community Services, and Minister for Youth

I inform the House further that on 1 February 2005 Her Excellency the Governor accepted the resignations of the following Ministers:

The Hon. Patrick Carl Scully, MP, as Minister for Housing  
The Hon. John Joseph Della Bosca, MLC, as Minister for the Central Coast

On the same day Her Excellency the Governor appointed the following persons to the offices indicated:

The Hon. John Hatzistergos, MLC, as Minister for Fair Trading, and Minister Assisting the Minister for Commerce  
The Hon. Grant Anthony McBride, MP, as Minister for the Central Coast  
The Hon. Joseph Guerino Tripodi, MP, as a member of the Executive Council and as Minister for Housing

### **REPRESENTATION OF MINISTERS IN THE LEGISLATIVE ASSEMBLY**

**The Hon. JOHN DELLA BOSCA:** I inform the House further that with respect to the representation of Government responsibilities in this Chamber I shall act in respect of my own portfolios and will represent the following Ministers in the other place:

The Hon. Bob Carr, MP, Premier, Minister for Arts, and Minister for Citizenship  
The Hon. Andrew Refshauge, MP, Deputy Premier, Treasurer, Minister for State Development, and Minister for Aboriginal Affairs

My colleague the Hon. Carmel Tebbutt, MLC, Minister for Education and Training, will act in respect of her own portfolios and will represent the following Minister in the other place:

The Hon. Morris Iemma, MP, Minister for Health

My colleague the Hon. Tony Kelly, MLC, Minister for Rural Affairs, Minister for Local Government, Minister for Emergency Services, and Minister for Lands, will act in respect of his own portfolios and will represent the following Ministers in the other place:

The Hon. Craig Knowles, MP, Minister for Infrastructure and Planning, and Minister for Natural Resources  
The Hon. Frank Sartor, MP, Minister for Energy and Utilities, Minister for Science and Medical Research, Minister Assisting the Minister for Health (Cancer), and Minister Assisting the Premier on the Arts  
The Hon. David Campbell, MP, Minister for Regional Development, Minister for the Illawarra, Minister for Small Business

My colleague the Hon. Ian Macdonald, MLC, Minister for Primary Industries, will act in respect of his own portfolio and will represent the following Ministers in the other place:

The Hon. Sandra Nori, MP, Minister for Tourism and Sport and Recreation, Minister for Women  
The Hon. Grant McBride, MP, Minister for Gaming and Racing, Minister for the Central Coast  
The Hon. Kerry Hickey, MP, Minister for Mineral Resources  
The Hon. Joe Tripodi, MP, Minister for Housing

My colleague the Hon. John Hatzistergos, MLC, Minister for Justice, Minister for Fair Trading, Minister Assisting the Minister for Commerce, and Minister Assisting the Premier on Citizenship, will act in respect of his own portfolios and will represent the following Ministers in the other place:

The Hon. Bob Debus, MP, Attorney General, and Minister for the Environment  
The Hon. John Watkins, MP, Minister for Transport  
The Hon. Carl Scully, MP, Minister for Police  
The Hon. Reba Meagher, MP, Minister for Community Services, and Minister for Youth  
The Hon. Diane Beamer, MP, Minister for Juvenile Justice, Minister for Western Sydney, Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)

### **LEADER AND DEPUTY LEADER OF THE GOVERNMENT**

**The Hon. JOHN DELLA BOSCA:** I inform the House that on 1 February 2005 I was elected Leader of the Government in the Legislative Council and the Hon. Michael Costa was elected Deputy Leader of the Government in the Legislative Council.

### **PARLIAMENTARY SECRETARIES**

**The Hon. JOHN DELLA BOSCA:** I inform the House that on 21 February 2005 the following persons were appointed as Parliamentary Secretaries:

The Hon. Eric Roozendaal, MLC, Parliamentary Secretary to the Minister for Roads, Minister for Economic Reform, Minister for Ports, and Minister for the Hunter  
Mr Anthony Stewart, MP, Parliamentary Secretary to the Minister for Police

I further inform the House that, following changes to the Ministry, on the 22 February 2005 the Premier amended the duties of the following Parliamentary Secretaries:

Mr Bryce Gaudry, MP, Parliamentary Secretary to the Minister for Education and Training, and Minister for Aboriginal Affairs  
Mr Graeme West, MP, Parliamentary Secretary to the Deputy Premier, Treasurer, and Minister for State Development

### **TABLING OF PAPERS NOT ORDERED TO BE PRINTED**

**The Hon. John Hatzistergos** tabled, pursuant to Standing Order 59, a list of all papers tabled and not ordered to be printed since 7 December 2004.

The following papers were ordered to be printed:

- (1) Community Services (Complaints, Reviews and Monitoring) Act 1993 and the Ombudsman Act 1974—Report of the Ombudsman entitled "Reviewable Deaths: Annual Report 2003-2004", dated November 2004
- (2) Ombudsman Act 1974—Special report of the Ombudsman entitled "Improving Outcomes for Children at Risk of Harm—A Case Study: A report arising from an investigation into the Department of Community Services and NSW Police following the death of a child", dated December 2004

### **TABLING OF PAPERS**

**The Hon. John Hatzistergos** tabled the following paper:

Annual Reports (Departments) Act 1985—Report of State Emergency Service for the year ended 30 June 2004

**Ordered to be printed.**

### **KARIONG JUVENILE JUSTICE CENTRE**

#### **Claim of Privilege**

**The PRESIDENT:** I report to the House that on 10 November 2004 and 4 December 2004 the Clerk received correspondence from Ms Catherine Cusack disputing the validity of a claim of privilege on documents lodged with the Clerk on 9 November 2004 relating to the Dalton reports into Juvenile Justice. According to standing orders Sir Laurence Street, being a retired Supreme Court judge, was appointed as an independent arbiter to evaluate and report as to the validity of the claim of privilege. The Clerk released the disputed documents to Sir Laurence Street, who has now provided his report to the Clerk. The report is available for inspection by members of the Legislative Council only.

### **ROAD TRANSPORT (GENERAL) AMENDMENT (DRIVER LICENCE APPEALS) REGULATION 2004**

#### **Return to Order for the Production of Documents**

**The Clerk** tabled, pursuant to resolution of the House of 8 December 2004, documents relating to the Road Transport (General) Amendment (Driver Licence Appeals) Regulation 2004 received on 22 December 2004 and 3 February 2005 from the Director-General of the Premier's Department, together with an indexed list of the documents.

#### **Claim of Privilege**

**The Clerk** tabled a return identifying documents received on 22 December 2004 from the Director-General of the Premier's Department that were considered to be privileged and should not be made public or tabled. The Clerk advised that, pursuant to standing orders, the documents were available for inspection by members of the Legislative Council only.

**REDFERN-WATERLOO AUTHORITY****Return to Order for the Production of Documents**

**The Clerk** tabled, pursuant to resolution of the House of 8 December 2004, documents relating to the Redfern-Waterloo Authority received on 22 December 2004 from the Director-General of the Premier's Department, together with an indexed list of the documents.

**Claim of Privilege**

**The Clerk** tabled a return identifying documents received on 22 December 2004 from the Director-General of the Premier's Department that were considered to be privileged and should not be made public or tabled. The Clerk advised that, pursuant to standing orders, the documents were available for inspection by members of the Legislative Council only.

**CALLAN PARK DEVELOPMENT****Return to Order for the Production of Documents**

**The Clerk** tabled, pursuant to resolution of the House of 8 December 2004, documents relating to development of lands at Callan Park received on 22 December 2004 from the Director-General of the Premier's Department, together with an indexed list of the documents.

**Claim of Privilege**

**The Clerk** tabled a return identifying documents received on 22 December 2004 from the Director-General of the Premier's Department that were considered to be privileged and should not be made public or tabled. The Clerk advised that, pursuant to standing orders, the documents were available for inspection by members of the Legislative Council only.

**STANDING COMMITTEE ON SOCIAL ISSUES****Report: Inquiry into Issues Relating to Redfern and Waterloo: Final Report**

**The Clerk** announced the receipt, pursuant to standing orders, of report No. 34, entitled "Inquiry into issues relating to Redfern and Waterloo: Final Report", dated December 2004, together with transcripts of evidence, submissions and correspondence.

**The Clerk** announced further that it had been authorised that the report be printed.

**The Hon. JAN BURNSWOODS** [2.53 p.m.]: I move:

That the House take note of the report.

**Debate adjourned on motion by the Hon. Jan Burnswoods.**

**GENERAL PURPOSE STANDING COMMITTEE NO. 4****Report: The Designer Outlets Centre, Liverpool**

**The Clerk** announced the receipt, pursuant to standing orders, of report No. 11, entitled "The Designer Outlets Centre, Liverpool", dated December 2004, together with transcripts of evidence, submissions, correspondence and tabled papers.

**The Clerk** announced further that it had been authorised that the report be printed.

**The Hon. JENNIFER GARDINER** [2.54 p.m.]: I move:

That the House take note of the report.

**Debate adjourned on motion by the Hon. Jennifer Gardiner.**

**COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION****Report**

**The Clerk** announced the receipt, pursuant to the Health Care Complaints Act 1993, of report No. 7/53, entitled "Study of Health Care Complaints Handling in Queensland", dated December 2004.

**The Clerk** announced further that it had been authorised that the report be printed.

**GENERAL PURPOSE STANDING COMMITTEE NO. 2****Government Response to Report**

**The Clerk** announced the receipt, pursuant to standing orders, of the Government's response to the report entitled "Complaints Handling Within NSW Health".

**The Clerk** announced further that it had been authorised that the response be printed.

**AUDIT OFFICE****Reports**

**The Clerk** announced the receipt, pursuant to the Public Finance and Audit Act 1987, of the following performance audit reports of the Auditor-General:

- (1) "Follow-up of Performance Audit: Environmental Impact Assessment of Major Projects", dated February 2005
- (2) "Fraud Control: Current Progress and Future Directions", dated February 2005.

**The Clerk** announced further that it had been authorised that the reports be printed.

**LEGISLATION REVIEW COMMITTEE****Reports**

**The Clerk** announced the receipt, pursuant to the Legislation Review Act 1987, of the following reports:

- (1) "Legislation Review Digest No. 1 of 2005", dated 18 February 2005.
- (2) "Study Tour Report: Human Rights and the Law in: South Africa, United Kingdom and the Council of Europe", dated 18 February 2005

**The Clerk** announced further that it had been authorised that the reports be printed.

**PETITIONS****Department of Primary Industries Budget**

Petition requesting support for primary producers and opposing Department of Primary Industries budget cuts that may affect key field staff, front-line services and research and development, received from **the Hon. Duncan Gay**.

**Oath of Allegiance**

Petition praying that the oath of allegiance to Her Majesty the Queen be retained in the pledge of loyalty by members of the Parliament of New South Wales and by Ministers of the Crown, received from **Reverend the Hon. Fred Nile**.

**Anti-Discrimination Legislation**

Petition requesting support for the Anti-Discrimination Amendment (Equality in Education and Employment) Bill and the Anti-Discrimination Amendment (Sexuality and Gender Diversity) Bill, received from **Ms Lee Rhiannon**.

### **Breast Screening Funding**

Petition requesting effective breast screening for women and maintenance of funding to BreastScreen NSW, received from **the Hon. Patricia Forsythe**.

### **Freedom of Religion**

Petition praying that the House reject legislative proposals that would detract from the exercise of freedom of religion and the employment of persons whose beliefs and lifestyle are consistent with religious doctrine and values, and retain the existing exemptions applying to religious bodies in the Anti-Discrimination Act, received from **Reverend the Hon. Fred Nile**.

### **Lake Cowal Gold Mine Project**

Petition opposing the Lake Cowal Gold Mine Project, received from **Ms Lee Rhiannon**.

### **Cyanide Heap Mining**

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

### **Bondi Junction Post Office**

Petition requesting that Bondi junction Post Office be restored to an integrated shopfront location, received from **Ms Lee Rhiannon**.

## **BUSINESS OF THE HOUSE**

### **Withdrawal of Business**

**Government Business Notices of Motions Nos 1 and 2 withdrawn on motion by the Hon. Michael Costa.**

**Business of the House Notice of Motion No. 1 withdrawn on motion by the Hon. John Ryan.**

## **BUSINESS OF THE HOUSE**

### **Postponement of Business**

**Government Business Orders of the Day Nos 1 to 6 postponed on motion by the Hon. Tony Kelly.**

## **GENERAL PURPOSE STANDING COMMITTEE NO. 2**

### **Reference**

**The Hon. PATRICIA FORSYTHE** [3.09 p.m.]: On 20 December 2004 General Purpose Standing Committee No. 2 resolved to adopt the following terms of reference:

That General Purpose Standing Committee No. 2 inquire into and report on the appropriateness of changes to post school programs for young adults with a disability, and in particular:

- (a) the program structure and policy framework, including eligibility criteria, for the new Transition to Work and Community Participation Programs
- (b) the adequacy and appropriateness of funding arrangements for the new programs,
- (c) the role of advocates both individual and peak groups in the consultation process,
- (d) the impact of the exclusion of students enrolled or proposing to enrol in post secondary and higher education from eligibility for assistance under the new programs,
- (e) the appropriateness of the assessment methodology used to identify school leaver support needs and to stream school leavers into the new programs,
- (f) the adequacy of complaints and appeals mechanisms established in relation to the implementation of the new programs, and particularly with respect to assessment decisions, and
- (g) whether appropriate sustainable further education and vocational training and employment outcomes for people with a disability are likely to be achieved as a result of these changes.



**SELECT COMMITTEE ON JUVENILE OFFENDERS****Membership**

**The PRESIDENT:** I inform the House that on 16 December 2004 the Leader of the Government nominated Ms Fazio and Mr Roozendaal as the Government members on the Select Committee on Juvenile Offenders.

**STANDING COMMITTEE ON SOCIAL ISSUES****Membership**

**The PRESIDENT:** I inform the House that on 17 December 2004 the Leader of the Opposition nominated Mr Lynn as an Opposition member of the Standing Committee on Social Issues in place of Mr Pearce.

**INDIAN OCEAN TSUNAMI**

**The PRESIDENT:** Following the Indian Ocean Tsunami tragedy on 26 December 2004 I wrote to the Consuls General of the Republic of Indonesia, the Democratic Socialist Republic of Sri Lanka, India, and the Kingdom of Thailand to express my sympathies and condolences and those of the Parliament of New South Wales to the families of the victims of the tsunami. I have received replies from each of these Consuls General, which will be incorporated in *Hansard*:

---

18 January 2005

Honourable Madam,

At this sorrowful time, the condolences and kind words expressed by Australians, their leaders, government and other institutions make us comfortable by the feeling of being among friends and caring people who would share the sorrow and grief with us together.

Your message clearly shows your concern of the people of Sri Lanka, which will be remembered with gratitude.

The message has already been conveyed to the people and leaders in Sri Lanka through the Ministry of Foreign Affairs.

I wish to thank you for your kind consideration.

With best wishes.

Yours sincerely

Wasantha Senanayake  
Consul (Commercial) / Acting Consul General

...

January 13 2005

Your Excellency

Thank you for your letter of January 4, 2005 conveying your condolences on the Tsunami tragedy in India. We are grateful to you for your message of sympathy and support.

I have conveyed your message to the Government of India.

Please accept Excellency the renewed assurances of my highest consideration.

(M. Ganapathi)

...

13 January 2005

Dear Dr Burgmann

I am writing to thank you for your letter of condolences in relation to the tsunami which struck the provinces of Aceh and North Sumatra. The goodwill, solidarity and assistance of the government and people of New South Wales is truly uplifting and will strengthen the resolve of the victims as they begin the rehabilitation process.

Yours sincerely

Wardana  
Consul General

...

11 January B.E. 2548 (2005)

Dear Dr Burgmann

I have the honour to acknowledge with sincere thanks your letter of support during this difficult time. I am deeply touched by the generosity of people in Australia, especially those who live in New South Wales, in providing both sympathy and donations for the Tsunami Victims of Thailand.

Your kind thoughts will be passed on to the Government of Thailand and its people. I am certain that money raised for this cause will greatly benefit the disaster relief operations in Thailand and help its people to restore their lives, rebuild their homes and livelihoods which has so suddenly been snatched away from them.

Please accept once again, my deep appreciation for your sympathy to the Thai people in this matter.

Yours sincerely

(Mr Suraphan Boonyamanop)  
Consul General

---

**The Hon. JOHN DELLA BOSCA** (Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Minister for Ageing, Minister for Disability Services, Assistant Treasurer, and Vice-President of the Executive Council) [3.12 p.m.]: I move, without previous notice:

That this House:

- (a) expresses its profound sorrow and sympathy to those countries devastated by the 26 December 2004 Indian Ocean tsunami that caused great loss and suffering,
- (b) extends our sympathy to the people of all countries whose citizens were killed or suffered injury,
- (c) extends special thoughts to the people of New South Wales and Australia whose loved ones were killed or injured, and
- (d) expresses its gratitude to all individuals and organizations in New South Wales who have contributed so much in time, money and effort to relieve the suffering of those affected.

In a world accustomed to witnessing tragedies and disasters, the tsunami is indeed a vision of tragedy. The tsunami swept the life out of villages, towns and resorts in areas across the entirety of the Indian Ocean. It affected the nations of Indonesia, Sri Lanka, India, the Andaman and Nicobar Islands, the Maldives, Thailand, Burma, Malaysia, Somalia, Kenya, Tanzania, the Seychelles and Bangladesh. Its death toll is close to 300,000, with almost 240,000 people killed in our close neighbour Indonesia alone.

There are hundreds of thousands whose lives have been devastated. The United Nations estimates that one million people have been displaced and five million people deprived of basic services. But statistics, of course, as we in this House know, never tell the full human side of tragedy. Families have been totally destroyed; parents have lost children and spouses; children have lost parents and siblings, and many communities have been completely destroyed or decimated. The personal impact defies comprehension.

In addition, there are traumatising longer-term implications in that many people, and indeed entire communities, have lost their means of earning a living, perhaps permanently. The impact on individual families is beyond our comprehension. But the response of the broader human family has also moved us in a way that I personally have not witnessed before. It is not just the giving of money but also the volunteering to help collect it; the doctors and nurses and other workers who want to go and assist, often at their own expense and in their own time; the experts from every field imaginable clamouring for a chance to serve and give their time, energy and expertise.

Australia was more quickly on the ground than any other nation and in monetary terms has given more per head of population than any other country. We quickly transformed our feelings into actions. This was an issue above politics. The familiarity of beaches and holiday venues, and the fact that these people are, in a national sense, our neighbours, served to focus on action as a result of a higher rather than simple contemplation. Australians have ensured that our neighbours in Asia did not have to face this calamity alone. Our nation came together in an act of unity and compassion. We saw donations on an unprecedented scale and massive on-the-ground relief efforts by government and non-government organisations.

The Australian Government is committed to a billion-dollar five-year program. Corporate and Australian communities, large and small, have so far poured in \$230 million. Our great Australian aid agencies, Oxfam, Red Cross, World Vision, Caritas, Anglicare and others, undertook massive relief programs. Organisations large and small and many individuals dug deep for the relief effort. Some events that were held for the relief effort have specifically caught the public imagination: the tsunami cricket match that raised a stunning \$14 million; the Reach Out to Asia telethon that raised \$20 million; and the Wave Aid Concert, which raised in excess of \$2 million. These are all examples of exceptional generosity by Australians.

We should also note the effort of our own State Government employees. The State Government has contributed \$2 million to the Red Cross. New South Wales Health has co-ordinated four national acute medical teams for Indonesia, the Maldives and Sri Lanka. About half of all the doctors, nurses, paramedics and emergency personnel in the Australian aid teams are from New South Wales, both public and private sectors. Along with them there are 10 identification experts from the New South Wales police service. New South Wales provided the bulk of health equipment supplies and used other logistics to support our medical team through, amongst others, my Department of Commerce.

Initially, New South Wales has supplied medical assistance and counselling services to survivors even in Sydney and throughout our own State. I must place on the record the speed at which the support was delivered. The Commonwealth Government asked the New South Wales State Emergency Service Management Committee to put together medical teams at 3.00 p.m. on 28 December. NSW Health had set up four teams by 8.00 p.m. the next day. The first two of these teams departed at 3.00 p.m. on 29 December, reaching Jakarta on the morning of 30 December and transferring to Aceh province the same day. The teams were on the ground working with the victims the next morning, less than 48 hours after being asked to help—a magnificent logistical effort indeed.

Our volunteers worked selflessly, tirelessly and willingly in atrocious conditions, often exposing themselves to serious risk. We should be proud that New South Wales and the people of New South Wales have provided such services, and we congratulate all involved on a task well done. Every Australian can be proud of the relief effort contributed by our emergency service and disaster response teams. These include the New South Wales public sector, doctors, nurses, paramedics, emergency service personnel, identification experts and counsellors. They have been put to the test and have proven to be the world's best.

But I return to the personal impact of this enormous tragedy. We have all seen countless stories of human misery: the little boy of 11 sitting silently on a bed in Banda Aceh staring ahead, rendered mute by the tsunami, which had taken every member of his family; the pictures posted on walls and trees in devastated areas under the simple heading of "Seeking"; the fisherman in Mullaittivu, Sri Lanka, mourning the loss of his wife and all seven of his children; the children in a hastily established orphanage in Lilibukti in Indonesia who are petrified by seeing water in a tub and cower at the sound of aeroplanes flying overhead. It is worth noting that a member of the other place, Mr Tony Stewart, spent a considerable amount of his own time and effort working with tsunami victims with Father Chris Riley.

In closing, I place on record also the fact that, despite many differences I have with the current Commonwealth Government, I commend the Prime Minister and the Commonwealth Cabinet for their outstanding job of leadership in their immediate response to the tsunami disaster. All of us were proud to be Australians when we saw the efforts of the Commonwealth Government, the New South Wales Government, and the people of New South Wales and, indeed, every State and Territory. None of us will ever forget the tsunami. I trust we will all continue in the rebuilding of those devastated societies and work to fully support all of the dedicated people who are undertaking this monumental task.

**The Hon. MICHAEL GALLACHER** (Leader of the Opposition) [3.20 p.m.]: I support the Government's motion both in my capacity as Leader of the Opposition and personally. I put on record my condolences to those, overseas and in this country, so heavily affected by this terrible disaster. As most Australians were settling down to the leftovers of Christmas dinner or, indeed, watching the Boxing Day test match, a number of our regional neighbours were suffering the effects of one of the world's greatest natural disasters—an earthquake west of the Indonesian island of Sumatra measuring 0.9 on the Richter scale, which then triggered the devastating tsunami.

Mature reporting in this country saved Australians from knowing the true graphic detail of what was occurring and we could not even begin to imagine the magnitude of the devastation we witnessed as it unfolded on Boxing Day and the days following. We have all seen footage of the tsunami hitting the coastlines, but we

did not gain an understanding of its immense size and what those people were confronted with until the witnesses began to give accounts of what had happened. Earlier footage showed water starting to push across resorts along the coastlines and surrounding areas. Indeed, witnesses and victims later referred to 10-metre waves surging across the coastlines and ravaging kilometres inland and it was only then that one was able to gain an understanding of the sheer devastation resulting from the tsunami.

As the Leader of the Government said, the official death toll will be more than 300,000. I suspect we will never know the exact number. To date 19 Australians have been reported as dead and eight are still missing. Sadly, a three-year old girl from New South Wales was a victim. I ask honourable members to take this opportunity to express our sorrow to her family and friends in their pain and anguish, which must be unimaginable.

In his closing remarks the Leader of the Government took the opportunity to commend the Australian Government for its contribution, which made all Australians proud. As is always the case when something happens to one of our neighbours or friends in the region, the Australian Government is first up to the batting plate, irrespective of who is in office, and on this occasion it was John Howard, our Prime Minister, and the Australian Government that were the first to offer the hand of friendship. The speed and generosity of that commitment were incredible. We know that that commitment, in dollars and resources, will continue for many years, so that the nations affected by the devastating tsunami can be rebuilt.

As the Leader of the Government pointed out, there will be a \$1 billion package over five years as part of a partnership for reconstruction and development, comprising \$500 million in grants and \$500 million in concessional loans over 40 years, with no interest and no repayments for at least the next 10 years. In addition, another \$60 million will be available for other countries affected by the tsunami. This makes me proud to be an Australian. Whether we are talking about East Timor or Rwanda, it always seemed that one of our former members, Brian Pezzutti, is the first to put his hand up. Yet again Brian Pezzutti is over there, doing what he does best, that is, offering succour and assistance by using his medical experience to the best of his ability to look after those affected by the tsunami.

The Hon. Catherine Cusack, in discussion prior to my contribution this afternoon, said that the many bureaucrats and public servants within New South Wales who contributed to this logistical nightmare conducted themselves with such professionalism that they ensured that everything that needed to be done was done. I am told that all of the 70 tonnes of supplies from New South Wales were used and, what is even more important, arrived on time and were used expeditiously. As the Hon. Catherine Cusack rightfully reminds me, the use-by date and lifespan of medical supplies are crucial to their effectiveness. The Hon. Dr Brian Pezzutti has had nothing but praise for the public servants who contributed to ensuring that our medical practitioners and emergency service workers had the best support we could possibly give to ensure that they were able to do their job so well.

Obviously, there is a huge list of people we must recognise—doctors, nurses, emergency services workers, my former colleagues in NSW Police; the list is never ending. If we attempted to go through an exhaustive list, people would be missed, but those individuals should rest assured knowing that their contribution, no matter how big or how small, is acknowledged by the Australian people, their families and friends. Quite simply, without the contribution made by Australia things would not have gone as well as they have thus far. The Leader of the Government referred to fundraising contributions and I am sure that every member of this Chamber has contributed in some way to those various events.

On 9 February I attended a function in the Strangers Dining Room, but that venue was simply not large enough because the function was oversubscribed and so many people attended. The room was packed to the rafters. This fundraising event, which was organised by the Corporate Fund Raising Indonesia Tsunami Appeal, raised \$170,000 in one afternoon. It was a fantastic result and all that money has gone directly to Care Australia to ensure that that organisation continues its fine work. To all involved in providing support and assistance to those affected by the tsunami, we wish Godspeed.

**The Hon. DUNCAN GAY** (Deputy Leader of the Opposition) [3.28 p.m.]: I join the Leader of the Government and the Leader of the Opposition and Leader of the Liberal Party in this House, in my capacity as the Leader of The Nationals, in supporting the condolence motion, and I reinforce their comments. I shall not revisit every area they covered. Suffice it to say that I share their concerns and I congratulate the Government on moving the motion. It is important to acknowledge the devastation of 26 December. At a time of water shortages in Sydney and drought in country New South Wales we woke up on Boxing Day and saw media coverage of a

disaster so unusual and tragic. I do not know whether it was unique, but I always pictured in my mind's eye that a tsunami was a very large wave breaking on a beach, when, in fact, it was, as the name describes, a tidal wave. From later pictures we saw that the wave lifted high and the ocean followed through like a quick tide. That, more than anything else, made it devastating. Sadly, it is in my mind's eye, as it should be now, because I have seen the devastation that it causes, with nearly 300,000 people dying.

People across the State rallied—those in country New South Wales, where I come from, as much as those in the city. There were stories from everyone: "We knew people who were over there", "We appreciated what the families were going through" or "We knew someone who had been in one of those locations just before the tsunami hit". Many good and positive things, as well as bad things, have come out of this tragedy. The relief organisations have worked together, which is terrific, rather than working against each other. A new friendship has developed between our Prime Minister and the new Indonesian President. Importantly, that hard-fought new friendship enabled the Australian Army to go into Aceh, which will prove very beneficial.

We all remember the television pictures of the desalination of water in the first few days after the tragedy. The Federal Government gave \$1 billion—I congratulate it, but so it should have made a contribution—and congratulations to everyone on being supportive of that. We are part of this region. The beauty of the Australian community is that it worked together, as was expected and happened, and everyone supported the relief efforts, which provided an impetus for other countries to follow suit. If a small country in the region can do that, it allows bigger countries to follow. Hopefully, the proper resources will be put in place before there are any further outbreaks of local violence or disease.

I note that members of the lower House worked with Father Riley, our former colleague the Hon. Dr Brian Pezzutti and my local member. As honourable members know, I live in Crookwell and my local member is Katrina Hodgkinson, whose husband, Jack Saeck, was working with Father Riley in Aceh. On behalf of The Nationals I support the Leader of the Government and the Leader of the Opposition. I express our gratitude to all the individuals and organisations in New South Wales who have contributed so much in time, money and effort to relieve the suffering of those affected by the tsunami.

**Reverend the Hon. FRED NILE** [3.33 p.m.]: As a member of the Christian Democratic Party I entirely support the motion moved by the Leader of the Government that this House:

- (a) expresses its profound sorrow and sympathy to those countries devastated by the 26 December 2004 Indian Ocean tsunami that caused great loss and suffering,
- (b) extends our sympathy to the people of all countries whose citizens were killed or suffered injury,
- (c) extends special thoughts to the people of New South Wales and Australia whose loved ones were killed or injured, and
- (d) expresses its gratitude to all individuals and organisations in New South Wales who have contributed so much in time, money and effort to relieve the suffering of those affected.

As other speakers have said, the tsunami was a tragedy of immense proportions. Indeed, it has been described as perhaps one of the greatest tragedies, certainly in recent years. The tragic loss of 300,000 lives—that is only a calculation as bodies are still being found—including more than 20 Australians, as a result of the earthquake and the tsunami is a modern tragedy. We appreciate particularly the outstanding response by the Prime Minister John Howard with the \$1 billion aid package for Indonesia, the more than \$200 million donated by Australians and the more than \$13 billion donated worldwide.

We especially compliment the Australian defence forces, the Army, the Navy and the Air Force, which gave such a prompt and efficient response to the tsunami disaster. Our Australian Army medical teams have saved many Indonesian lives. When we saw them on television I am sure we all felt proud to be Australian and to see them provide medical help to so many people, including many children. Other nations have also given a marvellous response, including the United States of America. Sadly, there has been some anti-American criticism, as we sometimes find in the media, about its response compared to that of Australia. But, finally, America's response was outstanding. We also note that America gives more than \$2.4 billion in aid, not only to special disaster relief but every year, and practically funds the entire cost of running the United Nations.

One comment that has been made—and it seems worthy of comment—is that despite the overwhelming response by western nations, the response by oil-rich Middle East Muslim nations seems very poor, particularly when the Indonesian population is mostly Muslim. The tragic loss of thousands of tourists' lives, including more than 20 Australians, helped to focus the aid programs of Australia and other western

nations. However, the saddest aspect has been the death of thousands of children in the various countries affected by the tragedy. One matter that has concerned me, and I am sure other members of the House, is why no early warning system was in place when apparently an early warning system is now in place to cover other oceans. It must be a priority for the western nations to provide financial help. I understand that it would cost only \$26 million to set up an early warning system, and it is a tragedy that such a system was not in place before the tsunami. Again, lives may have been lost, but there may have been sufficient warnings for people to move away from coastal areas. People lost their homes and businesses, and suffered great losses.

Finally, many organisations have assisted in relief programs. I collated reports from throughout the Pacific and Asian area about what the churches were doing. The response by many different Christian church groups to the tragedy was outstanding, particularly in Indonesia. For example, the Salvation Army, from its headquarters in India, gave an instant response to many fishermen's families, providing food supplies to more than 1,000 people every day in one particular centre. It also established community kitchens and provided food daily for 1,200 people in another centre. In South-East Asia the Salvation Army teams have been serving 56 camps housing homeless people from 33 villages in the Indian area that was affected by the tsunami.

The response by many other Christian organisation has also been outstanding. Christian Mission International, which is based in Australia, sent shipments of blankets and linen, summer clothing, water purification tablets, milk products, medical supplies and so on. The Missionary Aviation Fellowship, which works with all the mission organisations, at the request of the Indonesian air force, supplied its aircraft and was distributing more than 40 tonnes of supplies to survivors in Aceh. This became an important role for the Mission Aviation Fellowship, which normally services the needs of missionaries.

In the hard-hit areas of Indonesia the Church World Service [CWS] assessment team members were active. This organisation provided 5,000 lightweight CWS blankets and 35,000 CWS gift of the heart health kits for distribution. It was an outstanding response by many organisations—not just Christian organisations, but I am mentioning them in particular—and from all churches, whether it was the National Council of Churches, the Salvation Army, or Anglican or Baptist churches providing aid. Questions were raised in the media and there was a misunderstanding about remarks made by Dean Phillip Jensen about the disaster. The Anglican Dioceses of Sydney, through the Bishop of South Sydney, Bishop Robert Forsyth, issued a statement to clarify what was reported from Dean Phillip Jensen. Bishop Forsyth said:

I know that is not what the Dean or any other church spokesman had said or intended. These comments did not mean that God had deliberately willed this tsunami to judge individual people.

Bishop Forsyth said that such terrible tragedies can, in the mysterious providence of God:

... also serve as a warning to all of us of our own mortality and preparedness to face God's judgment, as Jesus said in Luke 13: 1 5.

That was to clarify the remarks by Dean Jensen. The Christian Democratic Party is pleased to support the motion.

**Mr IAN COHEN** [3.41 p.m.]: I support the motion. I thank the Leader of the House for raising this matter by way of a condolence motion on the first sitting day this year. I join with all members of this House to express profound sorrow and sympathy for those countries devastated by the 26 December Indian Ocean tsunami. It has caused great suffering and loss. I am pleased to join in extending my sympathy to people in all those countries where citizens were killed and suffered great injury. I have special thoughts for those people in New South Wales and Australia whose loved ones were killed or injured. I have gratitude for and a certain pride in the individuals and organisations in New South Wales, and in Australia in general, which contributed so much time, money and effort to relieve the suffering of those affected.

In a moment I will refer to my experience of being on the beach in Sri Lanka when the tsunami hit. Experiencing the tsunami hitting, seeing the aftermath of it and staying on for a little under a month to see if I could do something to help had a great impact on me. It showed me the massive power of nature. Lao Tse said:

Of all things yielding and weak in the world,  
None is more so than water.  
But for attacking what is unyielding and strong,  
Nothing is superior to it,  
Nothing can take its place.

We saw this uniform wall of water casually picking up buildings, trains and thousands and thousands of people across a huge area, stretching from Indonesia and Thailand through to the Indian subcontinent and Sri Lanka. It

smashed people's lives and left a twisted mess of wreckage in its wake. I was in an area called Hikkaduwa on the south-west coast of Sri Lanka. It did not receive the full brunt of the tsunami as some areas of Aceh did. Nevertheless, some 7 per cent of the population of Sri Lanka was rendered homeless and many thousands of people died as a result of the devastation. Thousands of tonnes of an atomic device would have to be exploded to create the sort of devastation this natural event created. The great ocean that surrounds us was showing us what unified drops of water could do. Another thing I found most compelling was that there was no motivation, no good or evil. Nature is dispassionate, killing everyone.

I was offended—perhaps for the wrong reasons—by certain utterances by certain church leaders. As Reverend the Hon. Fred Nile explained, perhaps I got things the wrong way, but I was incensed by what Dean Jensen said in a statement, which was one of the first things I heard. I was devastated to hear such statements from some leaders of various religions, showing that intolerance exists at a time when we should all gather together. No-one is to blame. This was an event of nature, yet some people in Sri Lanka were saying that those who were affected somehow had sinned. Some people from all the great religions had that attitude, and I believe in my heart that that was so wrong. It was a dispassionate act of nature—some may say an act of God—which raged and ruined from Aceh, near the epicentre of the quake, through Thailand and Sri Lanka, throughout South-East Asia, all the way to Africa.

It made no distinctions. It hit tourists from various western nations and Japan. It hit the indigenous people of Indonesia, Thailand, Sri Lanka, India and Africa, men and women, rich and—tragically—very poor. It was the very poor who were living on the coast in Sri Lanka, where there was little protection from the ocean. We must also remember the Maldives, an area very much affected by rising sea levels. Often it is the poor, the fishing people and their families, who live in substandard housing along the coast of Sri Lanka. I understand that footage of the train crash flashed across television screens in Australia. As I said, I was at a place that did not cop the full blast of that wave. Nevertheless, I was only two or three kilometres away from the train wreck. A few days later I went out to inspect the train wreck. The tsunami hit on the Sri Lankan day of Poya, a day of Buddhist religious observance. This meant that thousands of people were in transit to temples all over the island. Many temples on this island are on the coast.

Hundreds of thousands of people were rendered homeless. Some estimates are that we need to find the resources to rebuild 110,000-odd homes, not to mention the other infrastructure that needs to be repaired. I arrived in Sri Lanka the night before the disaster—great timing, I must say—and I was about to wax my board for my first mornings surf in Hikkaduwa. I found my surfboard being pounded by the surf on the verandah of the hotel, which was formerly about three metres above the sea line. A chunk of concrete that was part of the retaining wall floated past in the surge. In the distance I saw surfers paddling to shore. Apparently some were lost at sea further south. I retreated to the front room holding my surfboard like some sort of security blanket. I tried to close the door but it broke under the surge of water. I retreated to a house with support poles to see what was going on and to avoid direct contact with the debris that was flowing past like a river, a torrent pushing down between the twin rooms where I had gear stored and the side of the building—sort of surfing in the bedroom, if you like.

It was a humbling experience for me. I was extremely lucky. Imagine a train travelling at 60 or 70 kilometres an hour being hit by a huge wave and derailed. The carriages were pitched in A-frames as they would be by a kid playing robustly with a toy train set. About 300 metres from the train hundreds of houses, from the water's edge to the rail line, had been completely smashed. That sort of devastation was multiplied along a thousand kilometres of coastline on that one island, with even greater devastation on the east coast. It was just too hard to contemplate. When I was holding on to the pole looking out to sea I could see the waves rolling in but, as the Deputy Leader of the Opposition accurately said, there was a rising of the ocean. The normal swell coming in continued but the surface of the ocean had risen three or four metres. A torrent of water flowed through everywhere it could.

As I had a surfboard, a wetsuit and other surfing equipment, I was pretty well equipped to deal with the situation, and I escaped with only minor injuries. I had a few cuts and scratches. But there was a huge impact on local society, which had no idea what was about to happen. People were taken completely by surprise. Only a few hundred metres away from where I was people were going about their morning business in the market at about 9.30. A wall of water poured over the main road into a swale, a sort of valley area, on the other side of the road. Sri Lankan people in their hundreds, if not thousands, in this area were drowned. They had no idea how to deal with the situation and there would have been absolute panic. Almost 100 per cent of the people would not have been able to swim. Sri Lankans generally do not swim in the ocean: they do not have the culture we have in Australia. So they would have panicked in that situation and drowned.

For a number of days people where I was were in a state of shock. We were trying to clean up the area. Until about a day after the event we did not appreciate the enormity of what had happened. We had only verbal reports to go on. There were no phones or electricity—absolutely nothing. It was wonderful to see the people who came from Colombo on the back roads with sacks of rice and food in their cars to feed people—tourists, local people, the whole lot—so that they could survive. This helped to bring home the impact to many people. We started hearing stories about the rest of Sri Lanka. Injured people needed to get to hospital but Galle hospital was completely obliterated. The few doctors available were trying to treat thousands of people without adequate medicine. Tourists tried to cope with the situation. It was a matter of getting a bicycle, riding around inland, collecting a bit of food, trying to find bandages and trying not to impact on other people who were far less well off. Buses towed through the town had their roofs crushed like aluminium cans. And remember, buses in Sri Lanka are always packed. The level of the disaster slowly started to seep in and we realised that not just that tiny section of coastline had been affected. There was a colossal physical impact on the people of the areas, but help needs to be ongoing.

In Hikkaduwa, after one of the computers got going, I was able to email home. I found that Australians had poured out their hearts and opened their pockets. In the face of this generosity I was very proud to be Australian. Hearing about relief teams going out and sitting on one patch of coastline, understanding that people around the world really cared, was very heartening. Australians are by nature very practical. Many Europeans who were trapped there—some injured—had no idea how to deal with the situation. I felt like a laconic Australian in baggy shorts leaning against the door saying, "Stop. Relax. You cannot drive 10 hours around the back roads with a severely injured person. Wait." But they still drove off with injured people. The road to Colombo opened about five hours later, making it only a two-hour trip. People were desperate.

While we can rebuild towns, houses and villages, we have to pay special attention to the rebuilding of the mental health of the people, particularly young people who have suffered psychological devastation in the process. The protection of the mental health of those affected by the tsunami is emerging as a priority. There are reports of suicidal tendencies among people who have lost everything, including family and friends. Helping the survivors to cope with their situation is of prime importance. Special attention needs to be paid to orphan and destitute children who, deprived of love and attention, could be subject to long-term mental health problems if they do not receive the care of trained counsellors.

Being on the ground in that situation, I met up with people from a number of non-government organisations. Jenaka Jaywickrama worked for Northumbria University as a refugee and trauma specialist. He worked part-time for the United Nations. Because he was reliant on the university to complete his PhD he had to go to work in the Sudan because of a prior commitment, which he had no way of finding the finances to get out of. He was a trauma and refugee expert, Singhalese and spoke the language. Yet he had this obligation to go elsewhere. Finding the finances to get Jenaka back to Sri Lanka would be very helpful to the emotional and mental state of many people there. There is goodwill but irrelevance in the flow of support to these areas.

I am sure many have read about the Australian photojournalist Juliet Combe, who has been running a program in the refugee camp at Hikkaduwa to empower children through phototherapy. Children who lost relatives, friends and homes were given cameras to tell their own stories through photos, to deal with what they had seen and overcome their fears. One of the students, a 14-year-old boy, is proud of his photos, which include some of the train track where his friends were swept to their death. A volunteer said that children are now starting to draw pictures about their experiences and noted the resilience of children. We should take the opportunity to provide therapeutic assistance by collecting and distributing children's art books and materials for the thousands of children in all the affected countries—Sri Lanka, Thailand, parts of India and Indonesia. This Thursday I will speak to the New South Wales Labor Council. I have been invited to speak and I would like to raise the issue—

**The Hon. Michael Costa:** It would not have happened in my day.

**Mr IAN COHEN:** This shows a really sick mind, that a man can make a comment like that when we are dealing with such a serious issue. I am appalled. Sometimes you are a joke but at this point you really are appalling. I will be asking the unions for support in obtaining art equipment, which can assist children in their rehabilitation; and the provision of soft toys is also important to help with their recovery.

**Pursuant to sessional orders business interrupted.**



## QUESTIONS WITHOUT NOTICE

---

### WORKCOVER NATIONAL CERTIFICATE OF COMPETENCY HOLDER RETESTING

**The Hon. MICHAEL GALLACHER:** I direct my question without notice to the Special Minister of State. Did employees of WorkCover's Licensing and Compliance Division return to work on Monday 4 January to find that one of their colleagues had been suspended pending an ICAC investigation into allegations that the employee had been issuing false national certificates of competency? Has this employee been suspended without pay until further notice? Would this employee have been unable to issue false certificates had WorkCover managed to properly implement the \$4 million E-Authorise system, which would have prevented breaches of this nature by having proper checks and balances?

**The Hon. JOHN DELLA BOSCA:** The honourable member referred to a number of specific matters that are the subject of internal investigations by WorkCover senior executives and external inquiries by the ICAC. His suggestion that certain administrative arrangements would have prevented the difficulties that have become apparent is a matter of opinion. I will look into the matter and provide him with a detailed response.

### PRESCHOOL NUMBERS

**The Hon. AMANDA FAZIO:** I direct my question without notice to the Minister for Education and Training. What is the status of the Government's plans to increase the number of preschools provided by the Department of Education and Training?

**The Hon. CARMEL TEBBUTT:** I am pleased to advise the House that the Government has met its commitment made at the last election to establish 21 new preschools in the Department of Education and Training. This commitment demonstrates the Government's recognition of the critical importance of the early childhood years. As I have said on many occasions, research demonstrates that it is in these early years—from birth to six—that foundations are laid for long-term success in learning, health and wellbeing. The new preschools will give children in some of the neediest communities in New South Wales the best possible start to their schooling. The Government has a strong track record in supporting families with young children through programs such as Families First, in which it has invested \$117.5 million. This is the Government's strategy for helping parents to give their children a good start in life. In 2002 the Government announced a \$1.2 billion funding package to boost child and family services in New South Wales.

The preschool expansion initiative represents another major Government investment in supporting the families and children of New South Wales. The new preschools have been built and set up at a cost of just over \$18 million. The cost to staff and operate the new preschools is almost \$3 million. In addition, more than \$19 million is spent each year to operate the department's existing 79 preschools. I am pleased to inform the House that all the new preschools opened at the start of 2005. Each new preschool provides 20 full-time places. Some centres will run full-time programs for 20 children, and others will operate on a part-time basis with up to 40 children attending. It is anticipated that close to 750 children will enrol in the new preschools in 2005.

Given that in excess of 4,000 children attend the Department of Education and Training's 79 existing preschools, this initiative means that more than 4,500 children will attend public preschools from 2005 onwards. In choosing the locations for the new preschools it was determined they would be built in areas of greatest need. Factors such as high unemployment, low income, single-parent families, large numbers of Aboriginal and non-English speaking families, and lack of access to preschool education were the basis for identifying communities that would most benefit from this important initiative.

The new preschools are targeting families who are unable to access other early childhood services. Priority is given to enrolling children from families experiencing financial hardship, of Aboriginal and Torres Strait Islander background, from language backgrounds other than English and children with disabilities. The Government is committed to improving access for children to quality early learning experiences. To this end, the Department of Education and Training is providing a comprehensive program of professional development for the staff of new and existing preschools. In 2004 principals and staff of every government preschool attended two-day professional learning workshops held across New South Wales. New policy-related material has been provided to support the operation of all our preschools.

Plans are also under way for an ongoing professional development strategy that will keep preschool staff abreast of best practice in early childhood education. In keeping with the new children's services regulation, the department's new preschools are all staffed with teachers holding early childhood teaching qualifications. Teachers and parents are confident that the new preschools will make the transition to school much easier for children and families. Children will be able to start kindergarten feeling more comfortable with the physical and social environment of the school.

It is well known that the level of parent engagement in children's education has a strong influence on success in schooling. These preschools are an important starting point for schools to develop positive, ongoing relationships with families. There is a great commitment from teachers to these new preschools. Teachers know the contribution that quality early childhood education makes, whether it is through preschools or through long day-care centres, to developing children's literacy, numeracy and social skills.

#### **PEST INSECT DESTRUCTION FUND LEVY INCREASE**

**The Hon. DUNCAN GAY:** My question without notice is directed to the Minister for Primary Industries. Does the Minister recall his comments on *Country Hour* on 27 January when he said that increases in the Pest Insect Destruction Fund sound dramatic but that it adds up to only about \$100, a figure he said farmers would find easily? What does the Minister say to Mr Graham Brown, of Reola Station, north-west of Wanaaring, whose levy has increased by \$540.11? Is the Minister telling Mr Brown that he should be easily able to find the extra \$540.11, after four years of drought?

**The Hon. IAN MACDONALD:** I am not aware of the case that the Deputy Leader of the Opposition mentioned, but I want to put this whole debate into perspective. The fact is that the Government's campaign in conjunction with the rural lands protection boards, New South Wales Farmers and the Australian Plague Locust Commission has saved the farming community an estimated—and it is a conservative estimate—\$900 million throughout spring and early summer. This has been a significant contribution to the profitability and sustainability of our farming communities.

So effective has this campaign been that in December I was visited by an official from the United Nations, who was full of praise for our campaign and who asked whether we would be able to assist with the difficulties that the United Nations was experiencing in the Middle East and in Africa. I said I would look at it. Subsequently our plague locust commissioner has been invited to visit the Food and Agriculture Organisation [FAO] in Rome to brief the United Nations on what is, without doubt, the best campaign that has been waged against locusts, not only in Australia but anywhere. I am pleased to announce that Mr Graham Eggleston will be going overseas to visit the United Nations FAO—

**The Hon. Duncan Gay:** He's a Federal public servant. You are taking credit for someone else's work.

**The Hon. IAN MACDONALD:** He is not Federal. He works in our department.

**The Hon. Duncan Gay:** He is not. He is the plague locust commissioner.

**The Hon. IAN MACDONALD:** Yes, for New South Wales. Get it right. If the Deputy Leader of the Opposition is going to throw those sorts of comments about, he should get it right, because he has got it wrong again! The plain fact of the matter is that this campaign cost many millions of dollars, but it saved \$900 million worth of product for the farming year. The ratio was in excess of 30:1. The fund itself had obviously been diminished by the extent of the previous outbreak and in response the Government is contributing in effect \$5.25 million to the campaign. That is an unprecedented level of government assistance in relation to locust campaigns in New South Wales, and the Deputy Leader of the Opposition knows it. The previous major outbreak received some contribution from the Government in the form of an interest-free loan, but we have put direct funding into that campaign. The Deputy Leader of the Opposition spent the whole of last year trying to find fault with the many, many public servants, rural lands protection board members and New South Wales Farmers members who have taken a positive attitude towards this campaign. At every point the honourable member has tried his best to create division and disunity amongst the farming community.

The plain fact of the matter is that it was the greatest campaign ever. The Deputy Leader of the Opposition cannot bring himself to admit it. Unlike the United Nations, the honourable member does not read the real situation with regard to how the campaign has been regarded. In conjunction with the rural lands protection boards and our other partners on this issue, we have devised a scheme that has a no-interest

component over four years that will replenish the fund. The Government will put \$0.75 million cash into that fund, which is being devised with a flat-rate contribution of \$13 per rate assessment plus 2.5¢ per dry-sheep equivalent for non-coastal boards and 1.25¢ per dry-sheep equivalent for ratepayers in coastal and some adjoining boards. We believe this is an equitable way of replenishing the funds, on top of the 30 per cent that the Government has already paid, which, as I said, is an unprecedented amount. Last year I wrote to the Deputy Prime Minister, Mr John Anderson—*[Time expired.]*

**The Hon. DUNCAN GAY:** I ask a supplementary question. Can the Minister explain where I had my facts wrong when quoting a letter from Mr Brown in which he said that his levy had increased by \$540.11? Can the Minister detail where I had my facts wrong in that statement?

**The Hon. IAN MACDONALD:** I did not say the Deputy Leader of the Opposition had his facts wrong in relation to that specific case. I was referring to the funding operation. I said I am not aware of the case to which the Deputy Leader of the Opposition referred. I then went on to deal with the plague locust campaign and its funding arrangements in a generic sense; I did not deal with that specific case. The Deputy Leader of the Opposition has got it wrong again.

I am glad the Deputy Leader of the Opposition has given me this opportunity. He made a statement about how this funding arrangement to recover and replenish the fund is like asking disaster-affected individuals to pay for their own relief. Even in that statement he was wrong about the natural disaster relief arrangements in this State. He has got it wrong again. The natural disaster relief funding arrangements in this State involve the granting of loans to people who have suffered natural disasters. It is a loan system with two years interest-free, and subsequent to that, over a 10-year period, a low interest rate of the order of 3 per cent. They are the natural disaster relief arrangements. The Deputy Leader of the Opposition did not even understand those relief arrangements: that the people affected, who have had the difficulty with the natural disaster, are given loans to rectify their situation. He has got it totally wrong, as he grandstands in the wake of the tsunami, using the tsunami for cheap political points around the State. It is a shameful misuse of a difficult international situation. The Deputy Leader of the Opposition should think twice about what he says in future.

#### ORANGE CITY COUNCIL FORMER GENERAL MANAGER CORRUPTION ALLEGATIONS

**Ms SYLVIA HALE:** I direct my question to the Minister for Local Government. Given the corruption allegations surrounding the conduct of the former General Manager of Orange City Council, Mr Allen Dwyer, allegations that have been circulating since March last year, and the failure of the Department of Local Government to investigate those allegations adequately, why did the Minister indicate last week that he would reinstate the inquiry but has so far failed to release the details? When will the inquiry's terms of reference be made public? Who will undertake the inquiry? When and where will the inquiry be held? Will the inquiry be a public one?

**The Hon. TONY KELLY:** Firstly I acknowledge that this issue has generated much media interest. Along with that interest has come some irresponsible comments from the Opposition and the Greens. I note that the Opposition shadow spokesman went to the ABC radio Western Plains last Friday. He suggested that there has been some "procrastination from the Government and the director-general on this issue". The Opposition shadow spokesman went on to say that he had already had a transcript sent to him. I ask him when he received the so-called transcript, and if he was so concerned about the issue why he did not pass it on to the appropriate authorities sooner.

I would like to go back a step and give some context to this issue. Elections for the new Orange City Council took place in March 2004. The meeting that is the focus of this attention occurred shortly before those elections. It is alleged that at the meeting the former general manager, Allen Dwyer, spoke to staff about voting in the election. His comments, it appears, were taped. I note that the taping of the meeting is, in itself, an illegal act, if the person did not inform anyone of the activity. Since then 12 months have passed. No-one from the council, including the staff members, raised this with my office. I note that the United Services Union did not raise this issue with me or members of my staff.

In May 2004, as part of the routine Independent Commission Against Corruption-Department of Local Government liaison relationship, the ICAC referred to the department a report from an unnamed source that it had received about the General Manager of Orange City Council. The ICAC source was second-hand, described as someone who had "received reports from various sources" on the matter. The matter was referred to the

department for its information and any further action it considered necessary. In referring the matter, the ICAC had determined not to take any further action on the matter itself, and it did not require any further advice from the department unless the department uncovered evidence of corruption in its inquiries.

The department's direct powers of investigation in relation to council staff are limited to pecuniary interest matters. But in this case the information could have been an early indicator of problems at council between the elected group and the general manager. So the director-general contacted the general manager to make some preliminary inquiries and get his side of the story. The general manager categorically denied the claims that he told staff not to vote for particular candidates or that he tried to influence staff as to who they should vote for. The department determined not to pursue the matter further. I again note that the source of the complaint to the ICAC was not a witness to the comments and was not named. There was no other complaint or any other information available for any staff who might have witnessed the comments.

We fast-forward to two weeks ago, almost 12 months after the alleged recording was made. On the verge of a meeting on 10 February at which council was to discuss the general manager's proposed termination package, further information emerged of a transcript of a tape of the general manager's comments. Senior staff at my office met with the mayor on 1 February to discuss the issues of the proposed termination package. I am advised that the matter of the existence of the tapes was not mentioned at that meeting.

The director-general contacted the councillor who said he had referred a copy of the tape to the department, Greens Councillor Jeremy Buckingham. Councillor Buckingham sent the tape to my office last week and it was immediately referred to the director-general. The director-general has advised that the tape was being transcribed—a slow process given the poor quality of the tape. I can inform members that the transcript was completed this morning and that it will be referred to the Crown Solicitor's Office for further advice. I am advised that on the face of it the tape does not indicate that there has been a breach of the Local Government Act. There has been some suggestion that this matter has not been treated seriously by— [*Time expired.*]

**Ms SYLVIA HALE:** I ask a supplementary question. As the Minister acknowledged in his answer, this matter is causing considerable consternation in Orange, with a demand that matters be made publicly available and the evidence or otherwise be presented to the public. I ask the Minister again: When will he institute an inquiry and will that inquiry be public? It is extraordinarily dilatory that, at the very minimum, several weeks after these allegations have been made—

**The Hon. Michael Costa:** Point of order: The honourable member asked a question and then sought to argue the case. That is certainly not a supplementary question.

**The Hon. Don Harwin:** To the point of order: The member was clearly asking for an elucidation of the answer and was quite within order.

**The PRESIDENT:** Order! I remind members that the rules relating to supplementary questions are the same as those for questions; they must not contain argument. The question asked by the member contained argument and is therefore out of order.

#### **EMERGENCY SERVICES NATURAL DISASTER AND COUNTER-TERRORISM EXERCISES**

**The Hon. IAN WEST:** My question is directed to the Minister for Emergency Services. What action is being taken to plan for natural disasters or other emergencies?

**The Hon. TONY KELLY:** I thank the honourable member for his question and for his continuing interest in our fine emergency services. Heaven forbid we ever need to put into practice the extensive emergency planning that takes place in this State. But should the worst occur, the community can rest assured that we are well prepared. The latest in a series of comprehensive planning exercises to help the emergency services and other vital services and industries prepare for a large-scale event took place just last week. A simulated emergency, codenamed Exercise Moonlight, was directed by the State Emergency Management Committee, which comprises senior representatives of the New South Wales Fire Brigades, the Rural Fire Service, the State Emergency Service, NSW Police, the Ambulance Service and the Volunteer Rescue Association.

This was the third in a series of desktop exercises, following Exercise Twilight and Exercise Flashlight, which were held earlier this year. More than 160 personnel from emergency services, State and Commonwealth

agencies, the corporate sector, and community organisations took part. This series of exercises is based on the scenario of a major power failure affecting about 750,000 people across north-western Sydney for at least a week during the height of summer. The picture painted is that of an electricity transformer malfunction blacking out a large area from Girraween in the west to Woolwich in the east and from Beecroft in the north to Cabramatta in the south. One can imagine the difficulties and annoyances such a blackout would pose for residents, particularly the very young and elderly, and the challenges for key services such as transport, health, water and sewerage, and communications.

The first exercise, Twilight, identified the blackout's impacts on a range of services and industries across the affected area as well as further afield throughout Sydney and beyond. The second exercise, Flashlight, focused on communications and public information needs in the immediate, longer term and recovery phases of such an event. Last week's exercise particularly focused on energy, water and transport services. It highlighted the need to implement early fuel and electricity rationing and a water supply continuity plan for up to 2 million people. Plans must be in place to provide power and fuel to key infrastructure, to continue water supplies in the affected area and to run necessary transport services during such an event. These services are vital in helping the emergency services, public sector agencies, industry and the community respond to and recover from an emergency.

Exercises like this reinforce the Government's commitment to developing clear and co-ordinated response plans to help ensure we are as ready as possible in the event of a large-scale emergency or disaster. This is part of our continuing emergency, natural disaster and counterterrorism preparedness. Emergency services regularly undertake emergency planning exercises of varying scale and at different levels, local, district and State. Of course, planning continues across various agencies and disciplines, such as NSW Health's recent Mass Casualty and Disaster Preparedness Symposium held at St George Hospital. The participants in last week's exercise included the emergency services—New South Wales Fire Brigades, the Rural Fire Service, the State Emergency Service, police and ambulance. A number of other State agencies—health, transport, planning and commerce—and Commonwealth authorities, energy, gas and water utilities, and private companies also took part, along with a number of community welfare organisations.

Corporate sector representatives included people from major hazardous facilities and the communications, finance, property, commercial and retail industries. The final exercise, if I might say, the somewhat poetically named Exercise Sunlight, will be held later in the year. As I said at the outset, I hope we never have to test our preparedness, but given the grim realities of the world today our emergency services will be ready if we need them.

## DISABILITY SERVICES

**The Hon. JOHN RYAN:** My question is directed to the Minister for Disability Services. Four months after the plight of Mr David Kenny, who has quadriplegia, was raised in the media, why is he still waiting for the Department of Ageing, Disability and Home Care to provide him with attendant care so that his carer and wife, Mrs Julie Anne Kenny, can enter hospital and have surgery to relieve her from a condition that daily causes her very significant pain? How many people are currently on the department's waiting list for attendant care, and when can Mr Kenny and people like him expect to get a service?

**The Hon. JOHN DELLA BOSCA:** As the honourable member will be aware, the Carr Government has a strong record of improving access to services for people with disabilities. I recognise that the specifics of the question involving an individual are a very important matter and I will do everything I can to look into and resolve the situation. The fact that the Opposition is again raising matters in this portfolio concerning individual circumstances rather than on policy matters reflects that they have no policy and a static approach on this issue.

The disability services system now supports more than 13,000 people daily across a range of services delivered by the Government and non-government providers to cover 80,000 clients a year. Since being elected this Government has doubled funding to disability services. We now allocate more than \$940 million a year and our regular improvements for access include the doubling of funding for accommodation, support services to people with a disability, the doubling of funding for respite services since the Government was elected, the provision of an additional \$30.6 million over four years for improved family and children support services in 2003, the introduction of an emergency response capacity in the system to help people with a disability who require immediate assistance, an increase in the number of places in the attendant care program from 214 to 314, and the introduction of the innovative local support co-ordination program to assist individuals and families to plan for the long term and prevent crisis. What was the Opposition's record when it was in government? I think members have all heard it before, but I will say it again—

**The Hon. Patricia Forsythe:** Labor has been in government for 10 years.

**The Hon. JOHN DELLA BOSCA:** Patricia was actually one step ahead of my answer, I have to acknowledge, because she knows the answer is that the Opposition cut Labor's New Start program, which provided community-based accommodation; it made significant cuts to budgets for disability services; and it axed about 1,000 people from the Department of Community Services, which administered disability services at the time.

### MORUYA RIVER COMMERCIAL FISHING

**Reverend the Hon. Dr GORDON MOYES:** I ask the Minister for Primary Industries a question without notice. Why has commercial netting of fishing continued to occur in the Moruya River on the South Coast of New South Wales, even though a proposal exists to create a marine park on the South Coast in the near future? Does the Minister support continued fishing in this area, with its severe implications for the sustainability of resources? Can the Minister explain why commercial netters of fish in the river have not been required to provide statistics to the Fisheries Department on the number of fish caught in the area by them? Can the Minister inform the House what is happening with the licensing fees charged to recreational fishermen fishing in that river?

**The Hon. IAN MACDONALD:** In relation to the last part of the question, licensing fees are under consideration at the moment. A few years ago, when the Hon. Eddie Obeid was Minister, there was a decision to create 30 havens along the coast of New South Wales, and those havens have defined the activities within them. Essentially, the rest of the coast was available under various licensing and quota arrangements for commercial fishing.

This will be a very interesting question into the future, because we need a viable and sustainable commercial fishery in New South Wales. In raising this question about a particular lake on the South Coast the honourable member is questioning again whether commercial fishing activity could occur in this area. Similar questions have been asked about numerous areas throughout the State, and I constantly receive representations in this regard. We are constantly monitoring the environmental aspects.

**The Hon. Duncan Gay:** Just tell him you don't know and you'll try to find out.

**The Hon. IAN MACDONALD:** No, this is important, and if the Hon. Jennifer Gardiner were listening she would be very supportive of what I am about to say—unlike the Deputy Leader of the Opposition. It is important that we have a viable commercial fishery in New South Wales, and we are endeavouring to ensure that the fishery is both sustainable and profitable into the future. I am about ensuring the continued availability of areas to commercial fishing. As a matter of equity everyone in this State should have the opportunity to eat fish.

### CORRECTIONAL CENTRES MOBILE PHONE JAMMING TRIAL

**The Hon. HENRY TSANG:** My question is addressed to the Minister for Justice. What are the latest developments in the efforts of the New South Wales Government to trial mobile phone jamming technology in correctional centres?

**The Hon. JOHN HATZISTERGOS:** Yesterday I addressed the National Security Australia Conference in Sydney. Despite our progress in establishing a new classification for offenders who may pose a threat to national security or be involved with terrorist organisations, to complement our existing security regime we have called for trials of mobile phone jamming technology from overseas but we have been continually stalled in this endeavour by the Federal Government. Despite the fact that we are using unprecedented resources to detect mobile phone possession in prisons, the reality is that rapid advances in technology have seen mobile phones become smaller, with negligible metal content, making them easier to conceal, even in body cavities. Indeed, disposable mobiles are presently being developed overseas, and some of the phones coming out on the market are smaller than credit cards.

Notwithstanding the steps that have been taken by the Federal Government to prepare against terrorism, regrettably the Prime Minister is resisting our efforts to conduct a trial, and this is in the face of a number of incidences that have occurred both domestically and overseas involving the use of mobile phones. A commando-style assault was inflicted on the maximum-security prison at Fresnes, outside of Paris, with the

whole operation planned and commanded by people using mobile phones. The assault involved the escape of a prisoner and attacks upon prison staff. In Brazil in 2002 inmates communicating on mobile phones arranged for 29 prisons to riot simultaneously. Fifteen people were killed and 8,000 officers were held hostage during that riot. In another incident in France an inmate co-ordinated a helicopter extraction using a mobile phone. In India an organised crime boss used a mobile phone to plan the killing of senior police officers.

Here in New South Wales a few years ago an inmate was convicted of conspiring to murder a witness using a mobile phone from prison. Technical consultants have advised us that in a number of other jurisdictions mobile phone jammers are in use, including Israel, France, India and Japan. In the *Lithgow Mercury* on 21 August 2004 the shadow Minister was reported to have said:

The Government's proposal to trial mobile phone jamming technology is flawed on so many fronts. All mobile phones being used within a four kilometre radius from the jamming device could be jammed.

Yet in his report following his study tour in July-August 2003 he said:

There is a technology available that is one the California Department of Corrections would like to apply ... this would "garble" signals and therefore render mobile phones within a small area unusable ... In California ... there is also the greatest level of initiative in seeking and applying new technology.

In New South Wales we too have shown the greatest level of initiative in seeking this new technology, but we are hamstrung by the Federal Government's obstructions. Perhaps Mr Humpherson could share his California insights with his Federal colleagues. Senior correctional staff from New South Wales and Victoria recently visited overseas prisons to examine their strategies for dealing with terrorist inmates and mobile phones. Despite being invited, the Australian Government declined to participate in the study tour. The officers found that mobile phone jamming was being successfully used in countries such as France and Israel. On 29 October we lodged an application in good faith for approval under the Radiocommunications Act to conduct the jamming trial. On 23 November 2004 the Federal Minister for Communications, Senator Coonan, issued a media release calling for the States to abandon the push for mobile phone jammers in prisons. The Minister cited information from the Indian prison authorities which stated that jammers used in one prison could have caused interference to surrounding communications users and adjacent frequencies.

However, I note that the *Times of India* online network reported on 4 January 2005 that the Supreme Court of India had called for mobile phone jammers to be installed in all prisons across that country. Notwithstanding the Minister's veto on 23 November 2004, on 24 November, that is, the day after she said she was not going to entertain the trial, we received a letter from the Australian Communications Authority [ACA]—[*Time expired.*]

**The Hon. HENRY TSANG:** I ask a supplementary question. Will the Minister please elucidate his answer?

**The Hon. JOHN HATZISTERGOS:** On 23 November 2004 the Federal Minister indicated that we should abandon our push for mobile phone jammers, but the very next day, 24 November, the ACA assured the Department of Corrective Services that they were "examining the technical specifications ... to determine ... its potential suitability" and that "the ACA looks forward to continuing to work with you". In other words, she hijacked the response of the ACA, which then had no choice but to follow the decision of its Minister. On 22 December 2004 it advised that it would not support a jamming trial. In making the decision it ignored the French model that we had put forward, and worked on the narrowest possible interpretation of the Act.

Honourable members would surely have read the newspaper reports describing how the Prime Minister's protective detail used mobile phone jamming when he flew into Bali. It is our ardent hope that some day he will give the same protection that he affords himself to the rest of the community. The colossal intransigence of the Howard Government is beyond belief. It is refusing a carefully monitored trial of low-powered mobile jamming equipment in isolated maximum-security prisons in New South Wales and Victoria. The trial would involve the use of low-powered devices with a range of 15 metres to avoid jamming spillage and could be carefully monitored by the ACA.

The Premier wrote to the Prime Minister on 21 October 2004 with regard to this matter but to this date there has been no response. The Federal Government continues with its intransigence because it is in bed with the carriers who have commercial interests in this matter, and it is not prepared to agree to a basic trial, which could operate, as I said, in isolated facilities in New South Wales and Victoria. Such a trial would highlight the futility of the opposition that has been put forward by the Federal Government. The dangers of mobile phones in

the possession of inmates cannot be underestimated. We know from experience the kinds of uses to which they can be put, and I only hope that some terrible tragedy does not occur before the Federal Government decides to move on this issue.

### ABORTION

**Reverend the Hon. FRED NILE:** I ask the Special Minister of State, representing the Premier and the Treasurer, the following question without notice: In New South Wales in 2003-04 what was the cost of providing mandatory counselling for all women seeking an abortion and of providing an ultrasound as part of that counselling? What was the market structure of the private abortion clinics and what were their accreditation and counselling procedures? What Medicare funding was provided for abortions and how many Medicare providers performed abortions in New South Wales? How many abortions were performed and where were they performed? With regard to non-identifying information about the women who received abortions, what percentage of the abortions performed were first-, second- or third-term abortions?

**The Hon. JOHN DELLA BOSCA:** Reverend the Hon. Fred Nile would be aware that since the Christmas break the Premier has made some figures available in this regard. A good deal of the information he is now seeking falls within the jurisdiction of the Federal Government. I will endeavour to find out answers to as many of the questions that fall within this State's jurisdiction.

### TEACHING STANDARDS

**The Hon. CATHERINE CUSACK:** My question without notice is directed to the Minister for Education and Training. Did the Minister in her second reading speech on the Education Amendment (Non-Government Schools Registration) Bill assure the House that when the new standards for teaching come into effect people without a degree will not be able to take responsibility for delivering the mandatory curriculum to our students? Has the Minister implemented that standard and, if not, why not?

**The Hon. CARMEL TEBBUTT:** It is timely that the Hon. Catherine Cusack has asked this question because today we announced that the standards that govern professional competence, the standards that are part of the framework for the Institute of Teachers, have come into force. So those standards are now in place.

**The Hon. Catherine Cusack:** They have been watered down.

**The Hon. CARMEL TEBBUTT:** I am not quite sure how the honourable member can say they have been watered down, given that they came into force only today. However, I advise the House that there was extensive consultation with regard to the standards. As I understand it, the standards apply to new teachers who are entering the profession, teachers who have not taught for five years and those who do not have a teaching degree. I shall clarify other aspects of the honourable member's question that I am able to respond to in any detail, but that is my understanding of how the standards will apply.

With regard to the claim that the standards have been watered down, I advise the House that the standards were developed and evaluated by almost 4,000 practising teachers from a wide variety of experiences and by national and international experts. They have been out as draft standards for a significant period, they have credibility with the teaching profession, and they have been publicly available for comment since June 2003. There has been a detailed validation process and the standards have now been approved. This means that for the first time in this country teachers, teacher educators, employers, unions, parents and students will all be reading from the same book when it comes to quality teaching.

**The Hon. Catherine Cusack:** What are the standards? Is it a bachelor degree?

**The Hon. CARMEL TEBBUTT:** The framework of professional teaching standards is the common reference point for teachers and policy makers to address issues relating to the preparation, support and development of quality teachers. For the first time in this country our teachers will be required to be accredited against a career-long set of professional standards. The standards are commonsense, clear and concise, and they spell out what it takes to be a quality teacher. They are arranged over four stages: graduate teacher, professional competence, professional accomplishment and professional leadership. They detail the knowledge, understanding, skills and capacities required for effective teaching at each stage, and they give a clear understanding to universities of what the teaching profession and teacher employers expect from their graduates from day one in the classroom.



The standards are organised under commonsense headings such as "Teachers know their content and how to teach it" and "Teachers know their students and how to learn". For teachers, the standards deliver much, including a road map for the development of the whole of their career; a clear view of what their profession and indeed the public expect of teachers; the opportunity for all teachers to take charge of their own professional development; professional development courses that are linked to a teacher's ongoing professional learning; clear, transparent and fair standards for principals and employers to guide a teacher's development; and teachers who know their subject and can teach that subject. This is a significant achievement for New South Wales. It will be a consistent means by which teachers can achieve, be rewarded and be accredited at the higher levels. Our teachers are getting great results in New South Wales and the framework of professional teaching standards will ensure that our quality teaching in schools is maintained and continues to improve.

**The Hon. CATHERINE CUSACK:** I ask a supplementary question. Will the Minister advise the House of the minimum standard required as a result of her announcement today in order for a teacher to be able to teach in New South Wales? It was to be a bachelor degree.

**The Hon. CARMEL TEBBUTT:** The standards outline the requirements that first-year teachers need to meet. They have up to three years to meet those standards to become accredited.

**The Hon. Michael Gallacher:** What is the minimum qualification?

**The Hon. CARMEL TEBBUTT:** As I indicated, the standards will apply to new graduate teachers who are leaving university.

**The Hon. Melinda Pavey:** How do they get there?

**The Hon. CARMEL TEBBUTT:** The standards are many; as I have just indicated, I could not possibly outline what the standards are.

**The Hon. Michael Gallacher:** What is the minimum qualification?

**The Hon. Catherine Cusack:** What is the minimum standard?

**The Hon. CARMEL TEBBUTT:** I have made it very clear. Obviously, members opposite do not understand this issue. First-year teachers—teachers who have completed their degree—are now required to be accredited. The standards have been released. There has been significant consultation about the standards.

**The Hon. Michael Gallacher:** What is the minimum qualification?

**The Hon. CARMEL TEBBUTT:** If members opposite do not understand what is involved with the standards, I suggest they go to the web site. I have clearly indicated and outlined what is involved in the standards. New teachers will be required to be accredited against the standards, and they have one year to three years in which to become accredited. If they do not gain accreditation, they will not be able to teach in the New South Wales school system.

#### **ORANGE CITY COUNCIL FORMER GENERAL MANAGER CORRUPTION ALLEGATIONS**

**The Hon. PETER PRIMROSE:** My question is addressed to the Minister for Local Government. What is the Government's response to calls for an investigation into Orange City Council?

**The Hon. TONY KELLY:** The director-general has advised that a tape recording was being transcribed. It has been a slow process, given the poor quality of the tape. However, I can inform honourable members that the transcript was completed this morning, and it will be referred to the Crown Solicitor's Office for further advice. I am advised that on the face of it the tape does not indicate that there has been a breach of the Local Government Act.

Members opposite have suggested that this matter has not been treated seriously by me, and a Greens member, Sylvia Hale, has called for an Independent Commission Against Corruption [ICAC] investigation into this complaint. To those suggestions I make the following responses. First, in the last financial year the Department of Local Government received more than 1,000 complaints, 24 per cent of which went on to further assessment. If the department was able to act on every anonymous complaint it received, it would be a 24 hours

a day, 365 days a year operation. I am sure honourable members would agree that the department's resources are better served by its concentrating on complaints that indicate a systemic problem with a particular council. Secondly, members opposite should examine the Government's record in this regard over the past two years. When it has been forced to act in the best interests of ratepayers it has done so. There has been no fear or favour, and for anyone to suggest otherwise would be absolute nonsense. As I said earlier, we have a tape. It is an illegal recording purporting to be of the former general manager instructing staff on how to vote. The general manager has resigned.

**The Hon. Melinda Pavey:** What about Strathfield?

**The Hon. TONY KELLY:** Don't members opposite want to listen to this answer?

**The Hon. Melinda Pavey:** No, we want to know about Strathfield.

**The PRESIDENT:** Order! I call the Hon. Melinda Pavey to order for the first time.

**The Hon. TONY KELLY:** The general manager has resigned. For 12 months nobody came forward. An allegation was made to ICAC, which did not pursue the matter. Make no mistake, we will see this matter to its conclusion, depending on the advice of the Crown Solicitor. However, I point out that the hysteria, particularly that generated by members opposite, is not serving well the interests of the people of Orange or those working at the council. One might ask: Whose interest is it serving?

#### **ABORIGINAL TRUST FUNDS**

**Mr IAN COHEN:** My question is directed to the Special Minister of State, representing the Minister for Aboriginal Affairs. Has the Government received advice that indicates that it is possible that Aboriginal people in New South Wales could be owed as much as \$79 million as a result of wages stolen from them since the 1920s? Has the Government received more than one piece of advice from its agencies that indicates that money due to Aboriginal people as likely payments is significantly higher than the \$15 million announced in December 2004? With regard to the Aboriginal people who were defrauded by government officials in the past, will the panel that was established by the Premier's Department to assess claims operate on the basis that unless it can be proved that money owed has been validly paid back, the historical debt will be honoured?

**The Hon. JOHN DELLA BOSCA:** Obviously the member is aware of the recent initiative taken by the Government in relation to this matter. I caution him against the use of historical terms. There may have been some cases of fraud in the past but use of the term "defrauded" is not necessarily applicable to all those instances in this unfortunate chapter of our history. The Carr Government is committed to ensuring that justice is done. If there are any further matters that the member would like raised in detail, I would be happy to provide him with further information.

**Mr IAN COHEN:** I ask a supplementary question. If the Government offers something in the vicinity of \$15 million and there has been advice that up to \$79 million is owed, is that not fraud?

**The Hon. JOHN DELLA BOSCA:** I understand standing orders prohibit me from responding to a request for a legal opinion.

**The PRESIDENT:** The Minister is correct.

#### **CROWN LAND ENCLOSURE PERMIT RENTALS**

**The Hon. RICK COLLESS:** My question is directed to the Minister for Lands. How does the Minister justify increasing rents on enclosure permits [EPs] when the revenue generated from 32,000 EPs at a minimum of \$350 for EP administration costs will be more than \$11 million? Is this exorbitant administration cost another example of Labor's financial inefficiency or is it a cover-up for recovering some land value on these enclosures? Was the Independent Pricing and Remuneration Tribunal consulted when formulating these rent increases? How can the Minister justify robbing the State's 32,000 permit holders to help fund his Government's financial waste and mismanagement?

**The Hon. TONY KELLY:** Last year Parliament passed a number of important reforms that will improve the sustainable management of Crown land in New South Wales. In doing so, it has dragged Crown

land management out of the colonial office days into line with the expectations and needs of the present day. For too long Crown land, a public asset, has been taken for granted. Private users and beneficiaries of this public land were often heavily subsidised by the New South Wales taxpayer. The reforms introduced last year increased minimum rent on all tenures to \$350 per annum to cover the average cost of administering these tenures, as well as moving towards a more market-based rent in line with broader community expectations.

Enclosure permits allow landholders to occupy public Crown roads without facing the costs and hassle of fencing them. There are about 45,000 of these roads crisscrossing the State—about 300,000 hectares. Often these roads are unformed paper roads that will never be used as a practical means of access for anyone. We have all heard stories about these roads running through dams, up cliff faces and across ravines. Enclosure permit rents have been stuck at between \$50 and \$70 a year for the past 15 years—in other words, around \$1 a week. For all the benefits these permits offer landholders, it was clear that the Government was not getting an adequate return on the use of this public land.

The cost of managing this complex system of formed and unformed roads has risen steeply, yet the rents charged were frozen at 1989 prices. It was clear that the broader New South Wales public was not getting a fair deal on land held in its name. Effectively, the public was subsidising the private few. Consequently, last year Parliament passed important reforms to Crown land management to ensure that the New South Wales public at least broke even on the return on the private use of Crown land. However, recognising the unique nature of enclosed roads, I sat down with my Country Labor colleagues and with representatives of the New South Wales Farmers Association to look at the bigger picture and to decide what was the best way forward for the future management of these roads.

The new deal on enclosure permits, recently mailed out to all enclosure permit holders and members of Parliament, introduced a concessional rent structure for the next three years, with rents reflecting the size of the enclosure. Until now, someone with 30 hectares of enclosed roads was paying the same annual rent as someone with half a hectare. Not only was the old system unsustainable, it was also unfair. The recent reforms look to a total overhaul of the enclosure permits system, such that landholders will be encouraged to think about closing and buying these unnecessary roads on their properties. The Government wants to work with landholders in pursuing this bigger, longer-term picture of Crown land management. To that end, we have slashed the costs of converting roads to freehold by more than 50 per cent. We will also automatically amalgamate multiple permits held in the same landholding free of charge. In other words, someone with three or more tenures will be charged one conversion cost instead of three separate costs, as was the case in the past.

**The Hon. Duncan Gay:** But it has increased from \$30 to \$700.

**The Hon. TONY KELLY:** Some of that increase occurred back when the Coalition was in government. I am aware that the new deal has created concerns among some permit holders. I suggest—*[Time expired.]*

#### NATIONAL LIVESTOCK IDENTIFICATION SYSTEM

**The Hon. TONY CATANZARITI:** My question is directed to the Minister for Primary Industries. Will he update the House on the national livestock identification system [NLIS] and any plans to help industry with the cost of NLIS devices?

**The Hon. IAN MACDONALD:** As the House will be aware, the national livestock identification system [NLIS] is a vital part of the State Government's efforts to protect the integrity of our \$4 billion beef and dairy industries. The NLIS will provide New South Wales with one of the most sophisticated and efficient trace-back systems in the world. As a result, we will be able to track the movements of an individual animal throughout its lifespan and help ensure that disease issues can be traced to source more quickly and efficiently. A lack of certainty during emergency disease outbreaks can cost industries literally millions and millions of dollars, as the Leader of the Opposition well and truly knows. We have seen the impact of this in Canada and in the United States of America following the detection of bovine spongiform encephalopathy [BSE] in those countries.

**The Hon. Duncan Gay:** If I had not got under your ribs last week, you would not be making this announcement.

**The Hon. IAN MACDONALD:** I will deal with the interjections of the Deputy Leader of the Opposition in a minute. The Bank of Montréal estimated that as a result of one BSE case Canadian cattle

producers lost \$5 million Canadian between May and November 2003. My staff keep saying to me, " Stop getting stuck into Duncan so heavily. He is wrong but we want to get some information onto the record. You are always responding to his interjections." I will respond a little now, but when the Hon. Tony Catanzariti gives me another two minutes for my answer, I will deal more fully with the interjections. Yesterday I announced yet another milestone in our efforts to build a world-class trace-back system for dairy producers. Following a joint tender process with the Victorians we have successfully negotiated a plan that will allow cattle producers to purchase individual electronic ear tags at \$2.60 each. This amount includes the cost of delivery.

**The Hon. Melinda Pavey:** Are you going to pay for it?

**The Hon. IAN MACDONALD:** The Hon. Melinda Pavey lives in financial fairyland. This is a dramatic saving compared to current market prices of between \$3.35 and \$4 a tag. The price reduction is a direct result of the leadership and innovation of the Carr Labor Government. By entering into a bulk-buying scheme we are able to deliver real value for money for producers. As I outlined in my announcement yesterday, Allflex Australia will soon begin supplying up to three million tags at the discounted price, remembering that the average transaction through saleyards and abattoirs each year is of the order of \$2 million.

Beef and dairy producers will be able to order tags at \$2.60 each through their local rural lands protection board offices. The negotiated price includes the cost of delivery direct to the producer's property, and this brings even more value and efficiency to the scheme. I particularly thank the representatives of the New South Wales Farmers Association and the State Council of the Rural Lands Protection Boards for joining me in yesterday's announcement and for their ongoing co-operation—an approach unlike that of The Nationals and the Deputy Leader of the Opposition with their three-year NLIS roll out. From the outset of this program we have committed to providing real savings for NLIS, and we have delivered.

**The Hon. Duncan Gay:** Six months late!

**The Hon. IAN MACDONALD:** We have delivered this strong savings plan for five months—again the Deputy Leader of the Opposition is wrong—before the July deadline.

**The Hon. Duncan Gay:** What about those they have had to tag since July?

**The Hon. IAN MACDONALD:** The Deputy Leader of the Opposition needs to understand what was required in the period from 1 July 2004 to 30 June 2005. Only a certain category of animal had to be tagged and only in very small numbers because we exempted, for instance, calves from having to be tagged. We did this because the cattle committee of the New South Wales Farmers Association and other organisations asked us to leave them off for the moment. We responded to the producer community. [*Time expired.*]

**The Hon. TONY CATANZARITI:** I ask the Minister a supplementary question.

**The Hon. Duncan Gay:** Point of order: This is not a supplementary question arising out of the answer. In his answer the Minister said that a further question would be asked by the Hon. Tony Catanzariti to give the Minister an opportunity to provide more information. This is not a supplementary question. The Minister showed his hand in his enthusiasm to try to dump on us.

**The Hon. Michael Costa:** To the point of order: Madam President, you cannot determine whether the question is out of order as a supplementary until it is asked.

**The PRESIDENT:** Order! The point made by the Minister is correct. The question is in order.

**The Hon. Michael Gallacher:** Point of order: It is painfully obvious to all in this Chamber, including the Minister, that this is simply an opportunity for the Minister to waste time in the House. He indicated in his answer earlier that he would take advantage of the opportunity for elucidation that is available. He intends to use this opportunity for elucidation to do nothing more than attack a member of this House. He stated in his answer to the question that his intention was, firstly, to address the question then to spend the remainder of the time attacking a member of the House. It is quite obvious that what the Minister is about to do in the time that is available to him—

**The PRESIDENT:** Order! The member has made his point and I ask him to resume his seat.

**The Hon. Michael Costa:** To the point of order—

**The PRESIDENT:** Order! The standing orders state perfectly clearly that a supplementary question can be asked in order to elucidate the answer to a previous question. The question is seeking elucidation of the Minister's answer, and that is what the Minister is providing.

**The Hon. IAN MACDONALD:** It is quite obvious that the honourable member does not want to hear what I have to say about this issue—

**The Hon. Don Harwin:** Point of order: Madam President, no sooner did the Minister stand up than he went completely off the issue and started going into matters that have nothing to do with what he was originally asked. Under the standing orders he is required to be relevant in his answer, and he is clearly not being relevant.

**The PRESIDENT:** Order! The Minister will elucidate his answer.

**The Hon. IAN MACDONALD:** All I can say is that the Deputy Leader of the Opposition, every step since 1 July last year in relation to NLIS, has got it wrong, still does not understand it, still cannot bring himself to do the right thing— [*Time expired.*]

**The Hon. JOHN DELLA BOSCA:** I suggest that if honourable members have further questions they place them on notice.

### DEFERRED ANSWERS

The following answers to questions without notice were received by the Clerk during the adjournment of the House:

#### ABORTION

On 10 November 2004 Reverend the Hon. Fred Nile asked the Treasurer, representing the Premier, a question without notice regarding abortion. The Premier provided the following response:

The State Government does not support a joint national-State inquiry into abortion.

Detailed guidance on the many issues that face patients and medical practitioners in relation to termination of pregnancy is available from the NSW Health Department. NSW Health policy requires counselling by an appropriately qualified health care professional to be offered to all women seeking termination of pregnancy.

#### NEAL WINTER GRANT OF BAIL

On 10 November 2004 the Hon. David Oldfield asked the Minister for Justice, representing the Attorney General, a question without notice regarding the grant of bail to Neal Winter. The Attorney General provided the following response:

The refusal or grant of bail is not a determination of guilt or innocence.

The accused in this case was granted bail on strict conditions, which include a prohibition on entering the area where the complainants live or directly or indirectly approaching any of them. He must also report to police three times per week, and is prohibited from being in the company of young males unsupervised.

If there is any evidence that the accused has either breached his bail conditions or threatened a witness, then the information should be reported to police who may bring him immediately before a court or lay additional charges if necessary.

Threatening a witness is an offence under section 315A of the *Crimes Act 1900* and carries a maximum penalty of seven years imprisonment.

#### JUSTICE JEFF SHAW OUTSTANDING COURT CASES

On 16 November 2004 Reverend the Hon. Dr Gordon Moyes asked the Minister for Justice, representing the Attorney General, a question without notice regarding the outstanding court cases of Justice Jeff Shaw. The Attorney General provided the following response:

Immediate action has been taken by the Chief Justice to reallocate this case to Justice Hoeben. I understand that at this stage the parties in this case have indicated that they do not wish the matter to be entirely reheard, and every endeavour will be made to limit consideration to the transcript of evidence, and a few key controversial issues.

To a significant degree, the extent of additional costs incurred will depend on the extent to which the parties work with the court to minimise the need for any rehearing of any aspects of the cases. Within that framework, Justice Wood has recommended that the parties should not be out of pocket as a result of the need to relist the case. I, of course, concur with that recommendation. Other cases affected by Justice Shaw's resignation will be considered by the court and then by my department in a similar manner.

**ST GEORGE HOSPITAL AND MR ISAAC MESSIHA**

On 16 November 2004 Reverend the Hon. Fred Nile asked the Minister for Industrial Relations, representing the Minister for Health, a question without notice regarding St George Hospital and Mr Isaac Messiha. The Minister for Health provided the following response:

In relation to the death of Mr Messiah, who passed away in St George Hospital after life support treatment was withdrawn, I can assure the Honourable Member that at no time was the availability of beds, as reported in the media, a factor in the care plan for this patient.

The matter has been referred to the Coroner and it would be inappropriate to comment further at this time.

I can advise the Honourable Member that on December 8 the Government announced an additional 200 permanent beds. The beds are in addition to the 563 extra public hospital beds announced as part of the Sustainable Access Plan in June.

I am advised by the Department of Health that data on the percentage of time that each hospital operating room is used is not collected.

**OPERATION VULCAN**

On 16 November 2004 the Hon. David Oldfield asked the Minister for Justice, representing the Minister for Police, a question without notice regarding Operation Vulcan. The Minister for Police provided the following response:

NSW Police advises me:

It's not appropriate for me to release operational data at this time.

All information received is independently reviewed and assessed by analysts, crosschecked on the COPS database and subject to scrutiny by investigating officers. If evidence is found to prove that a person provided false or misleading information to Police which caused an investigation to be undertaken, that person is liable to prosecution under Section 547B of the *Crimes Act (Public Mischief)*. This currently carries a \$5500 fine.

**FLEMINGTON MARKET SITE SALE**

On 17 November 2004 the Hon. Dr Arthur Chesterfield-Evans asked the Treasurer a question without notice regarding the sale of the Flemington Market site. The Treasurer provided the following response:

I am advised that the Valuer-General valued all land and buildings owned by the Sydney Markets Authority, not just the Flemington Markets site, at \$201.5 million as at 31 March 1992.

The net proceeds of the Flemington Markets site were \$83.5 million. The Government obtained the independent valuation advice to determine the market value of the property and the sale price was in accordance with that valuation.

**ROYAL NATIONAL PARK GARRAWARRA FARM DEMOLITION**

On 18 November 2004 the Hon. Jon Jenkins asked the Minister for Justice, representing the Minister for the Environment, a question without notice regarding the Royal National Park Garrawarra Farm demolition. The Minister for the Environment provided the following response:

The former kiosk building, which I am advised was not listed on any national, state or local government heritage register, was in extremely poor condition. Removal of the building was considered necessary following an inspection and assessment of further storm damage to the building by a National Parks and Wildlife officer and an insurance investigator.

The assessment concluded that the restoration of the building was not practical, and that the presence of asbestos building products was an unacceptable risk to public use of the nearby walking trail, farm residence and visitor car park.

The remains of the building were removed with the fibro sheeting being removed and disposed of by licensed contractors using approved methods and tendering processes.

I have been advised that the Department of Environment and Conservation did not receive the cabin community's correspondence until after the damaged former kiosk building at Garrawarra Farm was removed.

**ALCOHOL PRODUCTS LABELLING**

On 18 November 2004 Reverend the Hon. Dr Gordon Moyes asked the Minister for Primary Industries, representing the Minister for Gaming and Racing, a question without notice regarding alcohol products labelling. The Minister for Gaming and Racing provided the following response:

Earlier this year, the Government commissioned The Hon Faye Lo Po to conduct a review of alcoholic beverages that may target young people. The report, "Review of alcoholic beverages that may target young people" made a number of recommendations, including:

3.1 That all relevant industry groups be encouraged to adopt and implement a voluntary and interim standard labelling regime, in regards to identifying their product as:

## 3.1.1 An alcoholic product

## 3.1.2 That it contains a specified number of standard drinks;

3.2 That support be sought from Commonwealth, State and Territory Governments for an application to Food Standards Australia New Zealand to enhance the currently mandated content labelling requirements to ensure that all alcoholic beverages are clearly labelled as alcoholic drinks. Additionally, the number of standard drinks contained in the beverage be prominently marked on the container in a standard, easy to read, format.

These recommendations are being progressed through discussions with the Ministerial Council on Drug Strategy and the Liquor Industry Consultative Council.

The decision on whether or not to introduce these requirements to the Food Standards lies with Food Standards Australia and New Zealand (FSANZ).

Representations are being made to the Australia New Zealand Food Regulation Ministerial Council, which sets policy guidelines for FSANZ, to change labelling requirements.

In the meantime, the Government continues to work with the industry to voluntarily change labelling to make it clearer. So far, a number of distilleries, the producers of "ready to drink" mixed beverages, have taken up the proposed clearer labelling.

### **MURWILLUMBAH MEALS ON WHEELS FUNDING**

On 18 November 2004 the Hon. Robyn Parker asked the Minister for Disability Services a question without notice regarding Murwillumbah Meals on Wheels funding. The Minister for Disability Services provided the following response:

The request from Murwillumbah Meals on Wheels for increased funding will be considered in the context of the 2004/05 Commonwealth/State Home and Community Care (HACC) State Plan, which is awaiting approval.

The Department of Ageing, Disability and Home Care (DADHC) develops the annual HACC State Plan through a regional planning process that takes account of changes to the HACC population group.

### **NATIONAL WATER INITIATIVE**

On 18 November 2004 the Hon. David Oldfield asked the Minister for Transport Services, representing the Minister for Natural Resources, a question without notice regarding the National Water Initiative. The Minister for Natural Resources provided the following response:

Yes, I am aware that the Federal Minister for Agriculture, Warren Truss, has been making statements that give the impression that the State and Territories have walked away from the National Water Initiative.

NSW is fully committed to the National Water Initiative and always has been. Indeed, the Government has already made strong progress towards giving effect to much of the National Water Initiative in legislation that came into effect on 1 July this year.

However, NSW is not prepared to accept the Australian Government's unilateral re-direction of competition payments to the National Water Fund.

### **RAIL AGENCIES WORKCOVER INVESTIGATIONS**

On 18 November 2004 the Hon. Greg Pearce asked the Special Minister of State, and Minister for Industrial Relations, a question without notice regarding rail agencies WorkCover investigations. The Minister provided the following response:

WorkCover has undertaken an investigation of the incident at Waterfall on 31 January 2003 and the results of that investigation are currently being considered to determine whether any breaches of occupational health and safety legislation have occurred.

WorkCover will be providing a report to the Coroner in relation to its investigation. It is the role of the Coroner and the Court to make any findings, orders or recommendations.

### **MR GEOFF BLUNT DRIVING SPEED WARNING**

On 7 December 2004 the Hon. John Tingle asked the Minister for Justice, representing the Minister for Police, a question without notice regarding a driving speed warning for Mr Geoff Blunt. The Minister for Police provided the following response:

NSW Police has advised me:

While it is not the standard practice of police to advise motorists to speed up to the signposted speed limit, there may be circumstances in which police may use their discretion to request motorists to pull over momentarily and allow traffic to pass. This action can alleviate driver frustration and improve traffic flow.

In this instance, Northern Region Commander Peter Parsons has requested that the motorist concerned be spoken to by police and further details obtained in case any further action is considered necessary.

### **ELECTRICITY DEMAND MANAGEMENT**

On 7 December 2004 the Hon. Dr Arthur Chesterfield-Evans asked the Minister for Local Government, representing the Minister for Energy and Utilities, a question without notice regarding electricity demand management. The Minister for Energy and Utilities provided the following response:

EnergyAustralia, Integral Energy and Country Energy have all issued Expressions of Interest or sought to procure demand management as part of their network upgrading and expansion activities. Some demand management projects have been completed, some are ongoing and some are at the initial planning stages.

Peak demand reduction of up to 117 MVA has been identified, representing about 1% of New South Wales peak load.

The New South Wales Government has taken a lead in promoting Demand Management. The Department of Energy, Utilities and Sustainability (DEUS) has issued the Demand Management Code of Practice (the Code) to provide guidance to Distribution Network Service Providers (DNSPs) in investigating and implementing demand management options. DNSPs are required to take the code into account in developing and implementing their network management plans.

In addition, the Independent Pricing and Regulatory Tribunal (IPART) released the final report and determination in relation to network pricing over the period 1 July 2004 to 30 June 2009. The report and determination set out actions and decisions designed to provide incentives for network demand management. These decisions include introducing a D-factor into the weighted average price cap control formula to allow the DNSPs to recover approved non-tariff based demand management costs up to a maximum value equivalent to the expected avoided distribution costs.

The New South Wales Government and the electricity distributors have been very active in ensuring demand management solutions are promoted and implemented.

The \$10M Demand Management and Planning Project was established as conditions of consent granted to EnergyAustralia and TransGrid for the MetroGrid Project during 2002 to examine demand reduction opportunities across all classes of consumers. The fund has been actively developed with programs leading to demand reduction under investigation. The funding is only for the specific purpose of reducing peak demand in the eastern Sydney area.

### **MONA VALE HOSPITAL INTENSIVE CARE WARD**

On 8 December 2004 Reverend the Hon. Fred Nile asked the Special Minister of State, representing the Minister for Health, a question without notice regarding Mona Vale Hospital intensive care ward. The Minister for Health provided the following response:

I am advised that the Northern Sydney Area Health Service will continue to consult with clinicians and the community in relation to the future roles of Manly and Mona Vale Hospitals in providing co-ordinated services to the people of the Northern Beaches area.

The proposal put forward by the Greater Metropolitan Clinical Taskforce in relation to intensive care services involves the establishment of one intensive care service across both hospitals. The service would involve Level 5, a higher level of care, at Manly and Level 3 care (High Dependency Unit) at Mona Vale ensuring service for intensive care patients across the area. Intensive care clinicians believe this will provide an improved service to the Northern Beaches community and enhance patient safety.

Should the proposal be supported, its implementation would be oversighted by a steering committee including clinicians and community representatives.

### **MS LORRAE THOMAS DISABLED SUPPORTED ACCOMMODATION**

On 8 December 2004 the Hon. John Ryan asked the Minister for Disability Services a question without notice regarding disabled supported accommodation for Ms Lorrae Thomas. The Minister for Disability Services provided the following response:

As at January 6 2005 Ms Thomas is in Westmead Hospital, where her medical needs are being closely monitored. Ms Thomas' medical condition is such that she is deemed unfit for discharge.

The Department of Ageing, Disability and Home Care is keeping in contact with Ms Thomas and her mother and will continue to investigate appropriate options to support Ms Thomas when she is discharged from hospital.

### **RAILCORP EMPLOYEES HEALTH ASSESSMENTS**

On 9 December 2004 the Leader of the Opposition asked the Minister for Transport Services a question without notice regarding RailCorp employees health assessments. The Minister for Transport Services provided the following response:

I am advised:

On 2 February 2004, RailCorp adopted the new, more stringent medical screening program as specified in the National Standard for Health Assessment of Rail Safety Workers which includes colour vision tests.

The health assessments are being progressively implemented for all rail safety workers with over 800 drivers and 600 guards tested against the new standard.



RailCorp advise as at 14 December 2004, 33 RailCorp employees had not passed the colour vision tests.

Any rail safety workers who do not pass the colour vision tests are found other duties in RailCorp at the same salary.

#### **BOARD OF STUDIES RELIGION COURSE SYLLABUS**

On 9 December 2004 Reverend the Hon. Dr Gordon Moyes asked the Minister for Community Services, representing the Minister for Education and Training, a question without notice regarding the Board of Studies religion course syllabus. The Minister for Education and Training provided the following response:

The Board of Studies approved a review and revision of the Stage 6 Studies of Religion 1999 syllabus. The new syllabus is planned for implementation for the Preliminary course in 2006 and for first HSC examination in 2007.

The Stage 6 Studies of Religion Draft Syllabus was distributed for consultation to all secondary schools and key groups with an interest in the study of religion in NSW schools from 30 August to 5 November 2004.

The Studies of Religion syllabus aims to provide students with a thorough study of religion. The rationale from the syllabus currently being taught indicates the breadth and depth of the syllabus as a study of religion. The current rationale explains that there are a variety of approaches to the study of religion, phenomenological, theological, typological, historical and sociological. The rationale in the draft syllabus is based on the current syllabus rationale.

The current syllabus includes the historical development of religion in Australia from 1788 to 1900 in the Preliminary course and from 1901 to the present in the HSC course. Advice to the Board from teachers and other experts in the field of religion indicated the need for the revised syllabus to reduce the historical content and to broaden and deepen the study of religion through study of the religious traditions.

This does not deny the Christian heritage of this country. Our Christian heritage will remain an important basis for study. Students will continue to learn about the arrival and establishment of Christianity in Australia, including the dominance of Christianity in Australian society.

Students undertaking the two-unit Studies of Religion course will study religion in Australia up to 1945 and religion in multi-faith Australia after 1945, and will study three religious traditions in each year of the course. Based on the patterns of study in the current syllabus, it is anticipated that the majority of students will study Christianity.

Students undertaking the one-unit course will learn about the predominance of Christianity in the past and in the present through an analysis of the religious landscape in Australia from 1945 to the present. One-unit students will study two religious traditions and again it is anticipated that the majority of students will study Christianity.

The draft syllabus content for both the one-unit and two-unit courses addresses the current religious landscape in Australia, within which the dominant position of Christianity would be studied. Other aspects of Christianity, Pentecostalism and Ecumenism are also to be studied, as is inter-faith dialogue which deals primarily with dialogue between Christian groups and groups in other traditions within Australia.

The draft syllabus acknowledges the place of Christianity in Australia, as well as addressing the changing nature of religious adherence and belief systems within Australian society.

#### **ELECTRICITY CONSUMPTION**

On 9 December 2004 the Hon. John Tingle asked the Minister for Local Government, representing the Minister for Energy and Utilities, a question without notice regarding electricity consumption. The Minister for Energy and Utilities provided the following response:

Commercial buildings are big energy users, and have a major part to play in meeting Australia's international greenhouse obligations. Increasing electricity consumption by Australia's commercial building sector means greenhouse gas emissions from this sector are growing by three to four per cent each year, and by 2010 are projected to amount to 11 per cent of our total allowable greenhouse emissions under the Kyoto Protocol.

Approximately one third of the energy consumed in a typical office building is used for internal lighting. In most buildings, there are significant opportunities to reduce this consumption cost effectively, through better management practices, more efficient lights and better lighting control.

The NSW Government is already taking action on this important issue. The Australian Building Greenhouse Rating (ABGR) scheme, developed by the Department of Energy, Utilities and Sustainability, assists office owners and tenants to reduce energy use, reduce energy costs and reduce greenhouse emissions. This scheme benchmarks a building's greenhouse impact on a scale of one to five, one star being the most polluting and five stars the least. 2½ stars represents average practice in the property industry. A building with a high star rating is more energy efficient and cheaper to run, and results in lower greenhouse gas emissions.

The NSW Government is showing leadership by minimising the energy consumed within our own offices. Premier's Memorandum 2004/04 requires NSW Government agencies to achieve a minimum 4-star ABGR rating by 1 July 2006 for their office tenancies, and commit to a 4.5-star tenancy rating for major fit outs and refurbishments. A 4-star tenancy consumes 30% less energy than average.

In 2005 the NSW Government, in association with the cities of North Sydney, Sydney and Parramatta, will be launching the CBD Greenhouse Initiative. Through this initiative we are encouraging commercial office tenants in Sydney's three largest central business districts to demonstrate greenhouse leadership by improving their energy efficiency. Participants will aim to improve the greenhouse rating of their offices by 1-star on the ABGR scale. Cost effective lighting system improvements will play a large part in achieving these commitments.

The potential energy efficiency and environmental benefits of an initiative such as this are significant. Together the CBDs of Sydney, North Sydney and Parramatta house almost 1000 commercial office buildings providing more than 6 million square metres of office space - this is over 30% of Australia's total office building space.

If every commercial office tenant joins the CBD Greenhouse Initiative and took some simple and often inexpensive measures to improve their energy efficiency—such as turning the lights off at night - the improvement in Australia's, let alone Sydney's, greenhouse performance would be impressive. A one star ABGR improvement would mean an impressive \$17 million in electricity bills and over 150,000 tonnes of greenhouse gas emissions are saved every year.

#### **SIR EDWARD WOODWARD MEMORIAL SCHOOL NURSE POSITION**

On 9 December 2004 the Hon. Patricia Forsythe asked the Minister for Ageing, and Minister for Disability Services, a question without notice regarding the position of nurse at the Sir Edward Woodward Memorial School. The Minister provided the following response:

The Department of Ageing, Disability and Home Care (DADHC) is continuing to provide a registered nurse at the Sir Eric Woodward Memorial School pending the outcome of an independent review of health services at the school.

With consent from the families, the review will include a comprehensive assessment of health or medical risks and current health care plans. The review will also include recommendations to inform families, the Department of Education and Training and DADHC on the future direction of relevant support services required at the school.

In addition, DADHC will also organise information sessions for families and staff at the school in the coming months. The aim of these sessions will be to provide a better understanding of the scope of disabilities services provided across the region.

#### **VICTORIAN CORIANDER**

On 9 December 2004 Mr Ian Cohen asked the Minister for Primary Industries a question without notice regarding Victorian coriander. The Minister for Primary Industries provided the following response:

No. The chemical referred to as Success (Success Naturalyte Insect Control—120 g/L Spinosad) is registered for use in NSW (and every other State) for use on culinary herbs including coriander.

**Questions without notice concluded.**

### **STANDING COMMITTEE ON SOCIAL ISSUES**

#### **Government Responses to Reports**

**The Hon. John Della Bosca** tabled the Government's responses to the following reports:

Report No. 32, entitled "Inquiry into issues relating to Redfern/Waterloo: Interim Report", dated August 2004 and tabled on 2 August 2004

Report No. 34, entitled "Inquiry into issues relating to Redfern/Waterloo—Final Report", dated December 2004 and tabled on 16 December 2004

**Ordered to be printed.**

### **DEATH OF MR DAMIAN CONLAN**

#### **Ministerial Statement**

**The Hon. IAN MACDONALD:** I wish to acknowledge the untimely death of a valued employee of the Department of Primary Industries. Tragically, Damian Conlan, a horticulturist specialising in olive production based at Yanco, passed away last Saturday, 19 February. Damian was in Canberra preparing a training course for olive producers when he unexpectedly collapsed. Damian joined the Department in 1988 after graduating from the Australian National University with a bachelor of science honours degree. His first appointment was as a technical officer involved in pasture management at Wagga Wagga. In 1992 he went to work for the United Nations in Palestine, working on the West Bank and Gaza Strip assisting villagers in a program to improve their self-sufficiency in the use of their limited agricultural resources.

Damian returned to the Department of Primary Industries in 1996 in his role focusing on the development of the fledgling olive industry in New South Wales. He established a well-earned reputation for his honest and unbiased advice to the industry. Damian will be remembered for his contribution to both the department and the olive industry. He is survived by his wife Erika and very young sons Johannes and Lucah, and his immediate family who live in the Griffith-Binya area. I can inform the House that the Deputy Leader of the Opposition joins me in passing on condolences to Damian's family and friends. I am sure other members of the House will endorse these sentiments.

## **DEATH OF FIREFIGHTER COLIN JACKSON**

### **Ministerial Statement**

**The Hon. TONY KELLY:** On Sunday afternoon Rural Fire Service firefighter Colin Jackson died after the fire engine he was driving was involved in a motor vehicle accident. This is a terrible tragedy. Firefighter Jackson was a dedicated member of the Caniaba Brigade in northern New South Wales. He had been a volunteer with the Rural Fire Service [RFS] since 1989. His wife Barbara is also a volunteer and was travelling in the same fire engine when the accident happened. Thankfully, she was not injured. This incident highlights the dedication and commitment of our volunteer firefighters. Firefighter Jackson was in fact attending a combined emergency services day when he received a call to a motor vehicle accident near Casino.

I am sure I speak for everyone in this House when I say that our thoughts and prayers are with Barbara, firefighter Jackson's eight children, his friends and his crewmates. A special bond is formed between crew members of the RFS. This bond is often forged after years of working shoulder to shoulder to protect the lives and homes of those who are threatened by bushfires. The high esteem in which firefighters are held within their community is largely due to the efforts of volunteers such as Colin Jackson. He will be sadly missed by his crewmates and by the community he served. I understand that the RFS has organised for its critical incident support team and chaplain to provide assistance to the Caniaba crew during this difficult time.

**The Hon. DUNCAN GAY:** On behalf of the Opposition I add support to the comments of the Minister for Primary Industries and the Minister for Emergency Services on the losses of Damian and Colin. The Minister for Primary Industries was kind enough to include my comments in his, which I appreciate. Our thoughts are with the families. Those of us who have been volunteer bushfire fighters—as I have been and as many others in this House have been—do not expect that when we go out to do volunteer work and leave our families we may not come back. Sadly, this has been the case with Colin. The fact that both Colin and his wife were members of the volunteer fire service contributing to the community shows great dedication. We will certainly miss Damian and Colin, and our thoughts are with their families.

## **INDIAN OCEAN TSUNAMI**

### **Debate resumed from an earlier hour.**

**Mr IAN COHEN** [5.07 p.m.]: Prior to question time I was saying that I had been focusing on a tiny area of beach without even understanding or appreciating that a massive and cataclysmic event was occurring to a vast area of South-East Asia and the Indian subcontinent. After helping to clean up the local area and supporting tourists who needed to get out of the area I decided that I would stay and use the rest of the time that I had planned to be in Sri Lanka surfing to help with the relief effort. A significant number of organisations were working on the ground, doing good works in extremely difficult circumstances. There was no backup at all. I met representatives of the Green movement in Sri Lanka. Whilst connected with the Greens internationally, they are a consortium of some 144 civil society organisations and 22 districts in Sri Lanka. They are essentially not political but non-government organisations. I found it a very uplifting experience. This group of what I would describe as Gandhian-style, motivated individuals, mostly young but not all, worked at all levels as non-government organisations in the office in Colombo and out in the districts affected very early on. Most were student activists who had been honed, I suppose, by 20 years of civil war to be very resourceful, the type of people to get out on the ground with their clipboards. And Greens SL, as I call them, were able to get a report out several days before the United Nations report on the damage overall.

They went to so many villages and so many coastal towns, and reported back so reliably, that the United Nations report used the information from Greens SL. It was the only Sri Lankan organisation that actually contributed to the United Nations report, which was issued a few days later, regarding that basic first attempt to assess the situation for appropriate disaster management. The goal of the Greens SL movement is

environment conservation, effective resource management and sustainable development for Sri Lanka. It will engage in activities and develop strategies on the ground in affected districts in the coastal belt. It will provide support for: housing; livelihood recovery; schools and education; youth skill development and promotion of sports activities; protection of biodiversity; reduction of trauma and promotion of psychological well-being; and infectious disease risk management.

I was very pleased to be able to assist that organisation. I saw them take on responsibility for a number of schools, particularly in the north-east, and when they took on that job of facilitating the supply to those schools of educational equipment, the United Nations High Commission for Refugees stepped in and said, "No. We will do it." The Greens said, "Very good. We appreciate that." And they moved out. There was a massive arterial flow of aid. If we liken that area to a human body, those organisations were very effectively getting out to the capillaries and really delivering support and aid to the local communities. It was fantastic, the way they were able to use limited resources and really make a difference to people on the ground who were suffering so greatly.

I am sure honourable members saw the television reports of the disaster, but it was another matter to see at first hand people living on and picking through rubble. I have been told by representatives of Greens SL whom I telephoned, because I am maintaining contact, that only a few days ago there arrived a massive number of United Nations-sponsored tarpaulins and tents. So they are really at the point still that reconstruction has not even commenced.

I had reason to contact Alexander Downer's office because I wanted to discuss the asbestosis issue very briefly. They have not started reconstruction yet and people are living in tents, if they are lucky. They continue to be exposed to the elements and to disease—waterborne disease in particular, which creates problems. Subsequent to the tsunami there was massive rainfall and flooding in the north-east of the country. People got a double dose of the problems they endured through the tsunami as a result of the tremendous floods that came through. More people were killed. Of course, in circumstances such as that, there is inevitably a proliferation of waterborne diseases. That is a major problem, as was mentioned by other speakers in this House. I am proud to say that doctors and nurses and others from my own community have contacted me. They are bypassing a lot of the major organisations to get out to places such as Sri Lanka to lend a hand on the ground. That really demonstrates the great Australian ethos of "having a go" and being prepared to step through many boundaries to achieve their ends.

Other speakers mentioned Dr Brian Pezzutti and his efforts on this occasion. He has been consistent in his humanitarian work—both as a member of this House and after leaving this place. When I returned I read in some articles in my local paper about how moved Dr Pezzutti was by the enormity of the issues he faced when he went to join the relief effort. I have always admired him, but I now have even greater admiration for the man. He is a true humanitarian. He certainly walks the walk and talks the talk. We know he talks a lot but he walks a lot, too. He has done wonderful work and I believe that all members of this House would agree. I feel very proud to have been associated with him and to have worked with him. I hope that in the future I will have an opportunity to work with him again on some of these issues. He has done a fantastic job and has raised the spirits of many people in his home community. Because of his attitude and efforts, and the sacrifice that he personally has made, he has encouraged them to get out and lend their support.

It was a great honour for me to work with the Greens SL movement. One of the first things they did was take me on an inspection. After I contacted them they came to meet me, and they gave me considerable written material and verbal reports about how they viewed the situation. They then took me down to Galle, which was pretty severely hit by the tsunami. All infrastructure was gutted. I got to meet Russian rescue teams who were working assiduously on a particular site, digging out people. I did not know whether they were alive or dead at that stage. It was hard to comprehend the enormity of it. While they could be seen working on one house that was a pile of rubble, as far as the eye could see in any direction were hundreds of if not thousands of similar dwellings in the same condition that the expert rescue teams had not had an opportunity to get to. This was only days after the tsunami.

Similarly, it is difficult to describe the train wreck some two kilometres to the north of Hikkaduwa, where 1000 people died. The Greens SL people took me down to a suburban area to what was called the Sambodhi Disability Centre. That was, perhaps, one of the most difficult times that I had overall. Sambodhi was a centre for mentally and physically disabled people, young and old. It was a public-level institution that was poorly supplied and equipped prior to the tsunami, but it was an absolutely gutted, disgustingly dirty wreck of a place when I arrived there.

One of the things that most affected me was seeing 20 or 30 wheelchairs just shoved up against the wall by the force of the water. I would liken them to twisted and crumpled pushbikes after a serious accident. I learned that about 40 children, with mental and physical disabilities, died in the disaster. Some children, totally uncomprehending, stayed in their beds and their beds floated. The place was in an absolutely shocking state of disrepair. One could see evidence of where the water level had been about one metre below ceiling level on the walls of the centre. Disabled people are often the last to get adequate support in such circumstances, because they are least able to express themselves and amongst the most vulnerable people in society.

I spoke with members of the non-government group and we all agreed that we needed to do something about that. I said that I would go to the Australian High Commission and I met up with a gentleman by the name of Matthew Hyndes, the Deputy High Commissioner. He was extremely supportive and very helpful. I managed to organise some 50 beds, mattresses, pillows, mosquito nets and suchlike. The High Commission gave an undertaking that it would fund the purchase of that equipment. The Greens SL went out and bought that equipment at Sri Lankan prices and delivered them to the centre. They spent about five days, 24 hours per day, working, scrubbing and painting.

After I had been on trips around the south-east it was great to arrive at one o'clock in the morning at the centre to find people cleaning up with paint and rollers. We were able to get the High Commissioner Greg French down within the week for the reopening of the centre. We were joined by the Deputy-Speaker of the Sri Lankan Parliament, who officially opened the centre, and prayers for the dead were offered by a group of Buddhist monks. In a tiny building in a suburban area of Galle, amidst all the devastation, we were able to complete something in a small way. The beds looked fantastic. The people living there came along in their best dresses and clean clothes and we had a wonderful morning of celebration, amidst the devastation, in being able to open the centre again. I give full credit to Greg French, the Australian High Commissioner, and Matthew Hyndes, the Deputy High Commissioner, for being extremely supportive.

The downside to that was that whilst there was a promise of money for the groups that paid for the beds and equipment, it had to be given through a government agency. That government agency took 10 per cent of the money as a handling fee, so the non-government organisation received 90 per cent of the money it outlaid notwithstanding the amount of work the organisation put in. These are the difficulties that are faced time and again. Given that I was on the ground supervising the situation, we still saw that happening. I know there has been a great deal of concern in the community over the years, and particularly now, about people giving generously but feeling that the money does not get to the source. I believe there needs to be a great deal of effort and proper assessment to make sure that the money does not go to the wrong places.

These people's lives were immeasurably improved for the cost of about A\$700. We bought those articles at the Sri Lankan value. It is perhaps difficult for people to appreciate just how far a very small amount goes in places like Sri Lanka, Indonesia and Thailand, indeed right throughout Southeast Asia, and how much benefit can be given to people in those areas if we can just get the money to them. The price of living in those countries is so low that beds and mattresses can be supplied at very cheap prices. It is absolutely vital that we somehow build in safety valves and scenarios to ensure that the money gets to those people; otherwise we will find that we are supporting a burgeoning bureaucracy and that the money is not going where it is needed most.

During the process I was very proud of the Australian effort. Out of the blue a travel agent from South Australia, a builder by trade, came over to Sri Lanka with his box of quality tools. I do not have his name; I tried to find it. Whilst we were cleaning up the centre, he stepped in, got some timber, and started building doors. He built half a dozen doors. There were issues about being able to lock out people, about people who were marauding at that stage, and also about people who were potentially going to attack the young women in that centre. The builder did a fantastically practical job. He did not ask for any thanks. He brought over some money from people in Australia who supported him, and he got to work at doing what he did well, building doors and creating a much safer surrounding for the people in the centre. That was one success story that I was very happy to be involved in.

An issue that came to my attention, which I am sure every member of this House is well aware of, is that there is a great deal of asbestos spread around that coastal area. As the houses and buildings were destroyed, asbestos was broken up. It was being cleared by hand and bulldozer without appropriate safety measures. Whenever I could, I spoke to people about this, but people were not interested. There is an asbestos industry in Sri Lanka that claims it is just blue asbestos that is the problem, not white asbestos. I have it on good authority from people who have been involved in unions here in Australia that white asbestos is as much the issue as is blue asbestos. I have written a letter to Alexander Downer advising him that the asbestos industry in Sri Lanka

has been conducting an aggressive campaign to convince particularly Southeast Asian countries that asbestos products are safe. I believe—confirmed by the advice I have received—that asbestos products are not safe and that in future we will see a massive problem of asbestos-related products.

I am assured by Mr Downer's office that Ausaid will not allow moneys being directed to that organisation to be expended on asbestos for use in building projects. The company has not started construction yet. I can appreciate the problems. It shows how difficult it is to get started on such reconstruction projects. In Sri Lanka they are claiming that outside agencies such as BHP Steel and Bluescope Steel are interested in denigrating the asbestos products so they can sell their own products. It is important that we keep that debate going. I certainly did what I could with the media in Sri Lanka, and I am gratified to hear from the Minister's office this morning that it intends to keep an eye on that. Ausaid is not currently involved in reconstruction work, but in any event it would not sanction the use of asbestos in reconstruction.

I was told today—and it has been referred to by various members—that the Federal Government has promised \$500 million as a donation and a further \$500 million as an interest-free loan over quite a long period. I hope that that money would go a long way towards supporting the development of reasonable living conditions in Sri Lanka. After all, it must be recognised that some 110,000 houses have to be rebuilt in some form. The Sri Lankan Government is seriously looking at creating buffer zones, establishing vegetation, and moving many of the buildings. It is not simply a matter of the size of the wave but the fact that frontal dunes have been destroyed and there is no vegetation in the area. It is just a flat stretch of beach, with houses right on it, which will be extremely vulnerable to the full brunt of any type of further major disturbance. And this may not be the last one.

A coastal geochronologist who spoke at a function I attended recently said that, although it may not be for 10 or 20 years, there could well be another event of similar magnitude. It is important that governments in both Sri Lanka and Southeast Asia, as well as our own Government, looks at how we design and plan our coastal living because as a coastal nation we are similarly vulnerable. I understand, in fact, that the tsunami reached Sydney Harbour, that the harbour rose and fell—albeit by a small amount; it was a metre or a little less—that there was a discernible impact even on our shores. It shows the refraction of the waves, almost going around corners to get to the east coast of Australia, and how high the impact can be.

With regard to the reconstruction effort, I met with Sri Lankan developers who were adamant that they needed to use asbestos. Fortunately, there was a gentleman there by the name of Doug MacLatchy, who owns a small resort in Hikkaduwa. He is also an Australian developer and builder. Mr MacLatchy has given me an undertaking that they will not use asbestos. He has been working with Bluescope Steel and the embassy in an attempt to develop low-cost prefabricated housing, to be assembled on-site.

Another problem is that the lime used in the cement for construction in Sri Lanka comes straight out of the reefs. Although it is illegal, they simply dig up the reefs and use the lime for building materials. It is important to ensure that more ecologically sustainable materials are used. I am certainly in favour, and Doug MacLatchy is partially in favour, of using corrugated iron and Colorbond products that could be made available. I believe this is another opportunity for the Australian Government to give aid in kind here, to be able to use products that do not strip the remaining resources of places like Sri Lanka, Thailand and Indonesia in the process of rebuilding.

I recently wrote to the Premier asking that he give serious to the rebuilding process, given that we have resources in New South Wales that could make this rebuilding process a little easier. It is obvious that in Banda Aceh there is a need for assistance on a massive scale. I have asked the Premier whether he will consider committing timber from this State's pine plantations as a humanitarian gesture to the survivors of Banda Aceh.

Obviously, there is a massive need for building material. However, if we do not supply plantation pine, for example, building material will be taken en masse out of the rainforests of Sumatra, which will create another set of circumstances—there will be mudslides and devastation of villages because of the lack of forest cover. A critical situation is being exacerbated by the need for raw materials. I have asked the Premier whether the Government could give consideration to supplying forest products from Australia—for example, plantation pine—to save Indonesia's precious hardwoods and its rainforests of old-growth from being harvested at an increasing rate.

Doug MacLatchy has the design for prefabricated houses. He is waiting to go. He obviously needs financial support to get that type of project going. We could also see a massive amount of training going to local villages. In circumstances like this, it is important to feed people and to protect them against disease. However,

it is extremely important for their mental and physical wellbeing to get them working again. If we could supply the raw materials for prefabricated houses, it could get the Sri Lankan community back to work. Doug MacLatchy has said that it would take a couple of days to get these houses up, and that has to be replicated some hundred thousand times.

Jess Maulder, a 20-year-old medical student from Melbourne, was on holidays in Thailand when the tsunami hit. She volunteered at a makeshift morgue to help identify tsunami victims. On returning home she felt the need to do more and she left for Sri Lanka with her brother to work in refugee camps on the east coast. She is one of a handful of volunteers on the east coast. Although she is still a student, she has been thrust into situations where she is treating victims because there is no other medical help. A month after the tsunami hit some people were still without vegetables or kerosene lamps. I left my card everywhere I went. I have received a request via email from a pastor of one village. He has requested 50 kerosene lamps and a few small goods that would amount to no more than \$200 or \$300. That is what his village needs to survive.

There is a tendency for propaganda to go out saying that all is fine and everything is being fixed up. However, honest and accurate reports are saying that the level of devastation is still absolutely monumental and very little has been done on the ground other than helping people to survive. A great deal more has to be done. The reality of the tsunami is a terrible thing: the number of people who have been killed and the livelihoods that have been disrupted and destroyed. The tsunami took some 20 minutes. I do not remember what time it hit. There were two hits. I found out afterwards that tsunamis come in two waves. After the first wave I went down to the beach and started picking up things, just thinking what I could do to help and not knowing exactly what had happened. The sea had retreated out across the reefs again. Within about 20 minutes another wave came in and I had to pick up my stuff and get out of the place. I did not know how big the second wave would be.

That short series of events where the ocean rose and inundated thousands of people has caused more damage and destruction in terms of loss of life and damage to property than some 20 years of protracted civil war. Sri Lanka's population of 20 million has been affected by an ongoing civil war for 20 years. I just hope that out of all this—I saw elements of it—the Tamils and the Sinhalese people can come together and help each other again. As I said earlier in my contribution, there is no blame for this tragedy; nature in its dispassionate way has affected everybody. Out of this event I hope we can see, with the support of the international community, the coming together of the various communities in Sri Lanka so that Tamil and Sinhalese are not pitted against each other.

During the floods a lot of the military ordinance floated away. While it was a problem for the United Nations to clean up, it was probably the best thing that could have happened—the guns and equipment floated away. I guess every cloud can have a silver lining. If a society is supported effectively by the international community, if a society is given the funds and is removed from the yoke of paying back massive debts—I concede that the Federal Government has set up a regime that is manageable—we could see a society where people can find opportunity, where former enemies will help each other and where there is a new opportunity to live in peaceful coexistence. If that is the end result of the tsunami in areas such as Sri Lanka, we can move forward and say that humanity has helped each other and that people are living a better quality of life, living in peace with dignity, with the support of the international community.

**The Hon. JOHN HATZISTERGOS** (Minister for Justice, Minister for Fair Trading, Minister Assisting the Minister for Commerce, and Minister Assisting the Premier on Citizenship) [5.35 p.m.]: I congratulate honourable members who have spoken in this debate. I join the Leader of the Government and other members in extending our profound sorrow and sympathy for the victims of the tsunami that devastated South-East Asia on 26 December 2004. In my short contribution I want to focus on, and extend my thanks to, the staff of the Department of Corrective Services. They made a thoughtful contribution to the tsunami relief effort. Staff at all levels and at all locations around the State made their own efforts to support the tsunami-ravaged communities of Asia. I particularly thank those Corrective Services staff who, without prompting, decided to organise fundraising among both staff and inmates.

As a result of this fundraising, inmates in the State's correctional centres have donated more than \$34,00 to various charities to assist victims of the Asian tsunami disaster. Staff at the State's correctional centres donated more than \$26,000 to tsunami aid. Donations in the State's correctional centres totalled more than \$60,000. Staff, of course, made private donations to various charities outside the collection efforts that were organised within the department. Considering that inmates earn very little money from their employment inside correctional centres and that they have other obligations, not only to their families but also to paying victims' levies, they have obviously made many sacrifices to donate money. Most inmates spend what little income they

have on personal items, additional food and the other obligations that I have identified. Correctional centre staff around the State also took it upon themselves to conduct various fundraising initiatives to help tsunami victims, such as selling fundraising chocolates, holding staff raffles, selling plants grown in prison nurseries, participating in charity walks and holding staff barbecues.

Funds were donated to charities including World Vision, the Australian Red Cross, Care Australia, Oxfam and Community Aid Abroad. I congratulate correctional staff on their initiative and generosity. In January the Department of Corrective Services donated 55,944 textile items produced by inmate labour to a registered charity, which sent the shipment to tsunami-ravaged areas of Sri Lanka. The consignment consisted of \$430,000 worth of items produced by inmates at Corrective Services Industries at Long Bay, Lithgow, Grafton, Goulburn and Silverwater correctional complexes. Amongst the items were 1,500 shirts, 7,766 pairs of pyjamas, 5,240 surgical gowns and other items of theatre clothing, 6,380 surgical drapes, 2,200 pairs of overalls, 10,090 pairs of shorts, trousers and slacks, and body bags and thousands of other textile items. The donation was made to a charity group known as Change the World, which, along with the Just Enough Faith Foundation, is sending the items in a shipping container from Botany. Normally this sort of surplus and discontinued stock would be auctioned and a small return would be made in relation to its value back to the department. However, I believe that in the circumstances this donation is a far more meaningful outcome for everybody. I believe that the efforts of Corrective Services staff mirror the efforts of the Australian community at large, and I am pleased to place them onto the parliamentary record.

**Reverend the Hon. Dr GORDON MOYES** [5.39 p.m.]: I support the words of the leaders of the various parties in expressing sympathy to those who have suffered through the tsunami. In particular, I commend Mr Ian Cohen, who spoke of his experience with the tsunami in Sri Lanka. I commend him for the work he did on the ground at that time. I also commend our former colleague Dr Brian Pezzutti for his work. I have previously visited the places mentioned by Mr Ian Cohen. My heart was torn as I remembered the weeks Wesley Mission spent establishing housing for the homeless in the areas of Galle and southern Sri Lanka. We headed up the house building programs for Habitat for Humanity International and Rotary International. I understand that virtually all those houses were damaged, although many of the steel and concrete constructions apparently survived, which underlines what Mr Ian Cohen said about new planning for the buildings.

We built cyclone-proof housing that was supposed to be tidal wave proof, but not to the extent of surviving a tsunami. On Boxing Day we were stunned by the tragedy of the earthquake and tsunami that claimed an estimated 300,000 lives. Like others, Wesley Mission moved to raise funds and worked to provide longer-term projects to develop clean drinking water and health care for the millions of people who need housing, community infrastructure, employment and an early-warning system. I commend the Prime Minister, John Howard, for his quick response. He inspired other nations and our own citizens. I commend people who supported non-governmental organisations such as World Vision, Red Cross and Austcare.

On Boxing Day I immediately organised, through every Wesley Mission church service for the next four weeks, to take special offerings and I was appreciative that tens of thousands of dollars were raised from those members. I also spent some time ringing members who I knew came from that part of the world: from Thailand, Indonesia—particularly Aceh; many Indonesians in Sydney came from that area—Sri Lanka and India. I was concerned for their neighbours, extended family and friends. Although I spoke to several hundred people, I was glad that not one direct family member had been killed, although I was told frequently of neighbours and friends who had been. In the past few weeks I have forwarded cheques for tens of thousands of dollars in aid and relief to a variety of agencies working in the four countries I have mentioned. Right at this moment a number of container loads of goods in kind gathered by people are presently on their way by sea to the affected areas.

I wish to commend some Sydney citizens for their relief work that might not generally be known. Dr Graham Barker, who is the head of the Wesley Institute Graduate School of Counselling, received a call from Sri Lanka to train local councillors and workers in the tsunami-affected areas in grief and trauma counselling. As was mentioned by previous speakers, he assembled a team of four for this important area of work. I commend Dr Barker; Dr Cliff Powell, an outstanding Sydney psychologist; Ms Jenny Dawson, a trauma counselling specialist from the Macquarie University; and Ms Linda Harding. Within a few days they had started work in Sri Lanka. They trained people in a packed hall in central Colombo.

More than 250 registrants undertook a week of intense training to help people who had lost family and friends. They also conducted training workshops in Batticaloa, Jaffna, Colombo and other places. They taught people in Sinhalese, Tamil and English. They produced workbooks and notes in English that were printed and



bound almost overnight, so that they could leave behind good training programs for those who needed that particular kind of help. I also commend two work teams that I am aware of that have gone from central Sydney to Sri Lanka. One team was headed by Mr Reggie Dissanayake. He has returned only today to report on the work that the team has been undertaking in the last four weeks. I received a report from him just this afternoon, while I was listening to the previous speaker. It states:

... please find below details of the Tsunami Disaster Relief work carried out by me and the United Christian Fellowship.

[We] assisted more than 2,000 families in Tsunami affected areas—

and he lists a number of villages. The report continues:

Dry rations such as rice, dhal, sugar and tin foods were distributed throughout these areas. Household goods such as mats, pillows, plates and kitchen utensils were also distributed. The children were given books, [cuddly toys] school uniforms etc.

During my time ... we consoled many people. We listened to their stories of death and destruction. It is hard not to be moved to tears by the tragedy that has affected [these people].

It will take a long time for the rebuilding of houses and infrastructure. The focus ... is to help in this process and to resettle people as soon as possible.

Last Friday we farewelled another large group of Sydney citizens who left to continue the work of rebuilding, particularly houses. They will be working in southern India and Sri Lanka. We wish these work parties much satisfaction in their labours and thank them for their volunteer support. I conclude by referring to an illuminating fact that was presented to me by Dr Keith Suter, a member of my staff at Wesley Mission. He indicated that if we had been a little smarter we would have reduced greatly the number of people killed in this tsunami tragedy. He commended to me the Report of the Independent Commission on International Humanitarian Issues, which was issued 17 years ago and was published as a best-selling book entitled *Winning the Human Race*. It sets out, among other things, a blueprint for tsunami disaster management. The commission pointed out that the international community had failed to construct a viable method for dealing effectively with the humanitarian dimensions of disasters.

The report has been on the United Nations General Assembly agenda since 1987. Every year the issue is examined by the General Assembly under the heading "new international humanitarian order", but nothing has happened. The report seems to be so full of commonsense recommendations for international preparation for such disasters that one wonders why governments are not doing more to have it implemented. I read that the commission has pages of detailed recommendations in relation to natural disasters. For example, it recommends that the United Nations should elaborate a code of conduct to regulate the management of disasters. This should contain the principle that the humanitarian criteria ought to prevail over any political or sovereignty constraints for the limited period of the emergency.

Mercy corridors should be created to facilitate the entry of relief personnel and the importation of goods to ensure unhindered access of assistance to victims. As was stated by Mr Ian Cohen, this would be most welcome in areas such as Jaffna and the northern parts of Sri Lanka. It is precisely the issue being faced right now with the protection of aid workers in Aceh. The report said that the United Nations should designate a central co-ordinating body that is fully recognised as the main body to co-ordinate relief efforts. That entity should have a prearranged formula for the collection of funds. If implemented, this would have reduced the need for all the ad hoc funding work that we undertook to raise funds for the victims. The United Nations body should maintain a central repository of information relating to all phases of disaster management: prevention, preparedness, relief and rehabilitation. The United Nations body would work with its national equivalents and governments in national disaster plans. One of the authors of that report was His Royal Highness Prince El Hassan bin Talal of Jordan. I notice that he said in the newspapers just a few weeks ago:

The Asian tsunami is the greatest humanitarian disaster in recent world history. It is even more tragic because a report produced 17 years ago—

the report I have just made reference to—

could have reduced hugely the number of casualties.

Australia should ensure that that report is implemented at this year's United Nations General Assembly. With the movement of tectonic plates, we can expect another tsunami. We had one on the Australian east coast in 1938, which resulted in 218 Australian citizens, from Newcastle down to the South Coast in particular, being drowned. There was a tsunami in the Indian Ocean in 2004. We express our sympathy to those who suffered

loss through the tsunami, we thank all those who have contributed to the aid and redevelopment programs since that time and we call on the Australian Government to ensure that the United Nations implements the report currently before it.

**The Hon. GREG PEARCE** [5.50 p.m.]: I join honourable members in expressing sympathy for all those who have been affected by this tragedy. I was incredibly proud of the response of the Australian people to the disaster. In particular, I commend the Howard Government for its generous but sensible response to the disaster. I also join other members in commending the efforts of the military and various other people, the churches and many other organisations. I shall refer specifically to the work of the aid agencies and Care Australia in particular. Prior to coming into this place I was for a time a member of a fundraising committee for Care Australia that had been established in Sydney. We worked hard to raise a significant sum of money for Care Australia that was the best response we could make at the time. I chose to be involved with Care Australia because it delivers people on the ground to assist after disasters occur around the world. Care Australia is one of a network of care organisations—I think there are 12 or 14 altogether, but only two or three of them provide on-the-ground relief work; the others act as fundraising organisations and make a great contribution to the work that is done.

Australia plays a leading role as a provider of on-the-ground assistance through Care Australia. Many other organisations are active, but providing on-the-ground assistance is an important role and should be noted by members of the House. When I was involved in fundraising for Care Australia I was impressed by the simplicity of the programs and the directness of the work it did. One example I briefly recall was an aid program to provide sewing machines and material to women in villages to allow them to build up an industry and earn an income. That is the sort of program Care Australia supports. In addition, the aid agencies deliver direct support such as the basics—fresh water, sanitation and food. Few representatives of the aid organisations actually work on the ground. They co-ordinate and marshal local people, assist them and train them to respond. With those few words, I commend the work of the relief organisations, and I join with other members in expressing my sympathy to all those affected by the disaster.

**Debate adjourned on motion by the Hon. Peter Primrose.**

#### ADJOURNMENT

**The Hon. HENRY TSANG** [Parliamentary Secretary] [5.54 p.m.]: I move:

That this House do now adjourn.

#### ANZAC DAY COMMEMORATION AT ANZAC COVE

**The Hon. AMANDA FAZIO** [5.54 p.m.]: Tonight I place on the record my appreciation for the sensible actions of the Prime Minister of New Zealand, the Hon. Helen Clark, in stopping entirely inappropriate activities taking place at the ninetieth Anzac Day commemoration at Gallipoli. I also acknowledge that the Prime Minister, the Hon. John Howard, concurred with the views of Ms Clark and said that the proposed activities were not in keeping with the spirit of commemorating our war dead. Media reports stated:

The "star" [John Farnham] was invited by the Commonwealth War Graves Commission to sing at the event, but New Zealand Prime Minister Helen Clark has vetoed his performance, saying it would be inappropriate.

"I think it's totally inappropriate to have loud entertainment on a place which was a killing field," Ms Clark said on NZ radio. "I have a great uncle who died at Gallipoli and so do countless tens, hundreds of thousands of people in Australia and New Zealand."

I agree wholeheartedly with Ms Clark. As she said, many thousands of Australian and New Zealand families have relatives who died at Gallipoli, and it is disrespectful to hold a concert at their places of final rest. We would not countenance such an activity at the Cenotaph in Martin Place or at the War Memorial in Canberra. Why would anyone consider having entertainment such as John Farnham perform at Gallipoli to keep the crowds entertained prior to the dawn service? I am sure I do not know. Media reports also stated:

Australian entertainer John Farnham is said to be devastated by New Zealand Prime Minister Helen Clark's decision to veto plans for him to perform at the 90th anniversary of the Anzac Day battle in Gallipoli.

Farnham was invited by the Australian Government to sing at Anzac Cove in April, but Ms Clark has rejected the idea, saying it is totally inappropriate to have loud music in a place which was a killing field.

I can only say that John Farnham should have had better sense than to have taken up the invitation because anyone with commonsense would know that such an activity is inappropriate. Much has been made of the fact that Ms Clark was reported as saying that she did not know who John Farnham was, as if familiarity with his work would have made the proposed concert acceptable. But look at what Ms Clark actually said. She said she does not know who John Farnham is, but her concern is not with him, just the nature of the service. She said:

I think with a commemoration of a series of events so tragic we need to be very careful that it is dignified and appropriate, out of respect to the dead and out of respect to the many, many people who suffered.

Her office said that there is nothing personal about Ms Clark's decision; she had just never heard of John Farnham. New Zealand Government spokesman Ian Kennedy said he doubted that Ms Clark had personally objected to John Farnham but snubbed the star by adding, "I'm authorised to say New Zealand's Prime Minister has never heard of Johnny Farnham." A spokeswoman said that Ms Clark had "definitely" heard of the Finn brothers but did not think it appropriate for them or Farnham to put on a loud concert. She believes that commemorative events on the Gallipoli Peninsula should always be dignified and that whatever is done there on Anzac Day must be in keeping with the spirit of the brave men who died there. She has great faith in the young New Zealanders and Australians who go to Anzac Cove to behave in a dignified manner. Let us look at where this proposed concert/celebration was to be held. This is what the Commonwealth War Graves Commission—the commission is not an Australian body; it is based in the United Kingdom—has to say about Gallipoli:

The Gallipoli Peninsula is a place revered by the Turkish people. Visitors are asked to respect the environment and, in particular, to recognise that thousands of soldiers who fell there, have no known grave.

Visitors should also respect the fact that thousands of British, French and Indian soldiers, as well as Australian and New Zealand soldiers, died in Gallipoli and that many nationals come to pay their respects to both the Anzacs and their own nation's soldiers. Over 22,000 British soldiers died at Gallipoli and an increasing number of visitors from the United Kingdom visit Gallipoli on this day. Anzac Day at Gallipoli has truly become an international day of commemoration.

Of the 31 war cemeteries maintained on the Peninsula by the Commonwealth War Graves Commission, 17 are located in the Anzac Area. They contain graves of known and unknown soldiers from a number of Commonwealth nations and again should be treated with the utmost respect. The Commission has maintained these cemeteries for over 80 years and the task is not made easier by the climate or the numbers of visitors who pause at each headstone. Of course, visitors are most welcome and the Commission appreciates the intense public interest in their cemeteries, not only at Gallipoli, but around the world."

Whoever decided to have a concert/celebration at Gallipoli this year, rather than a solemn commemoration of the war dead of many nations, should hang their heads in shame.

### PEST INSECT DESTRUCTION FUND LEVY INCREASE

**The Hon. DUNCAN GAY** (Deputy Leader of the Opposition) [5.59 p.m.]: Tonight I highlight the widespread anger of New South Wales farmers and landholders in relation to the Carr Government's gutless levy increase for the Pest Insect Destruction Fund. The Carr Labor Government has advanced \$14 million, interest free, to industry to enable the locust campaign to continue. And the Government wants us to believe that it is generous! Frankly, considering that farmers have already paid more than \$17.5 million of the campaign and the Carr Government has spent only \$5.25 million of the campaign, the Government has not been generous.

In a media release dated 21 January the Minister for Primary Industries stated that the contribution of ratepayers to the pest insect destruction fund would likely range from between \$15 and \$25 in the coastal districts to between \$50 and \$100 in the western districts. This is simply not the case. Representations I have received have painted a very different picture to the one the Minister sold the media. I put the case of Mr Graham Brown from Broken Hill, whose locust levy has increased by \$540.11, a hefty sum of money. Ms Joan Myers from Wanaaring is faced with a \$170 increase. In many cases inland producers are being slugged a 500 per cent increase.

The Minister upset farmers and landholders further when he said on New South Wales Country Hour on 27 January that "while the 500 per cent line sounds dramatic it only adds up to around \$100". The Minister has got it wrong again. He obviously has no idea about the impact the increased levy will have on New South Wales farmers and landholders. Will the Minister explain to Mr Brown and Ms Myers why their levies have increased so dramatically despite his promise that levies would only increase by up to \$100? I wish to educate the Minister on the reality of this disastrous situation. A letter from a concerned New South Wales farmer reads:

I am a little upset with the agreement that the State Government, Rural Lands Protection Board and New South Wales Farmers Association, have come to replenish the Noxious Insect Levy Coffers.

We have been in Drought for a number of years and in Exceptional Circumstances for three years and no self respecting Locust would be able to live here anyway, we are beginning to doubt our chances to do so.

Last year I paid \$37.85 Noxious Insect Levy in my RLPB Rates and this year I will be paying something like \$202. The Board as a whole paid between \$2000.00 and \$2300.00 in this Levy and this year the Board will collect above \$14000. Not bad when the State Government wavered the Wild Dog Tax and the Western Lands Rent, they are going to collect on this one.

As we have been paying the Noxious Insect Levy for a number of years and the resources should have been building up for use in a bad year. Why could not this have been a Natural Disaster, such as a Flood or Bushfire then this would have been treated as a Grant.

Thank you for taking the time to read this short note,

I am.

Yours sincerely,

Joan Myers.

Another letter reads:

I am a Director of the Cobar Rural Lands Protection Board and as I travel about my Board area I meet constant criticism of my Board and Directors for the recently announced increase in the State Government's Noxious Insect Levy which is collected for the Government by Boards.

To my knowledge the Board was not consulted at any time by the Minister, Plague Locust Commission or State Council of RLPBs of any proposal for such an increase. I found out about it from the News on the radio.

As a Director of my Board I feel that I and fellow Directors have not had the opportunity to voice our opinion on the issue, one way or the other. "

Where is the fairness in all of this, Minister? Even the directors were not told what was happening. [*Time expired.*]

### LANDSDOWNE CARAVAN PARK REDEVELOPMENT

**Ms SYLVIA HALE** [6.04 p.m.]: This evening Fairfield City Council is meeting to determine whether to continue with a court battle against Meriton Properties and its attempt to close the Lansdowne caravan park near Cabramatta. Meriton has submitted a development application seeking rezoning that will see residents evicted and homes demolished, with 69 townhouses built in their place. Lansdowne is the tip of the iceberg. Up and down the New South Wales coast people living in residential parks are having their lives shattered as developers move in. Often situated in idyllic coastal locations, residential parks are a prime target for those looking to make windfall profits from rezoning and redevelopment.

In the case of the land at Lansdowne, suburban development in surrounding suburbs has resulted in its value increasing sharply. It is close to a shopping centre, with a bus stop at the front door and schools and a train station nearby. Consisting of 275 manufactured homesites, the Lansdowne park is currently home to more than 400 residents. A playgroup operates three mornings a week and numerous parenting, health and social wellbeing classes are run on site each week. Lansdowne provides a vital source of low-cost housing in the Fairfield local government area. In a survey conducted by the Social Justice and Social Change Research Centre at the University of Western Sydney, senior research fellow Dr Judith Stubbs found that 53 per cent of people said they lived at the park because it was affordable and 25 per cent said they had no other option. If this park closes, where will those people go?

Currently, 80,000 people are on waiting lists for public housing in New South Wales. Many wait years for a place, and even those given priority status are forced onto unacceptably long waiting lists. For many people living in residential parks—pensioners, retirees, itinerant and low-income workers and sole parents—this is one of the few affordable independent housing choices. Against this backdrop parks are being bought up by developers who undertake demolition by neglect, with the final straw coming in the form of eviction notices and intimidation tactics to force residents out. There is evidence of this at Lansdowne. Last week, 120 applications relating to lack of maintenance were submitted to the Consumer, Trader and Tenancy Tribunal. There is a burnt out unit that Meriton refuses to remove or repair, and drains have collapsed, with effluent ponding on paths.

On 19 January I attended a meeting of park residents, and Meriton representatives attempted to stop residents from discussing the threats to their community. The meeting proceeded only because of the tenacity and courage of residents, who promptly picked up their chairs and walked into the parkland next door. This is a

common intimidation tactic of developers. Where else in Australia are communities being denied the right to meet to discuss their grievances? By running the place into the ground, Meriton is trying to make it appear that the residents do not care about where they live. However, I know from personal experience that Lansdowne is a tight-knit, caring and responsible community.

In parks along the coast, many residents have retired and sunk their entire life savings into purchasing and establishing their homes. Many have lived in these parks for years, in some cases for decades. Moving home, even if alternative sites can be found, is beyond the financial and emotional resources of many people. The closure of residential parks not only places huge strains on the individuals concerned, but it also decreases the overall amount of affordable housing in an area. According to the National Centre for Social and Economic Modelling [NATSEM], which is based at the University of Canberra, the Fairfield local government area is already suffering chronic housing stress. The gulf between incomes and the cost of housing has created the greatest housing unaffordability in the country.

The Greens call on the Government to ensure that Lansdowne does not close. The Premier must step in and ensure that we do not lose any more affordable housing in New South Wales. Rather, we need a co-ordinated approach to dramatically increase both public and private affordable housing stock. I close by reading an excerpt of a letter from one of the residents protesting against the closure. He wrote:

I suffer from Grand Mal epilepsy ... and arthritis in my shoulders, hands and knees. This is only one of the reasons I appreciate making the park my home, because of the availability of medical and pharmaceutical assistance, which is very good. I have also developed some very good friendships within the park, which I would be very disappointed to lose. These friends have been incredibly supportive throughout all my trials and tribulations and I do not know what I would have done without them. I really do not want to leave the park for all these reasons, and probably many more, but most of all because it has become my home.

#### **NATIONAL COUNCIL FOR WOMEN AUSTRALIA DAY AWARDS**

**The Hon. JAN BURNSWOODS** [6.09 p.m.]: On 25 January I had the pleasure of hosting on behalf of the Minister for Women, Sandra Nori, the annual National Council for Women Australia Day awards. I pay tribute to the National Council for Women for conducting this event and also to the various groups who sponsored awards on that day for a number of very impressive women.

The women included Sharon Cameron from the audiology section of the Linguistics Department of Macquarie University, who has been working on a study on children with auditory processing disorders. This has involved developing a test procedure that checks the ability of a child with this distressing condition to hear when background noise is present. Cheryl Fitzpatrick from the School of Humanities at the University of Western Sydney is currently working on a thesis—it is nice to see someone still studying Australian history—entitled "The subdivision of the early grants which create the modern city of Penrith". Her work covers the 1870s and 1880s but also takes in the earlier period. Meike Flore from the School of Women's and Children's Health at the University of New South Wales, after finishing high school in Germany and beginning her medical degree, spent some time in South Africa before coming to Sydney. Her interest has always been in women's health, particularly in reproductive medicine. She completed her obstetrics and gynaecology term last semester. Meike hopes to return to Africa and to work on a number of projects in a voluntary capacity, including an HIV education program targeted specifically to the shanty towns outside Cape Town.

Eliza Karolina Mik from the Faculty of Law at the University of Sydney also had a varied career—this is typical of most of these very impressive young women. Eliza is currently working in the very important area of the formation of contracts in electronic networks, clarifying and redefining the legal principles that apply to basic contractual procedures in a new and technology-specific environment. It is very important to bring legal principles and practices up to date with the way new technology operates.

Lara Rose Rudner from the Faculty of Nursing, Midwifery and Health at the University of Technology was born in South Africa but her family came to Australia. She is currently working in her postgraduate studies in critical care and midwifery with a view to becoming a nurse practitioner. She then hopes to work amongst a number of disenfranchised people, partly in rural and remote Australia but also oversees through Medecins Sans Frontieres.

Barrina South from the Aboriginal Education Centre at the University of Western Sydney is a Koori woman whose family comes from Nyngan and Brewarrina. She has worked and studied over a number of years, including at the National Maritime Museum as a curator. At the Australian Museum she has been employed for a number of years as the Aboriginal Project Officer, Collection Management. While doing that she has been pursuing further study and also exhibiting artwork. Barrina is indeed a multitalented Koori woman.

Daniela Spanjard from the School of Marketing at the University of Technology is pursuing a Ph.D. Han Xu from the Conservatorium of Music, despite early problems with her lack of English, has worked towards a postgraduate diploma in music performance with the violin. She has found that music speaks all languages. As I said, I was delighted to be able to host this function on behalf of the Minister for Women, Sandra Nori. I again pay tribute to these young women and to those who sponsored the awards.

### INDUSTRY COMPETITIVENESS REPORT

**The Hon. MELINDA PAVEY** [6.14 p.m.]: I speak on the results of a report entitled "Industry in the Regions 2004: the Competitiveness Report" of a study conducted by the Australian Industries Group in conjunction with the Commonwealth Bank. The report, which was released in November, dealt with how regional businesses compare with their metropolitan counterparts, specifically in relation to competitiveness. This is particularly groundbreaking because information relating to this is significantly uncommon. The competitiveness study surveyed 553 businesses employing 29,232 people and with a combined annual turnover of \$6.5 billion. The respondents were taken from across New South Wales, Victoria, South Australia and Queensland and were from a wide range of sectors—from services to manufacturing businesses to the food and beverage industry. These companies were then divided into 14 metropolitan and regional areas and given a ranking on an overall competitiveness scale. The study was based on how the companies scored on 41 major business performance indicators. Interestingly, the report found that businesses in regional Australia are highly competitive and not significantly disadvantaged because they are located away from the capital cities.

The key findings of the report were that regional organisations fell only slightly behind Sydney companies in their overall competitiveness. It was also discovered that regional industries were progressively looking more towards global markets to grow in the twenty-first century through trade. Many companies see this global focus as an antidote to overcome the disadvantages of smaller local markets faced by regional companies. Regional businesses are making timely and educated investments in research and development, work force skills and new technologies to ensure their survival and continued competitiveness. Regional firms outperformed the city firms in business leadership and employee participation and investment in skills. They were also more export-oriented, as I mentioned. In business leadership, the study identified that regional companies were more committed to their regions than were their city counterparts. They used more assertive growth strategies and implemented management practices to pursue their goals. For example, three-quarters of regional businesses regard their region as important, compared with just over half in city companies. So there is more loyalty to their region and to their company from the work force. Regional firms rely more on their local area for raw materials. Greater focus on exports is the most important strategy for growth by regional firms.

Whilst labour productivity was 6 per cent lower in regional areas than in metropolitan areas, there were a number of reasons for this. The skills shortage faced by all businesses across New South Wales and parts of Australia was a large part of the problem. In a recent *Sydney Morning Herald* article the Parliamentary Secretary to the Federal Minister for Transport and Regional Services, John Cobb, who is a colleague of mine, stated that a network of new federally run technical colleges would help tackle regional skill shortages. There is a plan to establish those technical colleges to address skills shortages in key parts of New South Wales. Regional firms tended to use more enterprise bargaining agreements within the organisation and had slightly lower administration and labour costs. They also had a far more dedicated and loyal work force. Importantly, the report highlights that it is not vital for businesses to be in Sydney to ensure success. I would like to see the State Labor Government take a more active role in encouraging firms to move into regional areas. Regional communities strongly benefit from firms setting up and developing their business in local and regional areas. The positive effects are felt throughout local towns and regional communities. The bush continues to thrive, and it is important to ensure that this trend continues. The Government must continue supporting the growth of development for businesses by aiding and providing infrastructure that enables these businesses to prosper.

I note that the second annual Country Week exhibition is to be held at the Rosehill Racecourse on 5 and 6 August. It was an absolute success last year with tens of thousands of people streaming into the exhibition in Western Sydney to see what it is like out there in country New South Wales. I congratulate Peter and Jenny Bailey, the people who got the concept off the ground, on their passion for seeing more business and more opportunity in regional areas.

On another subject, as an attendee of the Gallipoli service in 1995, the eightieth commemorations of the Gallipoli landings, I do not think it would be inappropriate for John Farnham and the Finn brothers to perform during this year's Anzac commemorations. [*Time expired.*]

## WESTERN WOODLANDS

**Mr IAN COHEN** [6.19 p.m.]: I wish to speak once again about the Western Woodlands, west of the Great Dividing Range. Not many members of this House have spent a great deal of time in this area, nevertheless, it is a very important region. I and many people in the green movement believe that a great tragedy is taking place there. Tragedies are preventable I realise but, as is so often the case with human nature, we act only when it is too late. Less than 10 per cent of the woodlands that once spread across western New South Wales before European settlement remain. Those that are left can be found in a belt that stretches north from Dubbo to Queensland.

The once grand forests of the plains, called the Western Woodlands or Brigalow Belt, are being cleared, logged and mined to death. The Carr Government has been promising for more than two years now to save the Western Woodlands by turning the largest remnants in the Brigalow Belt, near Coonabarabran, into national parks but to date it has been unable or unwilling to make good on its promise. I have raised this issue with the Carr Government on a number of occasions. I have argued that the Western Woodlands deserve adequate protection. I am very disappointed that my representations seem to have fallen on deaf ears.

There seems that a counter charge is being made in this House. I acknowledge the arguments for jobs and social viability in country areas but, from a green perspective, I argue that these areas must be protected. The people of western New South Wales who are directly affected should be adequately protected and compensated, and given alternative jobs if they are employed in the timber industry.

The Western Woodlands once stretched from the Queensland border to the Riverina and even in their reduced state are acknowledged as a globally unique bioclimate that include places of high cultural significance to local Aboriginal communities. These ironbark and box woodlands support unique and diverse communities of plants and animals. Some of the threatened animals that inhabit the Western Woodlands include the koala, mallee fowl, black-striped wallaby, glossy black cockatoo, squirrel glider and barking owl.

The Western Woodlands have experienced some of the highest rates of decline and extinction in Australia, with up to 17 mammals and 21 plant species now extinct and many more recognised as threatened or declining. Less than 2 per cent of the remaining Western Woodlands are in national parks. Most are on private land though some large remnants near Coonabarabran in the Brigalow Belt publicly owned in the form of State forests. All the Western Woodlands not in national parks or protected on private land are subject to ongoing broad-scale land clearing, logging and mining.

In 1999 the Carr Government commenced regional assessments in western New South Wales to guide future planning to protect the unique ecosystems in the region. One of the outcomes of the assessment was a promise by the Carr Government to turn some of the largest remaining areas of Western Woodlands, the Pilliga and Goonoo State forests into national parks by the end of 2002. That promise has not been delivered on.

By the end of 2004 there was no decision from the Carr Government in this regard, and as we head towards March 2005 there is still no any action from the Carr Government to protect the last remaining, ecologically viable remnants of the Western Woodlands. In the meantime, logging, illegal clearing and mining continues. The Western Woodlands remnants of the Pilliga and Goonoo are the last of their kind in the world. The CSIRO has recommended that at least 20 per cent of the land in arid ecosystems must be protected. Only 2.6 per cent of the land in the Brigalow Belt is protected at present.

The creation of new national parks in the region would arguably be one of the most important outcomes for biodiversity in Australia's modern history, rivalling previous landmark conservation decisions by New South Wales governments, such as the 1982 rainforest decision. I was happy to be part of that landmark decision by working on the ground to protect magnificent forests—and we have been proved right. Their value in the ground is far greater than their value as wood products. It is clear that a tragedy is unfolding in western New South Wales, but it is clear also that the tragedy can be prevented by the Carr Government if it fulfils the promise it gave to the people of New South Wales to protect these very important woodlands. It would be a significant acknowledgement of the importance of the State west of the Great Dividing Range.

**Motion agreed to.**

**The House adjourned at 6.24 p.m. until Wednesday 23 February 2005 at 11.00 a.m.**

---