

LEGISLATIVE COUNCIL

Tuesday, 17th November, 1992

The President (The Hon. Max Frederick Willis) took the chair at 2.30 p.m.

The President offered the Prayers.

ASSENT TO BILLS

Royal assent to the following bills reported:

Mutual Recognition (New South Wales) Bill
Jurisdiction of Courts (Cross-vesting) Amendment Bill
Gaming and Betting (Broken Hill) Amendment Bill
Mine Subsidence Compensation (Amendment) Bill
Murray-Darling Basin Bill
Stock Diseases (Amendment) Bill
Traffic (Fine Default) Amendment Bill
Carlingford Drainage Improvement (Land Exchange) Bill
Supreme Court (Video Link) Amendment Bill
Auctioneers and Agents (Amendment) Bill (No. 2)

APPROPRIATION BILL

BUSINESS FRANCHISE LICENCES (PETROLEUM PRODUCTS) AMENDMENT BILL

MOTOR VEHICLES TAXATION (AMENDMENT) BILL

ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

BANK INTEGRATION BILL

HUNTER WATER BOARD (CORPORATISATION) AMENDMENT BILL

LAND TAX MANAGEMENT (AMENDMENT) BILL

WOOL, HIDE AND SKIN DEALERS (AMENDMENT) BILL

Formal stages and first readings agreed to.

BILL RETURNED

The following bill was returned from the Legislative Assembly without amendment:

Auctioneers and Agents (Amendment) Bill (No.2)

STANDING COMMITTEE ON SOCIAL ISSUES
Annual Reports

The Hon. Dr Marlene Goldsmith, as Chairman, in accordance with clause (31) of the resolutions relating to the Legislative Council standing committees, dated 2nd July, 1991, tabled the annual reports of the Standing Committee on Social Issues for the financial years ended 30th June, 1991, and 30th June, 1992.

Ordered to be printed.

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PETITIONS

Abortion

Petitions praying that because of community support for the continued availability of abortions and a woman's right to choose abortion and the continued availability of counselling services for abortion clinics, the House not support any restriction of existing abortion services, received from the **Hon. Ann Symonds and the Hon. Dr Meredith Burgmann**.

Brothels

Petition praying that the Government will not take steps to legalise brothels but will close all existing brothels by enforcing the Disorderly Houses Act, received from the **Hon. Elaine Nile**.

Forestry Commission

Petition praying that the Forestry Commission of New South Wales be reformed in accordance with the recommendations of the Public Accounts Committee and that the House urge the Government to act immediately for the good of our environmental heritage and the health of the plantation timber industry, received from the **Hon. R. S. L. Jones**.

Child Protection

Petition praying that the House support the introduction and passage of the Protection of Children from Indecent Material Bill, received from the **Hon. Dr Marlene Goldsmith**.

Serious Traffic Offence Penalties

Petition praying that the House review the laws relating to road accident fatality or grievous bodily harm and institute severe penalties, received from the **Hon. Delcia Kite**.

Beverage Containers

Petition praying that because of the detrimental effect of throw-away packaging on the environment, legislation be introduced imposing a mandatory deposit on all beverage containers sold in New South Wales, received from the **Hon. R. S. L. Jones**.

**ENVIRONMENTAL PLANNING AND ASSESSMENT (CONTRIBUTIONS
PLANS) AMENDMENT BILL**

Suspension of certain standing orders, by leave, agreed to.
Bill introduced and read a first time.

Declaration of urgency agreed to.

Second Reading

The Hon. R. J. WEBSTER (Minister for Planning, and Minister for Housing)
[2.49]: I move:

That this bill be now read a second time.

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At the end of last year the Government passed legislative changes to make local councils more accountable for the way they raise and spend developers' contributions, under section 94 of the Environmental Planning and Assessment Act. The Environmental Planning and Assessment (Contributions Plans) Amendment Act 1991 made it a requirement that after 17th December, 1992, any council wishing to levy developer contributions should first have a section 94 contributions plan in place. Prior to this change local councils throughout New South Wales had levied developers towards the provision of public services, with varying degrees of accuracy and accountability. Many demonstrated a sound, professional approach in their levying, but many relied on inappropriate standards and levied regardless of real justification. Further, a significant number of councils failed to spend contributions on the public services promised and used interest accrued from their investment on other council activities.

Frustration and dissatisfaction on the part of developers inevitably ensued, and a public inquiry, conducted by Commissioner Simpson in the latter part of 1987, heard arguments from both sides. As a result of recommendations from that inquiry, changes were made to section 94 late last year which require councils to have section 94 contributions plans. This will result in a much improved degree of professionalism and openness on the part of local councils. The section 94 contributions plan will contain information on a council's policy regarding section 94. It will outline the anticipated developments in an area and identify what services are required to meet the needs of new development. It will justify such needs and cost those needs in order to establish a reasonable level of contributions. Finally, a schedule of works will inform the developer where and when contributions will be spent. The plan will be a public document and will deliver a level of public accountability lacking in the past.

The so-called deadline after which councils will be unable to levy contributions without having a contributions plan in place is 17th December, 1992. This date was inserted into the Act as an amendment to the contributions plans amendment bill during parliamentary debate. The deadline has had serious consequences for some local councils. There are many councils which have concentrated resources and worked exceedingly hard on the preparation of contributions plans for their areas. However, others have been unable to proceed as quickly as hoped and, despite their best endeavours, have been unable to complete the work. It is to help councils in such a position that an extension of the deadline is sought. The intention of this bill, therefore, is to permit an extension of the 17th December deadline and allow local councils a further six months in which to finalise, exhibit and adopt their contributions plans. The bill seeks to amend the date contained in section 94(7) of the Environmental Planning and Assessment Act from 17th December, 1992, to 30th June, 1993. This will in no way diminish the commitment of the Government to improving the accountability of local councils but will grant additional time for these comprehensive plans to be completed. The honourable member for Blacktown, Ms Pam Allen, has indicated to me that bipartisan support for this bill will be forthcoming. I trust, therefore, that the passage of

this bill will be unhindered.

The changes to section 94 introduced by the Government last year will ensure a much improved level of professionalism and accountability on the part of local councils in the raising and spending of developers' contributions. Section 94 contributions plans will provide the means by which this will be achieved. The task of preparing these comprehensive plans has, in a significant number of council areas, proved to be a lengthy and time-consuming process. A limited extension to the date to allow completion of plans must be considered reasonable, and the final products will be much improved for the extra time allowed. I therefore recommend a six-month extension until 30th June, 1993,

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after which a section 94 contributions plan will become a mandatory prerequisite for any local council seeking to levy developer contributions under section 94. I commend the bill to the House.

Debate adjourned on motion by the Hon. Delcia Kite.

JOINT SELECT COMMITTEE UPON POLICE ADMINISTRATION

Consideration of Legislative Assembly's message of 29th October.

Motion by the Hon. J. P. Hannaford agreed to:

That this House agrees to the resolution in the Legislative Assembly's message of 29th October, 1992, extending the time for reporting of the interim report to 11th December, 1992, and the final report to 31st March, 1993, of the Joint Select Committee upon Police Administration.

Message forwarded to the Legislative Assembly advising it of the resolution.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 1992-93

Debate resumed from 28th October.

The Hon. ANN SYMONDS [2.55]: Mr President -

The PRESIDENT: Order! The Hon. Ann Symonds, who is about to address the House, obviously has an impaired voice. If I am to hear what she has to say there must be a minimum of conversation within the House and within the galleries.

The Hon. ANN SYMONDS: As you have noted, Mr President, I am at present in the grips of some bacterial or viral disturbance. If I were not of a sentimental nature, perhaps I would not have come to the table today to speak in the budget debate, but as I first entered the House in 1982 and made my first speech in the House during the budget debate of 1982 I felt obliged to celebrate my 10 years of membership of this august Chamber by once again entering into the budget debate. I know that it is some time since the Premier and Treasurer brought down his Budget, so some people may not remember that the greatest claim that was made in that budget statement was the promise by the Premier that there would be jobs by Christmas. "Jobs, jobs" was what he was claiming to produce by Christmas time. The *Daily Telegraph Mirror* reported, "Thousands of unemployed people will have jobs by Christmas under a master plan by

Premier John Fahey to shorten dole queues". It is rather remarkable for us to look back at that brief space of time between 15th September when the *Daily Telegraph Mirror* carried those headlines and today when we note the amount of industrial unrest and disturbance in this State arising from the fact that, in contrast to that promise, the reverse is true. Jobs are disappearing in this State at an enormous rate. In fact, the loss of jobs is outlined in the Budget Papers.

I have been on the record previously - and I wish to do so again - making some general points about the neo-Thatcherite Fahey Government. At the time of the last Budget I was moved to give an amount of attention to one of the three great minders of Mr Greiner - Mr Sturgess. Mr Sturgess had drawn great notoriety to himself by his attempts to apply to this State the Thatcher model of which he was so enamoured. Of course, Mr Sturgess is no longer with us. Even though he is called by the *Sydney*

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Morning Herald an uncompromising reformer, he has gone to impose his uncompromising behaviour on some other State. The consumers of government services in this State, who were the ones who suffered from his so-called uncompromising reform, suffered most from cutbacks applied in 4½ years of Liberal government. I do not know whether we will benefit from his departure. Despite the well documented excesses of the Thatcher years, we still have in this State the clone of that discredited Government. The chief goal seems to be to undertake shifts in power within this State. Democracy seems to be the vocalised objective when adherents to the Sturgess-Greiner-Fahey model give vent to their ideas, but in fact centralisation has been the reality.

That development has been most evident in education where, despite verbiage about local decision-making, centralisation has been the key, and more strain has been put on to schools than ever before. In a vivid description of London in 1992, a group of ordinary workers on a building site commented that Thatcher's restrictions on unions through legislation - which produced high unemployment, created cheap labour and caused protracted disputes - reduced the ability of unions even to guarantee safety on construction sites, and a desperate desire to work meant that many went under false names. I recommend a viewing of Ken Loach's film "Riff Raff" to those who want to get an idea of the industrial climate that coalition governments and parties across Australia are attempting to establish. Of course, that is only one aspect of the model that Sturgess was seeking to impose on this State with the full concurrence of Greiner - and Fahey has not overturned any of those directions. That great model of finance and organisation has failed. In early September the *Sydney Morning Herald* reported during Britain's financial crisis:

Britons are down in the dumps and angry over the seemingly endless descent in the value of their pound. Businesses are going bust at the rate of one every eight minutes, and every day seems to bring another few thousand job losses.

Economically that method does not work. Why does the Government continue to follow that path? The headline of that article stated:

30,000 more British jobs to go.

The article continued:

The three Rs that signify the sorry depths of Britain's economic gloom - redundancy, retrenchment and redeployment - are alive and well.

The article went on to detail major personnel cuts in British Coal, Ford, Rolls Royce and British Aerospace, the fact that more than 1,000 small businesses per week are closing their doors, and that unemployment overall has risen for 29 consecutive months. This was a deliberate Thatcher strategy to wind back the gains of workers, yet one of her own advisers admitted that they had gone too far. We might note that the wealthy may get wealthier, but what kind of society do they have to live in? A recent report in the *Guardian* pointed out that the main growth area in the post-Thatcher Britain is crime. With three million unemployed and the prospect of further growth in that depressing statistic, many in Britain have given up any hope of earning a normal income. Professional crime in Britain now has an annual turnover of about \$30 billion. Annual proceeds from drugs and fraud alone are over \$18 billion. These figures do not include the costs of fighting crime; they are simply an estimate of the amount of money being made through criminal activity. Administration of the police force alone in the United Kingdom costs over \$10 billion a year. It is worth noting that in New South Wales police numbers have jumped from 8,000 to 12,000 in five years.

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The question remains: do we feel any safer with those increased numbers? It is a measure of the total failure of Thatcher's policies that Britain's social collapse has not produced success even in economic terms. The Confederation of British Industry reported that the July 1992 figures of the retail sector were the worst for any month in the previous nine years. But it is the social decline and human degradation that I find most distressing. The social toll of this dislocation in Britain is enormous, just as the same frightening combination of reduced public sector jobs and government services is a potential time bomb for the people of New South Wales. I urge the Government now to recognise the dangers of the British example which some seem so desperate to emulate, to abandon the market-dominated approach to policy and adopt an alternative way of managing society. Let me state quite clearly that economic rationalism is the hallmark of the Government of this State, or more correctly the hallmark of the ideologues in the New South Wales coalition, who loyally support an economic system which is not only alien but contrary to Australian traditions of fraternity and produces cruel effects on people and their families.

Recently a commentator said on Australian Broadcasting Corporation radio that we are witnessing the overturning of almost a century of development following the 1909 Higgins decision which recognised that a decent level of wages needed to be paid by industry to workers to enable them to support their families. It has taken this society so long to develop the process of arbitration and award systems that have guaranteed generations of Australians levels of benefit for work, yet all that is now up for grabs and demolition. The striving for approval from the Organisation for Economic Co-operation and Development, the International Monetary Fund and the Ratings Agencies of New York will look as preposterous to future generations of Australians as those conservatives who sought imperial gongs from the Queen of England. Why do we in this country have to be dominated by the strictures of Moody's? Henry Rosenbloom, writing in *Time* magazine on 10th August, 1992, said:

The main sites of the (OECD) experiment - the United Kingdom, Canada, the United States, Australia and New Zealand - are each enduring the highest level of economic hardship and social distress since the Great Depression. The main sites of interventionist policies - Germany, Japan, France and Scandinavia - have been, until the Anglo-caused recession started to affect them, the best-performing economies.

In New South Wales today it is a similar situation. Despite protestation to the contrary a further 5,000 workers in New South Wales government enterprises will lose their jobs in the current financial year, including almost 1,700 in the State Rail Authority, almost 1,000 in the State Transit Authority, 1,700 in area health services, and 350 in the much-needed area of housing, and yet remarkably, despite these proposed cutbacks, New South Wales underspent on capital investment by \$386 million last year. The GIO sell-off is a giant and once only decision for this Government which cost the people of New South Wales almost \$80 million in consultants' fees, just to sell the thing. Our schoolchildren are reduced to selling scratch lottery tickets in shopping centres and outside railway stations to fund library books, while others collect dockets from supermarkets in order to purchase much-needed computers. Recently a foray has been made into gaining Coca-Cola sponsorship. The parents of these children are trying desperately to have established a reasonable health policy on school canteens and tuckshops, yet government departments in this State have been avidly seeking sponsorship of Coca-Cola. That is really too much to contemplate in its absurdity and the denigration of the great public education system that this State has developed over the years.

The residents of Port Macquarie, despite a recent referendum opposing it, will be forced to participate in a commercial experiment which will govern their health care for the next 20 years. The children of White Cliffs in the State's west wait for a

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demountable classroom to replace the shed-like structure they are currently trying to learn in. In return the Greiner-Fahey Government has given us the only three growth industries of the previous five years - government consultants, senior executive service officers and outplacement counsellors. "What are outplacement counsellors?" I hear members asking. Outplacement counsellors are those who are assigned to assist people who have been made redundant, or who have been sacked, and to help them cope with the pain and relocation of giving up their jobs. It is amusing that the title "outplacement counsellor" is given to those who help others cope with being sacked or made redundant. The use of language in the recent cultural shift has been alarming. I think outplacement counsellors more properly could be termed bereavement counsellors.

Train services have been reduced. New South Wales has the highest school class sizes of any mainland State, and this year New South Wales citizens will pay, on average, \$135 more per person in taxes than people in the next highest taxed State, Victoria. However, I note that the new Premier of that State will increase charges and taxes in Victoria by \$270 per year per person. This Government blindly pursues a policy of debt reduction. By selling the GIO the Government has forfeited the taxes and dividends the organisation has consistently paid to the State - they totalled \$160 million in 1991 - while its expenditure responsibilities in other areas continue. Why is there the urgent desire to cut debt, particularly when interest levels are at an historic low and there is an urgent need for housing, community welfare, health and legal services to help the increasing army of disadvantaged and unemployed people survive? The present New South Wales debt position is favourable, particularly in comparison with that of other States. Total public sector net debt at June 1991 in New South Wales was 15 per cent of gross State product. The figure for the other States was 20.4 per cent. Countries of the Organisation for Economic Co-operation and Development had an average rate of 30 to 40 per cent. I believe the rate for Broken Hill Pty Company Limited is more than 200 per cent. Why are we so obsessed with debt reduction when our rate is 15 per cent? If it is good enough for BHP to finance its growth and productivity and to meet its company needs by incurring debt for expansion, why should we carry on about a 15 per cent rate of debt in this State? At the same time we are diminishing services to people.

Michael Pusey, in his recent study of economic rationalism, identified a number of policy tenets central to this system. The first is that we must always cut public spending and destroy still more of our suffering public sector. The 1992 Fahey Budget represents a clear attempt to follow this dictum. For the Government public sector jobs are like the army divisions which were used as cannon fodder during the first world war, a resource to be discarded at will. Of course, there is little consideration of the short-term effect on individuals and their families. There is also the long-term effect on the State of the formation of a pronounced and definitive underclass. I am thankful that Federal social security benefits have increased under Labor, which has minimised the degree of suffering. The second claim of economic rationalists listed by Michael Pusey is that wages and salaries are always too high and we must always redistribute the nation's income upwards and away from wage and salary earners to the tiny fraction of already very wealthy people who hold parcels of real money: it is always a good idea to move the burden of taxation away from inputs on business and on to consumers and wage and salary earners. That is also a popular theme with this Government. New South Wales is the highest taxed State. We constantly hear the refrain that we must create wealth, meaning of course that the privileged few must be allowed to increase their wealth.

Those wage and salary earners lucky enough to have a job have been slugged mercilessly by this Government. Electricity bills, water rates, car registration costs, public housing rents, public transport fares, car licence fees, and hospital bed charges
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have all increased dramatically since this Government came to office. Land tax alone raised an unexpected \$70 million for this Government last year. In contrast we see that in the model of economic rationalism, privatised British utilities, top executives' salaries increased by an average of around 65 per cent. British Telecom is a disaster and electricity prices have consistently risen in Britain since the utilities were sold off to make them more competitive. The third claim of the economic rationalists is that welfare spending is always too high. One of the most offensive things I have heard John Hewson say in recent times - and he is persistently offensive - was that Whitlam had created AIDS in the 1970s. He explained, with his cute sense of humour, that AIDS was acute income dependency syndrome. This reveals that the man has no concept of dignity for all people in society. Welfare spending is fundamental to achieving dignity for all. In this year alone the New South Wales Government has cut more than 2,000 jobs in housing and area health boards, reduced the allowable average cost of accommodation services for youth refuges and refuges for women and children, and cut the budget of the Department of Community Services by \$33 million while increasing the allocations of departments such as sport and recreation by \$10 million and public works by \$17 million. It has now been calculated that the Department of Community Services has underspent approximately \$50 million in recurrent funds in the past four years. Where is the justice in allowing greater opportunities for people to play sport, or for the Government to be involved in racetracks, while there is insufficient crisis accommodation for the city's homeless youth and women and children in need of emergency accommodation?

Another tenet of economic rationalism as identified by Michael Pusey is that we must always accept ever higher levels of unemployment. New South Wales seems to be doing its best: its average is greater than the national average. No one could say that the 11.3 per cent national unemployment level is anything but alarming. Fortunately, the Federal Government is taking urgent measures to address the problem. There is a wonderful contrast in the Fahey Budget promise of creating thousands of jobs by Christmas and the reality of the highest unemployment rate in Australia. In the midst of a recession and after the most savage public sector cutbacks this State has seen, the Government has seen fit to cut a further 5,000 public sector jobs in the Budget. The last principle stated by Pusey is that efficiency is always best served by moving enterprises

from the public to the private sector and we must always deregulate the private sector and remove public controls over business. I see no evidence of any benefit from things being moved from the public sector to the private sector. We are always being told about the superiority of the private sector and letting the managers manage. Yet in such an environment there were obscene levels of mismanagement, by Tricontinental in Victoria, by the State Bank in South Australia and by Westpac in New South Wales - the old Bank of New South Wales, which lost so much money last year. The whole world is re-regulating in response to what has occurred. There is an alarmed recognition that the private sector is not to be trusted. In the post-Reagan United States and the post-Thatcher United Kingdom the major growth industry is in regulatory bodies. Water privatisation in the United Kingdom has meant that British people no longer can be assured of the safety of their water. Previously, accountability for the safety of the water supply rested with elected people and with the government. As the water supply has now been privatised, the only response possible from the government is the establishment of regulatory bodies to provide safeguards in the once publicly owned and publicly accountable service areas.

One of the most alarming features is the decline in the purpose of government. To some degree all parties have concentrated far too much on debates about economic rationalism and whether the private sector should be more involved in the delivery of services. The relevance of Parliament has been damaged incredibly because of its retreat

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from this field. That is evidenced by the fact that the churches have entered the public arena and become more involved in public debate. With their levels of concern for matters other than material wealth and benefits, and with their concern for morality within society, they have been able to introduce once more into public debate the notions of public good, common wealth, common concern and the notion of suffering. If the pursuit of economic rationalism is not acknowledged by members of Parliament to be undermining the 100 years of attempting to establish an egalitarian base to society in this State, they will be categorised as the great despoilers of our society. I ask honourable members to consider the difference between the development of Argentina and Australia. At the beginning of this century their raw products were basically the same; they were remote from Europe and European markets; and primary industries were the basis of their wealth.

The directions in which the two countries have gone are worth examining. In Australia the wealth which was created was returned to the public good, common wealth and wealth sharing. This was done by establishing a firm public sector, rail and road links, education facilities and hospitals. Those things may have been demanded, of course, to facilitate the needs of primary producers. Nevertheless, they were established as a basis of equity between the need of country and city people for access to services. By sharing wealth and reinvesting it in public sector enterprises, more was done to safeguard the democracy within our society than could have been achieved by any other means. Honourable members should compare the disastrous rate of wealth concentration in the hands of a few in Argentina and the inability of that country to operate an effective democratic system with Australia's dual commitment to sharing the common wealth and to a democratic society. I hope this great period of economic rationalism is about to come to an end. One of the first initiatives to redirect the economy by Bill Clinton, who has recently been elected to the American presidency with overwhelming support, was to call upon a Harvard professor - unlike the Harvard graduates who have been advising the New South Wales Government in recent times - called Robert Reich. He says that the only way in which the great American economy will recover is through public sector investment; the private sector has failed and Americans must turn away from it. Because of the way decisions are being taken outside the Parliament, I am worried about its

developing irrelevance. Decisions are being taken by the International Monetary Fund, by Moody's, by the General Agreement on Tariffs and Trade and by other outside institutions.

Perhaps I should expand on that. I am pessimistic about the power and relevance of parliaments. Although one usually says that our structures are dominated by the Executive and debate is made almost irrelevant by party allegiances, New South Wales has gone further than that because of the way decisions are being made outside of the parliamentary sphere. Basically no sphere of Parliament and government is separate from the sphere of the capitalist economy. The distinction no longer exists; the language is the same. The labels are still present - this is Parliament House, I am a member of Parliament - but the distinctions are blurred. Obviously, economic terminology is now all pervasive. Most significantly, the values of government are now economic. Freedom is defined only as economic freedom. This includes consumer choice. The dominant objectives of government have become efficiency and profit. Managerial competence, of course, has always been a factor in politics. Neville Wran used to say that government is not business although it should be managed in a businesslike way.

As I have said, those distinctions are now blurred. Just as welfare and socialism have now been reduced to the level of treating individual cases with charity, the idea of structural social justice seems to have disappeared. Public needs are truly legitimate only

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if they can be managed by the private economy. Structural decisions are made in corporate organisations and government is structured on a strictly private corporate model. The language of those corporate models is everywhere, as honourable members no doubt realise. I conclude by saying that I want members of this Parliament to once again assume the true reins of government. I want us to acknowledge the rightful power that we should retain and use wisely on behalf of all citizens. I should like to quote a visiting American librarian, who was in Australia two years ago. He said:

. . . the American Revolutionary, Thomas Jefferson, turned to John Locke for inspiration for that new nation and found those words "Life, Liberty and Property" among the human rights Locke asserted. And when he rewrote them for [the] Declaration of Independence Jefferson committed that greatest editorial act of US history by changing the word "property" to "the pursuit of happiness". In making that crucial change Jefferson set out the issue that has dominated the debate in [the US] ever since. He called them inalienable rights. He asserted in that Central document of the American Revolution that it was the duty of governments to secure those rights. That securing those rights was indeed the fundamental purpose of government. And what he said by implication was that regardless of wealth, power or the amount he or she owned the person has an inalienable right to pursue happiness and he or she could expect the proper government to secure and protect that right among others.

I hope this is the last of the economic rationalist budgets, and that New South Wales will turn away from that nonsense and remember the benefits to all of society that can be anticipated when we operate in a society dominated by the public good and not the private sector.

The Hon. R. T. M. BULL [3.28]: It is a great pleasure to participate in the debate on the first Budget of the Fahey Government - obviously the first of many to come. I suppose one should dwell on the responsible decisions that have been made in the

past four years. Suffice it to say that because of those decisions, which were made first by Mr Greiner and then Mr Fahey, New South Wales is undoubtedly in a much better position than are the other States to weather the recession. The Leader of the Opposition said in his speech that Greinerism is alive and well. Thank goodness for that. Greinerism - which should be interpreted as thoughtful economic management - has become Faheyism, for which New South Wales can sigh with relief. The Government stands by its commitment to sound economic management and to the survival and maintenance of New South Wales as the leading economic force in Australia. It is interesting to dwell on this quote from the *Australian*:

While continuing the thrust of reforms of the previous Premier, Mr Greiner, the 1992-93 New South Wales Budget also tries to ease some of the pain of the recession, create jobs and kick-start economic recovery in Australia's largest State through a one-off boost in public spending on construction.

The Premier has endeavoured to balance the needs of the present with a commitment to building the future. He has produced a budget which will create real jobs for the unemployed, improve services for the community, and rekindle optimism in these difficult times. He has provided a one-time boost to our already record capital program, which will create jobs, provide services and flow on to stimulate the State's whole economy. In 1992-93 the State's capital program will be boosted by \$540 million to \$5,894 million. That represents a real increase after inflation of 10.1 per cent from last year. I would have thought that is an outstanding achievement, given the paucity of funds available to State governments these days. Substantial real growth in the capital program represents the biggest boost to capital works undertaken by any New South Wales government since the mid-1980s - and under much better economic conditions, one might add. This will greatly stimulate economic activity so that New South Wales will emerge from the recession in better shape than any other State. This boost to the State's capital program

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is estimated by Treasury to add more than \$1.7 billion to the New South Wales gross State product, and increase employment by 18,000 jobs once the direct and indirect multiplier effects are taken into account. I quote again from the *Australian*:

More important, however, the Fahey Government has maintained the pressure on public trading enterprises to be more efficient and productive and has stuck to a medium-term plan to cap State debt.

The Government's key budget target is to contain the budget sector debt to a level where there is no real growth. This will mean that the budget result in 1994-95 will not add to the budget sector debt in real terms; there will be no need to borrow to pay for this year's budget deficit; and, most importantly - which will be of surprise to all members of the House, especially those opposite - the Government will retire \$430 million of Commonwealth debt raised on behalf of the State. Taken together, that represents a total debt containment initiative in 1992-93 of more than \$1.6 billion. By contrast, the Commonwealth Government is floundering, notching up new borrowings of almost \$15 billion, and other States are also continuing their increased borrowing spree. The Government has identified five strategies which will help to achieve its debt target. First, restraint on current spending will continue; second, there will be a one-off boost to capital works spending and job creation, which will be contained in the following years to reflect a no-growth strategy; third, there will be a selective recourse to taxes to finance the Budget in the face of collapsing revenue; fourth, the Government will continue to move to a commercial approach to the dividend and taxation payments by New South

Wales government trading enterprises; and, finally, it is intended to continue to reduce net budget sector debt and contingent liabilities by undertaking privatisation.

It is interesting to dwell for a moment on government charges versus commercial dividends. In the period 1987-88 to 1992-93, the contribution from the non-budget sector will increase from \$129 million to \$980 million. Between 1987-88 and 1992-93 it is estimated that Government charges will have declined by 0.8 of 1 per cent in real terms. I should have thought all honourable members opposite would be delighted with that figure. I hope they heard that. I will repeat it because I am sure the Hon. Ann Symonds is interested. Between 1987-88 and 1992-93 it is estimated that Government charges will have declined by 0.8 of 1 per cent in real terms. In the future we must move towards normal investment returns on the Government's commercial assets so we can avoid putting up taxes or going into debt to fund essential community services such as education, welfare, health and police. The Government intends to maintain a highly responsible and commercial approach to its Government trading enterprises; and will reduce contingent liabilities. The closure of State Authorities Superannuation Scheme - which I know the Attorney General has more than a passing interest in - will also be an important initiative to try to contain debt. Had no changes been made, the Commonwealth's action would have increased that liability by an additional \$2.4 billion by the year 2002.

The Government is committed to looking after the unemployed. There are a number of initiatives which the Government has been implementing through the first Fahey Budget - policies to relieve youth unemployment through education. A top priority for the Government continues to be greater participation of young people in education and training, which will alleviate unemployment and develop a firm skills base leading to improved employment prospects. A total of \$2.21 billion, or 85 per cent of the total youth budget, has been allocated to education, training and employment initiatives in 1992-93 for young people aged between 12 and 24. New South Wales remains committed to providing youth with a comprehensive and efficient school education. These initiatives remain, and are doing a good job. However, now we are looking toward the further training of our youth in preparation for their participation in the work force.

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In the area of employment and training opportunities for young people, I will first mention the Start to Life program, which has been allocated \$39.74 million in this year's budget - a very important initiative for young people seeking training for employment and getting started in the work force. The Start to Life program for disadvantaged young people is a pathway from school and training and on to employment. The Get Skilled program, the Australian traineeship system, will enable a public sector intake providing 12 months of on-the-job and off-the-job training, with \$6.34 million allocated for the employment of 450 young people in State government departments. The Skills Gap program will fund short training courses for unemployed aged between 15 and 24 years, and will assist them in obtaining employment and will encourage their undertaking further education. The Budget provides \$800,000 for that program. In the workplace the Government has budgeted for \$6 million to community-based organisations to provide employment for unemployed people under the age of 25 years; and a subprogram in the workplace for disabled youth will aid 5,700 disabled young people in New South Wales.

The Start to Life training centres will provide employment counselling with State funding at \$150,000. A work experience program will allow four weeks work

experience for school leavers. The Get Started program will be expanded to assist a further 1,800 unemployed school leavers, at a budget cost of \$2,667,000. Enterprise training for youth will provide on-the-job training, and \$1,147,000 has been allocated for expansion of that program. The group training program has been allocated \$1,148,000; the Government group apprentices-disabled apprentices programs has been allocated \$910,000; the employment and training program for immigrants, which will maximise skills, has been allocated \$1,709,000; the circuit breaker program will receive \$252,768; and, of course, the helping early leavers program will cost \$209,064 this year. Other programs worthy of mention include the adult and community education program, which will have \$4 million in grants available to it in 1992-93. The Government is promoting Aboriginal training and employment for Aborigines in the community. The Aboriginal employment strategy will provide 60 new places, with a budget of \$1.34 million. The Aboriginal employment strategy for local government will provide wage incentive payments to councils, training and career development for new and existing Aboriginal staff, and training for supervisory staff. The new careers for Aboriginal people program will assist 600 Aboriginal people in 1992-93.

I turn now to technical and further education, which is most important for the further training of students, whether they be leaving school at the end of years 10 and 12 or participating in some of the joint secondary schools-TAFE programs. These programs will enable students to study vocational subjects to assist them in choosing a career, and at the same time to study subjects available to years 11 and 12 students, enlist greater industry involvement in the creation and implementation of the vocational training agenda, and accelerate the form of training along competency-based lines, which is training related to the ability to perform the actual tasks at the correct level of skill demanded in the workplace, rather than related to formal, time-based courses of instruction. TAFE is the largest provider of post-compulsory education and training in the State. It offers more than 1,400 courses across a wide range of vocational areas and in basic education and employment skills. This year spending on TAFE has increased to \$949 million, with over 10,000 additional places at TAFE colleges, a 19 per cent increase in spending on capital works, increased salaries for TAFE teachers and expanded partnerships with schools, universities and industry. First chance programs have been allocated \$5 million and have been expanded to provide 5,000 more youth with skills and employment opportunities. There has been reform in the vocational training area, with changes to the infrastructure, such as the introduction of the concept of competency-based training.

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There are also programs to help the unemployed. The self-employment development program in 1992-93 will assist 10,000 people at a cost of \$4.150 million. The 1992-93 enterprise incentive scheme will offer 950 places at a cost of \$840,000. The mature workers program will assist 3,000 older unemployed at a cost of \$2.216 million. A number of people are unskilled in areas necessary for them to regain employment, and the mature workers program is an important program in our further education system. The Sydney City Mission will aid 850 people at a cost of \$1.6 million. There are opportunities for unemployed apprentices. The Training Opportunities Placement Service has been allocated \$500,000 in this year's budget. In 1992-93 the intensive training program will assist 160 unemployed apprentices at a cost of \$663,000. The Government group apprenticeship scheme for 66 apprentices will cost \$660,000. Almost \$5 billion will be spent in the vital areas of education, employment and training in New South Wales during 1992-93, with emphasis on industry-relevant skills and long-term job creation. A better educated, trained and more flexible work force is imperative for the future of New South Wales.

The Budget emphasises long-term job creation where possible, as well as improvement of skills and productivity to allow the retention of existing jobs. The Start to Life initiative involves schools, local business and industry working together to enhance the delivery of educational programs and enrich all curriculum areas, including the world of work education. This initiative will develop a lifelong learning culture by providing school students with up-to-date practical applications. The Government is committed to enlisting greater industry involvement in the vocational training agenda to ensure that training is directly related to employer requirements. Schools-industry links, school visits to industry, and school and business partnerships will provide practical experiences for students. The financial year 1992-93 will see the establishment of Australia's first college of combined high school studies and job training for students looking for an alternative learning environment. Bradfield College, a joint venture between the Department of School Education and TAFE, will be established on the former site of the North Sydney Girls High School, and will combine the best of the school and TAFE systems. This exciting new direction in education, combining high school studies and work training with on-the-job experience, will introduce greater flexibility into the education system to meet the evolving needs of students and employers.

The joint secondary schools-TAFE program will cost \$7 million. It will enable high school students to study TAFE subjects while still at school, thus expanding their vocational opportunities. Credit towards the higher school certificate and advanced standing in TAFE courses will be provided, and more than 11,000 students will take part in the program in 1993. I am reliably informed that only two government secondary schools do not offer joint secondary schools TAFE programs. I hope it will not be too long before these schools are also included in the program. I am pleased to be part of the JSST program at Bradfield College and at the college at Coffs Harbour, which will commence in 1995. From 1994 the New South Wales TAFE Commission will be part of a new national vocational education and training system. A council of Commonwealth and State Ministers is to be responsible for planning and developing the new system. As a result, New South Wales will gain an additional \$24 million in 1993, which will be supplemented by similar amounts in 1994 and 1995 for the training system.

The proportion of funds to be available in 1992-93 - about \$12 million - will create 5,000 additional student places in courses where there has been a high unmet demand for training, such as computing, tourism and hospitality; courses targeted at young people and the unemployed, such as the certificate of occupational studies, and

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additional places in full-time certificate and associate diploma courses; and courses to expand entry level vocational training opportunities, such as increasing the number of vocational courses and subjects available in schools, expanding joint secondary schools-TAFE programs, and developing joint facilities with schools, such as at Bradfield College and Young Technology High School. These are but a few of the outstanding initiatives which the Fahey Government has introduced in this year's Budget. I congratulate the Premier, who is doing an outstanding job as Premier and Treasurer of this State, on his first Budget. I take this opportunity to congratulate the Minister for Education and Youth Affairs and Minister for Employment and Training, who has a most difficult portfolio but who has done an outstanding job in delivering some of the finest educational opportunities for our young people.

The Hon. B. H. VAUGHAN (Deputy Leader of the Opposition) [3.48]: The Premier has done such a great job that this State has 11.5 per cent unemployment - 0.2 per cent higher than the average. I speak to the Appropriation Bill and associated

Budget Estimates for the financial year 1992-93. Budget Paper No. 1, the Budget Speech for 1992-93 delivered by the Premier and Treasurer of New South Wales, states:

It is a Budget that will create real jobs for the unemployed, improve services to the community, and rekindle optimism in difficult times.

The first priority of this year's Budget strategy is to create genuine employment.

Out of the Chamber the Premier advised the community that this would all happen before Christmas. There is 11.3 per cent unemployment nationally; but in the Fahey-governed State of New South Wales the unemployment rate is 11.5 per cent. Any real and genuine contribution to a debate of this nature requires, first, an understanding of what government means. After all, how can a debate on government appropriation be useful without first dealing with such a basic principle? Plato, in his *The Republic*, defined the role of government as establishing and sustaining "the greatest happiness of the whole, and not that of any one class". Thomas Jefferson, in his *Notes on Virginia*, developed this definition:

The care of human life and happiness, and not their destruction, is the first and only legitimate object of good government.

I can well understand that honourable members opposite have had a great deal more on their minds than the Budget at hand. I suppose they have been overcome by the rapid movement of events which led to the untimely - and I mean untimely - political demise of the Leader of the Government in this Chamber. I suppose that Government members must experience a certain anguish when reading of the dramatic increase in electoral support for the Australian Labor Party in this State, as reported in the recent AGB poll in the *Bulletin* of 11th November, 1992, at page 14. Of course, so many Liberal Party members of this House, certainly not National Party members - I exclude the Whip, the Hon. J. H. Jobling from this - owe where they are today to the former Leader of the Government in this Chamber. His dramatic and untimely departure from the leadership means that their positions in the future might well be in serious doubt. What we have now in the Fahey Government is a new administration, and those favoured under the old administration are no longer so favoured. Indeed, the elevation of Mr Merton, a fellow attorney, to the ministry above Michael Yabsley - I do not know what he is - is a clear example of how this Premier is desperate to distance himself from the madness of the Greiner ministry and administration.

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This jobs budget is dramatically and conspicuously an anti-social justice budget. It is an anti-social justice budget because its tenets and principles have been framed by people in the Treasury who are the bane of all governments - they now call them the economic rationalists and sometimes they are called the economic dries. To the economic rationalist, there is no concept of social justice at all and there is no concept or realisation that the economy is made up of people; rather, the economic rationalist views the economy as an equation - which inevitably favours the well-off. I suggest to the House that this insidious, anti-social economic approach is not new to Australia. In fact, in 1859 Mr Graham Berry wrote to the editor of the *Age* complaining about the budget of that day. Mr Berry wrote:

Away with the useless discussion of an abstract principle, and let us, as reasonable men, discuss what fiscal policy will best suit this economy . . . not what will best suit its bankers, its merchants, or its gentry, but what will best advance the material property of all, not forgetting the

hard working sons of toil, whose interests are oftentimes forgotten or else totally ignored, by those political economists . . .

I wish to raise several examples of how this Budget is lacking in foresight and how it is anti-social. For example, the Budget Speech of the Premier and Treasurer is silent on the question of industry protection. Although the Budget has been marketed as a jobs budget, the real question is: How can we have sustainable job creation without industry protection or industry facilitation? I am far too long a protectionist to have any other view than that. The Premier has remained silent on the current heated debate on zero tariffs. Several weeks ago I challenged the Premier to support the car component manufacturers located in New South Wales who face certain oblivion if the Hewson zero tariff plan comes into effect. Of course, there was no response. When considering a so-called jobs budget, one must relate to other New South Wales based export firms which have the same bleak future as a result of the proposed zero tariffs, for example, ICI at Port Botany. At present new petro-chemical plants are being built in South East Asia; indeed, many are now in production. Who or what will take over the Australian market now served by the Port Botany plant if protection is removed?

A *Bulletin* journalist, Angus McKenzie, argued recently that one of the great economic rationalist myths is that manufacturing is the only sector which received such high levels of assistance. But figures prepared by the Industries Assistance Commission in 1988 show that assistance to agriculture was 19 per cent while assistance to manufacturing, as a rule, was 22 per cent. The Premier is implicitly agreeing, it seems to me, that agriculture does not need assistance, and the National Party representatives in this House must agree with him. How can the Premier style his Budget as a jobs budget while he refuses to introduce industry development policies? We must see the introduction of industry development policies. For example, the Government could have commenced developing the American policy of aggressive subsidies - wait and see them now under President-Elect Clinton - subsidies which our farmers all know only too well, and fear. I remind all honourable members of the words spoken by Mr Copeland, at that time the honourable member for New England, who in support of his motion for protective duties in 1891 wrote:

If . . . you take action that will drive the manufacturing industries out of existence, you must of necessity send labour adrift wholesale. If we have no manufactories, we must look forward to occupying a position like that of the people in the days of Abraham, who simply tended their flocks and herds . . . America, as history will show conclusively, has had experience of this from time to time. When she has changed her fiscal policy from protection to free trade . . . she has gone back in her manufacturing industries at once, and she has found it incumbent upon her to immediately replace her duties -

That is import duties and tariffs:

- to restore prosperity.

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If it is true that the Premier places the creation of jobs high on his agenda, why has his Government not implemented policies whereby government departments and authorities are prevented from allowing tenders to go to interstate firms? For instance, the Premier ought to have prevented the \$2 million contract to supply new coal wagon wheel bearings from going to a Western Australian firm. Similarly, the Premier ought to have ensured that the contract to build the private hospital on the St George Hospital site had a clause making it obligatory for the builder to use only New South Wales firms rather than the

builder using only Perth-based firms, as he is doing at present. For a full understanding of that issue, honourable members should read the *St George and Sutherland Shire Leader*.

The PRESIDENT: Order! Pursuant to sessional orders, business is interrupted for the taking of questions.

QUESTIONS WITHOUT NOTICE

STATE CAPITAL WORKS EXPENDITURE

The Hon. M. R. EGAN: My question is directed to the Leader of the Government in this House, representing the Premier and Treasurer. In view of last Thursday's labour force statistics, which showed that New South Wales now has an unemployment rate which exceeds the national average and, when combined with our relatively low labour force participation rate, a smaller proportion of our population aged 15 years and above are in jobs than any other mainland State, what action is the Government taking to overcome the appalling underspending of this year's capital works allocation as revealed in the September financial statement?

The Hon. J. P. HANNAFORD: It is interesting that the Leader of the Opposition is showing some interest in the issue of employment in this State because the Opposition has been appallingly silent on this subject for the better part of almost two years. The real blame for the employment position of this nation clearly lies at the feet of the Government in Canberra. There is absolutely no doubt that the employment problems of this nation are directly related to the economic policies which were initiated and have been maintained by Paul Keating. Paul Keating himself said of the recession that it was the recession we had to have. All of us can remember his tirade of some five or six years ago when he referred to this country as moving towards becoming a banana republic. He has done his best ever since to deliver on that. There is absolutely no doubt at all that the way in which this State has been administered since 1988 has been instrumental in holding down the unemployment rate for the State as well as the overall figures for Australia. It is just not credible for the Opposition to try to suggest today that the unemployment problems can be attributed to the actions of this Government; on the contrary, this Government has been instrumental in trying to generate employment in this State.

The honourable member referred in his question to capital spending in the last Budget and what the Government is doing in relation to that capital spending. One of the highlights of this Budget is the size of its capital spending component. It is one of the largest capital spending programs pursued by a government in decades, and the Government is very proud of its commitment to putting additional resources into the capital works program. One of the problems which is of great concern to the Government is the way in which local government has been stalling a number of the major projects which need to be pursued in this State. I draw the attention of the House

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to seven major projects worth \$52 million which have been stalled. So 450 new jobs are currently on hold because of needless delays by local councils. Some projects have been delayed for more than a year. The average delay has been 6.5 months. Some of these projects are quite important to the infrastructure of the State. Of the seven projects now stalled, four involve schools in the Blacktown area, namely, Bamier Public School, Quakers Hill High School, Glendenning Public School and Walker Street Public School. Also involved are TAFE colleges at Strathfield and Kingscliff on the North Coast and

Narara Valley Public School at Gosford. The construction of all of these schools has been delayed as a result of the difficulties in obtaining approvals from local councils. At Strathfield a development application was lodged on 28th April for a \$19 million TAFE college but the project is on hold because Burwood Municipal Council was insisting on additional car parking and roads that would have cost an additional \$4.25 million.

The Hon. Virginia Chadwick: There are no students. It is a distance learning college.

The Hon. J. P. HANNAFORD: As the Minister for Education and Youth Affairs rightly points out, the folly of it is that the college is a distance learning college, but the council wants more car parking spaces for a school where there are no students on campus. At Kingscliff a development application was lodged on 13th May this year for stage one of a new \$80 million TAFE college. Tweed Shire Council has been demanding \$113,000 as a general contribution towards water supply, sewerage and roadworks before granting approval. Approval of these projects by local councils is being delayed by an average of about 6½ months. Local councils are now clearly on notice that the Government intends to exercise the powers that are available to it in order to get those projects under way. The Government will no longer tolerate local government stalling the approval of these projects.

ICAC HEARINGS ALLEGATIONS AGAINST POLICE

Reverend the Hon. F. J. NILE: I ask the Attorney General, representing the Premier and Treasurer and Minister for Police, a question without notice. Is it a fact that the parliamentary Committee on the Independent Commission Against Corruption expressed great concern over the publication of allegations against particular members of Parliament before those allegations were fully examined for truth and substance and sought amendments to the Independent Commission Against Corruption Act? Will the Government ensure the same protection for members of the police force who may be accused by convicted murderers in prison such as Stanley "Neddy" Smith? Will the Government ensure Mr Temby conducts closed hearings of the ICAC until these allegations against police officers are fully examined to ensure fairness and justice for all accused police officers in the public interest so as to maintain police morale at a testing time of extreme pressure?

The Hon. J. P. HANNAFORD: The honourable member's question is timely having regard to the fact that yesterday the Independent Commission Against Corruption commenced public hearings in relation to a number of allegations which have been made involving criminal elements and members of the police force. It is appropriate for the House to recall, if I can paraphrase, the comments made yesterday by Mr Temby and the counsel assisting on a number of these allegations. The allegations are in the main from convicted felons. Therefore, to the extent that any reliance should be placed on those allegations, regard should be had to their source. As was indicated yesterday by counsel assisting, the commission will be asked to deal with those allegations with a degree of scepticism. It would appear from what is being suggested that the allegations will be

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pursued subject to corroboration from other sources. That is an essential element that needs to be put in balance by members of the House and, I hope, members of the media when they are commenting on matters that come out of this inquiry. The honourable member raised the matter of protection by the ICAC of persons against whom allegations have been made. Those who make comment should be tempered in those comments by the reality of the source of the allegations. The parliamentary committee has been addressing the matter of the manner in which evidence should be adduced before the

ICAC, and the Government is awaiting its final report in that regard.

As members of the House will know, concerned persons have the opportunity to appear before the commission and the commission may take certain evidence in closed hearings. It is understood that the names of a number of serving or former police officers are likely to be adverted to during the course of evidence. Some members of the police force have in fact already approached the Government through the Commissioner of Police for legal assistance in relation to their appearance before the commission. The approach which the Government generally takes in regard to such inquiries where allegations are made involving members of the public service is to be favourably disposed towards such applications for assistance, but that each one must be considered on its own merits. I am able to indicate to the honourable member that some five applications for assistance have been made by police officers. Those applications have been considered by me. Advice has been given to the Minister for Police indicating that authorisation has been given to those people to retain a solicitor to give them assistance in the preparation of their evidence before the commission. No doubt those who have been granted legal assistance will take advice from their lawyers about applications they are entitled to make for the suppression of their names or for any evidence against them to be given in closed session.

WESTFIELDS SPORTS HIGH SCHOOL

The Hon. PATRICIA FORSYTHE: I direct my question without notice to the Minister for Education and Youth Affairs and Minister for Employment and Training. Will the Minister inform the House about a new gymnastics school established at Westfields Sports High School? What is the purpose of the school and how will it benefit young people in Sydney's west?

The Hon. VIRGINIA CHADWICK: I thank the honourable member for her important question. Yesterday I had the pleasure, together with members of the Australian Institute of Sport, representatives of the general Fairfield community and supporters of public education in Sydney's southwest, of joining with the principal and staff of Westfields Sports High School in celebrating the opening of their new gymnastics school. Honourable members such as the Hon. J. R. Johnson may be familiar with the details of the sport of gymnastics but I must confess my own ignorance in that regard other than experiencing the awe felt by all when watching skilled gymnasts in action. It came as some surprise to me that young people who may have a strong future in gymnastics must be selected from the ages of five to nine. Expert staff have been appointed and young people from nearby primary schools have been selected to participate in the gymnastics school. The purpose-built gymnastics school at Westfields Sports High School is the result of a joint venture between the Australian Institute of Sport, my Department of School Education and Masterton Homes Pty Limited in Sydney's southwest. This project attests to the extraordinarily high reputation that Westfields Sports High School is developing. That school, since its establishment as a specialist sports high school only 12 months ago, has been inundated with entry applications from right across the State.

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The Hon. Franca Arena: How many children are at the school?

The Hon. VIRGINIA CHADWICK: Currently there are between 1,200 and 1,300 students at the school. Some of the students are children from the surrounding areas who are attending the general comprehensive school as of right, but about one in

four of the students who applied in the past 12 months for entry as specialist sports students can be accommodated. Yesterday I was thrilled to hear that the school, through the activity of interested parents and members of the community, is acquiring rowing sculls to add to the list of the many sports available at the school. It is most gratifying that Westfields Sports High School has a very strong academic record as well as a strong record in the area of student welfare. For those reasons it is an excellent all-round school which represents all that is good in our public education system. It was a great joy for me to visit Westfields Sports High School yesterday to witness the opening of this State's first gymnastics school at a public school - another dimension added to the sports reputation of that school - as a result of the joint venture by the Australian Institute of Sports, Masterton Homes and the department.

TOURISM INDUSTRY EXEMPTION FROM GOODS AND SERVICES TAX

The Hon. B. H. VAUGHAN: I direct my question without notice to the Minister for Planning and Minister for Housing, representing the Minister for Tourism. Is the Minister aware that Access Economics, the Australian Tourism Industry Association, the New South Wales based Australian Federation of Travel Agents, the New South Wales Regional Tourist Association, the Australian Hotels Association and Mr Jull, the Federal Opposition spokesman on tourism, all regard the exemption of the tourist industry from the goods and services tax as absolutely necessary for the survival of that industry? Does the Minister for Tourism accept the necessity for such an exemption?

The Hon. R. J. WEBSTER: I shall pass on the question of the Deputy Leader of the Opposition to my colleague and seek an answer as soon as possible.

"ROMPER STOMPER"

The Hon. ELAINE NILE: I direct my question without notice to the Attorney General, representing the Minister for Ethnic Affairs. Is it a fact that the controversial Nazi-style Australian film "Romper Stomper" is causing great concern amongst the Vietnamese and Jewish communities of New South Wales? Will the Government investigate this film and hold urgent discussions with the Ethnic Communities Council or Ethnic Affairs Commission concerning the immediate withdrawal of the film before it provokes the type of skinhead attacks depicted in the film on Vietnamese youth in New South Wales?

The Hon. J. P. HANNAFORD: I am not familiar with the film "Romper Stomper", but now that I have become aware of the film I shall draw it to the attention of the Premier and Minister for Ethnic Affairs and ask him to address the issues raised by the honourable member. I shall provide the honourable member with a response as soon as I can.

INJURED WORKER FINANCIAL ASSISTANCE

The Hon. Dr MARLENE GOLDSMITH: My question without notice is directed to the Attorney General, Minister for Industrial Relations and Vice-President of the Executive Council. Industrial accidents can cause people to suffer severe facial and bodily disfigurement, and many of these people suffer continuing trauma. Will the Minister outline what is being done to help injured workers financially while they undergo rehabilitation and seek re-employment?

The Hon. J. P. HANNAFORD: The honourable member has shown a considerable interest, particularly through her work on the Standing Committee on Social Issues, in the problems faced by people with disabilities. Those who suffer facial and bodily trauma, particularly as a result of industrial accidents, experience significant disabilities, and the WorkCover Authority has formed the view that those people need additional assistance. As a result of the excellent administration of workers' compensation by the WorkCover Authority, in particular as a result of improvements introduced by the Government, unlike other States New South Wales is in a position to be able to expand benefits to people in need. As a result of a review changes will be brought before the Parliament to provide additional benefits to people who suffer significant facial or bodily disfigurement. The proposals will give increased benefits to more than 3,000 people a year. Workers who have been injured since 1st February this year and are actively undergoing rehabilitation will have their rehabilitation entitlement period extended from 52 weeks to 104 weeks - a 100 per cent increase in the period during which they will be given support. During that period they will be able to continue to seek to obtain a job and take part in rehabilitation. A significant aim of the WorkCover scheme is to get people back into the work force.

People who have been injured and who are currently in receipt of benefits under section 40 of the Act will qualify for increased benefits. Approximately 3,265 injured workers are in this category. The Government will also look to significant changes to lump sum benefits. The maximum benefit for people who suffer severe facial disfigurement will be increased from \$33,462 to \$102,960. The maximum benefit for significant bodily injury will increase from \$28,314 to \$64,350. The increases are significant - almost a tripling. As I stated, the proposals emanate from a commitment by the WorkCover Authority to provide appropriate benefits. The review undertaken by WorkCover indicated that additional support should be provided to those suffering facial or bodily disfigurement. I think the House would applaud the increase in benefits effected by WorkCover and I trust that when the proposals come before the House they will be supported.

BEFORE AND AFTER PRIMARY SCHOOL CARE

The Hon. R. D. DYER: Did the Minister for Education and Youth Affairs send correspondence to all primary schools earlier this year encouraging parents and citizens associations to set up before and after school care facilities within their schools using school assembly halls and adjacent playgrounds for this purpose? Are some schools, without funding or fee relief availability and with no regulations, setting up substandard and poorly supervised before and after school care facilities because they cannot afford better? What precautions have been taken to ensure in particular the security of children from abduction when they are attending these BASC facilities at primary schools?

The Hon. VIRGINIA CHADWICK: I would like the opportunity to check what memorandum or letter was written. My recollection - I stress that I am just going from memory - is that at the time Federal funding was made available for before and after school care through the Department of Community Services. I seem to recollect that there was a request from the Department of Community Services as to whether there was any way that those who wished to set up before and after school care programs could

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have greater access to or an imprimatur for approaching schools. Whilst some schools were enthusiastic about community use of school facilities, others seemed reluctant or less excited about the prospect. I seem to recall giving encouragement to schools to facilitate this process if they were approached. I have no recollection of asking my

department to operate such services. The conduct of before and after school care is outside the core function of the Department of School Education. I have tried to the best of my ability to recall the circumstances, but it might be better if I were to check the precise details of the matter.

I certainly do not regard it as a function of the Department of School Education or its teachers to operate before and after school care. Rather, I would seek to facilitate community groups having access to such facilities. Before and after school care is often operated in classrooms or halls of schools and this is regarded as a legitimate and proper use of school facilities. Of course, they are not purpose-built for that. I do not think any community anywhere could justify the cost of purpose-built before and after school care buildings specifically to be used between 7 o'clock and 9 o'clock in the morning and 4 o'clock and 6 o'clock in the afternoon. It would be much better if existing school buildings could be used. I simply repeat that in terms of staffing levels and the like I suspect, but will check, that that is more a matter for the Department of Community Services than for the Department of School Education.

IRON GATES DEVELOPMENT PTY LIMITED

The Hon. R. T. M. BULL: Has the Minister for Planning and Minister for Housing had the opportunity to review comments made by the Hon. Jan Burnswoods regarding the Government's attitude to the proposed Iron Gates development at Evans Head? Have there been any developments in this proposal?

The Hon. R. J. WEBSTER: I have had the opportunity of reviewing the comments - may I say ill-informed comments - made by the Hon. Jan Burnswoods in my absence and I must say that, whilst I am not surprised, I am disgusted at some of the accusations that she made. I find them very offensive indeed. Her attempts to paint some sort of sinister picture in relation to this proposal are embarrassingly puerile and deficient. The honourable member criticised me for two matters that did not relate to my portfolio responsibilities and compounded her error by either deliberately or negligently getting the facts wrong. Of course, this is not the first time the honourable member has done this. First, I would advise her that the Department of Conservation and Land Management has advised that it is neither investigating nor has it received reports of any possible illegal bulldozing of Crown land by the developer. Rather, a public road has been excised from Crown land and the access road from Evans Head to the site was being constructed within it. In other words, it was the construction of a legal road. Because of the existence of the Aboriginal site the developer has proposed to reroute the public road.

On the second point, the National Parks and Wildlife Service has advised that it has not taken a decision not to prosecute for the partial destruction of an Aboriginal site. Rather, it is still considering the case and evidence in order to decide whether to prosecute. The honourable member has made two accusations against me which do not relate to my portfolio responsibilities. Contrary to the suggestion of the honourable member, a retrospective consent was not given. In fact, in view of the damage already done, consent was given for further work on the part of the site already worked. The restricted terms of this consent resulted in the developer's decision to reroute the road.

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The honourable member's suggestion that the Government condoned illegal work is ridiculous in that it presupposes that the Government could predict, before the outcome of two court cases, the final judgments. In fact, the outcome of each case was far from clear in advance.

In regard to the application for a section 136 order under the Heritage Act on the site, the resolution of the Heritage Council was quite clear. The council decided that although the habitat values of the site are recognised, they are not considered to be of such value as to warrant recognition as items of environmental heritage. The interim conservation order was not issued - that is, by the Heritage Council. The council further found that development should proceed in accordance with the recommendations of the flora and fauna consultants and that wildlife corridors should be established in the recommended locations and not be included within the allotments. The National Parks and Wildlife Service agreed with the Heritage Council recommendation, because there was no immediate threat to the site. However, the developer will require a licence from the National Parks and Wildlife Service and will have to prepare a fauna impact statement. The present position in relation to this development is that following the three-party out-of-court agreement of 1st October between Richmond River Shire Council, the developer and Lismore Greens, the developer is now preparing a new two-part subdivision proposal for the site. A development application for the first stage, a 110-lot residential subdivision, has already been lodged with the council. This development has had a long and tortuous history, which commenced when the Labor Government endorsed the rezoning in the Richmond River local environmental plan No. 3 of December 1983.

The Hon. D. J. Gay: Was that Bob Carr?

The Hon. R. J. WEBSTER: Possibly. It has been the subject of continued controversy and has resulted in the expenditure of an enormous amount of money and energy by the developer and the ratepayers of Richmond River shire with no results to date. If the honourable member were genuine, she would be seeking a positive and constructive resolution and not attempting to take advantage of the existing difficulties to play politics. I hope she will fully research this case and give full consideration to where the best interests of the local community lie. The environment can be protected and, at the same time, the additional housing space that the vast majority of the local population both need and want can be provided.

KANGAROO CULLING

The Hon. R. S. L. JONES: I ask the Minister for Planning and Minister for Housing, representing the Minister for the Environment, whether he is aware that the kangaroo population of New South Wales has crashed by 2.6 million in the 12 months ending July, as estimated by the National Parks and Wildlife Service from aerial surveys. Is it likely that the kangaroo population has crashed much further since then as the drought worsened after July and did not peak until September? Why then is the National Parks and Wildlife Service recommending a so-called cull quota of 1,663,000 for 1993, when that figure may well be 40 per cent of the entire kangaroo population at that time? Why is it necessary to have a cull at all when the kangaroo population has crashed so dramatically?

The Hon. R. J. WEBSTER: I have heard the Hon. R. S. L. Jones say some absurd things, but without doubt this is the most absurd. It is obvious that he has never crossed the Great Dividing Range. If he had, he would not make such a ridiculous statement. I and my colleagues in the Government make regular visits to the Western

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Division, and the truth is that the kangaroo population in western New South Wales is in plague proportions and has rendered much of the land in the Western Division useless for livestock and cropping. What is more, the overgrazing of the huge kangaroo population is leading to massive degradation of that area. It is no surprise to me that the National

Parks and Wildlife Service has recommended a record cull. So it should. To bring into this House that sort of nonsensical rubbish -

The Hon. R. S. L. Jones: This document sets out the facts.

The Hon. R. J. WEBSTER: I have been to the Western Division. Has the Hon. R. S. L. Jones been there? He would not know where it was. The kangaroo population in the Western Division is in plague proportions and is depriving hundreds, if not thousands, of hard-working Australian families of a living. Kangaroos are free to roam in national parks in the west of New South Wales. Families who have lived in the Western Division of New South Wales for five or six generations can tell the Hon. R. S. L. Jones a damned sight better than the National Parks and Wildlife Service or, indeed, any of his green mates just how many kangaroos there are in the west. They will say that there are more kangaroos in the Western Division of New South Wales than there has ever been since the white man set foot in Australia. On behalf of my constituents in the Western Division of New South Wales may I say that I will do everything I can to ensure that the record kangaroo cull is carried out.

PUBLIC SECTOR REDUNDANCIES

The Hon. Dr MEREDITH BURGMANN: My question without notice is to the Attorney General and Minister for Industrial Relations, representing the Premier. When the Premier promised jobs for Christmas, was he referring to the 750 State Rail jobs that have been cut as a result of the privatisation of maintenance work at Elcar and Chullora, or did he mean the 197 miners who will be put out of work as a result of the State coalmines at Newvale and Awaba being wound down and closed?

The Hon. J. P. HANNAFORD: It is interesting that the honourable member chooses to refer to the 750 State Rail jobs. Those particular jobs relate to the Elcar and Clyde workshops. The Government put out to tender a proposal for the operation and maintenance of those yards. The union movement submitted a tender for that operation. The left-wing members of the Labor Party are prepared to come into the other House and be critical of a proposal under which private operators will be allowed to run a facility, yet at the same time union members tendered for exactly that operation. What did they intend to do about the efficient and effective operation of those facilities? No doubt they intended to do exactly the same as any other operator - that is, attempt to run them at a profit. I am sure the Labor movement has no intention at all of inviting the Hon. Dr Meredith Burgmann to join Chifley Financial Services or any other union organisation being run by the union movement - and quite responsibly, I might say - for the benefit of their members. If those facilities can be run with a staffing ratio which is about 300-odd less than at present, one has to ask whether or not the taxpayers should be obliged to carry that feather-bedding. That is obviously the implication of the honourable member's question. It is clear from the tenders that were submitted that those facilities are being operated at present with significant feather-bedding. The question is whether or not the Government has an overall obligation to the community in that respect. The Government takes the view that it has such an obligation, that it should work with the union movement to avoid such feather-bedding. In this particular case the union movement, at least initially, was prepared to participate in such an approach by tendering to take over the operation. Having missed out on the tender, it now wishes to bleat about it. That shows little credibility for the union movement.

SHELL BULLI REDUNDANCIES

The Hon. Dr MEREDITH BURGMANN: I ask a supplementary question. What effect will today's announcement of 150 redundancies by Shell at Bulli have on Australia's worst State unemployment rate of 11.5 per cent?

The Hon. J. P. HANNAFORD: Obviously if Shell has terminated the employment of 150 people, 150 will be added to the list of unemployed in Bulli. One has to ask why. Industry generally, and, to the extent that it is affected, the coalmining industry in New South Wales, have been significantly impacted on by a number of financial decisions taken by the Labor Government in Canberra. The profits that have been generated in the past financial year are, to my recollection, at an all-time low in relation to total investments made.

[Interruption]

To the extent, therefore, that there is a problem in that area of the industry, it is directly attributable to Federal Government policies which have affected market forces, as the Hon. Judith Walker just said. There is no doubt that, if the honourable member bothered to talk to the people involved in those industries, she would be aware of the significant regret that persons have to be put out of work. One must ask whether those industries should be run as efficiently as possible - with the long-term aim that they will be able to recover and generate more jobs - or whether they should continue to be run the way the left-wing of the Labor Party would want them to be run, that is, into the ground, so that there will be no businesses left to recover when there is a change of Federal Government.

PRISONER ADAM SMART

The Hon. ELISABETH KIRKBY: My question without notice is directed to the Attorney General, representing the Minister for Justice and Minister for Emergency Services. Is it a fact that Adam Smart, who hanged himself in his cell in July this year, had been moved from the psychiatric ward of Long Bay gaol to the main prison only five days before he committed suicide? Is it also a fact that Adam Smart told a prison officer of his terror of being raped again in the main prison, and warned that he might try again to take his own life? Will the Minister confirm that at the time Adam Smart was moved there were only nine inmates in the psychiatric ward of the prison, which has room for 30? In view of the prisoner's depressed condition, why did prison authorities ignore the possibility of his suicide and move him out of the psychiatric ward where he was receiving treatment?

The Hon. J. P. HANNAFORD: I believe that all members of the House feel the same as the honourable member does, and as members of the Government certainly do, and have sympathy for the family of any person who takes his life, particularly in the circumstances of this particular case. The honourable member referred to a suicide in Long Bay gaol several days ago, which was, unfortunately, one of a number of suicides that occurred in a period of four to five days. The honourable member would be aware that the Minister for Justice has ordered a comprehensive inquiry, which, if my recollection is correct, will also include the necessary coronial inquiries into the deaths. I will convey to the Minister the honourable member's question to ascertain whether additional information can be made available to her, notwithstanding those inquiries.

ENTITLEMENTS

The Hon. J. H. JOBLING: Can the Attorney General advise what the Government is doing to assist totally and permanently disabled veterans in Newcastle who are seeking to establish pension entitlements with the Department of Veterans' Affairs?

The Hon. J. P. HANNAFORD: The honourable member resides in the Hunter Valley and has a keen interest in this particular issue. I am pleased to be able to inform the honourable member and the House that representations have been made to me on behalf of the Totally and Permanently Disabled Soldiers Association of Australia about the plight of some veterans who are experiencing difficulty in determining their pension entitlements with the Department of Veterans' Affairs. Having considered those representations in conjunction with the Legal Aid Commission, I am pleased to be able to indicate that the Legal Aid Commission proposes to implement a pilot program whereby advocates from the commission's veterans' advocacy service, which is normally located in Sydney, will visit Newcastle on a regular basis over the next six months in order to assess the extent of the need for assistance to veterans in that area.

Senior commission officers will shortly contact representatives of the veterans' organisations in the Newcastle and Hunter Valley area to advise of the details of that service. At the end of the six-month program consideration will be given to the appropriateness of employing a full-time veterans' advocate at the Newcastle legal aid office. The veterans' affairs service is one of the unique and valuable services provided by the Legal Aid Commission to those members of the community who, because of their age and circumstances, require guidance in dealing with their entitlements from the Department of Veterans' Affairs. I am pleased to have received the honourable member's inquiry in regard to this matter and more pleased that the Legal Aid Commission will be in a position to provide some service for that particular group of people in the Hunter Valley area.

STRATHFIELD-BURWOOD ESL CLASSES

The Hon. FRANCA ARENA: I ask the Minister for Education and Youth Affairs and Minister for Employment and Training: is it a fact that when it was announced that the Strathfield TAFE College was going to be closed, a promise was made that an annexe would be created in the Strathfield-Burwood area to cater for English language provision in the form of English as a second language and literacy classes? Is it a fact that now the 300 students from Strathfield will be required to travel to Bankstown, where there are already 400 students in classes and 600 on the waiting list? What does the Minister propose to do to make provision in the local Strathfield-Burwood area for the much-needed English and literacy classes?

The Hon. VIRGINIA CHADWICK: I thank the honourable member for her question and for her interest in Strathfield TAFE. As my colleague the Leader of the House said earlier, the Government is desperately keen to begin the construction program for the O-Ten open college of learning at Strathfield, but I must say has been thwarted at every turn by the local council. The difficulties that the Government has faced are, I think, best highlighted by the dispute about parking and the almost comic antics of council - they would indeed be comic if they were not so deadly serious. Council has passed the development application, and the TAFE officers who were observing the council meeting at that time went home, tired but happy, only to discover the next morning that, a couple of hours after they left, a rescission motion had been moved.

That has happened twice at council meetings, as the council has moved with absolutely amazing tortoise-like slowness to recognise the fact that the Government proposes to construct a college worth almost \$20 million. Think of the jobs, think of the training opportunities that \$20 million worth of construction would bring!

[Interruption]

It most certainly will not be ready for Christmas; the way that council is going we will be lucky if it is ready the Christmas after next. Indeed, given that it is largely Commonwealth capital works money, I hope the Commonwealth does not decide to offer the money to another State because New South Wales has not been able to spend it at Strathfield - which is something that may well happen. The attitude adopted by the council about the Strathfield proposal is farcical. For example, the Government proposes to construct an open college of learning. Distance education, by definition, means the students are not there, otherwise it is not distance education; it is open learning. Council, having agreed we could have about 70 car spaces for the staff who would be based there, now says, "It is a very large multi-million dollar TAFE college. You need 277 car parking spaces for students"; that is, for students, who by definition, will not be there. I have suffered a high level of anxiety about the construction program at Strathfield.

The other side of the coin is to ensure that students currently attending the college will not be disadvantaged. TAFE gave assurances, and those assurances are being met and followed. As the honourable member would be aware, the major and traditional focus of Strathfield TAFE has been textiles - weaving and work with materials of that nature; language programs for migrants are a subsidiary. Some students have already been advised of their placement. Such is the level of concern and care within the TAFE Commission that considerable time and effort has been expended on the future of seven students, who have almost completed their work but who need specialist work which is not available with the antiquated and run-down facilities at Strathfield. The national centre for excellence for the work that those students are undertaking is situated in Melbourne. Arrangements have been made for those students to complete their work, if necessary at the department's expense, at that centre. We have also worked hard to ensure that no English language study student is disadvantaged. By definition, a number of students currently attending the college will not re-enrol next year because they will have completed their course. No courses will be offered at Strathfield TAFE per se. Some students who have yet to complete their courses will attend Bankstown college. A number of students and staff have asked whether TAFE would be prepared to pick up the rent if they were able to find suitable accommodation within the Strathfield locality so that they could finish their course in the local area.

[Interruption]

We will find them a place; it is not a matter of waiting lists and I suggest that the honourable member should try to not unnecessarily scare people in this regard. It is not because they cannot get a place elsewhere, it is simply for geographic convenience. Because I am determined that no student will be disadvantaged, I have authorised those students to look for rented accommodation and TAFE will pick up the tab.

SYDNEY YEAR 2000 OLYMPIC GAMES BID

The Hon. L. D. W. COLEMAN: My question without notice is directed to the Minister for Planning and Minister for Housing. As the Minister responsible for the Olympic bid site, will he inform the House what benefits there will be for country New South Wales should Sydney win the 2000 Olympic Games bid?

The Hon. R. J. WEBSTER: I thank the honourable member for his question and for his continuing interest in one of the important Olympic sports - shooting. Country New South Wales is as much a part of the bid for the 2000 Olympic Games as Sydney is. I assure honourable members that everyone in New South Wales, indeed Australia, will share in the benefits that will result from hosting the world's greatest sporting and cultural event. Independent analysis indicates that the Olympic Games will result in a \$13 billion injection into the economy, create 35,000 jobs, and bring to Australia an additional 1.5 million visitors. When these visitors come to Australia they will not just stay in Sydney. They will use their time to explore the country, spending time and, more importantly, money in regional centres. The Spanish experience with the Barcelona Games was that cities and towns outside Barcelona benefited from the influx of thousands of tourists wanting to see the city and region as well as to watch the Olympic Games. We expect the same to happen here, especially when Australia has such a diverse, unique and interesting country to show off.

If Sydney hosts the 2000 Olympic Games, families from all over Australia, but especially New South Wales, will have the opportunity, on home soil, to see the world's best athletes compete. Until now only a few lucky Australians have been able to see the games live. The Government will ensure that people in country areas get to share in that opportunity. Special arrangements will be put in place to ensure that a significant share of the 4.5 million tickets available over the 16 days of competition will be held specifically for country people. Tickets will be split between Sydney, Newcastle and Wollongong, country New South Wales, interstate and overseas. If Sydney wins the bid for the 2000 Olympic Games, the events will be held in world-class sporting facilities which will remain for the use of everyone well after the games have finished. Already an international aquatic centre and international athletic centre are being built at Homebush Bay in Sydney, and these facilities will ensure that future champions from all over New South Wales will have the best facilities in which to train and compete. If the bid for the games is successful, additional facilities will be developed, including a huge 80,000-seat stadium. Importantly, all Olympic sports facilities will be paid for by money generated by the games.

The Olympic Games will not divert funds away from traditional government funding areas such as health, schools, transport and law and order. Money for the games will come from areas such as the sale of television rights, ticket sales, merchandise and sponsorship. A master plan for the games site is now under review. The key design features of the Homebush Bay master plan include a central pedestrian spine linking major sporting, showground, brick pit and waterfront areas. This will help make Homebush Bay a people's place, where it will be possible to walk between the different venues, through plazas and landscaped areas. The waterfront design is another major element of the design review. Three schemes have been developed which connect the major precincts with the waterfront. The Government's preferred option is the bay scheme, as it is the most environmentally sound and cost-effective. I am sure all honourable members support our Olympic Games bid. The prospect of hosting the games in the year 2000 is an exciting one not just for the people of Sydney, but for all the people of New South Wales.

BUILDING INDUSTRY TASK FORCE

The Hon. A. B. MANSON: I direct my question without notice to the Attorney General and Minister for Industrial Relations. Will the Minister direct the

building industry task force to investigate allegations of coercion by the Housing Industry
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Association in requiring building subcontractors to fund a \$5 million campaign, given that the campaign is totally biased politically and directed against the Federal Government's independent contractor legislation, which is designed to protect subcontractors?

The Hon. J. P. HANNAFORD: If a \$5 million campaign is being launched by the Housing Industry Association against the Federal Government, raising the issue of the impact that the Federal Government's contract legislation will have on the housing industry - and I have read in the newspapers that there is such a campaign - one would think the extent to which the association is colluding to bring that issue to the attention of the public is not a criminal offence. It is perhaps more a criminal offence that the Federal Government has proceeded with the legislation and the impact that it is having on the economy of the building industry. The honourable member referred to the building industry task force. I am pleased that he did. The function of the task force is to receive information on alleged criminal activity. If the honourable member at any stage is able to produce information which would suggest that there has been criminal activity in the building industry, I encourage him to make it available to the task force. I assure the honourable member that any such information would be diligently investigated. One of the things which the Government is quite adamant about - I have no doubt that the Hon. A. B. Manson would totally support the Government in this regard - is stamping out any suggestion of criminal activity or criminally-associated activity within the building industry. The task force is pursuing a quite commendable program in that regard. It is instrumental in moving that part of the industry, on both the employer and employee side, into a major cultural change. Such a cultural change has to be achieved. I am pleased that the honourable member is interested in the work of that task force and will continue to support the task force in its work by the provision of appropriate information to it.

In view of the time, I suggest that any further questions be put on notice.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 1992-93

Debate resumed from an earlier hour.

The Hon. B. H. VAUGHAN (Deputy Leader of the Opposition) [5.1]: The Fahey Government is industry negative. For example, the New South Wales tourism industry has been intentionally neglected. The tourism budget allocation for 1992-93 is down \$600,000 on last year's allocation and down \$2.5 million on the year before that. We might well contrast this decrease with the increases given by each other State Government, with the exception of Tasmania. The Government fails to see that the tourism industry represents the greatest potential for growth - greater than any other industry in New South Wales. The Government's negative attitude will cost the New South Wales economy and the tourist industry income and the opportunity to properly and fully develop into a prosperous export industry. The Federal Minister for Tourism, Alan Griffiths - the first tourism Minister in a Cabinet - released figures showing that tourism shopping earns the retail sector over \$1,000 million, a significant amount of which would be spent in New South Wales. Furthermore, as Minister Griffiths pointed out, if we encourage 10 per cent of Australians who travel overseas to holiday in Australia, that would translate into increases of \$416 million, at the least, and 7,500 new sustainable jobs.

It is interesting that the Minister for Tourism implicitly indicated to the Tourism Estimates Committee that he wanted the tourism budget substantially increased. I agree with that. Indeed, his predecessor wanted an extra \$10 million spent on tourism, but the Treasury concurrence was not forthcoming. Consequently, New South Wales benefits a great deal less from tourism than does any other State. I mentioned that broadly earlier, but I put specifically now that although in 1992-93 Victoria is spending \$42 million on tourism, and the Northern Territory is spending \$20 million, New South Wales is spending a paltry \$17.6 million. The Minister for Tourism must be embarrassed when he meets his interstate counterparts, especially when this State is seeking to win the Olympic Games for the year 2000. The Minister for Tourism, like the Premier and Treasurer, is refusing to comment on the disastrous Hewson policies. I asked a question a while ago about the tourism policy in this State having a great bearing not only on the future of this State, but on the possibilities of bringing more and more people to Australia should we win the games in the year 2000. The current debate on the adverse effects of the goods and services tax on tourism has reached a point where even the Queensland National Party has joined in against the Federal Opposition. In tourism there is only one absent voice in opposition to the GST - that of the New South Wales Minister for Tourism and the New South Wales Government.

On 23rd September I asked a question without notice of the then Leader of the Government in this Chamber about the adverse impact the GST would have on New South Wales tourism. He replied - it is in *Hansard* - by saying that he would treat the question with the contempt it deserved because it was a Federal matter. I then wrote to the Minister for Tourism for an explanation, indeed a repudiation, of what Mr Pickering had said. The Minister for Tourism, who is normally prompt at answering correspondence, has not responded to that letter; indeed, he has not acknowledged it. It has now been well over one month since I sent the letter to him. In the recent Tourism Estimates Committee I asked the Minister why he had not replied to it, but again he refused to comment. The Minister knows that the New South Wales Treasury and Dr Hewson will destroy tourism in this State. Indeed, my position has been vindicated by a letter to the *Australian Financial Review* of 12th November, 1992, from Geoffrey H. Lipman, the President of the World Travel and Tourism Council, located in Brussels, Belgium. The letter states:

SIR, Australia would be shooting itself in the foot if it were to impose GST on tour packages pre-purchased by foreign visitors.

Your country has been ahead of the pack in recognising the enormous value of travel and tourism and in vigorously promoting your country abroad. As a result, tourism has become the leading export and foreign exchange earner for Australia, creating thousands of new jobs, investment and tax revenue. This "tourism economy" is expected to account for some 200,000 new jobs by the end of the decade.

I remind the House that this gentleman is writing a letter from Belgium. The letter continues:

But competition for tourism is hotting up.

The President of the US has a TV ad airing in Europe and Asia, inviting visitors to his country. Japan is starting a programme to attract 10 million inbound travellers. Indonesia, Singapore and China are all aboard the tourism bandwagon. Traditional destinations in Western

Europe are stepping up promotion.

The fact is, more and more governments are recognising that tourism is an invaluable export. Airline seats, hotel rooms, restaurant meals and merchandise bought by overseas visitors all boost trade balances and stimulate domestic economies. They are "exports" even though the purchaser takes delivery of the product in Australia rather than abroad.

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Taxing tourism, like taxing any other export, will increase its costs and reduce its competitiveness. Tourism demand is sensitive to costs.

Proponents of implementing a GST system should not give special treatment to international tourism.

But, like all other exports, exports of tourism packages should be zero-rated. That's your best bet if you want to cut foreign debt.

For New South Wales to gain jobs and income from tourism, it is imperative that the Government give leadership to the NSW Tourism Commission. In so doing, the first task of the Government ought to be the implementation of a far-reaching inquiry into the operation of the Tourism Commission, along similar lines to the Kennedy inquiry into the Northern Territory Tourism Commission, which was completed several months ago. The Government must act and it must act now. I have suggested that the NSW Tourism Commission ought to close its overseas offices and concentrate more on co-ordinating tourism development in New South Wales. The Parramatta Tourist Information Centre, in a letter to the honourable member for Parramatta dated 9th November, 1992, openly criticised the Government for its erosion of support for regional tourism. The letter stated:

It was resolved at the Parramatta Promotional and Tourist Centre Board Meeting held on Saturday 7th November, that we write to you regarding the tourism funding in New South Wales.

The Parramatta Promotional and Tourist Centre has viewed with considerable concern the erosion of support for regional tourism in New South Wales.

In the period when the Federal Government is actually increasing expenditure on tourism marketing and promotion, it is appalling that New South Wales is doing little more than maintaining the status quo.

Equally, in a business that is so competitive it is courting disaster to provide the State's tourism authority with a budget fifty per cent less than our close rival, Queensland.

Specifically the New South Wales Government must inject substantial funds into regional tourism.

The tied subsidy has basically remained unaltered for five years.

It would be appreciated if you make known our concerns to the Minister for Tourism. A potential stimulation of the tourism sector would be most welcome.

That letter is signed by J. Mantle, Tourist Officer of the Parramatta Tourist Information Centre. The small business sector has also felt the brunt of the Government's indifference. The Government, despite what honourable members opposite have said, is

not friendly to small business. Why did the Government abolish the Department of Small Business in the first place? Why is the Government winding back staff and services offered by the small business unit within the Department of State Development? New South Wales requires a government that is sympathetic to the plight of small business and will facilitate the growth of small business. The New South Wales Government ought to have done what the Western Australian Government did in its Budget: give real reductions in government charges and imposts to all small businesses and create a department of small business headed by a senior Cabinet Minister. Further, New South Wales ought to have done what the Queensland Government has done: establish a Small Business Development Corporation.

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The Minister for State Development, through his adviser on small business, agreed during the recent Estimates Committee on the Department of State Development that the department had spent only \$49,000 on small business services. It would appear that this inadequate sum paid the wages, or part thereof, of those who worked in the unit, and that no money was spent on small business last financial year. The Minister for State Development agreed further that his department had spent \$383,000 on entertainment. The Minister was churlish when questioned about what was included in this amount; he refused to answer questions about it. I strongly suggest that the Premier direct the department to wind back its entertainment budget, which is estimated to be around \$500,000 for this financial year, and to use this money to fund vital services for small businesses, particularly those of an advisory nature. New South Wales, however, must do more than the other States. We ought to be aggressive in protecting and facilitating small business, which is the largest single employer sector in this State, accounting for about 95 per cent of employment. How can any government ignore this most important base? The official journal of the Australian Medical Association, *Australian Medicine*, reported on 5th October, 1992, the following resolution passed by the Australian Medical Association:

[The] executive council has agreed that any patients treated in private hospitals should be recognised by their doctors as private patients for both professional services and professional fees.

I raise this matter in the context of social services because that statement explicitly contradicts the claim of the Minister for Health that all people will be treated equally under any health privatisation policy as it relates to a hospital. It is clear that the people of New South Wales - for example, the people of Port Macquarie - will not be treated equally under a Fahey hospital system. The less well off will not be treated, because they will not have the cash to pay for the services of doctors. One might ask whatever happened to the notion that a doctor went into his or her profession to serve people? The Government and the economic rationalists who promote privatisation in any form have deliberately lied about the state of the public sector. The claims are that the public sector is inefficient and therefore should be sold to the private sector because the private sector knows how to provide services. They are very simplistic arguments. They ignore the economic reality that equity to debt ratios in the public sector are much higher than in the private sector. They are silent on the fact that the public sector is in a far better position than the private sector to make huge financial gains when the economy improves.

I believe that Treasury has deliberately lied to the taxpayers of New South Wales about the true state of the public enterprises which the State owns in an attempt to gain public approval in selling off public assets. Let me illustrate this with reference to New South Wales water utilities. Professor Bob Walker, a leading public sector finance

analyst from the University of New South Wales, has recently published statistics on the viability of the water utilities. He has found - and the Government is unable to find fault with his methodology or conclusions - that net profit per employee was \$52,000, compared with the net profit of \$6,577 per employee of the 500 listed public companies. This latter figure comes from the report, "Australian Stock Exchange Profitability Study 1992". One does not have to be a professor to read that; the Minister for Planning could read it. Indeed, Professor Walker has found that Treasury and the Economic Planning Advisory Council stated that the water authorities earned a rate of return on equity last year of 4.74 per cent when in reality the authorities earned 15 per cent. The Stock Exchange listed the public company figure at 4.5 per cent. The current debate on privatisation is based on deception driven by an irrational agenda. Privatisation is irrational and anti-social. It is an absolute denial of our historical being because, as Hawker said in his book entitled *The Parliament of New South Wales, 1856-1965*:

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From the beginning, colonists had looked to the State to guarantee their security and the growth of their prosperity. The lack of local capital, the absence of protection from local hazards, the necessity for exploration and the maintenance of distant settlements and the need to foster local trade and production forced the colonial government to assume functions that in a richer and more compact community might have been left to private initiative. The "State socialism" of the Australian colonies in the 1890's was characteristic of a people accustomed to government, and accustomed to a share in running it.

I reiterate a point I made earlier: debate on the Budget has lacked real substance. It appears to me that the Government refuses to debate the real issue. It has refused to turn its mind to the purpose of government. This is the Fiftieth Parliament of New South Wales, and members ought to be asking what they are here for and what is the purpose of Government. Once honourable members have contemplated this question, they will see how they have been misled by the economic rationalists who control government through the Budget. We need to challenge and influence the Treasury officers in our system and we need to govern for the common good. Pope John Paul II states in his dictum that the common good cannot be served "unless appropriate attention is given to the ethical and moral dimension of economic, social and political questions".

I have a devoted interest in the New South Wales Parliamentary Library. For the past 10 years, the Budget Papers have revealed an erosion of financial support for the library, but, at last, the 1992-93 allocation has reversed this trend. The library's allocation has been increased by \$412,000. However, the Government did not freely grant the increase. The increase was forced upon it by the three Independents in the other place, pursuant to the memorandum of understanding signed between them and the Government. That memorandum of understanding made provision for "improved resources for the Parliamentary Library including the establishment of a bills digest and research services which are to be available to all members . . . to provide background papers and other material for general distribution, or to discuss specific issues in greater detail with individual members". Let it not be forgotten that for the past decade, that I am aware of, this outstanding addition to the library's services had been striven for by Dr Cope, the former Parliamentary Librarian, by Mr Richard Baker, deputy librarian, by Dr David Clune, and by Mr Greig Tillotson. Those gentlemen must be elated at the establishment of a bills digest research service. It would be appropriate for me to say that Messrs Baker, Clune and Tillotson have been of inestimable assistance to me and many other members during the 11 years I have been a member of the Legislative Council. I dare say that the Fiftieth Parliament will be remembered for many things; I predict that one of them will be the establishment of the bills digest and research service.

The Hon. R. J. WEBSTER (Minister for Planning, and Minister for Housing) [5.22], in reply: The budget estimates and related papers have been the subject of five weeks of wide-ranging debate by all sides of Parliament, and Government members have ably responded to contributions made by other honourable members. Also, for the second year in a row the Estimates have been subjected to the closest scrutiny by the parliamentary estimates committees. In the light of the long debate that has occurred, I simply commend the Budget Papers.

Motion agreed to.

DISTINGUISHED VISITORS

The PRESIDENT: I draw to the attention of honourable members the presence in my gallery of distinguished visitors Mr Nooroa Samuel, M.P., and Mr Mariri Paratainga, M.P., of the Parliament of the Cook Islands; the Hon. Reverend Caleb Kotali and the Hon. Nathaniel Waena, M.P., of the Parliament of the Solomon Islands; and Mr Rotaria Ataia, M.P., and Mr Timbo Keariki, M.P., of the Parliament of Kiribati.

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These distinguished members of their respective Parliaments are currently visiting this Parliament as part of the Pacific Regions study tour by the Commonwealth Parliamentary Association. On behalf of honourable members I extend to them a most warm welcome to this Parliament.

BAPTIST CHURCHES OF NEW SOUTH WALES PROPERTY TRUST (AMENDMENT) BILL

Second Reading

The Hon. J. P. HANNAFORD (Attorney General, Minister for Industrial Relations, and Vice-President of the Executive Council) [5.25]: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The purpose of this bill is to amend the Baptist Churches of New South Wales Property Trust Act 1984 in relation to the powers of the Baptist Churches of New South Wales Property Trust and for other purposes.

The Baptist Union of New South Wales was originally incorporated by statute in 1919. In 1984 the Baptist Churches of New South Wales Property Trust Act 1984 constituted the property trust as a separate body corporate with the power to acquire property and administer certain trust funds.

Over the succeeding years it has become apparent to the Baptist denomination that a number of amendments to the Act would be desirable. The Annual Assembly of the Baptist Union of New South Wales in September 1991 resolved to request the amendments that are incorporated in this bill.

With this background in mind, I now turn to the provisions of the bill.

The proposed amendments extend the powers of the trust to expressly include the power to mortgage or charge property, to borrow money, deal with negotiable instruments and to act independently of any direction by bodies such as the executive committee of the Baptist Union or the Assembly in the determination of capital and income.

The bill provides for the exercise by the Baptist Union of functions in relation to the trust property of dissolved district associations and other church organisations.

The bill removes the power of a Baptist Church or district association to direct the central trust to retire as trustee in respect of property owned by that church or association. However, transitional provisions have been included in the bill which will cover the situation where a church or association is currently in the process of replacing the trust but has not yet completed that process.

The amendments will also restrict the operation of the Associations Incorporation Act 1984 relating to the vesting of property.

The effect of that amendment is that where property is held by the property trust on behalf of an association incorporated under the Associations Incorporation Act, the assets will remain with the property trust and no assets will be transferred to the incorporated body.

The bill has been prepared in accordance with the government's policy of assisting churches to better administer their temporal affairs. The provisions of this bill are consistent with the approach taken in other property trust legislation.

This bill will assist the Baptist Churches to further their religious and charitable dealings.

I commend the bill.

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The Hon. R. D. DYER [5.26]: The Opposition has great pleasure in supporting the Baptist Churches of New South Wales Property Trust (Amendment) Bill. With the assistance of the staff of the Parliamentary Library I have researched the history and doctrines of the Baptist church. The historical background of the Baptist church is quite interesting, especially its history in this country and in New South Wales in particular. Robert Humphreys and Rowland Ward, in their book *Religious Bodies in Australia*, set out what might be taken as a brief description of the Baptist church. They wrote:

The distinctive mark of Baptist churches is their belief that each local church consists of regenerated believers who have been baptised following the confession of their faith. Accordingly, such churches are congregational in church government, and are opposed to infant baptism. With few exceptions, they baptise by total immersion, believing this to be the only valid method.

The *Oxford Dictionary of the Christian Church* describes the Baptist church as one of the largest Protestant and Free Church communions, to be found in every continent. The total membership of the various Baptist churches by 1968 was estimated to be about thirty million, with a community strength - those other than formal members of Baptist churches - at least three times that number. The Baptist church and its adherents trace their origins in modern times to the actions of John Smyth, a separatist exile in Amsterdam, who in 1609 reinstituted baptism of conscious believers as the basis of

fellowship of a gathered church. Baptist origins, however, have also sometimes been traced through the Anabaptist wing of the continental reformation to the protests of various medieval sects against prevailing baptismal theory and practice. Baptists claim to trace their origins back to the early days of the Christian church and indeed to new testament times.

The Hon. J. R. Johnson: Who does?

The Hon. R. D. DYER: The Baptists. I ask the Hon. J. R. Johnson to remain calm. Shortly I shall quote from the *New Catholic Encyclopedia* and that might make him feel more comfortable. Smyth and his associates were concerned to re-establish the rite of baptism according to its New Testament meaning and in accordance with the doctrine of the true nature of the church. The first Baptist church in England comprised certain members of Smyth's church who returned to London from Amsterdam in 1612 under the leadership of Thomas Helwys. From this church, established in 1612, a number of other churches sprang up in Stuart and Commonwealth times in Britain. It is interesting to note - I am relying on the *Oxford Dictionary* of the Christian Church - that many Baptists were associated with the more radical spiritual and political movements of the seventeenth century. They were pioneers in pleading for freedom of conscience and religious liberty. After the Restoration in Britain, Baptists moved closer in spirit to the Presbyterians and Independents and became recognised as one of the three denominations of Protestant dissenters. An outstanding figure among Baptists in Britain was John Bunyan, the author of *Pilgrim's Progress*. He was important not only for his writings but also because he stood for local church fellowship, which should include Baptists and Paedobaptists.

From the middle of the seventeenth century Baptist churches were established in the American colonies. The inception of the Baptist church in the United States is believed to have been the settlement of Roger Williams at Providence, Rhode Island. The church formed there in 1639 on Baptist principles is generally regarded as the beginning of American Baptist history. The House would probably be aware that the various Baptist churches in the United States are a very large denomination indeed. As a result of the early missionary zeal of the Baptists in the United States, particularly the expansion of the population westward across the United States, Baptists became the

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largest religious community, particularly in many of the southern States, and by the year 1968 there were some 26 million Baptists in North America. In the United States they are organised in four conventions. The southern Baptist convention is numerically the strongest and also the most conservative of the four main Baptist churches in the United States. The American Baptist convention and two negro Baptist conventions are the other three. More than 66 per cent of total negro church membership in the United States belongs to the Baptist church.

In Britain there are 285,000 church members organised into 3,300 churches, with nearly 2,000 ministers. So the House will appreciate that among Protestant denominations the Baptist church is certainly important, not least in this country as well. I promised that I would calm down the Hon. J. R. Johnson by quoting from another authority, the *New Catholic Encyclopaedia*. I rely on this publication to describe some of the doctrinal beliefs of the Baptists. The encyclopaedia mentions the doctrine of the church that originally impelled Baptists to form a distinct denomination. They share with other Christians a belief in the Holy Catholic Church - catholic meaning universal - but they differ from most of their contemporaries in other churches regarding the visible manifestation of the church. The *New Catholic Encyclopaedia* states that most churches were territorial, indiscriminately embracing all believers within a given area, regardless

of spiritual qualifications. Baptists, however, on the contrary hold that membership in visible churches should be limited to those who are members of the true people of God. While they conceded the impossibility of ascertaining perfectly who belonged to God's elect people, they believed that there were signs that indicated whether a person was truly regenerate. Therefore, applicants for membership were required to relate their experience of God's grace before the entire congregation.

The Hon. D. F. Moppett: Basically the Baptist church is the foundation of the Pentecostal movement.

The Hon. R. D. DYER: Yes, it could be said to be the foundation of the Pentecostal movement, although the Pentecostal movement now is very much wider than the Baptist church.

The Hon. Elaine Nile: You do not want to let the Baptist denominations hear you say that.

The Hon. R. D. DYER: I suppose the Pentecostals could be said to have progressed beyond the Baptists. I agree with what the Hon. Elaine Nile has just said. When the congregation is convinced of the authenticity of the testimony the church approves the person for baptism. Once the member is accepted into the congregation that person accepts what the *New Catholic Encyclopaedia* describes as covenant obligations and from that time on is subject to the discipline of the congregation. The publication to which I am now referring also mentions that the Baptists are not perfectionists but they do expect sincere commitment and an earnest attempt to be obedient to Christ. Another attribute of the Baptists is that they place great importance upon each local congregation. That is manifested here in New South Wales and throughout Australia. The Baptists deny that the universal church is embodied in a single concrete institution. They insist that it is visible primarily within particular congregations. They say that to every - what they would describe as - gathered church, authority is given to order its own affairs under the headship of Jesus Christ. All members are expected to participate in the worship and in the church meeting and a strong emphasis is placed upon the local congregation. Nonetheless, that emphasis is balanced by the need for and a recognition of fellowship with other churches and for co-operation in common concerns. That is manifested in

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New South Wales in the various local Baptist congregations having an annual meeting referred to as the Assembly of the Baptist Union of New South Wales.

The final matter I would refer to relying on the *New Catholic Encyclopaedia* in describing the beliefs of the Baptists is that in connection with their concept of the church and the church organisation to which I have just been referring Baptists have a strong conviction regarding religious liberty. They believe that congregations of disciplined Christians are a sensitive instrument for seeking the guidance of the Holy Spirit and they insist that they should be free to obey the Lord's will. They oppose interference from outside authorities, whether civil or ecclesiastical. Therefore, the Baptist church, unlike some other churches, does not have a settled, ordered hierarchy of bishops, archbishops and so on. The last aspect I shall refer to in giving a background of the Baptist church is the history of the church in Australia, in particular in New South Wales. Alan C. Prior, in his book *Some Fell on Good Ground*, mentions that the first Baptist service in Australia was conducted in the most surprising place.

The Hon. J. P. Hannaford: Particularly surprising.

The Hon. R. D. DYER: Yes. It was held on 24th April, 1831, in the Rose and Crown Hotel, which then stood at the southeast corner of the intersection of Castlereagh Street and King Street, Sydney. The licensee of those premises was one William Toogood. True to his name, he permitted the premises to be used for divine worship by the first Baptist congregation in New South Wales.

The Hon. D. F. Moppett: So there was some room at the inn.

The Hon. R. D. DYER: Yes, indeed, there was some room at the inn. It is interesting to note that the site of the Rose and Crown Hotel was the terminus of the Sydney to Parramatta stagecoach. Subsequently, the site was occupied by the *Daily Telegraph*, after that by the Savoy Hotel and today a building known as the Trust Building stands at the corner of Castlereagh Street and King Street, Sydney. In an issue dated 27th April, 1831, the *Sydney Monitor*, a publication that obviously no longer exists, under the heading "Domestic Intelligence" - perhaps that was the nineteenth century equivalent of the "Stay In Touch" column - carried an item to the effect that a Mr McCabe - which in fact was a misprint; it should have been a Mr McKaeg - had commenced preaching in the long room of the Rose and Crown Inn, Castlereagh Street, Sydney. The item went on to say, "On Sunday last a few persons of the Baptist persuasion attended". Mr Prior, in the book to which I am referring, *Some Fell on Good Ground*, mentions that the service was in fact conducted by the Reverend John McKaeg, to whom I have just referred, and he was of Scottish extraction. The name McCabe, I suppose, would suggest Irish extraction, but as I have said that was a misprint.

The Hon. B. H. Vaughan: There are more Scots than Irish with that name.

The Hon. R. D. DYER: I am content to say that it was a name of Celtic background, be it Scottish or Irish. Some time after that first service at the Rose and Crown Hotel, of which there is an attractive illustration in the history to which I am referring, moves were made to establish a permanent Baptist Chapel. His Excellency the Governor was approached and he made a grant of land for that purpose in Bathurst Street, Sydney.

The Hon. J. R. Johnson: It is now a Chinese temple.

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The Hon. R. D. DYER: I am not sure precisely what is on the site at present, but the Baptists moved from their Bathurst Street site to their present site, the Central Baptist Church in George Street, Sydney, some considerable time later. On 20th August, 1835, the *Sydney Herald*, as it was then known, mentioned that members of the public had been invited to contribute to the cost of the Baptist Chapel in Bathurst Street, Sydney, and that there was a substantial response to that appeal. The *Sydney Herald* recorded gifts amounting to £281 12s. On 26th September, 1836, the same paper acknowledged the sum of £232 19s. 5d., which appears to be additional to the earlier figure. In any event, the chapel was completed and furnished and was ready for occupation within a period of about 10 months. The opening ceremony occurred on Friday, 23rd September, 1836. The *Sydney Herald* gave an account of the opening service of the Baptist Chapel, and I will quote a short passage from that account:

This Chapel, capable of accommodating about 400 hearers, was open for divine worship on Friday the 23rd inst. In the morning the Revs. William Crook, Saunders, and Mansfield took part in the service, and the Rev. W. Jarrett preached a very able discourse from Zech. 4, the tenth verse: 'Who hath despised the day of small things?' In the evening the service was opened by the

Rev. R. Mansfield who gave out a hymn and read a portion of Scripture; the Rev. J. McKenny engaged in prayer and the Rev. J. Saunders, the minister of the Chapel preached to a numerous and attentive congregation from Num. 23/23: 'According to this time it shall be said of Jacob and Israel, what hath God wrought.'

The collection amounted to £44 which together with £440 previously subscribed and paid, will amount to £484. By a statement made by Mr. Mansfield in the morning, it appears that a few friends agreed to build a chapel in the month of March, 1832, and that in September of that year, on applications to His Excellency the Governor, the piece of ground upon which the Chapel is erected was liberally and cheerfully granted.

In the historical account I have given of the building of the first Baptist Chapel in Bathurst Street, Sydney, it is interesting to note that the site was obtained from the Crown by grant from the Governor. It would appear that that was repugnant to the Baptist principle of complete separation of church and state, which was and remains an important principle. However, the practice of making grants of land and money to all of the churches in the then colony was a common one. Grants were made to the various denominations.

The Hon. J. R. Johnson: Lachlan Macquarie gave the Catholics the town dump.

The Hon. R. D. DYER: The Catholics must have done considerably better in more recent times because St Mary's Cathedral -

The Hon. J. R. Johnson: It was the town dump.

The Hon. R. D. DYER: It might have been the town dump but I imagine it is now a very valuable site within the city of Sydney. In any event, the point I am making is that the Governors of the time made grants of land, and money for that matter, to various churches, including the Baptist church and the Catholic church. In those years that state assistance extended in some cases to the payment of the stipends of Ministers of various denominations. Other forms of assistance were also given. That is all I wish to say regarding the historical background of the doctrines of the Baptist church. The bill before the House has the wholehearted and enthusiastic support of the Opposition. It has been the policy of successive governments to assist various denominations to suitably order their temporal and property affairs by enacting property trust legislation. The principal Act, the Baptist Churches of New South Wales Property Trust Act 1984, was

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enacted, as the honourable members will appreciate, during the period of office of the previous Labor Government. It was the policy of that Government, as it is the policy of this Government, to enact trust legislation, at the request of various church bodies and denominations when it is suitable to them, so that they can more appropriately and readily deal with their property holdings, on which not only their churches are erected but also various other institutions such as homes for the aged, orphanages and so on. All churches engage in activities of that sort, including the Baptist Church.

My colleague in another place, the shadow attorney general, Mr Whelan, took the trouble to communicate with the general secretary of the Baptist churches in New South Wales, the Reverend Bruce Thornton, who indicated to Mr Whelan that the bill does indeed have the full support of the Baptist Union of New South Wales. In correspondence which he forwarded to Mr Whelan, Reverend Thornton indicated that in 1919 the Baptists in New South Wales first asked for legislation to assist with property matters, leading to the Baptist Union Incorporation Act of that year. In 1984 the

principal Act, to which I referred a moment ago, the Baptist Churches of New South Wales Property Trust Act, was enacted during the period of office of the previous Labor Government. Reverend Thornton mentioned in his correspondence to the Opposition that that had the desired effect of separating property and trustee activities from the Baptist Union, which could then concentrate on the spiritual affairs of the church. However, it has become apparent over the past eight years or so that several anomalies exist in relation to the practical application of the legislation, and the bill before the House seeks to remedy those anomalies. The bill is a very simple one. I do not think it necessary to outline its particular provisions, which are referred to in the Minister's second reading speech, which has been tabled for the benefit of all honourable members. Suffice it to say that the Reverend Bruce Thornton, the general secretary of the Baptist Union, has requested that all honourable members, notwithstanding their particular party affiliation, support the bill.

The Hon. J. R. Johnson: You have convinced me.

The Hon. R. D. DYER: If I have convinced the Hon. J. R. Johnson, I must have put forward a most persuasive case. With those few short words, I indicate the Opposition's support for this bill.

The Hon. ELAINE NILE [5.53]: Call to Australia supports the bill, the Baptist Churches of New South Wales Property Trust (Amendment) Bill. One of the most well-known Baptists, of course, is the Reverend Dr Billy Graham, who is known worldwide, especially for the work he is now doing in Russia. If I had not been a non-conformist Congregationalist, I would have become a Baptist. Over the years we have visited many Baptist churches. We support their outlook in reaching out to new settlements in new areas, whether it be a cottage church or whatever; the Baptists are to the fore, bringing the gospel of the Lord Jesus Christ to the people. It gives us much pleasure to support the bill.

The Hon. J. P. HANNAFORD (Attorney General, Minister for Industrial Relations, and Vice-President of the Executive Council) [5.54], in reply: As a person whose father was once a trainee Baptist minister, I have to say that I listened with great interest to the Hon. R. D. Dyer's commentary on the history of the Baptist church in New South Wales. I am pleased that his reading of that history convinced him to support the legislation. I am pleased that the support of other members has been forthcoming, and I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

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LEGAL PROFESSION (AMENDMENT) BILL

Second Reading

The Hon. J. P. HANNAFORD (Attorney General, Minister for Industrial Relations, and Vice-President of the Executive Council) [5.55]: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The purpose of the Legal Profession (Amendment) Bill is to validate decisions of legal profession disciplinary bodies, in light of the decision of the Court of Appeal in *Knaggs v. Solicitors Statutory Committee and Anor*.

The decision in that case was handed down on 26th August this year and concerned disciplinary proceedings brought under the Legal Practitioners Act 1898.

Pursuant to section 75 of that Act the Solicitors Statutory Committee was constituted for the purposes of hearing charges of professional misconduct against solicitors. In *Knaggs* case the committee was constituted by four members who participated in meetings and prepared statements and an order in relation to the particular matter. However, the order was subsequently made public by a committee constituted by different members to those who had initially heard the matter.

In considering *Knaggs* case the Court of Appeal held that inferior statutory courts and tribunals of limited jurisdiction are required to conform strictly to procedures established by their enabling legislation.

Therefore, where the membership of a committee is varied before its functions relating to a particular case are completed, and the enabling legislation does not expressly allow for such a variation, orders made by the committee may be invalid. This was held by the Court of Appeal in *Knaggs* case.

I am advised that a large number of orders have been made by the statutory committee under the 1898 Act and by the Professional Standards Board and the disciplinary tribunal under the current Act, where the committee or tribunal pronouncing the order is constituted differently to that which determined the order. It may be that the order can be ruled invalid by application of the principle in *Knaggs* case. It is therefore necessary to pass legislation to validate these decisions and to prevent litigation aimed at having these determinations declared invalid.

Additionally, to avoid the situation arising in future, it is proposed to amend the Legal Profession Act 1987 to provide that determinations of the tribunal or board are not invalid simply because the constitution of the tribunal or board at the time of pronouncement of the determination is different from the constitution of the body which made the actual determination.

I commend the bill to the House.

The Hon. B. H. VAUGHAN (Deputy Leader of the Opposition) [5.56]: The Opposition supports the Legal Profession (Amendment) Bill. The object of the bill is to amend the Legal Profession Act 1987 as a consequence of the decision of the New South Wales Court of Appeal in *Knaggs v. Solicitors Statutory Committee and Anor*, No. 2. The judgment was delivered on 26th August last. There is a degree of retrospectivity in the legislation, which is something that is very inimical to the common law. However, it seems to be increasingly difficult to avoid having to fall back on retrospectivity. The important thing is that the purpose of the bill is to ensure that the highest professional standards are maintained within the profession, and nobody can be opposed to that, including those of us who are solicitors.

The Hon. ELISABETH KIRKBY [5.57]: The Australian Democrats support the Legal Profession (Amendment) Bill which, as has already been pointed out by the

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Deputy Leader of the Opposition, amends the Legal Profession Act 1987. As he also explained, the bill is a consequence of the decision of the New South Wales Court of Appeal in *Knaggs v. Solicitors Statutory Committee and Anor*, delivered on 26th August. In that case the Court of Appeal found that an order for the Solicitors Statutory Committee under the Legal Practitioners Act 1898 was invalid because the committee, in contravention of the Act, was constituted by a membership at the time of the pronouncement of its determination different from its membership at the time of making its determination. The Solicitors Statutory Committee is constituted under the now repealed Legal Practitioners Act 1898 for the purpose of hearing charges of professional misconduct on the part of solicitors. Although it was not explicitly stated, it was ruled that the Legal Practitioners Act 1898 required that the committee constituted for the purpose of hearing a case and making the necessary order must be the same committee that makes this order public. That would be extremely inconvenient, and it is quite obvious that the principles of justice would not be breached if the constitution of the committee differed between the making of the determination and its announcement to the public. In fact, in the particular case brought before the Court of Appeal one member of the original committee had died and the terms of another two of the four original committee members had expired. It was a totally unforeseen and totally innocent circumstance.

The usual practice of the Solicitors Statutory Committee was for the statement of written findings and orders in any particular matter to be pronounced by the members of the committee assembled for that purpose on the day that the statement of written findings and orders was to be delivered. There is no clear provision for this in the Legal Practitioners Act 1989, and the common law requires that courts and tribunals of limited jurisdiction established by statute must adhere strictly to the formalities required by law. This is a most important principle. However, in this case it is clear that the provisions of the Legal Practitioners Act 1898 should be amended. It is obvious that Knaggs' submission is essentially a technical one and was acknowledged as such by the Court of Appeal. Therefore, in order to ensure that the many orders made by the Solicitors Statutory Committee, the Professional Standards Board, and the Legal Profession Disciplinary Tribunal are under the current Legal Profession Act 1987, the bill makes the following provisions: determinations by the Solicitors Statutory Committee, the Legal Profession Standards Board and the Legal Profession Disciplinary Tribunal will be valid even though they may have been differently constituted at the time of announcement of a determination and the time of making the determination. The sole exception will be the determination and order, the subject of Knaggs case. This bill does not change the requirements of the Legal Profession Act 1987, given the constitution of such a body between the time at which it commences a review or hearing and the time at which its determination following the review or hearing is made. It is a bill to correct an anomaly, and I believe it is necessary that the anomaly is corrected. I have great pleasure in supporting the bill.

The Hon. J. P. HANNAFORD (Attorney General, Minister for Industrial Relations, and Vice-President of the Executive Council) [6.2], in reply: I thank honourable members for their support of this important bill, and I commend it to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

WOOL, HIDE AND SKIN DEALERS (AMENDMENT) BILL

Second Reading

The Hon. J. P. HANNAFORD (Attorney General, Minister for Industrial Relations, and Vice-President of the Executive Council) [6.3]: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The Wool, Hide and Skin Dealers Act was established in 1935 mainly to assist in the prevention of stock stealing for the purpose of selling the wool, hide or skins. Where theft has occurred, the Act assisted police to locate and apprehend offenders.

The Act covers most animal hides except those protected under the National Parks and Wildlife Act 1974. It has remained substantially the same since its introduction in 1935. There are presently 130 licensed dealers. They are licensed through a Local Court with annual renewals.

The main object of this bill is to amend the Act, to dispense with the present court licensing of buyers and sellers of wool, hides and skins. It is proposed instead to replace it with a police notification system. Some administrative arrangements in the Act are also updated.

I now turn to the provisions of the Wool, Hide and Skin Dealers (Amendment) Bill: schedule 1(1-6), (10-12), (14-15), involve changing the present licensing system into a notification system.

Dealers will be required to undertake a once only written notification at the nearest police station to their business of an intent to deal in wool, hides and skins. Present licensees will undertake notification when their present licence expires. There will be no fee.

Notification will be in a form approved by the Minister. Besides the name of the dealer, it will mainly include locational information such as the dealer's private address, business address or registered office and principal area intended to conduct business.

Police will acknowledge the notification by an appropriate endorsement on the copy of the notification. Whenever particulars specified in the notification change, a new dealer's notification is to be lodged within seven days of the change.

In appropriate circumstances the Commissioner of Police may take a dealer before a Local Court, constituted by one magistrate, to seek a prohibition on the dealer being involved in the business for an indefinite period or a stated period. An appeal to the District Court is provided in this situation.

Schedule 1(7) revises present record keeping requirements so that the keeping of a cart book is dispensed with and dealers are only required to keep a store book as prescribed. The need for a dealer to personally sign each entry is dispensed with.

Dealers previously had to retain their goods for 24 hours, however, this has interfered with the efficient conduct of business. Instead it is proposed that the Commissioner of Police be able to serve a written order to retain goods for a period not greater than five days in appropriate

circumstances.

Schedule 1(8-9) retains present police powers under the Act. However, they are qualified in respect of entry on premises so that they are in accordance with recent legislative provisions concerning the exercise of those powers.

Schedule 1(13) enables penalty notices to be issued for certain offences so that a person has the option of paying a financial penalty for an alleged offence without being required to appear in court. The present maximum penalty for an offence is \$100 or imprisonment for 12 months.

It

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is proposed to change this to a maximum penalty of 50 units which is presently equivalent to \$5,000 under the Interpretation Act 1987.

I commend the bill to the House.

The Hon. R. D. DYER [6.4]: The Opposition supports the Wool, Hide and Skin Dealers (Amendment) Bill. The principal Act, the Wool, Hide and Skin Dealers Act 1935, was enacted to assist in the prevention of stock stealing for the purpose of selling wool, hide or skins. The principal Act has remained substantially the same since 1935. It covers most animal hides, except the hides of animals protected under the National Parks and Wildlife Act. It is the Opposition's understanding that there are currently 130 licensed dealers who pay a fee of \$10 per annum. The licence is obtained through a Local Court. The main object of the bill is to dispense with the present licensing system via Local Courts and to replace it with a police notification system. In future, dealers will notify the police station nearest their place of business of certain required information and no fee will be payable in regard to the notification of that information. If the detail supplied by the dealer to the local police station changes, the dealer will then be required to lodge a new notification within a period of seven days. I note that the existing maximum penalty of \$100 or 12 months' imprisonment if the appropriate information is not furnished is proposed to be changed to 50 penalty units, and the Opposition takes no exception to that provision. The changes contained in the bill arose from a review of the principal Act by the business deregulation unit in 1991. Consultations during the course of that review took place with the Police Service, magistrates, all licence holders under the Act, and the Australian Hide, Skin and Leather Exporters Association. The Opposition has had no representations opposing the provisions of the bill, and on that basis and on our own consideration of the provisions of the bill we indicate our support for it.

The Hon. ELISABETH KIRKBY [6.6]: The Australian Democrats support the Wool, Hide and Skin Dealers (Amendment) Bill. As has been pointed out by the Hon. R. D. Dyer, the bill amends the Wool, Hide and Skin Dealers Act 1935, which regulates such dealers mainly for the purpose of preventing stock theft for selling wool, hide or skins. The present system of annually licensing dealers through a Local Court will be replaced by a one-off police notification system. Whenever particulars required by the notification form change, a new notification must be lodged within seven days of the change. It is quite obvious that the new system will require less administration of what is a very small profession. At present there are only 130 licensees. The legislation will remove the possibility of one of those licensees being penalised for not having a licence. The present maximum penalty for an offence against the Act is \$100 or imprisonment for 12 months, and it is proposed under the legislation to change this to a maximum penalty of 50 penalty units. Honourable members could not possibly disagree with that provision. With those few words I am happy to support the bill.

The Hon. S. B. MUTCH [6.8]: I support the Wool, Hide and Skin Dealers (Amendment) Bill.

The Hon. J. R. Johnson: Where are the cockies?

The Hon. S. B. MUTCH: The Hon. J. R. Johnson interjects and asks where are the cockies. My only real experience of this activity is the song by Rolf Harris, which contains the words, "Tan me hide when I'm dead, Fred, so he tanned his hide when he died, Clyde, and that's it hanging on the shed". Perhaps that relates to the criminal sanctions that can apply under the legislation. I do not claim to be an expert on

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this topic but I have consulted with experts, including the honourable member for Burrinjuck in another place and the Hon. R. B. Rowland Smith, who also has some notable experience of the wool provisions of the Wool, Hide and Skin Dealers Act. Interestingly, the recommendation from which the amendments arose was suggested in a study undertaken by the former business deregulation unit, which, at one stage, was headed by Peter Philips, an illustrious former member of this Parliament. I am not sure whether he actively participated in this specific inquiry, but I do know that his interests are varied and widespread. The Act was established in 1935 to assist in the prevention of stock stealing and to protect certain animals from being killed for their skins. The Act regulates the activities of people buying and selling wool, hides and skins. Thus far the activity has been regulated by a licensing system. Approximately 130 dealers are required to get a licence each year. The former business deregulation unit reviewed the Act in 1991 and recommended that the licensing system be replaced by a system of notification by people intending to deal in skins. Apparently the licensees are quite mobile and move around the countryside plying their trade. I am advised that they do not always stay in the same place.

This bill will require people to notify police that they are engaged in the business of tanning hides. The notification provision will simplify the system for everyone involved, rather than people having to apply for a licence through the court - which is using a sledge-hammer to crack a nut. No longer will those engaged in this trade be required to maintain a cart book, and this will make it simpler for them to manage their business. Skins will no longer be required to be kept for a period of 24 hours at the place of business to allow police time to determine whether skins have been stolen or taken from rustled animals. Police now have powers to ensure that the skins are kept on the premises for a certain period of time, if they suspect any foul play - though the dealers are not in the business of feathers. The proposed changes will certainly reduce the workload of all groups currently involved - including the police, magistrates and licensees - and they will not impact on the proper regulation of the industry; in fact, they will streamline the procedures. I am informed that those practising in the industry at present are very much in favour of the changes.

The Hon. J. P. HANNAFORD (Attorney General, Minister for Industrial Relations, and Vice-President of the Executive Council) [6.13], in reply: I am grateful for the support of all members for this important provision, which will significantly improve the operations of wool, hide and skin dealers in this State. I commend the bill.

Motion agreed to.

Bill read a second time and passed through remaining stages.

[The Deputy-President (The Hon. D. J. Gay) left the chair at 6.15 p.m. The House resumed at 8.30 p.m.]

HUNTER WATER BOARD (CORPORATISATION) AMENDMENT BILL

Second Reading

The Hon. R. J. WEBSTER (Minister for Planning, and Minister for Housing)
[8.30]: I move:

That this bill be now read a second time.

When the former Hunter Water Board was corporatised on 1st January, 1992, it was the first natural monopoly in Australia to take such a step. The enabling legislation - the
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Hunter Water Board (Corporatisation) Act 1991 - provides a comprehensive range of instruments to ensure protection of consumer interests and the environment. It also provides a clearly defined framework to enhance the commercial efficiency of the organisation. The Hunter Water Corporation has been functioning effectively under the legislation for the past 10 months. Section 61 of the Act was intended to create a legal basis for the disposal of sludge from the Burwood Beach wastewater treatment facility into an abandoned underground mine some 60 metres beneath the works surface. The disposal process was chosen after extensive independent research and has the approval of all relevant government authorities. It is considered to be the most effective solution to the disposal of sludge at Burwood Beach, based on economic, environmental and social considerations.

Regular monitoring since the sludge disposal process commenced on 15th July has revealed no problems. Conditions in the mine are just as predicted. The stringent independent monitoring and testing program will continue over the two-year provisional period of the disposal process, and for at least five years after the cessation of the project. An independent committee comprising representatives of government departments, Newcastle City Council and the community is overseeing the monitoring process. I have said section 61 was designed to give a legal basis for sludge disposal to proceed. Existing subsections (1) and (2) do this. Existing subsection (3), however, has the unintended consequence of giving the Hunter Water Corporation immunity from any claims or actions that may otherwise have arisen in relation to the sludge disposal process. Clearly this is unacceptable.

It was not intended to deny residents and landowners a basic common law right of action in the unlikely event that any physical damage is suffered because of the disposal operations. Indeed, it would be inappropriate for a corporation to have such protection. Not only does it not conform to the principles of corporatisation, but it is also outside the level playing field concept upon which corporatisation is based. The Government therefore proposes to amend section 61. Subsections (1) and (2) will remain as they are. Existing subsection (3) will be repealed and new subsections included. In essence, the new provisions will ensure that a person's legal rights and remedies are not affected by the exercise of the corporation's powers under the section. Provision is made, however, to ensure that the corporation is not liable in a strictly technical sense to an action in trespass where there is no tangible or material physical damage sustained by the owner or occupier of land. A further provision is made to ensure that a person's legal rights and remedies are assumed to have accrued since the commencement of the principal Act, namely, from 1st January, 1992. As a result of an amendment which was carried in the Legislative Assembly, the requirement that any damage must be of a substantial character and also that it must be manifest at the surface of the land has been deleted. Subsection (3) now reads:

The exercise by the Corporation of a power conferred on it by this section does not constitute a trespass to land unless it results in loss or damage to the owner or occupier of the land that manifests itself in some physical way.

I reiterate that the mine workings referred to are some 60 metres below the ground, and an extensive program is in place to monitor conditions in the mine to ensure they continue to behave as predicted. In addition, two years after the commencement of the sludge disposal process, a further review of the project is to be undertaken. This amendment will restore citizens' common law rights of action, while at the same time ensuring that the Hunter Water Corporation can exercise its powers in accordance with section 61. I commend the bill.

The Hon. P. F. O'GRADY [8.35]: The Opposition supports the bill. I point
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out that the bill results from the representations of the Labor member for Newcastle, Mr Bryce Gaudry. Instead of accepting a private member's bill, the Government has accepted the proposition and introduced its own bill. I congratulate the Government for that. The bill originates from the work of some dedicated Merewether residents who have at heart the interests of their suburb and the protection of the environment in which they live. They were faced with the prospect of a sewage treatment plant and the concept of sewage being put down disused mines. That concerned them and they worked hard to ensure that the best environmental standards will be maintained. As the Minister said in his second reading speech, the Hunter Water Corporation was not operating on a level playing field; citizens did not have the right to take civil action. The bill will restore that right and ensure that the Hunter Water Corporation will protect the environment as well as its customers. I understand that the Government will not seek to amend the bill in any way. On that basis the Opposition supports the bill in the form in which it was passed in the Legislative Assembly. I again congratulate the member for Newcastle, the residents of Newcastle and the Government.

The Hon. PATRICIA FORSYTHE [8.37]: I support the bill and am happy to acknowledge the efforts of the member for Newcastle, who has worked towards its introduction. As the Minister said, the bill amends subsection (3) of section 61 of the Hunter Water Board (Corporatisation) Act 1991 to ensure that in the disposal of sludge from the Burwood Beach wastewater treatment facility the Hunter Water Corporation is not immune from claims or actions that may have arisen, or may arise, in relation to that process. Such immunity is clearly unacceptable and was not the intention of the Government when it gave the Hunter Water Corporation authority under section 61 to dispose of its sludge by the relatively novel but innovative method of disposal down disused mine shafts. The Newcastle region has benefited from the construction of an extended ocean outfall system, which was completed in 1989 and was complemented in June this year by a secondary treatment plant. Not only have all the nearby surfing beaches and ocean baths registered much better pollution counts than previously, but Burwood Beach, which has never been open to the public, will be added to the list of fine surfing beaches in the region when the current dune care program is completed. However, these improvements have not been without some complications, notably a decision by the State Pollution Control Commission to disallow, after the secondary treatment works were under construction, disposal of sewage sludge, which is a by-product of the secondary treatment process, into the ocean.

The Hunter Water Corporation's solution, at least in the short term, has been to dispose of the sludge under pressure into a mine abandoned in 1921. The mine, in part, lies under the treatment works at Burwood Beach but as well lies under the adjoining

suburb of Merewether. The mine which worked the borehole seam lies about 60 metres below sea level but may be closer to the surface at some points. I believe that in debate on the bill in another place the honourable member for Newcastle identified the mine as being up to 40 metres below sea level. Certainly my research suggests that the borehole seam, which was one of the principal seams of coal mined in Newcastle, was not of uniform depth across the area. The seam runs at 60 metres in the Merewether area but may fluctuate to 70 or 100 metres. It may also be as close to the surface as 40 metres at Lambton, which is many suburbs from Burwood Beach. It is fair to say that such a solution, while it makes reasonable economic sense - especially given the locality of the mine to the sewage works, and that it eliminates the need for the sludge to be trucked away - represents something of an experiment. As a solution it has not been widely endorsed in Newcastle. Indeed, it is fair to say it is strongly opposed by many people and, notably, by the Newcastle City Council.

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Newcastle has for years been regarded as an excellent test market by advertisers and companies promoting new goods. Regrettably, that mentality has occasionally prompted governments of various persuasions to use Newcastle as a testing ground. I have to say that the decision to dispose of the sludge down the mine shaft has some of that experimental nature about it, though it must be acknowledged that an extensive program is in place to monitor the process for two years from its commencement in July this year. The monitoring of the conditions in the mine will include water quality, water level, raw sewage and gas and pressure testing, and will be appraised by an independent committee which includes community representatives. Certainly at no time has the Hunter Water Corporation sought to back away from full exposure of the process. It accepts the need to earn community support, and in the legal ramifications of its actions it has never sought to have other than a level playing field; nor was that the Government's intention.

The repeal of subsection (3) of section 61 and its replacement with new subsections (3), (4) and (5) is an important step in building community confidence in the process. Over the two year trial period, indeed for a long time into the future, it is not anticipated or intended that the sludge will find its way under private land at Merewether; but the amendment will give residents in the area adjacent to the works greater peace of mind than they have at present. I spoke earlier of the experimental element in the project. I must place on record that the task was certainly not undertaken by the corporation in any cavalier sense. A detailed geotechnical analysis of the proposal was undertaken for the Hunter Water Corporation by Dames and Moore and, as well, the Hunter Water Corporation sought independent analysis from TUNRA, The University of Newcastle Research Associates. The disposal method has met the requirements of various government agencies. As a method, it is not in reality the issue today. The amendment to the bill is essential to ensure that residents and landowners have their basic common law right of action restored should any damage arise to their land which manifests itself in some physical way, or should any damage have arisen since the process began. The amendment is essential if the Hunter Water Corporation is to gain community support for what is an attempt to find an economically, environmentally and socially acceptable solution to the very practical problem of sludge disposal. I support the bill.

The Hon. R. S. L. JONES [8.43]: The Australian Democrats support the Hunter Water Board Corporatisation (Amendment) Bill. I believe the bill should perhaps have gone further and repealed the whole of section 61 of the Hunter Water Board Corporatisation Act 1991, because that particular section of the Act facilitates

disposal of sludge in mines. As a member of the Joint Select Committee on Waste Management - as is the Hon. Patricia Forsythe - and having worked on environmental problems, such as the disposal of sewage, for the past 20 years, I do not believe that the disposal of sludge in mines is an acceptable method of disposal. The Government should be looking not at the disposal of sludge in mines but at the 100 per cent treatment and recycling of the waste, so that it can be put back where it comes from, essentially back on to the land. It should be reused and not just thrown down an empty hole. The process has been operating since 15th July and it worries me that that has not been long enough to determine whether there will be problems from that disposal. I would not be at all surprised if, further down the track, the Government has to repeal section 61 of the Hunter Water Board Corporatisation Act because the method of disposing of sludge in the mine proves to be an environmental problem. It may be interesting to see whether or not the proposed repeal of subsection (3) of section 61 will lead to legal action at a later date against the Hunter Water Corporation. This disposal system is much cheaper than going into perhaps an initially slightly more expensive system of recycling and treatment.

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The problem is that the Hunter Water Corporation has to make a profit and pay tax equivalents to the Treasury; it has to pay a dividend and, no doubt at some time down the track, if the Government ever gets the numbers in both Houses - which it probably never will - the Government will attempt to privatise the Hunter Water Corporation. That will no doubt be the forerunner of the privatisation of the Sydney Water Board. No doubt that is exercising the Minister's mind. I do not believe that will ever happen in the lifetime of the present Government, because the Government will never have the numbers to pass the legislation. I do not believe this is an adequate way of disposing of sludge; it is the wrong way. The only reason they have had to do this is that they have to make a profit because they are a private organisation. I wonder where the money goes, the tax equivalents and dividends. Do they go back to the people of the Hunter region? Do the people of the area lose? Does the money go back into general revenue? I would be interested to find that out at some point. It is not relevant to the particular bill, of course, but at some point I would be interested to know whether the profits go back to the people of the Hunter region, who now have to pay that money to the Treasury. The Australian Democrats support the amendment, which gives back to the people their common law right to take action against the Hunter Water Corporation. We hope that will never be necessary.

The Hon. R. J. WEBSTER (Minister for Planning, and Minister for Housing) [8.46], in reply: I thank the Hon. P. F. O'Grady and the Hon. Patricia Forsythe, as well as the Hon. R. S. L. Jones, who made some telling points in his short address. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

**APPROPRIATION BILL BUSINESS FRANCHISE LICENCES (PETROLEUM
PRODUCTS)
AMENDMENT BILL**

MOTOR VEHICLES TAXATION (AMENDMENT) BILL

ROAD IMPROVEMENT (SPECIAL FUNDING) AMENDMENT BILL

Second Reading

The Hon. J. P. HANNAFORD (Attorney General, Minister for Industrial Relations, and Vice-President of the Executive Council) [8.48]: I move:

That these bills be now read a second time.

Both Houses of Parliament have completed the debate on the 1992-93 Budget. The Budget Estimates and related papers have been the subject of a broad-ranging debate by members from all sides of the House. I might say that they have also been subjected to very careful scrutiny by the parliamentary estimates committees, through the estimates committee process which was established last year for the first time and which operated this year on a revised basis. The process of the parliamentary estimates committee examination was much more scrupulous than it had been on the previous occasion, and the benefits to the parliamentary process as a result of that scrutiny have, I believe, been quite considerable. The new direction that the Government has given parliamentary
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administration through the establishment of the estimates committees has been most beneficial. It will serve the State and the Parliament well into the future. I welcome the extensive participation by honourable members in this year's estimates committees process. It would be fair to say that the commitment of honourable members this year was much greater than it was last year; it was a learning process for everyone. I commend the bills to the House.

The Hon. FRANCA ARENA [8.50]: The Opposition supports the bills and also the remarks of the Minister that the estimates committees process is certainly a great improvement in the running of the Parliament. It has given honourable members a better understanding of how the Budget works. At some of the estimates committees hearings promises were made that answers to questions not responded to by Ministers would be provided subsequently, and I ask the Minister in his reply to inform me when those answers will be available to honourable members. With those remarks I support the bills.

Reverend the Hon. F. J. NILE [8.51]: I support the Appropriation Bill and cognate bills and I commend the estimates committees process. This year the time set aside for estimates committees was an improvement on last year's timetable. During the hearings of the estimates committees it was clear that non-government members asked a series of hard hitting questions, but it appeared that Government members were asking questions more akin to questions upon notice. I understand that that is a valuable procedure from the Government's point of view but I urge the Government to allow its members the freedom to ask their own questions of Ministers in estimates committees. It appeared to me that some Government backbenchers experienced a degree of frustration in the way the estimates committees operated.

The Hon. R. T. M. Bull: Not under my chairmanship.

Reverend the Hon. F. J. NILE: It had nothing to do with chairmanship. I am sure that many members on the Government side have considerable brains and initiative and they should be encouraged by the Government to ask their own questions. I support the bills.

The Hon. ELISABETH KIRKBY [8.53]: It may come as a surprise to honourable members that I support the remarks of the leader of the Call to Australia group. At the estimates committees hearings I attended I was concerned that Government

members were working from a set of prepared questions to their Ministers. During the hearings they were running to the Minister and saying, "We are now going to move from question 4 to question 6" or "question 10 to question 14", which permitted the Minister to give ministerial statements. That is not the intent of estimates committees. I applaud the fact that the estimates committees have been established but I beg the Government in future to allow its own backbench members to ask questions that are pertinent to their electorates so that they can obtain further information on any aspect of the budget relevant to their electorates. The purpose of the estimates committees is not to permit the Minister to make a series of ministerial statements. Ministers have that opportunity frequently on the floor of the House. They do not need more opportunities to do that.

Obviously crossbench members have little opportunity to ask questions both in the House and in estimates committees, but at least we ask questions in good faith and we want answers in good faith. We do not want another potted version of the Government's philosophy or its programs. We get that at other times. Last year very little time was set aside for estimates committees. This year the time was extended, but I place on the record that in my opinion the time was abused by Government members

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asking dorothy dix questions and receiving the usual answers that members get to dorothy dix questions. Perhaps next year this will change and we will have a truly investigatory estimates committee session. I am sure that would be in the best interests of all honourable members and all citizens of New South Wales.

The Hon. R. S. L. JONES [8.56]: I endorse the remarks of my colleague the Hon. Elisabeth Kirkby and Reverend the Hon. F. J. Nile. It was a particularly interesting experience to attend Estimates Committee No. 21 dealing with public works and roads. The Minister in attendance at that committee was the Deputy Premier, Mr Wal Murray. It was notable that whenever a National Party member asked a question of the Deputy Premier - and most members on the Government side were National Party members - the answer was in front of him and his answer was timed to last three minutes exactly. It was efficiently done and he was able to read it without any problem at all. The problem arose when non-Government members asked questions of him. We found great difficulty in getting answers from the Deputy Premier to questions about such matters as the subsidy of the F2, the building of the Pacific Road tollway, the fact that the route had already been chosen but that no one knew about it - apparently he knew nothing about - and the question of the destruction of Wolli valley against the wishes of the former Premier, the Minister for Transport and the former Minister for the Environment. He did not appear to care one iota about promises made by former Ministers and the Premier. He appeared to be floundering. Obviously the Deputy Premier needs to be better briefed in answering his questions. Certainly he was well briefed in answering questions from Government members but not well briefed in answering questions from non-Government members. Some Ministers performed extremely well but one or two seemed to be very much at sea. However, I do support the estimates committees process. It is a valuable way of finding out where the money is going or why it is not going here and there. It is also valuable in obtaining information from the bureaucracy. It puts the bureaucrats on notice that they are accountable to the Parliament. This year the estimates committees process was much better than that of last year. I believe the process is proving to be very valuable.

The Hon. J. P. HANNAFORD (Attorney General, Minister for Industrial Relations, and Vice-President of the Executive Council) [8.58], in reply: The Hon. Franca Arena asked a question concerning answers to questions asked in estimates committees. In accordance with standing orders for the establishment of the committees, there is a requirement that all Ministers who took questions on notice provide answers to

the Clerks before 25th November, at which time those answers will be embodied in the Questions and Answers paper. The honourable member may be assured that all answers will be forthcoming and will be published and circulated through the Questions and Answers paper. I noted there was some freedom from Government members in answering questions of me. In some respects some of their questions were more searching than some questions asked by non-Government members. No doubt that matter will be further addressed as members become used to the estimates committees process. I commend the bills to the House.

Motion agreed to.

Bills read a second time.

Estimates Committees Reports

The Hon. R. T. M. Bull, as Chairman, brought up the reports from Estimates Committee No. 19 - Planning and Housing.

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The Hon. J. F. Ryan, as Chairman, brought up the report from Estimates Committee No. 9 - Community Services.

The Hon. J. M. Samios, as Chairman, brought up the report from Estimates Committee No. 3 - Aboriginal Affairs; Estimates Committee No. 5 - Arts; and Estimates Committee No. 13 - Ethnic Affairs.

The Hon. J. H. Jobling, on behalf of the Chairmen, brought up the reports from Estimates Committee No. 1 - The Legislature; Estimates Committee No. 2 - Premier and Treasurer; Estimates Committee No. 4 - Agriculture and Rural Affairs; Estimates Committee No. 6 - Attorney General; Estimates Committee No. 7 - Conservation and Land Management and Energy; Estimates Committee No. 8 - Chief Secretary and Administrative Services; Estimates Committee No. 10 - Consumer Affairs; Estimates Committee No. 11 - Education and Youth Affairs; Estimates Committee No. 12 - Environment; Estimates Committee No. 14 - Health; Estimates Committee No. 15 - Industrial Relations and Employment and Training; Estimates Committee No. 16 - Justice and Emergency Services; Estimates Committee No. 17 - Local Government and Cooperatives; Estimates Committee No. 18 - Natural Resources; Estimates Committee No. 20 - Police; Estimates Committee No. 21 - Public Works and Roads; Estimates Committee No. 22 - Sport, Recreation and Racing; Estimates Committee No. 23 - State Development; Estimates Committee No. 24 - Tourism; and Estimates Committee No. 25 - Transport.

Ordered to be printed.

Estimates Committees' reports agreed to and bills passed through remaining stages.

ADJOURNMENT

The Hon. J. P. HANNAFORD (Attorney General, Minister for Industrial Relations, and Vice-President of the Executive Council) [9.10]: I move:

That this House do now adjourn.

TEACHERS FEDERATION ARTICLE "THE AUSTRALIAN WAY OF LIFE UNDER THREAT"

The Hon. PATRICIA FORSYTHE [9.19]: Tonight I wish to draw to the attention of the House an example of the absolutely irresponsible behaviour and appalling judgment of the New South Wales Teachers Federation. Yesterday, like all members, I received my copy of the current edition of *Education*, which is the journal of the New South Wales Teachers Federation. *Education* is a journal which is also sent to all teachers who are members of the federation. It lies around in staffrooms, it is often available in school libraries and it certainly finds its way into classrooms. I can only wonder what impression our young people will get from this month's edition. The front page - the whole front page - is set under the banner headline, appropriately in red, "The Australian Way of Life Under Threat". The way of life that is then depicted by way of a large torn photograph is of people strolling along a beach - some with friends, some with surfboards and most in swimwear. That, according to the Teachers Federation, is the "Australian Way of Life". It is a myth. What does the federation imply? Does it imply that the Australian way of life is a life of people on the beach, an idyllic way of life, perhaps people on the beach having a "sickie". What a great role model the

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Teachers Federation offers. So much for the promotion of any sort of work ethic to our young people. The front page, however, has another message under the heading and photograph:

Your 8-hour day, your maternity leave, your sick leave, your long service leave, your leave loadings, your day off - everything is under threat.

Clearly the federation does not let facts get in the way of a good headline. Last week the national unemployment figures were released, standing at 11.3 per cent. There was discussion about that matter in the House today. But for people in the age group between 16 years and 19 years the rate of unemployment is more than double that figure. So for 28.3 per cent of young people in New South Wales the issue is not whether they have holiday pay or days off or what hours they can work; the issue for them is having a job. Nearly 30 per cent of youth are unemployed, and the Teachers Federation is only interested in its benefits. The Teachers Federation does nothing by this sort of journalism to advance the cause of these young people. The column on page 2 by Ray Cavanagh, the President of the Teachers Federation, actually talks about the haves and have-nots in society. With such a self-centred, selfish approach from the federation, such a distorted approach, many young people will unfortunately remain the have-nots. I have to ask whether the federation cares anyway. The cover of the journal, with its emphasis on so-called employment benefits, is a disgrace to the profession of teaching; and I can only imagine, given the number of caring, responsible teachers, that it must be a great embarrassment to many teachers. The federation would do well to dwell on the words of the Hon. Clyde Cameron, who was the architect of the 17½ per cent holiday leave loading when a Minister in the Whitlam Government. He said in his diaries, "Some of the benefits given to public servants during my reign were quite stupid . . ."

NON-ENGLISH SPEAKING BACKGROUND WOMEN'S CONSULTATIVE COMMITTEE REPORT

The Hon. FRANCA ARENA [9.15]: A report on the consultations with women of a non-English speaking background has recently been released by the NESB Women's Consultative Committee, chaired by the Hon. Helen Sham-Ho. I anticipated the report with considerable interest. As an immigrant woman I have always closely

followed developments in immigrant women's affairs. Indeed, over the last 30 years I have participated in most organisations which have dealt with and are still dealing with these issues. I have examined the report in close detail. I must confess a deep concern at its superficiality and the lack of data supporting its contents. Of great concern is the absence of any meaningful or substantial recommendation emerging from the report. With regard to its implementation, I am at a loss to understand what the Chief Secretary and Minister for Administrative Services, Mrs Cohen, will be able to do with the few recommendations which are, as I said, vague and lacking in substance. It is obvious that the report was merely an exercise in partisan politics. This is clearly indicated in the recommendations which use over and over again phrases such as "Consideration should be given to" with reference to the State Government. However, when a recommendation refers to the Federal Government the report says, "Consideration must be given to".

The major recommendation emerging from the report is for the establishment of an interdepartmental task force to work on priority areas of the report so that policies can be formulated, implemented and evaluated. But the establishment of such a body would merely duplicate existing structures. There is already the Ethnic Affairs Commission. Furthermore, I remind the House that recently the National Advisory Council on Migrant Settlement, or NACOMS, was established by State and Federal governments. The National Advisory Council on Migrant Settlement, chaired by the Hon. J. M. Samios, Page 8966

has been given the task of developing a national integrated settlement strategy. To set up another interdepartmental task force now would only duplicate the work of NACOMS, a body which will also look at immigrant women's issues. I also question the extent of the consultative process undertaken by the committee. Despite its claim of wide consultation, the committee received only six written submissions. My own ethnic group, the Italians, was only consulted through the Associazione Cattolica Lavoratori Italiani - the ACLI organisation. Italians make up the biggest ethnic group in Australia after the Anglo-Celtic group. No effort whatsoever was made to contact the Comitato Assistenza Italiano, the Federazione Italiani Lavoratori e Famiglie, the Italian-Australian Women's Association or any other organisations. How can one group possibly reflect the variety of problems experienced by such a large community? It is a pathetic and partisan effort.

To top it all, the report used the ACLI women to criticise the work of the Immigrant Women's Speakout Association, an organisation which is respected by all governments for the excellent work it does on behalf of immigrant women. That is a real shame. It is also to be noted that the Immigrant Women's Speakout Association is the only one which has been named in the report even though other organisations have been criticised. In this, the committee shows a lack of understanding of the role of the Immigrant Women's Speakout Association, which has a referral brief. I wonder why such an attack on a community organisation was made, and I certainly deplore it. As a final observation, I point out that the lengthy biographical details of committee members in the report are irrelevant and excessive. Moreover, the sponsoring of the report by the husband of the Hon. Helen Sham-Ho is both inappropriate and tacky. Are government reports from now on to be sponsored by our husbands, wives, wealthy relatives, et cetera? As I said, I found this aspect of the report unacceptable and tacky. All in all, this is a very disappointing report on women of non-English speaking background, who deserve better from this Government and would have expected from a female member of Parliament of ethnic background a more comprehensive, substantial and detailed report.

"ROMPER STOMPER"

Reverend the Hon. F. J. NILE [9.18]: I wish to put on record tonight the concern of Call to Australia about the release this week of the controversial Australian movie "Romper Stomper". It opened in Sydney on Thursday, 12th November. The film has received widespread criticism from many directions. It is very unusual for the editorial of the *Daily Telegraph Mirror* to call for a film to be withdrawn, which is what occurred on the day of the film's release. A number of social workers as well as members of various ethnic communities have expressed concern about the film. The basic principle behind the concern is that the behaviour in the film is so graphically presented that I venture to say it will certainly result in an outbreak of similar behaviour in Sydney and in Melbourne in particular. Perhaps Sydney, with its large ethnic communities - especially those at Cabramatta - is more at risk than other cities. The film "Romper Stomper" actively portrays neo-Nazi skinheads of the type seen daily on television film footage, in particular in what used to be East Germany, viciously attacking various ethnic groups and using all the paraphernalia of Nazi flags, signs, symbols and photographs that were displayed under the Hitler regime. Parts of the film made me wonder if I was looking at film footage from the 1940s and not the 1990s, for it accurately reproduces scenes from that tragic period. Les Twentymen, a social worker, was reported by the *Daily Telegraph Mirror* of 12th November as having described the R-rated film about neo-Nazi skinheads in the western suburbs of Melbourne as "socially irresponsible". Mr Twentymen said:

I certainly don't agree with censorship -

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He is broadminded, as most social workers are:

- but there comes a time when you have to stop something which has the potential to be socially damaging.

According to that article, the film is reputedly the most violent ever made in Australia. The film portrays violence and, worse still, its many messages will be picked up by alienated young people, those who have an axe to grind, and young people who are easily led into joining neo-Nazi skinhead gangs. Some months ago an outbreak of hooligan behaviour - though nothing to compare with the scenes in the film - occurred in George Street, and the police took some time to bring that unrest under control. Typical clips from the film show neo-Nazi skinheads, wearing heavy boots, attacking a Vietnamese boy. Even the girls in the gang are shown to be sickened by the brutality and call out "Stop kicking him". The film graphically shows blood and violence as skinheads surround a young teenage Vietnamese boy and proceed to kick him and express extreme violence to him. Normal people would view that behaviour as sick, disgusting and certainly not entertaining, while others might be attracted to the violent go-getting behaviour of the skinheads in the film. I have had personal dealings with skinheads - they do exist in Sydney - but so far they have not shown the neo-Nazi type motivation depicted in the film, which I believe will aggravate already serious tension. I remember being bashed by skinheads when I was working at the City Methodist Mission. One night a gang came to the mission and bashed everyone in sight including me. I received nine stitches in my face at Sydney hospital. I did not realise I was so seriously injured until I went to the washroom and saw blood pouring out of my face. I thought my nose had been broken but saw that my face had been split open by, I imagined, some type of large knuckleduster. [Time expired.]

ST VINCENT'S HOSPITAL AUTOPSIES

The Hon. ELISABETH KIRKBY [9.24]: Once again I wish to bring to the attention of the House a problem raised with me by a constituent in Blakehurst. I quote from a letter dated 27th October:

I thought I would write to you to bring you up to date with the latest developments regarding autopsies at St Vincents. Apparently, the hospital has an arrangement with the Glebe Mortuary and autopsies are now being performed there. As a result, the hospital administration is now claiming that the difficulties with the Department of Anatomical Pathology have been overcome. However, what they are not saying is that every autopsy costs \$2,000, sheer logistics mean that there are occasions when important autopsies cannot be arranged and, finally, the arrangement with Glebe is only a temporary one. Depending on who you speak to, the arrangement at Glebe will end either at December this year or early next year.

I wrote recently to Mr John Marsden and he has referred the matter to the Anti-Discrimination Board. The board contacted me last week and said that the matter was being looked into.

[Time expired.]

Motion agreed to.

House adjourned at 9.25 p.m.
