

## LEGISLATIVE COUNCIL

Thursday, 13 October 1994

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**The President (The Hon. Max Frederick Willis)** took the chair at 10.30 a.m.

**The President** offered the Prayers.

### PETITIONS

#### **Marijuana Prohibition**

Petitions praying that legislation be enacted to give effect to the Law Society's recommendations on reform of marijuana prohibition laws relating to the use, possession and cultivation of marijuana for personal use, received from the **Hon. R. S. L. Jones** and the **Hon. Ann Symonds**.

### STANDING COMMITTEE ON STATE DEVELOPMENT

#### **Report No. 10: Achieving Sustainable Growth: Regional Business Development in New South Wales**

**Debate resumed from 22 September.**

**The Hon. I. M. MACDONALD** [10.35]: In my discussion on the report on the last occasion I had reached about halfway through the various recommendations made by the committee. I wish to conclude my remarks by making reference to some of the critical issues in regional development, dealt with in the committee's recommendations. The committee was firmly of the view that there needs to be a whole of government approach to regional development. Several of the recommendations made in the report are related directly to that need. Specifically, the committee was concerned to ensure that regional impact statements be placed before Cabinet and be provided by all government agencies and, indeed, Ministers, proposing changes that would have an impact on the country.

It is believed that regional impact statements are a vital and necessary part of regional development in order to ensure that regional views and consideration of the regions are taken into account before changes are made to legislation or policy. As I said last week, the committee was concerned that first stop shops be established in regional areas so that the various elements of red tape that often go with regional development can be eliminated. The committee also made recommendations dealing with regional development boards, which are currently considering regional issues. Basically, the committee believes that whilst those boards should be retained they need to be funded at a much greater level to ensure their ability to service particular areas. The real hub of the matter in relation to regional development is the funding and financing of regional business development in rural New South Wales.

Recommendation 14 of the report is critical to this objective in that it specifically calls for government intervention to achieve the concept of helping the regions develop so that there can be a balanced economy in the whole of New South Wales and not just an economy growing and developing within the metropolitan, the Wollongong and Illawarra areas. It is important that the economy develop in the less heavily populated areas of this State also. Those areas may not be heavily populated but they certainly contribute greatly to the export

income of this country and to the overall gross domestic product. The committee considered that the Government should intervene to provide finance for regional businesses for start-ups and expansion. There are several current programs that assist in that direction. I believe that those programs need to be greatly enhanced so that more businesses can be assisted. At the moment the budget outlay is about \$8 million to \$10 million, depending on specific projects in any one year.

In our report on the payroll tax rebate we noted that country business had been disadvantaged, probably in the order of \$22 million, by the abolition of that scheme. The replacement schemes tally about \$8 million to \$10 million. There is therefore a probable shortfall of several million dollars. When one discounts the new programs - the more direct and pertinent ways of assisting firms in country areas - from the overall millions of dollars budgeted for under the former payroll tax rebate, the shortfall is probably near \$15 million. This level of funding needs to be put back into these programs so that we can assist start-ups and expansion in regional areas.

The committee takes the view that regions need to be supported to handle the problems of structural change. Structural change is hitting our economy across-the-board in rural areas and metropolitan areas. In country areas it has a greater impact because of the lower level of infrastructure and choice available to individuals. As a consequence, we need to have better information systems and marketing concepts implemented within regional areas of New South Wales to counter the impact of structural change. Importantly, education and training programs need to be continued and enhanced in regional New South Wales to cope with the structural changes as our economy evolves.

The committee considers that the Government should intervene further to improve regional infrastructure. I have just attended a meeting with the New South Wales Farmers Association - as I said last night, my association - and there is no doubt that the issue of regional infrastructure needs to be improved in order that rural areas of New South Wales can compete on international markets. The key to efficiency is the ability to get the goods and services from regional areas to the various points of export quickly and cheaply. The committee supports the farmers in arguing for more efficient and more effective regional infrastructure.

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**The Hon. D. J. Gay:** You do better than that. You supported them most ably last night against your Federal colleagues.

**The Hon. I. M. MACDONALD:** I am quite happy to consider the point the Hon. D. J. Gay has raised by way of interjection. I made it clear last night that if imported grain is brought into this country, it can be on two bases only. First, that any importation is after all stocks out of Western Australia, or anywhere else in Australia, are used up. Second, if the grain is to be imported, it must be under very strict protocols to ensure that the diseases dealt with at length last night are not imported, thereby affecting our agricultural industry. As an example I looked at durum wheat, which is a specific problem, because we now export pasta all over the world. As a consequence of the drought we are short of durum wheat supplies in this country to meet export contracts. We must look again at that issue but only on the basis that the protocols -

**The Hon. Virginia Chadwick:** You are reading last night's speech again.

**The Hon. I. M. MACDONALD:** No, I am not. I am answering the Hon. D. J. Gay.

**The Hon. Virginia Chadwick:** You said all this at length last night.

**The Hon. I. M. MACDONALD:** I am speaking at length this morning. If the Hon. D. J. Gay dares to open his mouth, he will get the same from me. We need appropriate regional infrastructure and the Government has a major role in it. The Government has not committed itself to upgrading the roads that link the regional centre of Dubbo, and areas north, to the port of Newcastle.

**The Hon. D. J. Gay:** They are Federal roads; ours are 3 x 3 roads.

**The Hon. I. M. MACDONALD:** But you have done nothing about it. This Government brought in its 3 x 3 policy, hiked up the price of petrol for everyone using roads in this State and has turned it into a 3 x 1,000 year policy which probably will be 5 x 1,000 if the Government happens to be so lucky as to win the next election. The Government may have fooled the people but where is the money being used? The only thing the Government does is follow the previous Labor Minister's policy, put up a few signs and think it has done well. The committee is of the view that the Government should provide incentives for businesses that would enhance a region's competitive advantage. Intervention is needed.

**The Hon. Virginia Chadwick:** Are you a friend of Laurie Brereton?

**The Hon. I. M. MACDONALD:** A friend of Laurie Brereton's? I must have had about two or three conversations with Laurie Brereton in the last 10 years. I shall put aside the relative merit of Laurie Brereton and his Federal ministries. It seems obvious that members opposite are not bothering to listen to the important aspects of my speech and would rather indulge in irrelevancies and side issues, particularly when we are dealing with important issues such as regional infrastructure development. The school students in the public gallery should watch this Minister and note how concerned she is about regional development. If she gets the opportunity she will probably close down all their schools. They should relate that to their parents. We need incentives for regional businesses so that they can develop a more competitive advantage on the world market. Recommendation 14 of the report makes it clear that further government intervention is needed. I must conclude these remarks in order to attend a committee meeting dealing with regional development. When the second report is available, I will have a further opportunity to look comprehensively and accurately at regional development in this State.

**The Hon. JENNIFER GARDINER [10.47]:** I have pleasure in speaking to Report No. 10 of the Standing Committee on State Development, entitled "Achieving Sustainable Growth: Regional Business Development in New South Wales", which was tabled in the House in May. This is the first of a two-volume report on policy for regional development. The second volume is about to hit the press in the next 48 hours. The first volume sets out the principles for setting policy for what might be called the renaissance of regional policy in New South Wales. It adds to the set of documents produced by the committee which have become essential for the bookshelves of all policy makers and other people interested in regional development policy.

Like my colleagues who have already spoken to this report, I record my thanks to the staff of the standing committee's secretariat, particularly to Michael Jerks, the director of the secretariat, who concludes his service to this Parliament tomorrow and moves to the economic development unit in the Premier's Office as senior project manager. I have come to know Michael reasonably well during the past couple of years. I have a great deal of time for the professional way that he carried out his duties and for his patience in dealing with the multitude of issues thrown up by members of the committee.

I also offer my thanks to Paul Collits, who was the senior project officer and who was instrumental in the production of this particular volume of the committee's report. He has also left the service of the Legislative Council and found an appropriate slot in the Department of Business and Regional Development. His background with the standing committee will serve that department extremely well. He has visited many parts of regional New South Wales with the committee and has learned at first hand what people in the various regions of New South Wales are thinking and doing. He has practical knowledge, as well as an excellent academic and professional background, to take to his new position. I also thank Heather Crichton, a committee officer who has worked in the background to help in the production of a number of reports and in the fine detail work of organising various trips around the

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State and delegations to the United States and Europe in 1993. I thank all those officers and wish them well in their new positions outside the Parliament.

In speaking to the take-note debate on the standing committee's report, I shall focus on what I might call

the guts of the report, that is, the committee's delineation of the fundamental principles of regional development policy. But, before I do so, I shall deal with the recommendations contained in the report. The early recommendations are aimed at developing successful regional economies. The committee has recommended that the New South Wales Government adopt as a central goal the creation of successful regional economies based on five key elements. Each of these elements has now sunk into the policy making processes at all levels of government, because they are spot on and relate to the real world.

First, the establishment of successful regional economies needs to focus on the creation of sustainable employment opportunities, as distinct from those which might appear to be opportunities in the short term but disappear when the next generation of citizens of a particular town or city comes along. The second key element is the achieving of a viable focus. Although that terminology has sunk into the language in this policy area in Australia during the past few years, the delegations of the committee to the United States and Europe certainly obtained a sharper understanding of the need for a global focus. The Hon. R. S. L. Jones, Michael Jerks and I visited various parts of Europe. One could not help but observe the competitive spirit of the member countries of the European Union even before speaking to the Europeans about their fears of competition from North America and their notions about Asia. The fierce level of competition within Europe, apart from the level of competition between Europe and the rest of the world, is tingling away at everyone in this area of policy development. It certainly gave us a sharper focus about this country, which has a great deal of natural resources but a small population and market.

The next element for the creation of successful regional economies is the attainment of a diverse industrial structure that is capable of resisting short-term shocks. The present example of that, of course, is the impact that the drought is having on various parts of New South Wales and the relative capacity of towns and cities to withstand that short-term or medium-term shock, as it may turn out to be, to their local economies. The more diverse those economies are, the more likely it is that they will be able to cope, if only to a certain extent, with a natural disaster of the extent of the drought. In the north and north-west of New South Wales towns like Tamworth have understood that for quite a long time. That town is subjected not only to occasional droughts but also to fairly regular flooding which, until recently, affected the central business district.

Local industrial structures have to be capable of resisting that sort of shock to the system. They also have to be able to adjust to structural change and to respond positively to new competitive pressures such as the pressures that emerge from other parts of the world that I mentioned earlier. The fifth element in creating successful regional economies is the enhancement of business and training linkages such as networks and clusters. I will deal later with the way clustering and linkages are becoming better knitted into all sorts of government policies. It is interesting to note the local training requirements in some regions. For example, the hospitality industry that is emerging on the north coast of New South Wales will now be better served by the new TAFE colleges that are being built. The college at Kingscliff on the far north coast will have entire new facilities focused on running hospitality courses.

The same applies to the town of Scone, in the heart of the horseracing industry, where a new equine TAFE facility is being established. A great deal of renewed thinking is taking place across the Government to make sure that business and training linkages match the networks and clusters of businesses that are being built up in various towns and cities in country New South Wales. That is the first recommendation of the committee relating to sustainable employment opportunities, global focus, a diverse industrial structure capable of resisting short-term shocks and being able to adjust to structural change and to respond positively to new competitive pressures, as well as the enhancement of business and training linkages such as networks and clusters. The second recommendation is for an increased commitment to regional development. The committee has recommended that all political parties in New South Wales work towards a bipartisan approach to regional development in order to encourage longer term policy focus and greater certainty for regional New South Wales.

**The Hon. R. S. L. Jones:** Hear! Hear!

**The Hon. JENNIFER GARDINER:** I acknowledge the support of my Australian Democrat colleague for that recommendation. About 75 years ago the National Party adopted balanced development as one of its

pioneering lines in its first policy statement. It would be all too easy for my party to try to keep the regional development policy area to itself. However, one of the advantages of Legislative Council standing committees is that they bring representatives of all political parties together to look at topics which otherwise might be outside the normal domain to which individual members might be exposed. I have said to many people in non-metropolitan New South Wales that it is to their advantage to talk to people other than those they traditionally speak to in the National Party - such as people from the Liberal Party, the Australian Labor Party, and the Australian Democrats - who have had the opportunity to speak first-hand to a lot of people in non-metropolitan New South Wales, particularly inland, on this particular area of policy.

More members of this Chamber are exposed to the themes of life in non-metropolitan New South Wales than before. I think that will lead to better

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policy making because members of Parliament will have a deeper understanding of issues that country people have felt in the past were not fully appreciated by members across the political spectrum. All the recommendations received unanimous support from the parties represented on the standing committee. Effectively, each political party has supported the idea that regional development should have a high degree of commitment from all political parties represented in this Parliament.

The third recommendation of the committee was that the Government require the regional development boards in New South Wales to maximise public participation in their activities and, in particular, to conduct regular briefings of State Government officials and Ministers through regional forums. That recommendation follows on from a number of developments. While he was Minister for State Development, Mr Peter Collins commenced public forums throughout the State in a review of policy, and that was followed up by the incoming Minister for Regional Development, Mr Chappell. It takes into account the greater focus these days on public participation and involvement at public meetings with respect to all sorts of aspects of government policy making. The standing committee was very pleased to note from the latest ministerial statement on regional development that the boards are to be funded on a triennial basis. That will mean that the regional development boards will have a longer time frame in which to plan all sorts of things, including this aspect of public participation in their activities.

The next recommendation of the standing committee related to funding. It is generally accepted that for some time many people in regional New South Wales have found the funding allocation unsatisfactory. But, with a greater and renewed focus on this area of policy making, the committee was pleased to note that this year's budget has been increased by \$5.3 million to \$41.4 million. That is in line with recommendation No. 4, which said that the standing committee accepts that the Government cannot do more for regional development without allocating additional funding. The committee recommended that the Government should consider allocating part of the recent increase in the Commonwealth's revenue sharing funds towards regional development. I am happy to note that the Government has increased that part of this year's budget.

The next recommendation related to the whole of government thinking about regional development. The committee recommended that, in order to drive a whole of government approach to regional development - which the committee believes is imperative - the Government maintain a separate regional development portfolio and ensure that the economic development committee of Cabinet always include the Minister for Regional Development. There is some point to having these all party committees of the Legislative Council, because it means that in the longer term all the political parties have a certain commitment to recommendations that have been derived from across-party consultations.

Both sides of politics have therefore given a commitment, through the committee's report, to maintaining a specialist regional development portfolio, rather than it coming on to the Cabinet list, and then going off and coming back on again over a period of a decade or two decades. The committee looks forward to receiving the Government's response to its recommendation that the economic development committee of Cabinet always include the Minister for Regional Development. The members of the committee believe that that is commonsense, given the close link between the regional development-small business portfolio and the economic development aspects of the Premier's portfolio with respect to economic development. Obviously,

many aspects of economic development will affect life in New South Wales outside Sydney, Newcastle and Wollongong. People interested in the economic development of the State will not have the full picture unless we look at it from this whole of government approach, taking into account regional development.

The next recommendation was that Cabinet submissions and minutes contain regional impact statements in order to ensure that government agencies are made accountable for decisions that affect non-metropolitan New South Wales. Again, this is a way of forcing people - for example, in the bureaucracy - to think about the impact of particular policy suggestions across a whole region, and perhaps surrounding regions, when making recommendations to the Cabinet or to Ministers about the withdrawal of services from various parts of the State, or the addition of particular infrastructure to other parts. It brings people out of their little pigeonholes and forces them to take a wider view. I believe that the recommendation has a lot of support from people throughout non-metropolitan New South Wales.

The next recommendation related to the Government, in consultation with the regions and with the relevant Commonwealth agencies, establishing first stop shops and piloting the regional coordinator-general concept with a view to improving coordination at the regional level. During the committee's visits to various parts of non-metropolitan New South Wales, it repeatedly ran into criticism from policy makers and deliverers, in that they had to go from one area of government to another, maybe in the same town, and no-one was linking all the information together. This complaint has been around for some time, and it is pleasing to note that the Government has already started to take a more rational approach to the criticism. A classic example of that is Hunter Net in the Hunter Valley, which has made sure that some of the government agencies, both State and Federal, are co-located so that when prospective business entrepreneurs are thinking about doing business in the Hunter Valley and need people to talk to, they can find them more or less all in the same building, and the information delivered to them from various agencies will be compatible.

The Government has already started to move on this first stop shop concept in various parts of government administration, and the committee looks

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forward to a speeding up of that process. Therefore, the recommendations that related to whole of government thinking about regional development were: the need for a continuing separate regional development portfolio; the need to ensure that the economic development committee of Cabinet always include the Minister for Regional Development; the need for Cabinet submissions and minutes to contain regional impact statements; the need to ensure that government agencies are made accountable for decisions that affect non-metropolitan New South Wales; and also that the Government, in consultation with the regions and Commonwealth agencies, set up first stop shops and other means to improve coordination at the regional level.

The next batch of recommendations related to devolution of decision making. The standing committee recommended that the Government embrace the concept of subsidiarity in relation to development and implementation of regional policies and that the performance of the regional boards be closely monitored with a view to increasing their responsibilities and broadening their charters. This country will hear more about the concept of subsidiarity. It is another flowthrough from the delegation to Europe. It relates to the need to force down decision making as much as possible to the level that is closest to the people who are affected by the decision and to have superior echelons of government deal only with things that are directly related to what the Europeans call their level of competence, that is, their level of constitutional authority. It relates to the theme of the committee's earlier discussion paper about bottom up decision making as opposed to the old top down decision making on regional development that probably applied in the days of the selective decentralisation of the growth centres concept when political decisions made at the top were imposed on the people rather than there being a consensus at the bottom of the decision making process.

The standing committee recommended that the Government increase substantially its funding of regional development boards. An increased professionalism would flow from that, allowing the development boards to increase the quality of services to the region. The committee is pleased that the State Government has allocated more funds this year to the department. The development boards will have more financial flexibility, giving them a higher community profile, thus enabling them to attract more business and to assist companies that wish

to expand their operations.

The standing committee also recommended that government funds be made available to regional development boards, particularly for projects aimed at enhancing regional capacity over and above their increased basic level of funding on the basis of a firm financial commitment to the projects from local government and local business. It is pleasing to note that the Government has taken that recommendation on board. In the past year a significant number of projects at the local level were considering business prospects, in particular industries in various regions across New South Wales. They were funded through the regional development boards, but over and above the general operating costs of the regional development board. The committee will make further recommendations to enhance the role of regional development boards in its volume two report, which will be tabled in the House shortly.

The next batch of recommendations of the standing committee relates to the devolution of decision making. There was the need for the Government to embrace the concept of subsidiarity and to increase substantially its funding of regional development boards to enhance their professionalism and to allow them to increase the quality of their services to the regions. The committee recommended also that further government funds be made available to regional development boards, particularly for projects aimed at enhancing regional capacity. The next group of recommendations of the committee related to making a difference, adding value to regional outcomes. Recommendation 11 of the standing committee referred to the need for the Government to recognise the importance of addressing market failure in its regional development policies and the need for Government actions to focus on tackling the problems arising from market failure.

A classic example would be the need for the Government to lend a sympathetic ear to businesses affected by drought. The Hon. Ray Chappell has certainly been prompt in calling on businesses over many months and listening to their problems over and above what any businessman might be able to predict in a business plan. Businesses have been subject to a decline in markets because of the decline in surrounding rural industries and the natural disaster in New South Wales - the drought - particularly in the Minister's part of the State. The committee has taken a realistic view and understands that market failure occurs. It is then an appropriate function of the Government to intervene. The basis for recommendation 11 is the need for Government intervention in some instances.

The next recommendation called upon the Government to urgently consider the recommendations flowing from the inquiry into red tape, which reported some time ago. Red tape has worried people in regional and other businesses for a long time. The committee urges the Government to consider implementing some of the recommendations sooner rather than later. The standing committee next recommended that government policies in regional development emphasise the areas in which government action can make a difference and add value to regional economic outcomes. That might sound fairly self-evident, but the policy makers should sit down and say, "Okay. If we are to implement a particular policy in a regional area, what difference will it make? What added value will there be to the regional economic outcomes?" That should be one of the principles of policy making.

The committee recommended that the Government intervene to assist regional development by facilitating finance to regional businesses for start

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ups and expansion; to support regions by allowing them to deal better with structural change through, for example, the provision of information on market opportunities and increased education and training; to provide improved regional infrastructure; and to provide incentives for businesses that would enhance the region's competitive advantage. Some of the elements of recommendation 14 are added to in the volume of the report of this committee that will be tabled in this House shortly. But it is certainly pleasing to note that in the recent ministerial statement on regional development, the Minister took heed of most of those needs.

Country areas have enhanced opportunities for business start ups and expansion, and the Government has ways and means of advocating regional infrastructure. For example, the Minister is about to set up a regional infrastructure advocacy unit within the Government, which will formalise what one would hope exists anyway.

It gives the unit the necessary backup and clout to focus specifically on the need for better regional infrastructure. There are also enhanced incentives for businesses if they enhance the region's competitive advantage. The committee has been very strong in ensuring that the incentives are target based as opposed to generalised subsidies.

The final recommendation in the section "Making a Difference: Adding Value to Regional Outcomes" refers to the need for local councils to continue to support regionally based economic development bodies to develop their own economic development resources and to attempt to streamline their development approval processes. Since the tabling of the report, more local councils have continued to support regionally based economic development bodies. The most notable example over the last few months has been the establishment of the Dubbo Development Corporation, which is significantly supported by the Dubbo City Council. It has just appointed its chief executive officer, who had a background in another part of New South Wales that is probably the leader when it comes to taking a sophisticated and forward looking approach to regional economic development. I am, of course, referring to Wagga Wagga.

The second part of the committee's report looked at implications for policy development. The committee made a number of recommendations in that regard. The first recommendation again emphasised the committee's determination to see that policy development flows from a bottom up approach to regional policy making, as opposed to the old top down way of making decisions. Development is to be facilitated while recognising that government has an important continuing role to play. There is an argument that perhaps governments do not have a major role to play. However, the committee concluded that government has an important and continuing role to play in regional development to make sure that all the ideas and approaches that are now becoming quite sophisticated link together and to ensure that there is a sensible statewide approach to regional development policy.

The committee recommended that the Government continue the policy of targeting regional incentives in a way that enhances competitive advantage. The committee was strongly of the view that generalised subsidies are not the way to go as there is little support for that in regional New South Wales. The committee found that in some places there is a slight tendency towards the cargo cult mentality - that the Government will come and unload buckets of money from a Hercules transport. In most places there is sufficiently knowledgeable and sophisticated local leadership to understand that that is not the era in which we are living and it is not likely to happen, no matter which political party is in power. The committee strongly supports the Minister's policy of targeting regional incentives rather than giving broadly based incentives to everyone who feels like sticking up his hand for extra government money.

The next recommendation with implications for policy development relates to the strong evidence that growing a local business is more likely to lead to sustainable employment growth in non-metropolitan areas than recruiting outside firms. The choice of strategy should, however, be left to individual regions. The committee recognised that such information is obtainable from worldwide sources and that there is a need for regions to concentrate on growing their own local industries, instead of offering carrots to large enterprises in Sydney suburbs to move to a country centre. Some campaigns to target large or medium enterprises in the metropolitan area will work; some people will be attracted to a country lifestyle and some of the benefits of country business. However, it is likely that there will be more success by concentrating on growing local enterprises and making sure that they diversify. They often have very long roots in a particular centre, with family and generational commitments. They are more likely to stay than to come for a short time and then go back to the city.

The other recommendation in this area was that the Government continue to provide assistance to individual firms based on their capacity to add to a region's competitiveness and create employment. Again, that might sound fairly self-evident. However, it is a way of disciplining the Government and policy makers to look at individual firms and say, "Well, what is this particular firm's chances of adding to the particular local competitiveness in our part of the State? What are the chances of creating sustainable employment if we give assistance to this firm?"

The next recommendation related to the Government funding short-term costs to firms and businesses that

are relocating or expanding and, specifically, not to subsidise their business costs indefinitely. This recommendation underpins a lot of the other themes in the two volumes of the committee's report. The committee believes in a significant allocation of funds to relieve businesses of the short-term costs, the one-off costs in particular, of relocating to country areas or expanding enterprises that exist in a regional town or city. The committee does not support the view that business costs should

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be subsidised on an indefinite basis by the taxpayers of New South Wales. The committee feels strongly that that is the way to go, although there may be one dissenting view.

I have outlined the recommendations that relate to the implications for policy development by the State Government with respect to favouring a bottom up approach to regional policy making; continuing the policy of targeting regional incentives in a way that enhances competitive advantage; recommending that while there is strong evidence that growing local business is more likely to lead to sustainable employment growth in non-metropolitan areas than recruiting outside firms, the choice of strategy should be left to individual regions. I refer also to the subsidiarity principle applying to that recommendation. The committee has recommended that the Government continue to provide assistance to individual firms based on their capacity to add to a region's competitiveness and to create sustainable employment and that the Government continue to help fund the short-term costs to firms for business relocation and expansion, but not to subsidise their business costs on an unending basis.

That is a brief summary of the committee's recommendations. I now refer to the guts of the volume one report, which refers to what the committee believes are the fundamental principles of regional development policy. As I have said, the committee believes that while there are serious constraints on the State Government involving itself in regional development policy in this day and age, there is an important, although not always extensive, role for the Government in regional development. The volume one report focused on five key policy areas or fundamental principles in policy making: the development of successful regional economies, an increased commitment to regional development by governments of all persuasions, the devolution of decision making, whole of government thinking about regional development, and making a difference, adding value to regional outcomes.

The committee believes that the development of successful regional economies should be a central goal of policy. Five elements make up a successful regional economy. The first is the ability to create sustainable employment for current and future residents of country cities and towns. We have identified the role of small and medium sized enterprises, particularly small firms, as being very important in this regard. There is plenty of international evidence to suggest that future employment growth will come from small firms. The larger enterprises having rationalised significantly in the past decade, new employment growth is coming from the thriving of existing small businesses and the creation of new ones.

The second element of a successful regional economy is the achievement of a global focus with an awareness of local and regional competitive advantages and the opportunities afforded by increased trade. The committee has looked at a number of studies, including those by the consultants McKinsey and Company, consultants to the Commonwealth Government on regional development. The Organisation for Economic Co-operation and Development had an international conference on small and medium sized enterprises in Sydney at the end of last year. The studies support the importance of the achievement of a global focus as critical to the creation of a successful regional economy.

The third and fourth elements of a successful economy are diversity and the capacity for adjustment. There must be sufficient diversity to overcome difficulties experienced by regional industries through cyclical downturns, for example, and the capacity to adjust to periods of restructuring where some regional industries may decline and then be able to refocus on new areas of potential growth. Both of those elements have been highlighted in the studies by the Organisation for Economic Co-operation and Development and the Commission of the European Communities. In the 1990s the much-heralded concept of critical mass is really more about economic diversity and global focus than population size. In other words, there has been too much simplistic thinking about towns having to have a population of about 100,000 before they have a critical mass

and can be considered as successful economic areas of operation. Rather, we should consider the economic diversity of areas and the outward focus of the various enterprises in the town or city. That is the key to developing a successful local economy.

The fifth element essential for a successful regional economy is networking and building business linkages which can add to the chances of building critical mass, whatever the threshold of a critical mass might be. The importance of clusters and networks was emphasised at the recent Organisation for Economic Co-operation and Development conference I mentioned. The creation of networks and clusters is one way that regions can overcome the shortcomings caused by lack of scale and distance from major markets. It is pleasing to note the various parts of the State that are focusing on creating networks and clusters of operation, whether it is clean food in the Riverina, the upper Hunter Valley becoming even more of a focus for the equine industry, or provision of services to the hospitality industry which we hope will continue to grow on the far north coast and other parts of coastal New South Wales and, indeed, inland.

There should be a recognition of the interleaving of the benefits of the sharing of knowledge, expertise and training available from clusters. Government and private enterprise should be brought together to focus on particular industries relevant to particular parts of New South Wales. The committee has recommended that the Government adopt as a central goal of policy the five important elements of successful regional economies in regional New South Wales. A second fundamental principle was an increased commitment to regional development. This key policy area involves four important aspects which -

*[Time for debate expired.]*

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## **PROTECTION OF CHILDREN FROM INDECENT IMAGES BILL**

### **Second Reading**

#### **Debate resumed from 21 April.**

**The Hon. J. F. RYAN** [11.35]: I am pleased to resume the remarks I was making when this debate was adjourned about a month ago at the conclusion of private members' business. The bill is important as it seeks to protect young people from indecent and damaging images which would cause a disturbance in their development. All of us put enormous value on young people and their development. Parents generally are focusing more and more on the formative years of their children's education and development. We are realising the effect of some of the things that we took for granted as having a fairly trivial effect in the eventual development of the adult. Kids these days tend not so much to watch television but to have it as mobile wallpaper in the background. However, kids comprehend and take in what is being shown and this can have enormous effect on their behaviour.

In the month since I last spoke on this matter over and over again in the media commentators, people on talkback radio and experts have raised continuing concern about the exposure of our children to violent images and the devastating effect it can have on how they socialise later. It is thought that if kids are continually seeing on television social problems resolved by violence, they are inclined to see that as a solution to turn to in the resolution of social problems they encounter in the playground and the home, and later in more sophisticated relationships. They could wind up causing a problem with the use of domestic violence on a spouse. There is no doubt that many good things could be said about our society in the twentieth century; but it is still hooked on a diet of violence and even in this very sophisticated and progressive society far too many people resort to violence as a solution to social problems.

The author of the bill, the Hon. Dr Marlene Goldsmith, seeks to deal with the problem by trying at least to restrict children's access to things which may be indecent or difficult for them to handle, at the same time recognising that society should allow people complete freedom of expression. We are not suggesting for a

moment that we should return to the times when books were burned and things were censored, but we understand that adults can make decisions for themselves. Nevertheless, there is a need to protect children from whatever adults might do. As I understand it, that is all the bill is attempting to achieve. In so far as it attempts to do that, I support it.

The Hon. Franca Arena, who is in the chair, has moved an amendment to the bill. I should like to say why I would not necessarily support that amendment. Public support for the bill is particularly strong. If we did not support the bill in its present form, people would regard us as being derelict in our duty to act on something that they consider to be important. It is true that referring the bill to the Standing Committee on Social Issues would allow a greater level of public consultation. Many honourable members have already received a great deal of correspondence about the bill, however, and it would be fair to say that the legislation has been on the agenda for some months, that the level of consultation that would be facilitated by referring it to the standing committee is already well under way and that the issues have already been fairly much highlighted.

The bill has changed from its first draft. I remember asking the Hon. Dr Marlene Goldsmith to change the bill by deleting proposed gaol penalties for offences against the legislation. I believe such penalties to be inappropriate. It is certainly important that the bill contain sanctions, but it was my opinion that more effective sanctions would be confiscation of the offensive material and not allowing it to be sold. Such commercial impositions were thought much more likely to be effective than a gaol sentence. No magistrate or judge would be likely to impose a gaol sentence, which would have been perceived to be much too draconian an answer to what was simply the display, in some instances inadvertently, of material that people may not have been aware was covered by the legislation.

The Hon. Dr Marlene Goldsmith took on board the view that it was entirely inappropriate for the bill to impose the penalty of gaol sentences. The redraft of the bill now before the House does not contain a provision for gaol sentences. The need for public consultation has been diminished because such consultation is already under way. The bill has been substantially modified. I believe that honourable members are in a position to be able to make an intelligent decision on the bill now. It would not be news to honourable members that this Parliament is drawing to its conclusion and that by March 1995 an election will be held. The bill before the House needs to be enacted before the conclusion of this Parliament. The new Parliament will face new issues and will have new agendas. Apart from that, the Standing Committee on Social Issues, to which the amendment would seek to refer the legislation, already has a fairly full agenda.

A previous meeting of the Standing Committee on Social Issues, of which I am a member, had to limit the amount of work that the committee can take on in order that current work can be completed prior to the prorogation of the Parliament. It must be said that the chances of having the bill discussed by the Standing Committee on Social Issues are not bright. In fact, to refer the bill to the committee would amount to a vote against the legislation. Honourable members might as well vote against the legislation and be honest about the position they hold rather than simply refer the bill to a committee, which would effectively kill the bill. We should at least let the community know what the view of the Parliament is, rather than allow it to be suggested that somehow or other the legislation had a chance of being either enacted or not supported. I believe that the bill does have a sufficient level of public support and that the people do want the Parliament to act in this most important area.

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Most of the objections to the bill are not substantive. There has been much discussion about clause 5 of the bill, which refers to the specific descriptions of the human anatomy. It is fairly obvious that those descriptions have been included in the bill in order to ensure awareness that there is material in which it is perfectly legitimate and not in any way damaging to display the human form, for example, medical journals and works of art. The bill does not suggest for a moment that such material is not legitimate. Most of us would find offensive the sorts of images to which this bill is directed, images that degrade people in the same way that racist material degrades people of different origins. The bill seeks to prevent the human form from being used in a degrading manner, especially in terms of exposition to children. There is no suggestion that adults would

not be able to view degrading material. The point is that if adults are going to transact and conduct business concerning the purchase and the viewing of such material, there is a community responsibility to protect children from that material. I urge honourable members to support the bill and I commend the Hon. Dr Marlene Goldsmith for the action she has taken to bring this most important issue before the Parliament.

**Reverend the Hon. F. J. NILE** [11.45]: The Call to Australia group is pleased to have the opportunity to support the Protection of Children from Indecent Images Bill, introduced by the Hon. Dr Marlene Goldsmith. The bill is probably one of the most simple bills to come before the House; it is not complicated legislation. It does not contain elements of serious confusion. As the Hon. J. F. Ryan said, this legislation can be dealt with in the Chamber through debate and then by way of a simple vote of the majority of members of the House, if not all members. It is not necessary to refer this bill to the Standing Committee on Social Issues. It is desirable to refer legislation to a select committee when it is complex or when there is a need to elicit community input.

There has been a great deal of community input in relation to the protection of children from indecent images. In fact, a reason for the Hon. Dr Marlene Goldsmith introducing the bill was the widespread public outcry about a number of publications being sold at newsagent outlets. The concern was not so much about the content but about the covers of these publications. This legislation is directed particularly at the open display of offensive material on the covers of publications. There may be items inside publications that are also offensive, but this legislation deals particularly with material that can be viewed by children at newsagencies and at other outlets such as service stations and supermarkets. Service stations in particular have even more explicit material on display. The matter is now much more serious than it was when the legislation was introduced by the Hon. Dr Marlene Goldsmith.

Material that is able to be viewed by children has become more explicit, more degrading to women and has appeared in more outlets. If anything, there is an increased degree of urgency about this legislation. As the Hon. J. F. Ryan said, it would be a pity if the bill were to lapse simply because it had not been dealt with prior to the forthcoming election on 25 March 1995 and had to be raised as a new item in the new Parliament. This legislation was not introduced in the past few weeks; it has been on the agenda of the Parliament for a lengthy period. Each Parliament has control of its own agenda and should try to resolve matters on its agenda, whether such resolution be accepting legislation or rejecting it. It would be a pity if the bill were to be left on the backburner and no decision was made by the Parliament. If no decision is made, that will be very disappointing to parents in particular, and especially to mothers. The focus of the bill is on one specific area: the protection of children. It would be possible to hold an extensive debate on the effects of pornography on adult males, on men who are involved in sexual assaults and rape attacks on women and so on. That very important area is dealt with in legislation introduced by the Hon. Elaine Nile that provides an opportunity for women who are victims of rape attacks and sexual assaults to apply for damages.

This legislation is very simple: it is aimed specifically at protecting children. Some members of the Labor Party, particularly of the left wing, have a knee-jerk reaction to any reference to censorship because of their fear of censorship of political comment. The bill seeks to protect children from exposure to images of a sexually degrading, violent or otherwise unsuitable nature displayed in connection with publications for sale or distribution at shops and other public places.

**The Hon. R. B. Rowland Smith:** It is all covered up now.

**Reverend the Hon. F. J. NILE:** The bill provides that, with certain specified exceptions, an offence is committed if such material is displayed in a public place so that children under the age of 10 would have access to it. A person is not guilty of any offence if the material concerned is not displayed for a commercial purpose or has serious artistic, educational or scientific value. The Hon. R. B. Rowland Smith interjected that some of this material is already covered up. That is the point of this bill. Similar measures have become law in other States and publishers are now under pressure to cover up such material.

**The Hon. Patricia Forsythe:** Do it by Federal legislation.

**Reverend the Hon. F. J. NILE:** Other States have introduced similar legislation; New South Wales should not leave a vacuum. We have the largest population and the greatest number of outlets. Covers have appeared on some publications because Western Australia and other States have passed this legislation. For uniformity New South Wales should pass similar legislation. Eventually the Federal Government may do something about it. I strongly oppose the suggestion of the Hon. Patricia Forsythe to allow the Federal Government to do everything and take away the role of State Parliament. We have a responsibility to the families of this State. We do not have any right to leave it to the Federal Government.

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The Hon. Patricia Forsythe might have confidence in the Federal ALP Government, but I have no confidence in it at all. I suggest that the Federal Government is moving in the opposite direction on this issue. Through the Federal Government in cooperation with the Australian Capital Territory Legislative Assembly Canberra has become the porn capital of Australia. Legislation passed in New South Wales to stop the sale of X-rated videos has been overruled by the production, sale and distribution of such material from the Australian Capital Territory. It makes a mockery of our State legislation when it is overruled by the Federal Government. I doubt very much whether a bill of this type would proceed through the Federal ALP caucus and the Federal Parliament. We have a responsibility to the six million citizens of this State.

The Hon. Wayne Goss, Labor Premier of Queensland, has clearly stated that Federal Government policy is to get rid of State governments. According to the Hon. Wayne Goss, if the Federal Government continues with its present policies, by AD 2000 we will see the de facto abolition of State governments. The Hon. Wayne Goss is a very thoughtful Premier who, from my recollection of his comments over the years, does not make rash statements. We should not undermine our State in exercising care for the people of this State; if we do, like Pontius Pilate we are washing our hands of it and saying we have no responsibility. In the *Courier Mail* on 12 March the Hon. Wayne Goss said:

Explicit pornography would not be available in Queensland newsagencies, and sex shops would not be allowed in the State. You really have to question whether or not having pornography freely available is a measure of how progressive your society has become. Most reasonable people do not find it acceptable to have this sort of rubbish on display and available in family newsagencies.

Call to Australia agrees with those comments. On 19 March he said:

It is degrading to women, has a bad impact on children and we could do well without it.

Those comments were made after the Queensland Cabinet had approved a ban on the sale of explicit publications through newsagencies and other outlets. That same concern is not exhibited by the Federal Government. I do not have any confidence that the Federal Government will propose legislation on this issue. For that reason we should not avoid our responsibility or pass the buck. The initial concern about this issue was triggered by the publication of one magazine that displayed on its cover a naked woman on her hands and knees with a dog leash around her neck. It was offensive to the families of this State. When this bill is passed - and the more rapid its passage through the Parliament, the better - publishers will have two choices. The first and most desirable choice will be not to print the offensive cover. If the cover is not offensive, there is no need to cover it up. This would protect children from the exposure of those images and would also reduce the availability of hate material directed against women.

The second choice for publishers is to cover up the offensive material. *Hustler* is one pornographic magazine that has appeared with a cover showing just the title. If New South Wales does not have legislation that supports the legislation of other States, it will provide the loophole. New South Wales would have lower standards than other States. New South Wales should lead by example and adopt the initial legislation of other States. This would then become the model legislation. Other States would follow this course and ultimately the Federal Government would pass similar legislation. The Hon. Dr Marlene Goldsmith is not present today as she is overseas on parliamentary duties. It is proper that she have the opportunity to respond to the debate. For that reason the House cannot vote on the bill today. Nevertheless, members have the opportunity to put on

record their support for the legislation.

The bill has not been introduced by the Government. It is a private member's bill introduced by a concerned member of this House. I hope the bill will not be treated as Liberal Party legislation. Obviously some members of the Liberal Party, and perhaps some members of the Opposition, have reservations about it, but there should be a consensus of support for this simple but important legislation from both sides of Parliament and from the crossbenches so that it passes into law with majority support. The issue should not be dealt with in a partisan way: the Liberal Party versus the Labor Party. As the Hon. Dr Marlene Goldsmith said, "It is only a small step to take for the protection of our children". Even one small step is justified if it provides for the greater protection of our children.

This important step should not be underestimated. Our children, the future generation of Australian adults, are a vital and invaluable part of our nation and should be protected at all costs from the indecent images that pervade every aspect of our lives - our loungerooms through television sets, service stations and even the signs in shopping malls and on the billboards along city and country roads. The bill seeks to address one small part of that problem, but that part of the problem can be easily resolved. The passage of this bill will mean that our children will not be bombarded with images at every turn in their local newsagencies or in their family shopping centres. The Call to Australia group always has been at the forefront of this battle against the flood of pornography.

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

## QUESTIONS WITHOUT NOTICE

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### LEGAL ASSISTANCE FOR Dr MICHAEL RYAN

**The Hon. B. H. VAUGHAN:** I direct my question without notice to the Attorney General. Does he recall the resolution of the Legislative

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Assembly on 22 September supporting the payment of legal assistance to Dr Michael Ryan of the health department? Will the Attorney now arrange for Dr Ryan's costs to be paid?

**The Hon. J. P. HANNAFORD:** The only arrangement under which the costs can be paid is by an ex gratia payment. I have only certain levels of authority to deal with ex gratia payments. The ultimate authority rests with the Premier. I have written a letter to him drawing attention to the amount of costs.

### DROUGHT RELIEF

**The Hon. R. T. M. BULL:** My question is addressed to the Minister for Education, Training and Youth Affairs. Will the Minister inform the House what assistance is being offered to families who are having trouble meeting educational costs because of the drought?

**The Hon. VIRGINIA CHADWICK:** I take this opportunity to thank the Hon. R. T. M. Bull for the work that he has done on my behalf and on behalf of the Government in the rural and education communities of New South Wales. As a result of the many insights that we have developed together, I now have the opportunity to announce that the Department of School Education has developed a drought assistance package that will augment the welfare assistance offered to families in need, particularly to families in rural communities who are doing it tough because of the rural recession and the drought. The aim of the \$200,000 drought

assistance package is to help families who are having difficulty meeting school expenses because of hardship caused by the drought. It is anticipated that the assistance will cover the costs of uniforms and textbooks, and help to meet other simple but critical education expenses of families who are doing it tough.

The money will be available immediately to families in the western, north-western, Riverina and north coast regions of the State. Although all rural families are suffering, families in those regions have been the hardest hit by the drought. The package will be administered in exactly the same way as the existing student assistance scheme. The funds will be administered regionally. They will be provided to schools on a per capita and needs basis. To apply for money from the drought assistance package, parents should seek advice from the local school principal. As with all student welfare assistance, it is guaranteed that applications will be treated sensitively and with confidentiality.

The student assistance scheme has received increased funding this financial year. Funding for the scheme now totals \$3.3 million. That sum, augmented by the \$200,000 in the drought assistance package, is practical, commonsense and tangible evidence that not only does the Government care, but it also it places a high value on education and the needs of children and their families. The Government will not allow children to be disadvantaged by not having a uniform or textbooks, by not being able to go on excursions or by not being able to purchase equipment. As I have said, I hope the combination of \$3.3 million that is available through the student assistance scheme and the \$200,000 from the drought assistance package will provide practical, commonsense and much needed assistance on a family by family basis.

I take this opportunity to say that I am particularly proud - and I hope all members are equally proud - of the individual efforts of a number of schools and schoolchildren to raise money through various mechanisms, from the ubiquitous lamington drive to quite imaginative projects. The way schools have rallied to help other children and other schools in need has been amazing. I commend them for their care and concern. A number of schools have wanted to do more. As a result, the Department of School Education has decided to conduct a community walkathon, a family walk for drought, on Sunday, 20 November on the banks of the Nepean River. That walk will coincide with the opening of Family Week. Students from private schools are very welcome to take part, but bearing in mind the nature of the drought and the rural crisis, the department wanted to ensure some form of appropriate family activity for those from the public school system to mark the beginning of Family Week.

Any proceeds from the walkathon will go to the Farmhand Appeal and, ultimately, to families and children who are in need because of the drought. By conducting the walkathon, the Department of School Education will be able to show its support for all families, particularly those in need who are doing it tough. The first estimates from the department suggest that about 30,000 people will be on the banks of the Nepean River celebrating Family Week and helping families in need in a practical way. I commend my department, the schools and the many children and teachers who have already shown on a school by school and an individual by individual basis that they care. As Minister, I am pleased to be able to show, with the available school welfare schemes augmented by the drought assistance package, that the Government cares too.

### **NRMA SHARE FLOAT**

**The Hon. ELISABETH KIRKBY:** My question without notice is directed to the Minister for Energy, and Minister for Local Government and Co-operatives. Is the Government aware that the vice-president of the NRMA is also the deputy chair of the Australian Securities Commission? Is the Government further aware that, in her capacity as vice-president of the NRMA, Ms Ralph has participated in and voted on matters relating to the NRMA float, which is now a matter of contention? Does the Government believe that this proves that there is one rule for cowboy entrepreneurs and another for an NRMA executive member who is also a member of the board of the Australian Securities Commission?

**The Hon. E. P. PICKERING:** The question of the NRMA float comes under the control of the Australian Securities Commission, which is a Federal body. Therefore, it is a matter for the Federal Government. I confirm that Ms Ralph is a member of the NRMA board and deputy chairman of the Australian Securities Commission. There is no doubt about that; it is a matter of public knowledge. I would have thought there would be no doubt that, in any discussion of these matters before the security commission, Ms Ralph would stand aside. I would be very surprised if it were otherwise, but it is not a matter that concerns the State Government.

### COURT SERVICES FUNDING

**The Hon. J. W. SHAW:** I direct my question to the Attorney General. Is he aware that the Chief Justice of New South Wales has stated that what are described by the Department of Courts Administration as user revenues provide 31 per cent of the current funding for court services in New South Wales, and that he expected pressure soon for this to increase to 100 per cent in relation to civil justice? Is this the Government's agenda?

**The Hon. J. P. HANNAFORD:** This is the second question from the new shadow attorney general and, like the first, centred on the subject of revenues and charges imposed by the courts. As I said on the last occasion that I addressed this particular issue, the charges that may be imposed are tabled in this Parliament and are a question for Parliament to decide. If the Parliament does not approve of the charges, it will disallow them, as it has done on previous occasions. On the last occasion when I proposed a level of charges, those charges were allowed by the Parliament. No doubt the Labor Party took the view that the charges recommended by me were responsible and equitable. Parliament has, therefore, indicated support for my administration of this area and the charges will continue to apply. I welcome the support of the Hon. J. W. Shaw as a member of the Opposition who supported those charges on that occasion.

### OPPOSITION EDUCATION POLICY

**The Hon. D. F. MOPPETT:** My question is directed to the Minister for Education, Training and Youth Affairs, Minister for Tourism, and Minister Assisting the Premier. Will the Minister inform the House of recent comments made by the Opposition spokesman on education, John Aquilina, which endorsed the Fahey Government's education policy?

**The Hon. VIRGINIA CHADWICK:** The Hon. D. F. Moppett was probably as absolutely thrilled as I was to note that the Opposition spokesperson on education has at last seen the light, in his view of the state of education in New South Wales, after such a long period of carping, whining, whingeing and misinformation. Despite the magnificent achievements of schools and TAFE in New South Wales, all we have had from him for years has been carping, whining, whingeing and misinformation. It has been most irritating for me, and most depressing and demoralising for those concerned with education in New South Wales. But, at last he has seen the light. I was absolutely thrilled to read in the media recently a statement attributed to Mr Aquilina, "Achievements inspiring - MP". Which MP could this be who says that the achievements are inspiring? I am thrilled. It is Mr Aquilina.

**The Hon. R. J. Webster:** Which one?

**The Hon. VIRGINIA CHADWICK:** It is Aquilina the Good.

**The Hon. R. J. Webster:** The tall, dark and handsome one?

**The Hon. VIRGINIA CHADWICK:** The tall, dark and handsome one. I notice that honourable members opposite agree.

**The Hon. Franca Arena:** I thought that a person is innocent until proven guilty. You silly woman.

**The Hon. VIRGINIA CHADWICK:** If there is any person I would regard as an innocent, it is Mr John Aquilina. He is almost childlike in his innocence. The article says, "The achievements of our local schools are both inspiring and exciting, according to the Shadow Minister for Education and Youth Affairs John Aquilina". That is absolutely terrific. I hope he feels better for it. It must make him feel bad to be so miserable all the time, carping about education. Obviously, he now must share the sense of joy that I and my colleagues feel about the Government's achievements in education. I was bemused. At first I thought that it could have been a bit of the old truth serum, but subsequently I came to believe that he had prior knowledge of a shadow cabinet reshuffle. I wonder how that could be? I think it was because he recognised that his colleague Mr Michael Knight was going to be a member of the shadow cabinet.

Honourable members who make a study of the Knight file - everything you ever wanted to know about Michael Knight but were afraid to ask - and those who have been around Parliament for a little while might just recall a very interesting document that Mr Michael Knight produced a little while ago on a subject that he cares about, education, entitled "Towards a Labor Approach on Public Education". Honourable members who were here at the time might recall that that led to "Mr Michael Knight - outspoken Labor MP faces party censure. Critical MP censured by Labor colleagues". Why did he get his wrists slapped? Why was he censured? It was because he said that Mr John Aquilina was not doing a very good job and was wrong about education. He said:

Part of the reason why the last Labor Government lost office in New South Wales was our failure to adequately address the education needs of the State.

He is another person who has taken truth serum, I think. I strongly suspect that Mr John Aquilina, as well as seeing the light about the magnificent

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educational achievements in our State, had a bit of an inkling that Mr Michael Knight might be a colleague about to enter the shadow cabinet; that he was a man who really told the truth about education and knew what a good job the Government was doing, and that he was a man who had been so outspoken in his criticism of his colleagues that he had had to face party room censure.

## STATE BANK SALE

**Reverend the Hon. F. J. NILE:** I ask the Attorney General, and Minister for Justice, representing both the Premier and the Treasurer, whether the Australian Labor Party and the three Independents in the other place have effectively delayed the announced sale of the State Bank to the Colonial Mutual Life company by referring the sale to the New South Wales Auditor-General. What effect will this delaying tactic have on the sale of the State Bank and the \$7 million compensation payment to Colonial Mutual if the sale fails to proceed before November? If the sale of the State Bank is completely sabotaged by the ALP and the three Independents, with the loss of \$576 million from the State budget, what effect will it have on the Government's development of new schools and hospitals?

**The Hon. J. P. HANNAFORD:** The honourable member is correct. As I understand it, it is proposed that the ALP and the Independents will refer the sale of the State Bank to the Auditor-General for some form of report.

**The Hon. Franca Arena:** Do you think that is not proper?

**The Hon. J. P. HANNAFORD:** There is some doubt about whether he has legislative ability to undertake that study, but at this stage I will comment no further. The contract specifies a date by which the deal is to be consummated. There is no doubt that amongst the clients of the State Bank and amongst the employees of the State Bank there is some uncertainty about its future. Recently when I was in Coffs Harbour some people asked me whether they should withdraw all their money from the State Bank. I was able to give

them assurances that they should not be doing that and that the sale of the State Bank would secure the future of the State Bank. I have friends and even family in the State Bank, and I know that they are concerned about their future if the State Bank is not given a sound growth base to enable it to expand and to be a strong competitive force within the banking industry.

**The Hon. R. S. L. Jones:** Is it about to crash?

**The Hon. J. P. HANNAFORD:** I am not saying that it is about to crash. I think it is inappropriate and irresponsible for the honourable member to say that it is about to crash. I can remember - and all honourable members should be conscious of this - that in about 1986 one commentator made such a suggestion about a building society. The then Premier had to make very strong comments to salvage it. It is my recollection that the doors of the building society had to be closed to stop a run on that building society. I therefore say very strongly that the interjection of the honourable member is an unfortunate one and must be soundly rebutted. It is necessary to be able to secure the bank on a long-term basis. If this sale does not go through one has to be concerned about the ability to sell the bank subsequently. Why should any financial organisation wish to embark upon a similar tendering process again? The people who invest in the bank, the people who borrow from the bank or the employees of the bank will be destabilised by the unknown future of the bank.

It is totally irresponsible of the Opposition to be taking the approach it is. The finance world openly states that the path being taken by the shadow finance spokesman of the Labor Party, along which he is seeking to draw by the nose the rest of the ALP, is totally politically based. It is total political opportunism on the part of the Opposition to be seen to be again opposing another measure of this Government. The last time the Opposition adopted this approach in just as irresponsible a way was in respect of the Government's proposal to deal with the superannuation liability of this State. The shadow finance spokesman at that time grabbed Bob Carr by the nose and sought to drag him along for support. It was only the pressure of the community that forced the Opposition to support the Government at that stage and, to the shock of the Independents, the legislation was passed in the lower House. The finance world knows that the shadow finance spokesman and the ALP were irresponsible on that occasion and they are equally irresponsible on this occasion.

Yesterday I made some comments on the lack of credibility of the shadow finance spokesman in the finance markets. This type of behaviour will only further enhance the attitude of the finance world to the total economic irresponsibility of the ALP and the shadow spokesman. The shadow finance spokesman has just moved to the table and is snickering about my comments. He can snicker all he likes. He does so as a nervous reaction to the truthfulness of my statements about the comments that he is making. He knows that behind him - he should have stayed on the backbench so that at least there would have been more protection for his back - in this Chamber, and certainly in the other Chamber, are people who have grave doubts about his leadership and about his judgment in these matters.

**The Hon. M. R. Egan:** That is possibly true.

**The Hon. J. P. HANNAFORD:** There is no doubt that the approach being taken by the Opposition is sabotage. I deplore its efforts. He interjects by saying, yes, it is possibly true. They do have doubts about his leadership. There is no doubt about that.

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#### **ALLEGED PROFESSIONAL MISCONDUCT OF Mr KIM GARLING**

**The Hon. I. M. MACDONALD:** Does the Attorney General, and Minister for Justice recall that on 1 April last year I asked him whether he would inquire into the delays in the investigation by the Law Society of the alleged professional misconduct of a former president of the Law Society, Mr Kim Garling, of solicitors Price Brent? Does he recall that the complaint was made on behalf of 150 former clients of Mr Garling, claiming that he breached section 61 of the Legal Practitioners Act by taking more than \$200,000 in legal costs out of their settlement money without their approval and without sending them a bill in relation to the wind-up

of Estate Mortgage?

Is it a fact that on 13 July 1993 the Legal Profession Conduct Review Panel resolved to recommend to the Attorney General that the complaint be referred to the Legal Profession Disciplinary Tribunal? Is it a fact that in July of this year the Law Society decided to pursue a complaint of professional misconduct against Mr Garling in relation to the matters the subject of complaint? Is it a fact that despite the complaint having been made in March 1992, and despite the resolutions of the Legal Profession Conduct Review Panel in 1993 and the Law Society in July to pursue the complaint, nothing more has occurred? Is it a fact that Mr Garling sued the *Sydney Morning Herald* over an article reporting these complaints, but took no further action when the newspaper pleaded truth as a defence? Will the Attorney General investigate the cause of the delays and inquire whether the reason for the delay in prosecuting the complaints is that Mr Garling is a former president of the Law Society?

**The Hon. J. P. HANNAFORD:** I will make further inquiries. The imputation the honourable member is making is that favouritism has been exercised. I can say categorically that there is no basis whatever for suggesting favouritism. Delays are experienced in some investigations by the Law Society. From time to time that has been a cause for concern to me. In respect of certain matters that have come to my attention I have written strong letters to the Law Society. As to the stage this matter has reached, I will obtain immediate advice and provide it to the House.

*Later,*

**The Hon. J. P. HANNAFORD:** Earlier today the Hon. I. M. Macdonald asked a question concerning a complaint against Mr Garling. I am informed that the Professional Conduct Committee of the Law Society resolved on 26 June that the Law Society Council make a complaint to the tribunal. The Law Society has also advised me that Mr Garling's solicitor has since requested a review by the Professional Conduct Committee of its decision. That committee allowed until 7 October for a further submission to be put to it on this particular issue. I am led to believe the committee will finalise this matter in the very near future.

### ELECTRICITY TRANSMISSION LINES

**The Hon. R. S. L. JONES:** Is the Minister for Education, Training and Youth Affairs, Minister for Tourism, and Minister Assisting the Premier aware of the very strong opposition from tourist operators in Tenterfield shire and Stanthorpe shire to the proposed 330,000-volt transmission line that will impact adversely on Boonoo Boonoo National Park and Bald Rock National Park through the clearing of thousands of hectares of unspoiled forests, plus the impact of 45-metre high towers? Is the Minister aware that Bald Rock is the largest granite exposure in the Southern Hemisphere and the second largest rock exposure after Uluru? Will the Minister ask her colleague the Minister for Energy, and Minister for Local Government and Co-operatives to request Pacific Power to consider the western option, which will have far less impact on the national parks and on agricultural properties?

**The Hon. VIRGINIA CHADWICK:** Yes and yes.

### SYDNEY CASINO PROPOSAL

**The Hon. D. J. GAY:** Will the Minister for Planning, and Minister for Housing detail the benefits that will accrue to the State from Sydney having an international casino? In what way have the recent actions of the Lord Mayor jeopardised the casino project?

**The Hon. Virginia Chadwick:** Now there is a good tourism question.

**The Hon. R. J. WEBSTER:** My colleague the Minister for Tourism has said that this is a good tourism question, and it is indeed. The casino project is a \$1 billion project. When it is completed it will become

Australia's premier entertainment and gaming facility. The substantial tourism and economic benefits to New South Wales cannot be underestimated, with the net increase in economic activity as high as \$1.9 billion a year, generating in excess of \$100 million a year in tax revenue to the New South Wales Government. The permanent casino is expected to generate up to 9,000 direct and indirect jobs. Despite these benefits, New South Wales is the only State in Australia without a casino. The opponents of the Pymont site seem determined to keep it that way.

While the casino remains a political football, subject to frivolous court challenges, the loser is the New South Wales economy. For this reason, I have made a State environmental planning policy to permit the establishment of the casino on the Pymont site - the site agreed upon by this Parliament 16 months ago. The policy means that as the consent authority I can consider the development applications related to the casino development, irrespective of the frivolous decision to lodge a court challenge. The court challenge is frivolous not only because it was lodged 16 months after the site was determined by this Parliament, but because at the council meeting at which it was agreed to proceed with the challenge, the council approved the extension of the working hours for the preparatory work on the Pymont site.

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Those two actions were inconsistent. It makes this challenge a shameful delaying tactic and nothing more. The minutes of the Sydney City Council's meeting show that it has never been fair dinkum about the challenge. It is interested only in being frivolous and causing delays - something that members opposite would know all about. Before making the State policy I consulted widely on the significance of the casino for the State. Located on the harbour, at the head of Pymont Bay and adjacent to Darling Harbour, the casino will provide a gateway to Sydney, its economic benefits flowing on to the people of Sydney and New South Wales in terms of attracting tourists, providing infrastructure services, serving as a catalyst for development, yielding significant government revenue, and providing thousands of jobs.

This Government will not allow the casino's importance to be jeopardised by the parochial politicking of a lord mayor, or anyone else. We are not prepared to wait around for the outcome of court challenges. The Lord Mayor's challenge is a 16-month afterthought. But not content with a legal challenge, I understand that at great expense to ratepayers, and I should like the Minister for Local Government and Co-operatives to take an interest in this, he has hired consultants to prepare lavish artists' impressions and even models of an alternative casino - a Sartor casino, or Sartorial casino - on wharves 9 and 10 at Hickson Road. That is another empty-headed scheme designed to thwart rather than contribute to the planning process of the Sydney casino.

Let us look at this proposed casino and at how silly an idea it is. Not only is the Lord Mayor's preferred casino site at wharves 9 and 10 on Hickson Road \$50 million more expensive than the present proposal; because it is situated on reclaimed land it would require unsightly above-ground car parks for 3,000 cars. Up to \$6 million would have to be spent demolishing the new overseas passenger terminal on wharf 10, which has just been opened, to make way for his casino. In addition, of course, we would have to relocate the overseas passenger terminal to another part of Sydney to cope with the increasing tourist demand, as well as the increasing demand generated by the Olympics.

That does not deal with the traffic gridlock that would occur if the casino were located on that site. Honourable members know of the huge volume of traffic that is generated when the Sydney Entertainment Centre is in full swing, along with Darling Harbour and Chinatown. It would also throw the Pymont casino off the rails; it would throw the light rail project for the inner west, Pymont and Ultimo off the rails as well. I know that many members opposite have welcomed the light rail proposal for Pymont-Ultimo, which is part of the building better cities program. It is predicated on the casino being at Ultimo-Pymont because of the obvious number of passengers the casino would generate.

The fact is that the light rail proposal for Pymont would not proceed without the casino being on the Pymont site. That is not negotiable. The present plans are for the route to go to the fish markets and up to Central, with the future option of it continuing to Glebe and Balmain being investigated seriously as we speak.

Of course, without the casino there will be no light rail. I am sure this will make the residents of Pymont very wary indeed. I am surprised that it makes the Lord Mayor, such a supposed advocate of public transport systems in and around the city, so enthusiastic. The point is that all of Mr Sartor's advocacy of good development and improved transport is merely rhetoric; he has no plans, he just wants to score - score for his own political purposes.

The Federal Government has always accepted the Pymont casino as part of the building better cities program, notwithstanding the objections of the Prime Minister, who appears to be out of step with his own building better cities agreement. At the eleventh hour, why would the Lord Mayor dream up a new site? Are his motives more sinister than those that I have just outlined? It was not too many years ago under the previous Labor Government - I was trying to recall who the chairman of the Public Accounts Committee was at the time, whether it was Michael Knight or -

**The Hon. Franca Arena:** It was John Murray.

**The Hon. R. J. WEBSTER:** It was John Murray who sacked Frank Sartor as the executive.

**The Hon. M. R. Egan:** But I employed him.

**The Hon. R. J. WEBSTER:** The Leader of the Opposition employed him. I wonder whether he did that when he was chairman?

**The Hon. M. R. Egan:** It was the Parliament.

**The Hon. R. J. WEBSTER:** But the Leader of the Opposition would have had some influence.

**The Hon. M. R. Egan:** No, I did not, actually. There was a selection committee made up of the Clerks and a number of others.

**The Hon. R. J. WEBSTER:** So can you tell us why John Murray sacked him?

**The Hon. Franca Arena:** No, the job was upgraded.

**The Hon. R. J. WEBSTER:** The job was upgraded? A lot of illuminating information is coming from the other side. I do not think Labor members liked the contribution Frank Sartor was making to destabilising the Labor controlled Doug Sutherland Sydney City Council. Clover Moore, who was also an Independent member of the council at the time, and Frank Sartor were making life very difficult for Doug - so difficult that the Labor Government sacked its own council. At the time it did not like Frank too much. To make matters even worse, when Pat Hills retired and Sandra Nori was preselected for the seat of McKell Frank Sartor had the temerity to stand against her as an Independent and Labor had to spend hundreds of thousands of dollars to hold the seat, which it did. But at that time the present Lord Mayor was not what we would describe as a friend of the ALP.

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One has to ask: what has changed? I know that he has been seen lunching at Lucio's with the Leader of the Opposition and I know that Mr Della Bosca visited the Town Hall on more than one occasion. Frank Sartor has been having cosy fireside chats looking at architecture books with the Prime Minister. The challenge that was to be mounted against him as Lord Mayor by Henry Sang, the only ALP member of the council, suddenly disappeared. Did that have anything to do with the fact that the Lord Mayor all of a sudden wanted to move the casino to the other side of Darling Harbour, to that unsuitable site? But do honourable members know what it is close to? Sussex Street. And who lives in Sussex Street?

**The Hon. D. F. Moppett:** The Seamen's Union.

**The Hon. R. J. WEBSTER:** Anyone else? And who got a rezoning of the Sussex Street site through the Central Sydney Planning Committee?

**The Hon. Virginia Chadwick:** Tell us, tell us.

**The Hon. R. J. WEBSTER:** The Australian Labor Party. And who is the Chairman of the Central Sydney Planning Committee?

**The Hon. Judith Walker:** Frank Sartor?

**The Hon. R. J. WEBSTER:** Frank Sartor. The Hon. Judith Walker got it right. I would be the last person to suggest any impropriety to do with any of these decisions but -

**The Hon. J. P. Hannaford:** Which company could not get its redevelopment refinanced?

**The Hon. R. J. WEBSTER:** I did not want to go into that embarrassment, but I did note that the ALP seems to be having some difficulty with that redevelopment in Sussex Street. The man who was the devil of the ALP all of a sudden is almost the darling of the ALP. The fact is that the Parliament made a decision about the casino 16 months ago and it took the Lord Mayor 16 months to decide that he wanted to challenge it and move the site of the casino. Well, we are not going to let him move the site of the casino; nor are we going to let him get away with the sort of cosy arrangements that he has made without letting the public of New South Wales know about them.

#### **AMALGAMATION OF ELECTRICITY DISTRIBUTORS**

**The Hon. Dr MEREDITH BURGMANN:** My question is directed to the Minister for Energy, and Minister for Local Government and Co-operatives. Is the Government considering plans to amalgamate a number of electricity distributors? What distributors are involved, and what provision will be made to protect the jobs of employees affected by any amalgamation?

**The Hon. E. P. PICKERING:** The honourable member would know from a casual reading of the pronouncements from the recent Council of Australian Governments that there is to be a brave new world - I think that is the way some people refer to it - in the future sale of electricity in Australia with the development of a national grid and the concept of intercompetition, true competition, between the generating authorities. In accordance with the agreement, the New South Wales Government has undertaken to examine the internal structures within the State to ensure that the brave new world can be brought about, which undoubtedly will produce very real benefits to the people of this State and the country. Only yesterday I gave notice in the House of my intention in the next sitting week to fulfil part of the obligation under the agreement by removing from Pacific Power its transmission element and creating a new statutory authority in preparation for the development of a national organisation to create a national grid. All those things are being examined, and it would be utterly premature for me to give the details of the arrangements as the examination has only just commenced.

#### **ENERGY RESEARCH**

**The Hon. J. F. RYAN:** Can the Minister for Energy, and Minister for Local Government and Co-operatives inform the House of what research and development Pacific Power is conducting into energy production?

**The Hon. E. P. PICKERING:** The Office of Energy, which of course is the State Government department that administers energy in this State, also administers the State Energy Research and Development

Fund. This fosters the development, demonstration and commercialisation of new energy technologies, manufacturing processes and related services likely to benefit New South Wales. Pacific Power also funds research into electricity generation and transmission technologies. In 1992-93 \$2.42 million was provided from the main fund to private companies, universities, research organisations and others for research and development in the areas of renewable energy, gas, electricity, coal, transportation, alternative fuels and energy efficiency generally.

The total value of funds contributed to current projects, which typically extend over one to three years, is \$5.9 million. In 1994-95 an allocation of \$2.77 million has been made to fund projects that give priority to items such as reducing energy cost to consumers through more efficient supply and end use; permitting more cost-effective use of energy resources; enhancing the security, reliability and safety of energy supplies; promoting employment growth; increasing industry competitiveness, local manufacture and exports; and reducing the environmental impact of energy production, distribution and use. The Government has provided and will continue to provide strong support for energy research, development and demonstration in New South Wales.

To demonstrate this I point out that \$13 million was committed to more than 90 new projects from the State Energy Research and Development Fund  
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between April 1988 and June 1994. The achievements so far include the development and the demonstration of more efficient and cost-effective renewable energy technologies in projects targeted at photovoltaic, solar, thermal and wind energy systems and associated storage devices and electronics. For example, in photovoltaic cell research the Government has played a significant role in supporting a fledgling New South Wales industry and a world-class centre of excellence in solar cells at the University of New South Wales.

Other achievements include the development of prototypes and the demonstration of the potential of new energy technologies, including novel batteries; efficacious clean coal processes; new coal uses; microwave energy applications; new electronic distribution technologies; the investigation, development and demonstration of alternative transport fuels, particularly natural gas and alcohol fuels; and improved understanding of energy resources, energy policy options and energy use patterns and implications to a range of focus studies.

Some significant new projects approved in 1993-94 include a study of plant biomass in the energy cycle to investigate promising energy markets and technologies and to identify strategies to utilise the substantial renewable resource; demonstration of gas heat pumps and absorption chillers or heaters to adapt existing energy efficient technology to local conditions; a gas-fired co-generation demonstration program that will encourage industry and commerce to install this currently underutilised and efficient electricity generation technology; the development of carbon supercapacitors for manufacture as an alternative storage technology to batteries. These have potentially significant advantages, including long service life, more rapid recharge rates, lighter weight and smaller size. The Government is committed to continuing support for energy research and development, which will benefit the State. The emphasis of the fund is on industry participation, so that projects may reach their commercial potential. This is to ensure that the many good ideas of researchers are not left to gather dust on the laboratory shelves. It is also a means to ensure that this State is fully prepared for the energy and environmental challenges of the future.

## **SECONDMENT OF SENIOR POLICE OFFICERS**

**The Hon. FRANCA ARENA:** My question is directed to the Attorney General, and Minister for Justice, representing the Minister for Police, and Minister for Emergency Services. What has been the Minister's response to the recent suggestion of the President of the National Roads and Motorists Association board and part-time Chairman of the Police Board, Mr Don Mackay, for the implementation of a scheme under which senior New South Wales police officers would be seconded to big business or other departments to widen their managerial skills? Was this proposal first suggested by former Minister for Police and Emergency Services the Hon. E. P. Pickering and blocked by the Police Board? If so, why? Will the Minister consider this proposal

together with the proposal to increase the mix of ethnic recruits?

**The Hon. J. P. HANNAFORD:** I thank the honourable member for her question. It is a question that requires a detailed response, and I shall refer it to the Minister for such response.

### **MOTORIST ACTION GROUP**

**The Hon. ELAINE NILE:** I direct my question without notice to the Attorney General, and Minister for Justice. Is it a fact that the National Roads and Motorists Association is experiencing a fierce power struggle between the majority of directors and the so-called Motorist Action Group led by Jane Singleton? Is it a fact that this Motorist Action Group is an Australian Labor Party front that is seeking to gain control of the billion dollar organisation to prevent justifiable criticism of Federal ALP petrol tax policies? What action will the Government take to protect the NRMA and its two million members from vexatious harassment in the New South Wales law courts or in the other place?

**The Hon. J. P. HANNAFORD:** I am trying to recall the name of the former Federal Minister for Transport - Bob Brown out of the Hunter Valley. Two or three years ago he launched a major attack, politically motivated, on the NRMA. At that time the NRMA was attacking, as it has done for as long as I can remember, all governments over their failure to allocate a satisfactory level of funds for road construction in this State. New South Wales governments of all political persuasions have felt the brunt of the views of the NRMA on these issues. The wilting flower, former Minister Brown, could not hack the pressure and decided that it was time for the ALP to do something about the NRMA. It is my recollection that the Labor Mayor of Cessnock, Mrs Callaghan, was first put up by Minister Brown to try to get on to the NRMA board. If my recollection is correct, she failed.

The ALP has also put up a number of other candidates. The Labor mayor of Bathurst was put up as a candidate, but that attempt also failed. The ALP then put up Talbot, Labor candidate in Ryde, and he was successful. The Labor Party started to put forward a major program. Last year the trade union movement launched a major campaign - it was driven out of Sussex Street - to support the Motorist Action Group. There is absolutely no doubt that the Motorist Action Group is a front for the Labor Party and the trade union movement. There is no doubt that it is the intention of the ALP to seek to get control of what has been a community based organisation that has functioned in New South Wales for the benefit of motorists. I do not know what other interest the ALP would have than to get control of all of the finances of the NRMA.

There is absolutely no doubt, however, that the ALP through the Motorist Action Group front has made a deliberate decision to try to get control of the

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hundreds of millions of dollars, if not thousands of millions of dollars, of the NRMA. There is absolutely no doubt from the campaign that was initiated by former Minister Brown that there has been a concerted effort by the ALP to turn the NRMA into an ALP front organisation. The fact that the ALP is now silent in this House clearly indicates that ALP members know that is in fact part of a campaign driven from Sussex Street. It is about time members of the NRMA in this State were made clearly aware of the fact that there is a concerted ALP program to get control of what is a community based organisation that has sought to serve the interests of this State.

I thank the honourable member for her question. There is no doubt that she has a concern, which is shared by many other people in this community, about an attempt to politicise the NRMA on a party political basis. In relation to that campaign, there is no doubt in my mind that there should be a vote yes. I have voted yes. Reverend the Hon. F. J. Nile indicates that he has voted yes. The Hon. Elaine Nile indicates that she has voted yes. I am quite happy to say that I voted yes in relation to that campaign.

### **WATER USAGE**

**The Hon. PATRICIA FORSYTHE:** Will the Minister for Planning, and Minister for Housing advise what steps the Government is taking to encourage State and local government to reduce water consumption during the drought?

**The Hon. Franca Arena:** What about the special Olympic sites? Tell us about all the decisions that have been made in regard to the Olympic sites?

**The Hon. R. J. WEBSTER:** I am about to, and if the honourable member pipes down I shall be able to. The severity of the current drought is now being felt way beyond its usual boundaries of suffering and is therefore prompting more than the usual measures of response. With more than 93 per cent of the State in the grip of one of the worst droughts on record, it is imperative that all of us not only change our water consumption habits but also monitor our water usage. For that reason, I have today written to all government bodies - State and local - that have responsibility for watering large outdoor areas in the Sydney Water Board area, urging them to be vigilant about their water usage. It is important, especially as we approach summer, that government organisations and councils that are charged with the responsibility of maintaining large outdoor areas carefully monitor the time and way they water these areas.

In my letter to these groups I have stressed the following points: on hot summer days most of the water used on gardens and lawns will be wasted because the heat of the day causes it to evaporate; watering in the cooler parts of the day will therefore greatly reduce evaporation loss; lightly watering plants makes them shallow rooted and more prone to dry out; a thorough and less frequent soaking will make the plants hardier and better able to withstand a dry spell, and reduce the loss of water from evaporation; lawns do not require daily watering; and delaying watering as long as possible in the warmer months will help them become more drought resistant.

Every water saving measure undertaken by every person or organisation in New South Wales helps to reduce the overall consumption. With the water supply for the Sydney metropolitan area under 62.1 per cent, and with no forecast of useful rain until the end of the year, it is vital that we ensure we use our water as efficiently as possible. This Government takes the present crisis seriously. It will introduce ongoing measures to assist drought affected areas and to ensure that we minimise the drought impact wherever possible. Water conservation measures taken by all people in the State make a considerable contribution to the overall effort.

**The Hon. J. P. HANNAFORD:** If there are any further questions, I suggest they be put on the notice paper.

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## **PUBLIC FINANCE AND AUDIT (SPECIAL DIVIDENDS) AMENDMENT BILL**

**Bill received and read a first time.**

### **REGULATION REVIEW COMMITTEE**

#### **Twenty-ninth Report**

**The Hon. S. B. Mutch,** on behalf of the Chairman, brought up the Twenty-ninth Report of the Regulation Review Committee entitled "Report upon Regulations", dated October 1994.

**Ordered to be printed.**

*[The President left the chair at 1.03 p.m. The House resumed at 2.30 p.m.]*

## PROTECTION OF CHILDREN FROM INDECENT IMAGES BILL

### Second Reading

#### Debate resumed from an earlier hour.

**Reverend the Hon. F. J. NILE** [2.33]: Before question time I was speaking to the Protection of Children from Indecent Images Bill. I had commended the Hon. Dr Marlene Goldsmith for her initiative in introducing the bill. Although she is a prominent member of the Liberal Party, the legislation is a private member's bill. That is why it is being debated on a Thursday, in accordance with normal practice. I had said that my hope and prayer is that both sides of Parliament will support the legislation and that the Opposition will not regard the bill as a Liberal initiative and take the knee-jerk action of opposing it, as so often happens. The bill is genuine legislation introduced by a concerned member of this House. On previous occasions members of the Opposition have introduced private members' bills dealing with matters about which they feel strongly.

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This House should continue its tradition of recognising the rights of members to introduce private members' bills and of giving those bills serious consideration. All members of the House should be given a free or conscience vote in relation to such bills, so that the bills are not dealt with in the same adversarial way as government legislation, which the Government proposes and the Opposition opposes.

In the past South Australia has been regarded as the State at the forefront of the introduction of libertarian, trendy or permissive legislation. On some occasions other States have tried to follow. In May last year the South Australian Parliament passed a bill similar to the bill introduced by the Hon. Dr Marlene Goldsmith. The South Australian legislation provided for a maximum penalty of a fine of \$5,000 or three months gaol. One of the differences between that legislation and the bill introduced by the Hon. Dr Marlene Goldsmith is that she has removed from her bill the prospect of a gaol sentence. To put the matter in context and for the information of the Hon. J. R. Johnson, the bill passed both Houses of the South Australian Parliament with a two-thirds majority in the Legislative Assembly. However, the former Australian Labor Party Premier, Lynn Arnold, and all of his Cabinet voted against it and the Government did not present it to the Governor for assent. Following the defeat of the Labor Government, the new Liberal Government, after being elected with a massive majority on 11 December last year, acted to proclaim the law. As I have said, the law was passed -

**The Hon. J. R. Johnson:** With the support of Labor members.

**Reverend the Hon. F. J. NILE:** I am saying that.

**The Hon. J. R. Johnson:** No, you were not. You did not say that.

**Reverend the Hon. F. J. NILE:** I said that two-thirds of the Parliament voted for the bill. The members of the Australian Labor Party who voted in favour of the bill were voting against Labor Party policy. The Labor Government would not proclaim the legislation, so it rejected the actions of a number of its members who had voted in favour of the bill. The Liberal Government, when it was elected, proclaimed the legislation. The majority of porn magazines are currently sold in clear plastic bags. That is a joke. A clear plastic bag only stops a child from opening up the magazine. The cover can be seen, and this bill deals with covers. Under the South Australian legislation those magazines must now be put in opaque bags, that is, bags that cannot be seen through - brown paper bags or bags made of some other material that cannot be seen through - or behind blinder racks, as they are described in the legislation.

When those racks are used the magazines will be on display but only the top sections with their titles will be visible. Children will thus be protected from offensive covers. However, I am sure the use of such racks will have an effect on sales. Obviously a great deal of time is spent by publishers on developing provocative covers that they hope will sell their magazines. That is the whole point of covers in the first place. If the

words *Picture*, *People*, *Playboy* or *Penthouse* are displayed without the attraction of provocative covers that often show a totally nude woman in a demeaning pose, the sales of the publications will be reduced. Therefore, the publishers' profit margins will be reduced and, we hope, they will be put out of business.

Call to Australia is pleased that South Australia has moved to do that. In spite of the attitude of the then Premier and the attitude of the Cabinet, Liberal members and Labor members voted as individuals and the bill was passed. However, the problem with the South Australian legislation is that it has left a loophole. There is a grey area in that the legislation does not appear to apply to magazines such as *Picture* and *People*, which will be covered by the Hon. Dr Marlene Goldsmith's bill. Even though it is a step in the right direction, the South Australian bill contains that loophole, because it will be applicable only to magazines that are classified as category 1 by the South Australian Classification Board. It is not clear whether the South Australian board will classify *Picture* and *People* as category 1. At this stage they are classified as unrestricted.

*Picture* and *People* and similar magazines are distributed by the mainstream publishers, unfortunately. The companies that are part of the group under Mr Packer's control, and so on, are some of the worst villains in this regard. It was one of Mr Packer's publications that initiated this controversy in the first place. Call to Australia is pleased that this legislation goes further than the South Australian legislation, in that newsagents and others who sell these magazines will be required to have them in special blinder racks erected at least 1.5 metres from the ground, and that posters advertising the magazines will be banned from display in shop windows and on the street outside the premises. That has been another problem. Sometimes not only is the magazine cover offensive but the publishers have deliberately, I believe, selected a provocative cover, have reproduced the cover in poster form and have displayed the posters outside newsagencies so that they are even more accessible to be viewed by children, women, mothers and male adults. On the day following the introduction of the legislation the *Sydney Morning Herald* attributed the following statement - with which Call to Australia agrees - to the Hon. Dr Marlene Goldsmith:

In NSW, we have legislation to protect victims of racial vilification. It is about time we, as a society, began to examine the subject of sexual vilification and its implications.

It is pointless for women to fight for legal equality when young girls are presented with images of women as animals or a piece of meat.

It is strong language, but I believe that the honourable member was stating a fact. I hope honourable members on both sides of the House who might regard themselves as feminists, and maybe even radical feminists, will support this legislation and be part of the sisterhood.

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**The Hon. J. R. Johnson:** The Hon. Dorothy Isaksen was the first person to raise the issue.

**Reverend the Hon. F. J. NILE:** I would not regard her as a radical feminist; I am speaking of others on your side who are radical feminists.

**The Hon. Franca Arena:** Are you looking at me?

**Reverend the Hon. F. J. NILE:** No, I am not. Two members of the Opposition have spoken in negative terms about this legislation. For the record, I am not suggesting that the Hon. Franca Arena was one of them. They were the Hon. Dr Meredith Burgmann and the Hon. Ann Symonds. They have expressed some reservations. They may vote for the bill finally, but because they have strong views about censorship they expressed some concern about the legislation. I am merely saying that those radical feminists in the Opposition - and there may be some in the closet in the Government ranks; I am never quite sure - may be in agreement with the women who have formed an organisation called SWARMS - Student Women Against Rampant Media Sexism.

Obviously the women in that group would be feminists, and I suppose one may say radical feminists, but 100 members of that organisation stormed the offices of *People* and *Picture* magazines, protesting against demeaning and degrading images of women. Although I do not agree with their actions, those women pushed aside the security guard - so they were not shy, by any means - and occupied the foyer of the Australian Consolidated Press building in the city, here in Sydney. They removed posters featuring the ACP magazines and plastered the walls with anti-sexist stickers. After a police warning, the women left the lobby and, as they left, they chanted, "Castrate Packer". They were very angry about this type of material. They then marched to State Parliament and there is no record of what they did here; whether they entered State Parliament or not.

**The Hon. K. J. Enderbury:** Do you support them?

**Reverend the Hon. F. J. NILE:** I am supporting their opposition; I am not supporting their statement, their chant. I support the fact that they were strongly offended by and opposed to this material. I gather from their actions that they come under the label of radical feminists and that other feminists in this Chamber would stand with them and support this legislation. The National Union of Students leader, Penny Sharpe, also called for *Picture* and *People* to be taken off public display. She said:

... we are just saying we don't want to have to be confronted by these sexist, misogynist images every time we pass a newsagents

She was referring to the particular poster that caused the original outcry, that of a naked woman on all fours and wearing a dog collar. Alison Milne, national coordinator of Media Switch, another group, said:

Images like those, of women on all fours, are demeaning and encourage violence against women.

It was against that background that the Hon. Dr Marlene Goldsmith prepared and introduced her bill. She would not necessarily agree with some of the chants that were expressed by those angry women on that occasion, but they indicate that there is widespread concern. The Hon. Patricia Forsythe - who suggested we should let the Federal Government look after all these things at some indefinite future time - should be leading this debate and pressing for urgent action by the Government to get this bill passed into law.

It is interesting to note that Australian Consolidated Press publishes a wide range of magazines such as the *Women's Weekly*, as well as *Picture* and *People*. The *Women's Weekly* and a number of other magazines have not gone into this field at this stage, and we hope they never will, but I believe that those other publications distributed by the group have tried to influence the debate and ridicule the Hon. Dr Marlene Goldsmith's bill. In other words, her bill is a threat to their freedom or ability to promote their products as they see fit and to use whatever cover designs they see fit - with only one aim, that of selling more magazines and making more money. It is an unfair battle, one might say, when we are taking on major publishers who have widespread access to other publications and who can use those publications to promote their side of the debate and ridicule those who would oppose them. I believe that has happened with the *Bulletin* magazine. The *Bulletin* is another major publication in the Australian Consolidated Press group.

**The Hon. J. R. Johnson:** There is nothing wrong with the *Bulletin*.

**Reverend the Hon. F. J. NILE:** I am not suggesting there is anything wrong with the *Bulletin*, but the *Bulletin* has been used to discredit the bill and promote arguments against it. The publisher of the *Bulletin* is the person affected by the bill. The publisher has the ability to use other publications, which have nothing to do with this bill, to promote views that undermine the bill. This was done by the *Bulletin* publishing articles and quoting extensively from people who criticised the bill, people whom I regard as a very small-minded group who make a lot of noise, the free speech committee. That group jumps on the bandwagon when any of these issues come up. They have been running a campaign against the bill of the Hon. Dr Marlene Goldsmith and misrepresenting it by implying that as soon as the bill is enacted police will be going through Hyde Park covering up statues that might depict the form of a naked body, be it male or female. That is not the intention of the bill. But it was a clever way of undermining and ridiculing the bill and perhaps even affecting the attitudes of honourable members of this Parliament to the legislation.

We need to be discerning in following up arguments for and against the legislation to assess where the negative articles are coming from. The *Bulletin* has clearly leaned on the side of the publisher and has, in a very clever way, sought to undermine the bill. Many of the publications of Australian Consolidated Press have been dealing with this issue

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since the bill was introduced by the Hon. Dr Marlene Goldsmith. One of the good things that has flowed from the debate is that Australian Consolidated Press has had to back off and introduce some self-regulation of its publications. It had obviously antagonised the community, and certainly many women in the community. I am not able to say whether this is happening regularly, but Australian Consolidated Press has claimed that it is submitting to the censor in proof form each page of every issue of its magazines *Picture* and *People* to ensure that the publications meet the guidelines for unrestricted publications - to provide some defence for its actions and, in a clever way, to illustrate that there is no need for the bill, because Australian Consolidated Press has self-regulation.

That is not sufficient. The bill is needed even though before publication Australian Consolidated Press may be submitting its magazines to the censor, which is not legally necessary. Australian Consolidated Press is only one publisher, there are many others, and magazines come here from other States and countries. As communications increase between nations, as more and more publications are distributed on a worldwide basis, New South Wales needs some way of exercising control, at least over what is depicted on the covers of those publications - the contents of the publications are another matter. When complaints are made to the classification authorities about a publication and the material is pornographic the authorities can classify it as restricted, or give it a stricter classification so that it cannot be displayed but must be sold only from under the counter, which is what occurs with what are loosely described as X-rated publications.

There is a need for this legislation even though self-regulation action has been taken by Australian Consolidated Press. Misleading criticism has come from the free speech committee, which has tried to ridicule the bill and exaggerate its effect by saying that the legislation will apply to statues in parks. Some honourable members may be unaware of the degree of widespread concern about these publications. I mentioned the particular feminist groups that have shown concern. A campaign has been run across Australia, mostly by mothers and concerned women, which is to be expected. I saw one report in the Penrith press under the heading, "Mum fights for porn-free area", which said:

A mother of three wants to see Penrith and the Blue Mountains become porn free after seeing "gratuitous displays of pornography" in some shops in the area.

Karen Collins of Blaxland wants the Government to introduce legislation to ensure all magazines and videos with naked people are covered and only the title can be displayed.

Presently there is no legislation banning magazines and videos classified as soft porn from being displayed anywhere.

Soft porn is, generally, unrestricted publications or videos. This particularly concerned mother, whose name was printed alongside her photograph with that article, is very pleased that the Hon. Dr Marlene Goldsmith has introduced a bill to rectify the situation. The article continued:

Mrs Collins said she was also thinking of starting a lobby group in the area to pressure retailers and local authorities to stop pornography, no matter how soft, from being displayed.

Recently residents of Shoalhaven Shire were successful in making the area porn-free.

Mrs Collins spoke out against the blatant displays of pornography after a local variety store had children's videos mixed with videos with covers of naked women touching themselves.

"I was looking through the children's videos with my children and my six-year-old picked a porno up and I don't want my children

subjected to that," Mrs Collins said.

"So I asked the manager to move them and they were moved to the front of the store. Now when you walk past the store you cop an eye full even if you're not looking."

"I respect people's right to view those things in private, but my rights of not wanting to look at them should also be respected."

Mrs Collins said when she again asked for them to be moved the manager told her it was soft-porn and it could be displayed wherever he chose.

"But try explaining to a six-year-old that a naked woman touching herself is soft porn," Mrs Collins said.

Mrs Collins does not see her stance as that of a wowsler, but a moralistic stance to protect her children from thinking women are "a piece of meat".

"I enjoy having a good time like anyone else and I find the human body beautiful but my body is for my husband and not anyone else".

Mrs Collins would like people to voice their opinions to her through the *Penrith City Star*.

As often happens in newsagencies - it happened in that case - because people seem to want to spend time looking at pornographic magazines rather than buy them, they are often displayed near the actual checkout point so that the cashier, who is often the only person on duty, can keep an eye on the so-called soft porn magazines. It puts the magazines right in the front of the main area of access to the shop, so that they are even more visible to children. Newsagents do not want to put them at the back of the store where people can congregate and read them without buying them, so they display them at the front of the store. The action they have taken to protect their sales has exposed children to those covers and makes the bill of the Hon. Dr Marlene Goldsmith an urgent bill. More and more of this material is on display in newsagencies and on display near the front of the shop. Often it is displayed not very far from quality magazines, women's magazines such as *Woman's Day* and *Women's Weekly*.

I would suggest to any honourable members who have not noticed the magazines with these offensive covers that next time they go to the newsagency to buy a newspaper, they spend time looking at the magazines on display in the front of the newsagency and they will realise that what I am saying is true. It is very important that this bill be supported by all honourable members. We are pleased that expressions of concern are being voiced across the State. In Maitland, civic leaders, residents, politicians and business leaders have joined others who are concerned about this issue. In Penrith, Bankstown,  
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Auburn, the Blue Mountains, the south coast and the Shoalhaven Council other groups have been formed along similar lines. In fact, the Shoalhaven City Council has declared its shire porn free; the material is not to be displayed.

It is difficult for councils to enforce such prohibitions. They look to the State Parliament to produce legislation which they can ensure is enforced by the police in their own areas. The councils have expressed their concern, but they do not have the power of the State Parliament to prohibit these displays of magazines. These local government concerns should be taken up by the State Parliament. We should support this bill. We will then show solidarity with the local councils; we will give them moral and active support.

If we pigeonhole this bill and do nothing, that will be a source for criticism by and discouragement of these local government bodies which have been responding to concerns of their citizens. It will also give a false message to the publishers of these magazines - that they can continue their activities because the Parliament will not restrict the display of the covers. On one hand we could give a lot of false messages, and on the other hand we could give a very positive message by passing this simple, straightforward legislation. I hope the House will give serious consideration to the bill. Even though there is to be an election on 25 March this bill could

pass through the Parliament before then. As I have said, it is difficult to vote on the bill today because the Hon. Dr Marlene Goldsmith is not in the House to respond to all the speeches. I hope we can vote on this bill as soon as she returns.

As I said a moment ago, it was very disappointing that some groups tried to discredit the bill by saying that nude paintings and displays of erotica could be banned from public viewing, that art galleries could face prosecution, et cetera, if it went through. Some of those false statements were made by the free speech committee. In the *Sunday Telegraph* of 21 March 1993 a letter of the Hon. Dr Marlene Goldsmith was published. She refuted the views which misrepresented her bill. Her letter is headed "Bill targets pornography, not art", and it states:

It was a great surprise to read (ST. 7/3) that I am supposed to be banning the display of works of art.

This is not so. My Bill, the Protection of Children from Indecent Images Bill, specifically exempts work of an artistic, educational or scientific nature. I have no intention of running around Hyde Park putting fig leaves on statues.

Nor did I say that under my Bill, Madonna's Sex would not have been for sale. The book flouts the current censorship legislation in NSW, which bans child pornography, bestiality and the explicit depiction of acts of sexual violence.

The Bill is about parents' right to protect their children from the public display of pornography, and women's right to be treated as human beings, with human dignity.

I have quoted the letter of the Hon. Dr Marlene Goldsmith so that even though she is not here she can have the last say in my presentation today. I trust that all members on the Government side will give enthusiastic support to the legislation. I hope the Labor Party will give its members the opportunity, as apparently happened in South Australia, to have a conscience vote and will allow them to vote for the bill of the Hon. Dr Marlene Goldsmith. I hope the bill is passed by this House.

**The Hon. ELAINE NILE** [3.04]: As a member of the Call to Australia group I support the Protection of Children from Indecent Images Bill, which was introduced by the Hon. Dr Marlene Goldsmith. The clear purpose of the bill is to protect children from exposure to images of a sexually degrading, violent or otherwise unsuitable nature displayed in connection with publications for sale or distribution at shops and other public places. The bill provides that with certain specified exceptions an offence is committed if such material is displayed in a public place so that children under the age of 10 would have access to it. A person is not guilty of any offence if the material concerned is not displayed for a commercial purpose or has serious artistic, educational or scientific value.

The Hon. Dr Marlene Goldsmith has repeatedly mentioned that this bill is "a small step to take for the protection of our children" from the covers of magazines, such as one which had a naked woman on her knees with a dog's leash around her neck. Any step, however small, that provides for greater protection for our children is important and not to be underestimated. It was in 1978 or 1979 that we had the International Year of the Child. A lot of emphasis was put on the care of children, including physically handicapped and intellectually handicapped children, and on the physical and mental abuse against children. Much was made of that year. A theme song was played on the television and the radio. It was put together by a committee chaired by Phillip Adams. The jingle was "Care for Kids". I have never forgotten that jingle.

This bill is about caring for kids. In everyday life we are affected by what we see, such as advertising. What we view affects us. What we hear affects us. This bill is about caring for kids, caring about the effects of viewing magazine covers such as those that we have in this State. Our children, the future generation of Australian adults, must be considered a vital and invaluable part of our nation. They need to be protected at all costs from the indecent images that are pervading every area of our lives - in our lounge rooms through television sets, in service stations, on signs in shopping malls and on billboards on the side of our roads.

A lot of people think that these magazines are available only in the city. They are available in country

newsagencies as well. It is possible for children to view them. I have seen them in one of our local newsagencies. The kids stand there, giggle and point to each other to come over and look at what is on the cover of the magazine. This bill seeks to address one small part of the problem - that part which can so easily be changed so that our children are not bombarded with images at every turn in our family shopping centres.

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Call to Australia has been at the forefront of the battle against the flood of pornography and for the lives of our children and families. It has been the Call to Australia supporters who have been involved in establishing porn free zones in various areas of our State. Pastor Glen Ryan spearheaded the very first porn free zone in the Shoalhaven shire, and has continued to fight for more restrictive policies on the display of pornographic material. From there many other porn free zones have been established. As has been noted by the Hon. Dr Marlene Goldsmith, many of them have been established under the direction and guidance of Pastor Glen Ryan. He is a schoolteacher as well. He has noted the effects of this material on the children he teaches.

Call to Australia supporters have always been directly involved in the nationwide identification of service stations that do not sell or display pornographic magazines. To our dismay, fewer than 50 per cent of service stations have been identified as not selling pornographic publications of the type to be restricted by the bill of the Hon. Dr Marlene Goldsmith. In some suburbs of Sydney all service stations do not sell or blatantly display this disgusting material. The proprietors of those that do not, when asked why they do not sell the magazines, have stated that they are family men or that they do not want to provide material that will be detrimental to the young people who come into the store. These men are to be commended. When the Hon. Dr Marlene Goldsmith introduced her bill in March 1992 it was stated clearly that the bill was aimed at soft core pornographic magazines such as *Picture*, *Playboy* and *People*. Critics accused her of censorship, but they did not mention that the main purpose of the bill was to censure indecent material on covers and remove it from the view of children. The *Sydney Morning Herald* of 5 March 1992 said:

However, her proposals were criticised . . . by the chief executive of the NSW Newsagents Association, Mr Graham Day, who described the bill as hypocritical. "This is yet another example of governments and politicians just passing the buck," Mr Day said. "They are using newsagents as scapegoats again."

"If these magazines, which have been around for 30 years are dangerous, then the politicians should make the tough decisions and ban them from sale. Instead they want newsagents to decide what is offensive."

Perhaps this Government should have intervened from the start. If this bill is passed the Government will be applauded by the parents of New South Wales. What Mr Day failed to mention was that the bill is not addressing only newsagents. It is targeting all outlets of magazines, calling for them to be more responsible in their marketing practices. He may have been correct that the magazines have been around for 30 years but he failed to recognise that 30 years ago they were not so blatantly displayed in the public marketplace. And they were not so pictorially blatant as they have been in the past 10 or 15 years. He incorrectly claimed that the legislation asks the newsagent to be a censor and to decide what is offensive. The bill requires that all soft porn by definition should be covered and that the onus is on the newsagents and any other outlets selling the magazines to follow the directions set out in the bill. The *Sun-Herald* of 8 March 1992 quoted comments from Labor MLCs the Hon. Ann Symonds and the Hon. Dr Meredith Burgmann. It stated:

Labor MLC Ann Symonds said she had doubts about the bill because she was not opposed to erotica or material that was neither violent nor made women sex objects. Labor MLC Meredith Burgmann said she found soft-core porn worse than hard-core involving men, but she feared this bill was part of a "rising tide of censorship".

The Hon. Dr Meredith Burgmann is correct: it is not censorship, it is quality control. It is a rising tide of disgust over the rising tide of pornography invading our lives and especially the lives of our children. If the honourable member is intent on freedom of the availability and display of soft porn she must remember that freedom must carry a sense of accountability - accountability to those who find that their freedom is restricted because of the blatant public display of this material. The Hon. Ann Symonds said she was not opposed to

erotica or material that was neither violent nor made women sex objects. I am not sure how that works out in reality. The *Macquarie Dictionary* refers to erotica as "That relating to sexual love; or arousing or satisfying sexual desire". Surely the purpose of the portrayal of women as sex objects - erotica - is the portrayal of women as sex objects. For that reason it must be censored from the view of those -

**The Hon. Dr B. P. V. Pezzutti:** It is not just women; it is men as well.

**The Hon. ELAINE NILE:** Then we will come to men next. Perhaps the Hon. Dr Marlene Goldsmith will introduce a bill to protect you poor little men. Men are offended by this as well, especially fathers. I am very concerned as a mother and a grandmother and I get upset when I see -

**The DEPUTY-PRESIDENT (The Hon. D. F. Moppett):** Order! Honourable members will address the Chair and those members who have a contribution to make will do so in their turn.

**The Hon. ELAINE NILE:** We hope the Hon. Dr B. P. V. Pezzutti will speak to this bill. Erotica is the portrayal of women as sex objects and for that reason must be censored from the view of those who choose not to be exposed to it. Does the honourable member suggest the reference made by the Hon. Dr Marlene Goldsmith to a naked woman, apparently covered in bruises, which appeared in an edition of *People*, is erotic or is it violence against a woman? I suggest that it is both and should be totally rejected since it is unsuitable for public display. The producers of pornography are constantly trying to push back the barriers of acceptability and toleration. Those who cry "censorship" are aiding and abetting their cause. They constantly forget the evidence that increased availability of pornography leads to increased sexual crimes and offences. The *New Scientist* of 5 May 1990 stated:

On average, every increase of 2% in the circulation of pornography was linked to a 1% increase in the incidence of rape reports. In 1987 and 1988 two studies of a total of more than 130 committed rapists and child molesters found that most use pornography while preparing to commit an offence.

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While we protect our children from the images on the pornographic magazines we are protecting them from the potential attacks of those who will use pornography in promoting violent attacks. The bill is a very small step in the battle against pornography but it is nevertheless a step and I urge all members to support it. In the area in which I live there are a number of youth camps run by the Anglican Church and the Catholic Church. Young people from disadvantaged homes come to the area to have holidays and so on. Even outside our little post office store there are billboards with a lot of objectionable material on them. I wonder what effect the billboards and the magazine covers in the only newsagency in Gerroa have on the young people. I know that they express their violence in many other ways.

I have had paint sprayed on my car, and other people in the district have as well. The young people who come to the area are being helped by the local churches and the Anglican Church in Sydney and they have many problems. When they come to my area and see this sort of material in a community of 400 people I know it affects them. It is demeaning to women. Any man who does not care about women being demeaned has a problem. I would like to close with this quotation from the scriptures, the word of God, which has been utterly demeaned in this Chamber. The Parliament starts each day with prayer. The following quotation appears above the entrance to the building housing the British Broadcasting Corporation in London. The words come from Philippians, chapter 4, verse 8:

Finally, brethren, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are lovely, whatsoever things are of good report; if there be any virtue, and if there be any praise, think on these things.

This is the sort of material that we should be churning out to our children and even adults who need help in that area, who have psychological problems about sex, whether they be male or female.

**The Hon. Dr B. P. V. Pezzutti:** What has all this got to do with the bill?

**The Hon. ELAINE NILE:** It has a lot to do with what is stuck down in a newsagency on the cover of a magazine. An article in London referred to the effects that these sorts of things, whether they be on magazine covers or on television screens, can have on a child. A six-year-old girl in London who was the victim of a schoolboy who tried to rape her after watching computer pornography in the classroom cannot bear to have even her mother see her without her clothes on. How are children affected by the covers of magazines that they see in newsagencies and on billboards? It is interesting that the *Daily Telegraph Mirror* of 27 May 1992 -

**The Hon. Dr B. P. V. Pezzutti:** How can a six-year-old male rape somebody?

**The Hon. ELAINE NILE:** A six-year-old girl was raped by a schoolboy. The article does not give the boy's age. He could have been under 10 years, though, could he not?

**The DEPUTY-PRESIDENT (The Hon. D. F. Moppett):** Order! A moment ago I reminded the honourable member that she is required to address the Chair. The honourable member who is interjecting rather forcefully should moderate his interjections. If he has a substantial contribution to make to the debate, the House will be interested to hear that at a later stage.

**The Hon. ELAINE NILE:** Of course, we all have a problem with the Hon. Dr B. P. V. Pezzutti, but I am sure he will speak to the bill, as he has said he will. It is interesting to note the extent to which women have become upset about material that demeans them and portrays them as animals. The headline from an article appearing in the *Daily Telegraph Mirror* of 27 May 1992 reads, "Women storm HQ of Packer magazine". The article stated:

More than 100 women stormed the offices of People and Picture magazines yesterday protesting against demeaning and degrading images of women.

After hearing speeches, the demonstrators burst past security guards and occupied the foyer of the Australian Consolidated Press building in the city.

They removed posters featuring ACP magazines and plastered the walls with anti-sexist stickers.

After a police warning, the women left the lobby and, chanting, "Castrate Packer" -

That is how strongly those women felt about the issue.

**The Hon. Dr B. P. V. Pezzutti:** What? Castrate Packer?

**The Hon. ELAINE NILE:** That is exactly what the article says. It went on:

... they then marched to State Parliament.

**The Hon. Dr B. P. V. Pezzutti:** Name him, which Packer?

**The Hon. ELAINE NILE:** I am just reading the newspaper article. The women, who marched to the State Parliament, called for the boycotting of all ACP publications. The article further stated:

National Union of Students spokeswoman Penny Sharpe called for People and Picture to be taken off public display.

"We are not asking for these magazines to be censored, we are just saying we don't want to have to be confronted by these sexist, misogynist images every time we pass a newsagents." she said.

The publication by Picture on March 4 of a cover featuring a women on all fours wearing a dog collar caused a national outcry.

Since then the magazines have been taken off public display in Western Australia and South Australia.

The national co-ordinator of Media Switch, Alison Milne, told the rally: "Images like those of the women on all fours are demeaning and encourage violence against women."

Upper House Liberal MP Marlene Goldsmith is drafting a private member's bill to introduce similar legislation for New South Wales.

I hope that the women in this Chamber on both sides of the House -

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**The Hon. Dr B. P. V. Pezzutti:** And the men.

**The Hon. ELAINE NILE:** And the men, who are very protective of their wives and their sweethearts, will also be as upset as those ladies.

**The Hon. Dr B. P. V. Pezzutti:** On a point of order: I object to the sexist language the Hon. Elaine Nile is using at every turn in this debate. This debate has no sexual or sexist connotations; it applies to men and women equally. I ask that the Hon. Elaine Nile speak to the bill.

**The DEPUTY-PRESIDENT (The Hon. D. F. Moppett):** Order! The point raised by the honourable member is a debating point, not a point of order.

**The Hon. ELAINE NILE:** I have a terrible thing to explain to this Chamber: I am sexist. I believe in the roles of men and women that God gave us.

**The Hon. R. S. L. Jones:** Which god gave them to you?

**The Hon. ELAINE NILE:** My God, the God of the Lord Jesus Christ.

**The Hon. R. S. L. Jones:** Then why are you not at home, in that case?

**The Hon. ELAINE NILE:** My children are all grown up, my baby is 29. I am here under the headship of my husband, who is the head of the Call to Australia movement, so God does not have a quarrel with me. I accept all of his teaching; I do not pick and choose which parts I want to accept. He gave me the role of a woman. I am very honoured to be a woman, and I have something that no man will ever have: the ability to give birth to a baby. The honourable doctor may stand at the other end, but he certainly will never experience the sexist role of a mother and of a woman giving birth.

**The Hon. Dr B. P. V. Pezzutti:** That is right.

**The Hon. ELAINE NILE:** The honourable member knows that. I hope that, as the women to whom I have referred were affronted and upset at particular magazine covers and many other magazine covers that are being issued, the women in this Chamber will be so upset that they will vote for the bill introduced by the Hon. Dr Marlene Goldsmith. The bill has received very good coverage and people are being stirred up. An article from the *Sun-Herald* of 25 October 1992, entitled "Porn-free campaign spreads", was correct in saying that this campaign has spread across the State. It has spread down to the Nowra area.

The article stated that the campaign had spread to the western New South Wales shires of Griffith and Leeton, which had already been declared porn-free zones, and Sutherland, Wagga Wagga and West Wyalong were working on declaration. Since October 1992 those areas have been declared porn-free zone. People are starting to wonder what has happened to the values of maybe even 25 years ago. What has happened to

morality? What has happened to the days when men used to put women on a pedestal? A woman was put on a pedestal and was looked up to. What has happened to that? My generation grew up believing that, as did, perhaps, the older members in the other place - I do not know about the honourable members in this House. There are men who still believe that a woman has a special place.

**The Hon. R. S. L. Jones:** On a pedestal?

**The Hon. ELAINE NILE:** Yes, on a pedestal. Because I am sexist and because I am a woman I love to see a man open a door for me, and now I always thank a man when he opens a door for me. I say, "Thank you very much", because quite often a lot of men slam doors in women's faces. That is the difference between then and now and the values that we have always appreciated. The majority of people want their children to be protected from this kind of abuse. I believe that in the main it is child abuse, because our children learn from what they see. An article that appeared in the *Sunday Telegraph* of 4 April 1993 entitled, "Censor's own rules support a ban on Sex", which is a letter from the Hon. Dr Marlene Goldsmith, explains that the chief censor, John Dickie, disagrees with comments she had made. The article stated:

Chief Censor John Dickie (ST. 28/3) asserts that I was "somewhat misleading" over the classification of Madonna's book, *Sex*.

The article went on to state:

Sexual intercourse with children is a crime, but the book promotes this in two separate instances.

The Hon. Dr Marlene Goldsmith has been standing up for children, and I believe that is her concern in this bill. I hope that her party is fully behind her. Honourable members will nitpick and say that they cannot support the bill, but the crux of the bill is to protect children. We can sit and listen to all the arguments that will, may and have been put up against this bill, but what happens to the kids who view this material? That is what it is all about.

**The Hon. Dr B. P. V. Pezzutti:** I am worried about exploitation.

**The Hon. ELAINE NILE:** Does the honourable member really care about children under the age of 10 years?

**The Hon. Dr B. P. V. Pezzutti:** I am worried about exploitation.

**The Hon. ELAINE NILE:** All of us in the Chamber are very concerned about the exploitation of men and women. My prime concern as a mother, grandmother and Christian woman is that of children, who cannot defend and fight for themselves. I have passed some newsagencies and whipped out billboard posters, and have gone to tell the newsagent that I have done so. I have put newsagents on the spot. Usually a newsagent goes very red in the face when one goes in and says, "That is offensive to me as a woman". Such billboard posters have been offensive to my husband as well.

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**The Hon. Dr B. P. V. Pezzutti:** I thought you were worried about the children.

**The Hon. ELAINE NILE:** That is what I am saying. If material is offensive to me as an adult woman who can think for herself, it will be much more offensive to a child, who does not understand the arguments. Children simply look at material and it goes through their eye gates. The effects that pornographic material will have on children's psyche as they grow older, to think that a woman is meant to be treated like an animal, down on all fours -

**The Hon. Dr B. P. V. Pezzutti:** That is exploitation. Object to exploitation.

**The Hon. ELAINE NILE:** It is, and I am.

**The Hon. Dr B. P. V. Pezzutti:** Good.

**The Hon. ELAINE NILE:** I hope that the honourable member also stands up and objects to it and that he votes in favour of the bill.

**The Hon. PATRICIA FORSYTHE [3.29]:** This is perhaps one of the most difficult bills that I have ever spoken to. I recall only one other occasion in the three years that I have been a member of Parliament that I have expressed reservations about a bill. On that occasion I read into the *Hansard* a letter from an organisation that was concerned about the bill. Having read the letter, I had no difficulty supporting the bill because I believed it was in the broader interests of the community though perhaps not in the narrow interests of that particular organisation. On this occasion it is different. Under no circumstances will I vote against this bill. However, in my party room I indicated that I had significant reservations about this bill, but that in the broad context of what we do in government it is not a bill on which I would be prepared to cross the floor. I should like to place on the record some of my concerns about the bill.

Many of the principles that the Hon. Dr Marlene Goldsmith seeks to place on the record through this private member's bill are admirable, but the bill is misplaced. It is our obligation to deal with the bill and not necessarily with the motives behind it. Before addressing any of the issues within the bill, I congratulate my colleague the Hon. Dr Marlene Goldsmith for raising the issue of how humanity is depicted. In the first draft of the bill she had narrowed it to focus upon women. As I listened to the Hon. Elaine Nile my impression was that perhaps the Hon. Elaine Nile had considered only that first draft. In discussions in our party room, the Hon. Dr B. P. V. Pezzutti, other members and I sought to widen the scope of the bill so that it was not only about women. After all, if the principles are valid, they are valid about the depiction of women and humanity.

The bill does not define anything only in the context of women, yet I share with the Hon. Elaine Nile the reality that many magazine covers, many magazine articles and much of the media portrayal of which we speak have much to do with the portrayal of women. I congratulate my colleague for her initiative in proposing this private member's bill. The way that humanity is depicted, be it male or female - or shall we just describe them as people - says much about the level of civilisation. In a society that seeks to degrade people, when we talk of civilisation we are talking of a degrading of humanity. I accept that this bill is about humanity and how it is depicted, but the bill is flawed.

I will not vote against the bill but I place on the record my very strong reservations about elements of the bill. If mankind is to be seen as intelligent and dignified, how we are depicted in the media or in any other aspect of life is fundamental to the broad concept of civilisation. That was a motive behind the Hon. Dr Marlene Goldsmith in her initial decision to bring forward this private member's bill, though it was concerned with women in the first place. Her motive was to raise the esteem in which women are held in the community. I regret that she chose the title, "Protection of Children from Indecent Images" - it is an easy image to hide behind. I would have preferred a more up-front and open account that the bill was about the way humanity is depicted. It is not a question of the protection of children - I shall say more about that later - but about the way humanity is depicted.

The bill is brief, and I have concerns about almost every clause. For many women this bill is something of a landmark. Many women within the Liberal Party and Liberal women's councils across Australia have passed motions in support of this type of bill. I will not focus on the principle of the bill but, rather, the consideration honourable member are asked to give to it. My first concern relates to the inappropriate onus of responsibility that falls upon the people who display in public places a publication that may be deemed to fall within the proposed Act. Those people will be the newsagent shop owner, the manager of the newsagent shop, the service station owner, the manager of the service station, the supermarket owner, the supermarket manager or other small business person.

Clause 4 of this bill places the onus of responsibility for the display of the publications on the proprietor,

who generally will be a small business proprietor. Newsagents are classic examples of small business people within the New South Wales environment. Those people will be asked to make decisions based on the criteria of this bill; decisions for which in almost every case they will be totally untrained and totally unable to make a final judgment. This bill rests the onus of responsibility on the people who display or sell the publication displaying the particular violent or explicit image. That means posters at the front of newsagencies, supermarkets, service stations or anywhere else that a publication is likely to be on sale, or what is seen on the covers of magazines.

One would have thought that, in a bill that goes to the heart of some fundamental issues, the onus of making an objective decision about whether a

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particular image falls within the provisions of the bill would rest on people with a measure of training, ability and knowledge. I could not think of a more inappropriate group of people on whom the onus should rest than small business proprietors or managers, on whom this bill will place so much responsibility. There is, of course, a means by which publications are reviewed before they ever get to newsagencies, service stations or anywhere else they might be sold. They are dealt with by people particularly chosen for that responsibility who are charged with the task of censorship and determining community standards.

When the Hon. Dr Marlene Goldsmith introduced her bill she described it as an insurance policy. In other words, a group of people - perhaps they could be referred to as censors - will have the task of examining publications, but somehow or other some publications will slip through. Under this bill the onus will rest on service station owners, newsagents, supermarket proprietors or any other proprietors of the multitude of small and medium size businesses where magazines and books are sold that depict the sorts of images dealt with by the bill. I genuinely believe that this bill focuses that onus on absolutely the wrong group of people. It requires that group of people to make judgments based on a variety of criteria, some of which are defined in the bill.

**The Hon. R. S. L. Jones:** Some are ill-defined.

**The Hon. PATRICIA FORSYTHE:** I will come to the definitions later, but the bill requires a person to make a judgment, and to some extent that person's professional credibility rests upon that judgment. At the end of the day a newsagent who is in doubt and lets a particular publication be displayed may well be fined. Earlier today the Hon. J. F. Ryan pointed out that the bill as originally drafted provided that such people would be liable for a gaol sentence as a possible penalty. That provision is certainly not contained in the present bill, although it provides for a not insignificant fine. The responsibility will rest on the person who must make the judgment and who, apart from owning the newsagency or any other of the myriad small businesses I have referred to, will have no particular qualifications to make such a judgment.

I will use as an example a magazine I saw a couple of weeks ago when I was on holidays. I think it was *Woman's Day*. I do not purchase those sorts of magazines, but on the front of this particular issue was a photograph of a woman with her arms folded across her breasts and wearing an elaborate necklace, but apparently nothing else. I believe that such a cover would represent a very grey area. I do not believe that under the definitions in the bill, particularly the one relating to nudity, a small business proprietor would be able to make a decision as to whether that cover fell within the definitions in the bill. My first concern is whether the bill places the responsibility on the right group of people. I believe the bill targets the wrong group of people.

If we are to deal seriously with this important bill, in contrast to the earlier interjections of the Hon. Franca Arena, we should stop and analyse whether it is appropriate for the people who allow magazines to be placed on display, or who allow billboards to be placed in front of their shops, to bear the responsibility for making what will ultimately be a value judgment about whether a picture is appropriate or inappropriate for display. I cannot overemphasise the importance of that test. It goes to the heart of this bill. A great deal is said about red tape, small businesses and small business people. For us to now place an onus on that particular group of people, offended as some of them may well be by the sorts of magazines they have to display, is to place the onus on the

wrong group of people in the community. That is probably the heart of my objection to this bill, but I have others.

I believe this is not an appropriate bill to be dealt with at State level. Earlier in the debate I interjected on Reverend the Hon. F. J. Nile, and we had some discussion about that across the table. Reverend the Hon. F. J. Nile suggested that other States have legislation similar to his bill and that New South Wales, being the most populous State, should not lag behind. He mentioned Western Australia. I am not familiar with the Western Australian legislation. However, given that this bill was drafted by a private member and that after the initial draft was taken to our party room it was amended considerably to accommodate concerns raised by many people, I do not believe that this bill could be in any sense identical to legislation in other States.

It may well be that this State must take the lead on an issue such as this, as suggested by Reverend the Hon. F. J. Nile. The reality is that magazines and billboards will be produced and printed centrally, perhaps in two centres, and be distributed across the whole of Australia. The bill provides for another test then to be applied before the magazines are displayed in this State. If the magazine fails that test, it will have to be covered in some way - I presume that means wrapped in opaque paper - or the billboard will be not displayed. Initially that test has to be based on New South Wales law or, for that matter, Western Australian law, or the law of any other State.

The Standing Committee on State Development, of which I am the chairman, has spent a considerable period of time on a report that contains, among other recommendations the committee has been discussing, a recommendation dealing with red tape. I do not claim that regulations are always invalid. However, when regulations are at great variance across the States or when they are on the books perhaps for their own sake, they add to the cost of business. Taken on its own and not as part of broader Commonwealth legislation, this bill will add to the cost of doing business in New South Wales.

I believe that if we are going to deal with this issue, it is incumbent on this and other States to put pressure on the Federal Government. This morning Reverend the Hon. F. J. Nile said that he does not have confidence in the Federal Government. However, there is a mechanism to deal with this  
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issue. I know that ultimately it will require agreement between the States and the Commonwealth. If the Standing Committee of Attorneys-General - or any of the other ministerial conferences, such as those on the status of women - were to come together and deal with this issue, it may well result in legislation across the board. To have legislation that sets New South Wales apart is to have a regulation that puts a huge onus of responsibility on business. Indeed, business must accept responsibility for its actions. But in respect of an issue such as this it is not just a question of New South Wales giving the lead; it is a valid community issue, an issue that can be legitimately dealt with across Australia.

We can put any spin we like on this legislation, but it will add to the cost of business; it will add to the regulations and red tape in the State. The Government is competitive and always seeking business for the State over and above the other States. I do not want there to be legislation that sets New South Wales apart on an issue that has a broad community focus. It is not something peculiar to this State. My second objection is that we are seeking to introduce legislation that has a particular State focus, when it ought to be Federally based legislation. I have confidence in the Attorneys-General, the Ministers for the status of women and the other groups that may have an interest in this issue, first of all to ensure that the issue is discussed seriously and comprehensively at conferences of Ministers of the relevant portfolios.

**The Hon. R. S. L. Jones:** With the publishers?

**The Hon. PATRICIA FORSYTHE:** The Hon. R. S. L. Jones interjected and mentioned the publishers. That brings me to another concern I have about the legislation in general. Honourable members have heard much about the magazine cover of, from memory, May 1992, that depicted a woman, nude but wearing a dog collar. It was, as I said at the beginning of this contribution, a degrading image for humanity, not only for women.

**The Hon. R. S. L. Jones:** It was a silly cover.

**Reverend the Hon. F. J. Nile:** On her hands and knees.

**The Hon. PATRICIA FORSYTHE:** Yes, on her hands and knees. The image has been depicted in the debate; we do not need it again. The point is that when that magazine cover first appeared it earned, and rightly so, huge condemnation across the whole community. People everywhere were offended by it. I had not really paid a lot of attention to this issue until that cover was brought to my attention by the Hon. Dr Marlene Goldsmith. I then took it upon myself from time to time to note the covers of magazines and billboards. As a Liberal, I am of the view that if we can achieve the community standards we desire without having to legislate, that is the course we should adopt. I do not believe there has since been a magazine cover, as such, which has caused anywhere near the huge outcry that that magazine cover caused.

I will go back to the words of the Hon. Dr Marlene Goldsmith. She described this legislation as an insurance policy. In many ways the New South Wales community, by its outcry at that time, has already demonstrated that it is able to put pressure on publishers, so that such a magazine cover is not likely to appear again. The issue of whether we do this by legislation or by community pressure is a very broad subject in which I am deeply interested. It is something that may be appropriately dealt with at length on another occasion, but I have much to say about it.

**Debate adjourned on motion by the Hon. Patricia Forsythe.**

## **POST-CONVICTION INQUIRY (DOUGLAS HARRY RENDELL) BILL**

### **Second Reading**

**Debate called on and adjourned on motion by the Hon. K. J. Enderbury.**

## **RURAL LANDS PROTECTION (NOXIOUS ANIMALS) AMENDMENT BILL**

### **Second Reading**

**The Hon. B. H. VAUGHAN** (Deputy Leader of the Opposition) [3.56]: I move:

That this bill be now read a second time.

The Rural Lands Protection (Noxious Animals) Amendment Bill was passed by the Legislative Assembly in March. The Rural Lands Protection Act of 1989 provides for the management and protection of certain rural lands. Occupiers of such land are under a duty to suppress and destroy noxious animals. At present rabbits, wild dogs and feral pigs are noxious animals. The object of the bill is to provide that red foxes and feral cats are noxious animals for the purpose of the Act. There is a provision that the suppression or destruction of feral cats is not to apply to cats found within one kilometre of any residential premises - something of a pity, I think, but they are the terms of the bill. There could be some confusion about the timing of this particular legislation. It was initiated in the lower House by the Parliamentary Labor Party in 1993. Since that time the Government of the day has enacted the Rural Lands Protection (Amendment) Act. The Opposition believes that that legislation is deficient, in so far as it refers to pest animals and does not specifically refer, as our bill does, to the red fox, which is a *Vulpes vulpes*, and the feral cat, which is *Felis catus*. In an article in the *Daily Telegraph Mirror* of 18 March 1994, Christine Spiteri wrote:

They may purr angelically on the sofa or sit placidly on your lap but the domestic cat is a born killer that is decimating native wildlife.

According to experts, the booming cat population already has wiped out native species and is threatening the numbers of countless others in the suburbs and in the bush.

Wildlife conservationists and cat welfare groups have united to call for tough laws to govern cat ownership in NSW - including compulsory council registration and dusk-to-dawn curfews.

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It is interesting to note that on three occasions since 1895 foxes have been included in and taken out of the list of noxious animals in this legislation. The Hon. D. F. Moppett reminded me today that there was a time when a fox was worth shooting because at that time the community gave permission for people to wear the fur. Now nobody would dare wear a fur coat in case he or she were attacked somewhere in the streets of Sydney. It is preposterous, but it seems to be the attitude of society today. History has made us the custodians of native animals found nowhere else. Our animals are unique. Today these creatures that decorate our coins and stamps and the walls of Australian Embassy offices face decimation, partly because of the loss of habitat and partly because of the introduced species now running wild in our country lands, in our bushlands and in our suburbs. Of these the most dangerous is the cat.

I happened to see a third or fourth generation cat on the Paroo River in south-west Queensland and could not believe that such a big animal was a cat. They are of an extraordinary size because for generations they have been let loose or have escaped into parts of the mulga country in the south-west of Queensland. The wild, foreign, alien species of animals that abound in Australia today is an emerging conservation and land management issue for the next century. The reason for the crisis is simple: the distinctive flora and fauna of Australia evolved over a long period of isolation from the rest of the land mass in the world that we know. This evolution produced the unique flora and fauna on the Australian continent. Cook and Banks were startled, absolutely incredulous, when they first saw a kangaroo - and that has been recorded in the history of this country - at Botany Bay and Cooktown.

A major feature of European colonisation from the sixteenth century onwards has been the biological invasion from the rest of the world by European plants and animals. These biological transfers, deliberate or accidental, involved the introduction of exotic species through many continents. But nowhere, I suggest, has the impact of introduced species been greater than in Australia. We have lost more species, faster we are told, than any other continent. The relative biological isolation of Australia's flora and fauna meant a lack of competitive advantage over introduced species. As well, the temperate climate of Australia is climatically suitable for European and other species. The nineteenth century takeover by rabbits is the classic example. Last year the Australian National Parks and Wildlife Service organised a national conference in Canberra about the impact of cats on native wildlife.

The survey found that cats were endemic throughout Australia, with domestic cats constantly replenishing the feral population; they successfully prey on more than 100 species of native birds, 50 mammals and 50 reptiles; they carry and transmit infectious diseases; and they undermine the recovery programs being carried out to rescue endangered species. Feral cat populations nationwide are estimated to fluctuate between 5.6 million and 18.4 million, with an average of 12 million. Nobody really knows how many. According to a ranger in central Australia, in 100 years these feral cats will have evolved into a species as big as America's bobcats. An adult male bobcat can grow from 80 to 88 centimetres in height. The average weight is 10 kilograms. They prey on large and small animals alike, such as sheep, deer and birds and we can expect that evolution into those weights and sizes will occur in Australia, as it is occurring in the area with which I am familiar in the south-west of Queensland. Carole Webb, Director of the Cat Protection Society in Victoria, in acknowledging that stray and feral cats are a major problem, said in the Royal Society for the Prevention of Cruelty to Animals magazine *Animals* in June 1993:

It is clear that in order to control the cat problem it is necessary to both remove the existing stray and feral cats and institute control over the domestic population by encouraging and enforcing responsible cat ownership.

I suggest that councils need to run awareness programs about the domestic cat. Barry Cohen, a former Federal Minister for the Environment, wrote at the beginning of last year, apropos cats:

The first step is to convince all Australians that the cat, both feral and domestic, is a major threat to our wildlife. The next step will be to convince those who feel that they must have a cat to restrict themselves to one, have it de-sexed, keep it in at night and have a small bell attached to its collar. It will not be easy to change Australian's attitudes towards cats, particularly when one considers the love and companionship they provide for so many.

On another front I suspect the day will come when a woman, or even a man, arriving at the Sydney Opera House in a fox fur will attract not critical looks, but admiration. I hope to see that in the not too distant future. We inherited a continent the isolation of which guaranteed a large reserve of very special animals. I am particularly pleased with this legislation because there is a perception in some quarters that the Australian Labor Party has no interest in rural matters in New South Wales. I have always disputed that vigorously and did so this morning at a conference I attended. It is good legislation. It is complementary to the Government's enactment, but it goes further than the Government's enactment. Perhaps somewhere along the line both pieces of legislation should be merged.

**Debate adjourned on motion by the Hon. D. F. Moppett.**

## **INDUSTRIAL RELATIONS (PROTECTION FOR EMPLOYEES OF SUBCONTRACTORS) AMENDMENT BILL**

### **Second Reading**

**The Hon. J. W. SHAW** [4.08]: I move:

That this bill be now read a second time.

This bill will amend the Industrial Relations Act 1991 to protect the employees of subcontractors. Numerous examples exist of employees who have performed work, particularly in the building and

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construction industry, for subcontractors but who have subsequently been unable to recover their wages for the performance of that work. Since they are ordinary working people on ordinary award wages, the financial loss to workers and to their families is obviously substantial and intolerable in a just society. In part, these problems arise because of the corporate veil and the protection it gives in certain legal circumstances.

The problem arises where the workers are employed by small companies which lack assets, and those who are owed debts or wages are unable to trace their liability or obligation to the individuals who actually run a profit from the corporation; that is, the directors and the managers. The corporate veil obviously has its utility in commercial life, but it should not be used to protect individuals who employ other people and then default on the payment of their wages. Everyone would agree that there ought to be remedies for employees deprived of their wages in such circumstances. The question is: how far reaching and how effective should that protection be? That would be the view put forward by those who suggest that the present law does not provide adequate or sufficient remedies for employees who have not been paid their wages for work performed for subcontractors.

Obviously this problem arises predominantly in the building and construction industry, a turbulent industry in which many small corporations play a part and may suffer financial difficulties and default on wages. The bill is at a higher level of generality than that. It deals with the employees of subcontractors generally, whether in the building industry or elsewhere. The Industrial Relations Act 1991 gives some degree of protection to employees of contractors by section 154. This bill would significantly strengthen those provisions, give them teeth and make them viable in order to allow the practical enforcement of industrial rights to wages and other rights accrued by the performance of work.

Even the Minister for Industrial Relations acknowledged that "the Government has some sympathy for the concerns raised in this bill". Obviously workers who perform work are justly entitled to an appropriate amount of wages for that work. The Minister then went on to say that in her view this was not the way to deal with these problems. The Opposition takes a contrary view. We think this bill is a reasonable attempt to grapple with the problem of subcontractors who default on wages owing to their employees. The bill tightens up the present provisions. It makes them more effective in a number of ways. I will spell out how this bill would make more effective and protective the present law in relation to the employees of subcontractors.

First, it adds a provision to the general award and agreement enforcement provisions of the Act - that is, section 151 - which empowers the court, in its discretion, to make an order against a director or a person concerned in the management to the effect that that person is liable to the amount outstanding if the corporation defaults. This is not novel in our law. Increasingly, from time to time, the Parliament is setting aside the corporate veil and saying that the directors or managers of a company have some personal obligations for the debts of that company. In particular, I would have thought that the debt of wages owing was a case where there ought to be a personal obligation on the part of the directors or the managers to pay those wages, even where the corporation has no assets.

Second, the bill adds a new provision - that is, section 153A - that deals with the situation where a corporation is wound up prior to an order being made under the recoveries section of the Act or the recovery under the contract of employment provision of the Act. It would provide that orders may be made against individual directors or managers in the same way they could have been made against the corporation if it had not been wound up. In other words, the bill addresses the sad position of workers who are faced with claims against a company which has been wound up. It deals with the individual obligations of the directors and managers to pay the wages owing and due.

Third, the bill tightens up the existing provisions of section 154, which makes the head contractor liable for the wages of subcontractor employees unless the contractor provides a written statement that no wages are due. The problem with the simple requirement that the contractor can provide a statement that no wages are due is that it is a procedure which renders ineffectual the safeguards of that section. The proposed changes would allow a prescribed form to govern the content of such a written statement. The changes would require more than the making and signing of a written statement and require that the head contractor who knowingly receives a false statement would be guilty of an offence. Penalties for breach would be boosted under this bill.

*[Debate interrupted.]*

**The PRESIDENT:** Order! It being 4.15 p.m., pursuant to sessional orders debate is interrupted to permit the Minister to move the adjournment of the House should he so desire.

**The Hon. E. P. Pickering:** No, I do not so desire.

## **ELECTRICITY TRANSMISSION AUTHORITY BILL**

**Bill introduced and read a first time.**

### **Second Reading**

**The Hon. E. P. PICKERING** (Minister for Energy, and Minister for Local Government and Co-operatives) [4.15]: I move:

That this bill be now read a second time.

Honourable members will recall that during the autumn sitting legislation was passed to enable the formation of

a subsidiary company to take over the  
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transmission function of the Electricity Commission as the first step in the separation of the generation and transmission functions. The subsidiary company, known as PacificGrid Proprietary Limited, commenced operations on 1 July 1994. It was indicated to the House on a previous occasion that legislation to establish a transmission authority would be submitted for Parliament's consideration during the budget session. The bill gives effect to the agreement of the Council of Australian Governments on 9 June 1993. Under this agreement it is necessary to have the structural changes put in place to allow a competitive interstate electricity market to commence from 1 July 1995.

The Government is firmly committed to this national grid process, as long as these reforms lead to the introduction of a truly efficient, effective and competitive market in electricity. The formation of a separate transmission authority in New South Wales will complement both the national grid reform process or, if this does not eventuate, the further development of a competitive electricity market within New South Wales. The creation of a national grid is expected to result in cheaper electricity for business and household consumers. The results of this Government's reforms on the electricity industry in this State are quite apparent - the recent reduction in bulk electricity prices in this State will save businesses \$295 million this financial year. The aim of this Government is to ensure a sustainable electricity industry which is competitive nationally and internationally. The bill is not about corporatisation nor is it about privatisation. It is about the creation of a statutory authority which keeps electricity transmission infrastructure firmly in public hands.

This statutory authority, to be known as the Electricity Transmission Authority, will take over the functions of PacificGrid. These include the management of the New South Wales high voltage transmission system, consisting of high voltage transmission lines and substations which carry electricity from the point of generation to direct and bulk supply customers, and provision of non-discriminatory access to users of the network. The authority's principal functions are the management, operation, control and maintenance of the authority's transmission system, including balancing of supply and demand, dispatching of generating units, and ensuring the reliability and security of supply.

The authority also will be responsible for ensuring that the transmission system has the ability to keep up with demand for electricity. To this end, it will need to investigate and plan for future needs. This includes interconnection with other transmission systems. Protection of the public from dangers arising from the transmission of electricity will be an important function of the new authority. Ancillary functions include acquisition or building and maintaining and disposing of transmission lines, buildings, plant, machinery, equipment, and so on. It may acquire land or an interest in land, for example, an easement.

The authority will contribute to the electricity development and fuel sourcing plan which will continue to be prepared by the Electricity Commission. The authority will have a board of directors appointed by the Governor on the recommendation of the Minister. Directors will be appointed for up to five years. Remuneration, travelling expenses, and so on, will be determined by the Minister. The board will determine the policies of the Electricity Transmission Authority. The Minister may give the board written directions in relation to the exercise of the authority's functions.

The authority must supply the Minister or a person nominated by the Minister with such information relating to its activities as the Minister may require. It must keep the Minister informed of the general conduct of its activities and of any significant development in its activities. It must prepare and submit to the Minister at least three months before the beginning of each financial year a draft corporate plan. A chief executive, appointed by the Governor, will manage and control the affairs of the Electricity Transmission Authority in accordance with the policies of the directors of the authority.

The chief executive will be entitled to attend and to participate in discussions at meetings of the directors but is not entitled to vote at any such meeting. Provision has been made for the authority to establish a subsidiary company. Such a company would represent the Crown. The authority must not, without the approval of the Minister, sell or otherwise dispose of any interest in a subsidiary company so that, as a result of

the sale or disposal, it ceases to be a subsidiary company. The authority will employ such staff as it requires to exercise its functions.

Existing staff of Pacific Power will transfer to the new authority, retaining all existing employee entitlements. Honourable members will note that members of the senior executive service will also transfer across without loss of benefits and entitlements. The Pacific Power enterprise agreements will be preserved and will continue to apply to staff of the authority until the agreements expire or are replaced. I have asked the Office of Public Management to prepare a staffing structure.

It is proposed that the system control function, including generator commitment and dispatch, be established as a ring fenced entity within the authority. Ring fencing on a management and accounting basis is a minimal requirement to ensure that system control directions are seen to be independent of the commercial interests of generation and the transmission grid. The authority will be required to pay dividends to the Treasury. It will be subject to the federal tax equivalents regime. It will also be subject to the Government Pricing Tribunal Act 1992.

Assets are to be transferred from the Electricity Commission and PacificGrid without compensation. If agreement cannot be reached on assets and liabilities to be transferred within six months of commencement of the Act the Minister may direct that

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the transfer take place. The authority will assume any vested or contingent liabilities related to the functions transferred to it, including liabilities with respect to employees and environmental or pollution matters. Treasury will carry out a capital structure study in accordance with the Government's capital structure policy and use the recommendations of this study to negotiate a capital structure with the board.

The authority will not be liable in damages to any person by reason of any partial or total failure of the supply of electricity from any cause, except to the extent, if any, that the authority otherwise agrees. The authority may at any time temporarily discontinue the transmission of electricity whenever, in its opinion, that action is necessary or desirable for ensuring the safe or efficient operation of the authority's transmission system.

I propose to set up an establishment board as soon as possible. A priority of this board will be to ensure the authority is in a position to meet the Government's commitment and obligations under the National Grid Management Council process and Council of Australian Governments agreements. This board will be responsible for negotiating a statement of financial performance and the conduct of an independent efficiency review of the authority's operations in order to determine potential productivity improvements and performance benchmarks. This board will also be responsible for the recruitment of a chief executive officer.

An implementation team, comprising officers of PacificGrid, Treasury and the Office of Energy, will be set up to develop an implementation timetable. The creation of this authority is a key feature of the competitive electricity market. We can look forward to freedom of choice for customers in terms of supplier, non-discriminatory access to the grid and no barriers to interstate or intrastate trade. Separation of transmission from generation will enable greater competition, and with the operation of competitive forces will come greater efficiency and cheaper electricity. What does this mean for the consumer? Put simply, it means that prices will be kept down. I look forward to bipartisan support for this bill. Separation of generation and transmission has been fully supported by the Commonwealth, Victorian and Queensland governments. I commend the bill.

**Debate adjourned on motion by the Hon. K. J. Enderbury.**

## **NATIONAL CRIME AUTHORITY (STATE PROVISIONS) AMENDMENT BILL**

**Bill introduced and read a first time.**

## Second Reading

**The Hon. J. P. HANNAFORD** (Attorney General, Minister for Justice, and Vice President of the Executive Council) [4.27]: I move:

That this bill be now read a second time.

The National Crime Authority provides a national response to the investigation of complex areas of organised crime. It was established as a joint Commonwealth-State initiative in 1984, largely as an alternative to the burgeoning number of royal commission style inquiries that were investigating a range of subjects, most of which were linked in some way to organised crime and criminal syndicates. The NCA operates on a national level with the co-operation of all governments. Its activities are regulated by a series of uniform Acts at Commonwealth and State level.

Since the NCA legislation was first introduced a number of amendments have been made at the federal level. Some of these were minor in nature and others are more significant. However, no corresponding amendments have been made to the New South Wales legislation. As a result the Commonwealth and State Acts no longer coincide in all respects. The purpose of this bill is to restore parity. The first amendment in the bill relates to section 5 of the Act. This is the section that allows New South Wales to refer matters to the NCA for investigation. At present the section requires that referrals are in writing and set out certain information. The amendment will broaden the section to allow a reference to include information about whether a matter being referred is related to another reference already held by the NCA.

The second amendment in the bill relates to section 6(1) of the Act. This section prescribes who the NCA may pass evidence to. At present evidence can be given only to the Attorney-General of the Commonwealth, the Attorney General of a particular State or to a law enforcement agency. This section was drafted when the Attorney-General was the central prosecuting authority. As all honourable members will be aware, that situation no longer exists and the relevant prosecuting authorities for both the Commonwealth and the State are their respective departments of public prosecutions.

As there is some argument about whether the Department of Public Prosecutions is a law enforcement agency it is proposed to include a specific reference to the Director of Public Prosecutions in section 6. This will ensure that the NCA has the authority to pass on relevant information to the primary prosecuting agency of this State. The next amendment concerns disclosure of information which may prejudice or compromise an investigation or jeopardise the safety of those involved. When a member of the NCA serves a summons upon a witness to give evidence, or issues a notice requiring the production of documents, he or she may exercise a discretion to include a notation within the summons or notice prohibiting the disclosure of certain information.

The proposed amendment will make it an offence, carrying a penalty of \$1,000 or imprisonment for six months, to disclose information which contravenes such a notice. While the amendment will make it an offence for the recipient to breach the prohibition, there will be specific circumstances in which disclosure will be permitted. These circumstances include when the notice has been served

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on an officer of a company and that officer subsequently discloses the information to another officer within the company to ensure compliance or to a legal practitioner in order to obtain advice. The recipient of the summons or notice will be made aware of these circumstances.

Another area in which the Commonwealth and State Acts no longer coincide is in relation to the power of a Supreme Court judge to issue a warrant of apprehension for a person who fails to answer a summons. At present, a Supreme Court judge may issue a warrant of apprehension under section 20 if a person has absconded or evaded service of a summons. However, there is currently no power to issue a warrant for a person who simply fails to turn up or refuses to do so. The only options for dealing with such witnesses are gaoling or fining. Obviously, neither of these options assist the NCA in obtaining the evidence of the witness and accordingly the authority is impeded in obtaining the information it requires. This situation will be addressed

by amending section 20 of the Act to authorise the issue of a warrant to bring a witness before the authority.

Finally, a number of inconsequential amendments will be made. These amendments involve such housekeeping matters as substituting references to chairman with chairperson. This bill was drafted following a request from the chairperson of the NCA that the New South Wales Act be updated to bring it into line with the Commonwealth legislation it underpins. The same request was made to all other States, and by the end of this year it is hoped that all jurisdictions will have incorporated the necessary amendments into their respective Acts. I commend the bill.

**Debate adjourned on motion by the Hon. K. J. Enderbury.**

## **STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 2)**

**Bill introduced and read a first time.**

### **Second Reading**

**The Hon. J. P. HANNAFORD** (Attorney General, Minister for Justice, and Vice President of the Executive Council) [4.35]: I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill continues the well-established statute law revision program that commenced in 1984. The bill is the twenty-third bill to be introduced in the program. The statute law revision program is recognised by all members as a cost-effective and efficient method of dealing with amendments of the kind included in the bill. The form of the bill is similar to that of previous bills in the statute law revision program. The last such bill introduced a new schedule aimed at removing gender specific language from the statute book. Honourable members will be aware that a policy of using gender neutral language in legislation has been in force in this State for more than 10 years. Schedule 3 to the bill continues the process of removing gender specific language that remains in many current statutes that were enacted before the policy was implemented.

Schedule 3 adopts two approaches. Firstly, it selects certain Acts for amendment chronologically, beginning with the Real Property Act 1900. Secondly, it amends a particular category of Acts - on this occasion, those relating to the administration of justice. It is intended that similar approaches be continued in future schedules dealing with gender specific language. I now turn to the more familiar schedules to the bill. Schedule 1 contains policy changes of a minor and non-controversial nature that the Minister responsible for the legislation to be amended considers to be too inconsequential to warrant the introduction of a separate amending bill. The schedule contains amendments to more than 30 Acts. I shall mention a few of the amendments to provide honourable members with an indication of the kinds of amendments involved.

Some amendments arise out of administrative changes. Amendments to the Annual Reports (Departments) Act 1985, the Annual Reports (Statutory Bodies) Act 1984, the Children (Criminal Proceedings) Act 1987, and two of the amendments to the Poisons Act 1966 fall into this category. Other amendments will allow certain documents that are currently required to be in a form prescribed by the regulations to be in a form approved by the relevant administration instead. Amendments of this kind are included in the amendments to the Associations and Corporation Act 1984 and the Business Names Act 1962. Some amendments will vary the composition of committees or other bodies. For example, the amendments to the Poultry Meat Industry Act 1986 will increase the membership of the Poultry Meat Industry Committee from 14 to 15 and will replace the representatives on that committee of the Department of Agriculture and of consumers of poultry meat with independent members with negotiating skills or commercial expertise. Amendments of this kind are to be made to the University of Technology, Sydney, Act 1989 and the Women's College Act 1902.

Examples of other amendments in schedule 1 are the amendments to the Disability Services Act 1993, the Occupational Health and Safety Act 1983 and the Ombudsman Act 1974. I shall say a little about each of those amendments. Section 6 of the Disability Services Act 1993 requires the Minister to ensure that designated services under the Act are provided and funded in conformity with the objects of the Act and the principles and applications of principles set out in schedule 1 to the Act. The application of section 6 to some designated services is postponed to April 1995 under the original legislation. These amendments will postpone that application for a further year. I would point out that during the period in which the section will not apply the Act requires the Minister to ensure that the services are provided and funded as closely as possible in conformity with the objects, principles and application of the principles concerned.

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The amendment to the Occupational Health and Safety Act 1983 will ensure that the term "place of work" when used in the Act includes any place where a person works; in particular, the amendment makes it clear that places in or under water are covered by the Act. The amendments to the Ombudsman Act 1974 will allow the Ombudsman to attempt to deal with complaints by way of conciliation; will allow the Committee on the Office of the Ombudsman to table its reports when Parliament is not sitting; will extend the application of the provision relating to the giving of evidence in other proceedings to cover persons engaged to give expert assistance in investigations or conciliations under the Act; and will make consequential amendments.

Schedule 2 deals with matters of pure statute law revision consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill. Some amendments in schedule 2 will correct typographical errors or errors of syntax, some will omit unnecessary material and some will insert missing material. During the debate on the Statute Law (Miscellaneous Provisions) Bill introduced in the autumn session of Parliament it was suggested that it was a waste of time to correct spelling errors in Acts of Parliament. There are several reasons why it is appropriate to make those corrections. The integrity of the statute book is one consideration. Another consideration that is of increasing importance is the growing use of electronic means to search statutes. For those searches to be effective, the spelling in the statute book must be accurate.

I have already dealt with Schedule 3. Schedule 4 contains repeals. It will repeal amending Acts that are no longer necessary because the amendments have been incorporated in reprints of the relevant principal Acts. It also will repeal Acts that amend repealed Acts and Acts that are no longer of practical utility. Schedule 5 to the bill contains provisions dealing with the effect of amendments on amending Acts, savings clauses for the repealed Acts and a power to make regulations for transitional matters, if necessary. It also empowers the Governor to revoke, by proclamation, the repeal of any Act made by schedule 4 to the bill.

The various amendments are explained in detail in explanatory notes set out beneath the amendments to each of the Acts concerned. Rather than repeat the information contained in those notes, I invite honourable members to examine the various amendments and accompanying explanatory material and, if any concern or need for clarification arises, to approach me regarding the matter. If necessary, I will arrange for government officers to provide additional information on the matters raised. If any particular matter of concern cannot be resolved and is likely to delay the passage of the bill, the Government is prepared to consider, as has previously been the case, withdrawing that matter from the bill. I commend the bill.

**Debate adjourned on motion by the Hon. J. W. Shaw.**

### **SPORTS LEGISLATION (AMENDMENT) BILL**

**Bill introduced and read a first time.**

#### **Second Reading**

**The Hon. VIRGINIA CHADWICK** (Minister for Education, Training and Youth Affairs, Minister for

Tourism, and Minister Assisting the Premier) [4.42]: I move:

That this bill be now read a second time.

The purpose of this bill is to amend the provisions of the Parramatta Stadium Trust Act, the State Sports Centre Trust Act and the Sydney Cricket and Sports Ground Act to permit those trusts to manage and develop sporting facilities. With Sydney's successful bid for the 2000 Olympics, the development and construction of this State's major sporting facilities has to be undertaken. Once completed the facilities will have to be maintained and managed; accordingly, experienced professional managers will be required. The Sydney Cricket and Sports Ground Trust, the State Sports Centre Trust and the Parramatta Stadium Trust have demonstrated that they have the desirable attributes to manage and develop sporting facilities, yet they are hamstrung by their legislation which restricts their operations to management of trust lands.

This bill has three important elements. Firstly, it will enable any one of the sporting trusts, with the consent of the Minister for Sport, Recreation and Racing, to carry out work in relation to development or management of sporting facilities that may not be located on trust lands. Secondly, the proposed amendment will give the Government the ability to utilise the experience of any of the three sporting trusts with respect to state-owned sporting facilities as a caretaker in the event that either a competitive tender process fails to attract a suitable operator or an existing operator is unable or unwilling to continue in that capacity. Finally, it is obvious that there is a finite number of experienced and successful operators available to manage the number of sporting facilities envisaged for Sydney. The bill opens the way for the existing sports trusts to compete commercially with private enterprise for future management and development of sporting facilities which is currently beyond their legislative boundaries. I commend the bill.

**Debate adjourned on motion by the Hon. B. H. Vaughan.**

## **BUDGET ESTIMATES AND RELATED PAPERS**

### **Financial Year 1994-95**

**Debate resumed from 12 October.**

**The Hon. ELAINE NILE** [4.45]: I was speaking to the budget, and had referred to the *Friends for Life* Primary School kit. I had referred to the critique the New South Wales Council of Churches had done. I concluded at that time with work sheet No. 6 that showed drawings of a man and

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woman and referred to the acts of sodomy and oral sex. I said that this work sheet had alarmed many parents throughout the State. It stated that anal sex, heterosexual sex and oral sex were all safe. The number of AIDS sufferers repudiates that claim. Page 36 of the kit is an information page. This page has been shown to those who have medically acquired AIDS through blood transfusion and blood products. This page states:

To have "innocent victims" implies there are "guilty" victims. This terminology arises from moral judgments about behaviour and fuels widespread discrimination. Gay men, injecting drug users, prostitutes and bisexuals are sometimes regarded as guilty, having acquired HIV as a result of their own fully informed choices whereas the people with HIV who do not fit any of these stereotypes are usually regarded as innocent.

The name "innocent victims of AIDS" was given by the people themselves who acquired AIDS through blood transfusion blood products and, of course, the young haemophiliac men. I do not know what is meant in the kit by innocent victims. Some innocent victims in hospital - mainly women in St Vincent's Hospital - have already had material containing offensive language and pictures thrown on their beds. This material has been given to homosexual men and also to heterosexual people who have medically acquired AIDS. They find the statement in the kit, "innocent victims of AIDS", quite offensive.

Many people have asked: what is the impact and effect on primary school children after seeing this material? Has a family impact study been done? For many years the Government has promised to introduce a family impact bill. Bills requiring impact statements have been introduced for trees and land and everything in the environment. But no impact statements are required to gauge the effect of this type of education of young children. Another question people ask is: has the material been analysed by a panel of psychologists to estimate the effects on those children now and in the future? As I said earlier, these are primary school children. Our main concern is that as they mature and reach the legal marrying age they will associate the act of intercourse with AIDS rather than being an act of love between a husband and wife in marriage.

All this material is being pushed at children of primary school age. Recently I spoke to a number of paediatricians who had attended a conference on AIDS. I have the figures from the Australian HIV Surveillance Report. The figures show that, to 31 March 1994, 31 children between the ages of 0 to 12 died from AIDS. That is 0.6 per cent of the total number of deaths. The exposure categories were: mother with or at risk of HIV infection; haemophiliac-coagulation disorder; receipt of blood transfusion, blood components, or tissue. The Call to Australia group and the New South Wales Council of Churches are concerned about why, when so few children are dying from AIDS, children are being taught that condoms are the answer to AIDS

The paediatricians to whom I have referred said that there are 50 cases at the most. These figures show 31 cases, or 0.6 per cent of the total number of deaths. Those who have died from age 13 onwards would possibly have been young haemophiliacs. Our concern is why primary school children are being taught that a condom is the answer to the AIDS problem. As I have said previously, childhood should be a beautiful time of delight for young children, but the depressing material they are being shown is making them think about such things. The *Friends for Life* leaflet shows sketches of the male and female bodies and so on, but it does not say that anal sex and oral sex are wrong. This is the concern that many parents are expressing to us.

I will hand the Minister for Education, Training and Youth Affairs a copy of a poster I want to refer to. Many parents and teachers have complained about this offensive poster, which is published by the Victorian AIDS Council, being displayed on Sydney high school noticeboards. Teachers have removed these posters from school noticeboards because they promote male-to-male sex acts, sodomy, et cetera. They are all the more offensive because they are paid for by the taxpayer. Call to Australia congratulates the schoolteachers, headmasters and parents who will not allow these offensive homosexual posters to be displayed or distributed in their schools. I was sickened when I saw the poster. It is a picture of two young males kissing. It says:

"say yes to safe sex.

Making the first move might be scary, but more guys than you think have sex with other guys. It's natural and if you're safe you'll have a great time.

It is revolting to me as a woman to read this out but these types of posters are seen on school noticeboards in New South Wales and in the western areas. The poster continues:

And what's safe? Kissing, cuddling, licking, stroking, wanking, oral sex, (avoid cum in the mouth) vaginal and anal sex with condoms and water based lube.

For more information on safe sex and discussion groups for young, gay and bisexual men, call . . .

I do not know whether the Minister has previously seen this poster. I would like to know if she has given permission for copies of it to be displayed on school noticeboards. I hope she has not. The poster is upsetting. In Sydney on the long weekend I saw a poster advertising the use of condoms with two men in much the same pose. So far as the use of condoms is concerned, Channel 10's commitment to sexual propaganda in the G-rated *Heartbreak High* advocates condom vending machines for schools on prime time television. That program poses the question, "What's wrong with condoms?" The Minister has promised that she will never allow condom vending machines in schools. However, the new President of the Anti-Discrimination Board, the former Liberal Senator Chris Puplick, advocates that they should be placed in schools. It is too late to ask the

American condom expert, Dr Voeller, about that issue. He died this year from AIDS. People should think about his testimony. The document I have reads:

His death this year from AIDS is yet another testimony to the dangerous message promoted by Governments, some schools and popular culture.

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Dr Bruce Voeller once told an audience he knew all there was about "safe sex" - after all, he "invented it". Dr Voeller was a major force popularising the condom. He boasted in 1985 that he would never contract AIDS from his homosexual behaviour because he practised safe sex.

His death highlights the stupidity of attempting to prevent the consequences of dangerous lifestyles by encouraging more of the destructive behaviour causing the problems our society pretends to be so concerned about.

Condom advocates should be held liable for the flawed "advice" they provide through the media, in schools, and in G-rated trash on Channel Ten.

One of the leaflets put out by the Commonwealth Department of Health is actually more factual than the *Friends for Life* material. The leaflet asks, "How is the AIDS virus transmitted?". It then says:

**By high risk sexual activities**

- The greatest risk for both men and women is from anal sexual intercourse. Even when a condom is used, there is still a risk.

The question is why children from the ages of five to 11 years in primary schools are being taught to use condoms. I have given the House the figures from the Department of Health. No children have contracted AIDS as a result of being sexually active. I should like to read one paragraph of a letter written by the editor of Rubber Chemistry and Technology, who is also the head of the Polymer Properties Section of the Naval Research Laboratory. That paragraph illustrates the danger of what is happening in our schools today. It reads:

Electron micrographs reveal voids 5 microns in size (50 times larger than the virus), while fracture mechanics analyses, sensitive to the largest flaws present, suggest inherent flaws as large as the 50 microns (500 times the size of the virus). When recourse is made to condoms for the prevention of HIV infection my personal recommendation is that at least two be worn during sexual activity.

However, the Commonwealth kit that is used in New South Wales and every other State tells our children that so long as they use condoms they are safe. In April 1994, Dr Edith Weisberg of the Australian Family Planning Association, while speaking about the RU486 abortion pill, commented that an average of 3,000 women a year visited her clinic and that in over 50 per cent of cases the reason for the visit was condom failure. Why in heaven's name are primary school children being taught to use condoms? I would like to read one passage from the Bible because I believe that every member of every party who has condoned this promiscuity and these permissive policies will some day finish up under the rock referred to in Matthew 18:6. That passage reads, "If anyone offend a little child, it will be better that a millstone were placed around his neck and he were drowned in the deepest sea rather than come into the hands of the living God".

I believe the Minister when she says she would do anything to prevent young people from dying, but I and many medical people believe that children are being taught the totally incorrect way to lead safe lives. A brochure has been put out in New Zealand by Women for Life. It reads, "Learning to say no - it is your choice". It is a good publication written for young people. It talks about sex, the media pressure that is on young people, how to say no, dating, having second thoughts, and saying no to sex. It says that the truth is that not everyone is having sex, that contraceptives do not always guarantee safe sex, and that there is no protection against the hurt of broken relationships. It talks about real freedom. It is very good and would be appropriate for young people of high school age. There is a true or false column and so on. It is presented very

attractively, and I recommend it to the Minister for Education, Training and Youth Affairs, instead of the material we have in our primary schools and high schools at the moment.

On another note - and there were references to this during debate on the Hon. Dr Marlene Goldsmith's bill - I was chastised by the Hon. Dr B. P. V. Pezzutti for being sexist. About two months ago the Ernie awards were presented for sexist behaviour. One night more than 120 women were present in Parliament House and the awards were given out for sexist behaviour. The event was organised by the Hon. Dr Meredith Burgmann. There was a nomination for the Elaine award, an award for behaviour by a woman least helpful to the sisterhood.

**The Hon. Virginia Chadwick:** You probably take pride in that.

**The Hon. ELAINE NILE:** I do. I told her about that and I think she got a shock. I met her in a lift. I said, "Thank you very much for the Elaine award." She looked at me and she did not know how to take the comment. She said, "Were you offended?" and I said, "Actually, no. I was honoured because it also gets a bit of a laugh at the women's meetings that I take now. I know you belong to the sisterhood; I belong to the motherhood brigade and I am very proud to belong to that. I put families before I put women, in that sense". I have always put women and families together. A former pastor in our church told me a story I have never forgotten. He was a farmer before entering the ministry. The story was about a mother hen after a fire had gone through a farm. The farmer found the mother hen, her charred body was kicked over and underneath her were the chicks.

That is the way it has always been. I believe that is the role God intends the mother to play: to protect her young children, emotionally and physically, to always be there to protect them. I was very pleased to receive that motherhood award. I did not get the sisterhood award, but I am in the motherhood brigade, and I am quite honoured and proud of it. The Hon. Delcia Kite is in another group altogether. I was speaking to her the other day and I told her about the Hon. R. T. M. Bull getting himself into a real bind by his comments. I do not think there will be much that the Hon. Delcia Kite and I would agree on in regard to abortion and pro-life issues and education. I have been here only since 1988, but she, of all the women in Parliament, has always been friendly and very concerned. She has always shown a genuine friendship to me, and I think she has done the same with most honourable members in the Chamber.

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The Hon. Delcia Kite and I were talking the other night and she said that, at last, she will have time to spend with her family and with her husband. I believe that this place is not designed for women with young children. I find it difficult, but it is the children who always suffer. I know, as a pastor's wife, that even in that ministry one can be called out at all hours and that one's home has to be open at all hours. It is very difficult for children to have to grow up and learn to live with somebody just tossed into the same bedroom at the last minute. I believe this is a very similar situation. The hours and the exhaustion do not help the mother. That applies equally to the woman who does not want to be in the work force, who has to go home and do the washing and ironing and prepare the meals, and still be in a sane and loving frame of mind when children become agitated. I would like to leave honourable members with two verses of scripture that are my favourites. The first comes from Proverbs and it talks about motherhood and being a woman. It says:

She is clothed with strength and  
dignity;  
she can laugh at the days to come.  
She speaks with wisdom,  
and faithful instruction is on her tongue.  
She watches over the affairs of her  
household  
and does not eat the bread of  
idleness.

Her children arise and call her blessed;  
her husband also, and he praises  
her:  
"Many women do noble things  
but you surpass them all."  
Charm is deceptive, and beauty is  
fleeting;  
but a woman who fears the Lord is  
to be praised.  
Give her the reward she has earned,  
and let her works bring her praise at  
the city gate.

It would be lovely if all women could look at the Bible and see what God intends for them to be. At the commencement of my contribution I referred to the drought and the heartache that women and men, husbands and wives, and young people on the land are feeling today. There is a verse. I do not mean that it applies to farmers, but it is a verse in the Bible that is very appropriate. On the day that John Newman was buried, members of Parliament received an invitation to go to St Marys Cathedral and pray for the drought. I went, and the Hon. L. D. W. Coleman was there representing the National Party. It is very easy to ask God for things, to get on your knees and ask, and ask, and ask. But sometimes - as with the Lord's Prayer - we have to pray for forgiveness for the things we have done. I believe that, as a State and as a nation, we have done much that is wrong. Much legislation has become law that I believe causes God heartache. We are God's creation and, when he sees what we have done, his heart breaks, because Christ Jesus came into the world for that particular reason. This verse is chosen from 2 Chronicles 7:13-15. It states:

If I shut up heaven that there be no rain, or if I command the locusts to devour the land, or if I send pestilence among my people; if my people which are called by my name shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin and will heal their land. Now mine eyes shall be open and mine ears attentive unto the prayer that is made in this place.

I believe that applies to honourable members in this Chamber and to every Parliament in this country. We need to ask God's forgiveness for passing bad legislation. In that verse God is not just talking to the farmers. The farmers are the ones that have the heartache in the first place. A couple of weeks ago I was in a taxi and the driver commented that there was no rain. I said, "Yes, we need to pray for the farmers, for their sanity, for their livelihood and for their emotional stability". The first thing the taxi driver said was, "Yes. Of course, we are going to have to pay pretty hefty prices for our food in the future". Ultimately, it goes to the pocket. The taxi driver did not think about the farmers on the land or their suffering.

I just pray to God that when we pass legislation in this place we will think about our attitude to young people. I hope the Government - whether it be the present Government or a Labor government - will commission family impact studies that will look at how legislation affects families, husbands and wives and children, especially the children who are being brought up in our classrooms today. They are the leaders in this Chamber tomorrow, and future premiers and prime ministers. We want them to have moral values - values that will help them in their careers.

**The Hon. S. B. MUTCH** [5.08]: I congratulate the Treasurer, Peter Collins, on the 1994-95 State budget, and on a job well done. I remember an occasion last year when I was travelling to the Illawarra. I stopped at a service station to have a pie and chips. It might have been a hamburger and chips. Nevertheless, I do not think it was politically correct. I remember spilling my tea on the *Illawarra Mercury* that I was reading, because it gave fulsome congratulations to the Treasurer. I was very impressed indeed with such praise from such a newspaper, which is not necessarily always complimentary to the Government.

It is hard to believe that this year's budget is an election budget. It is so fiscally responsible that no-one on the other side can criticise it as an election budget. As the Treasurer said, the major objectives of the budget

can be divided into three: the first objective is to reduce funds needed to provide quality services that are responsive to the needs of the public; the second is to make reductions in the burden of taxation; and the third is to further strengthen the financial standing of New South Wales both in comparison with other States and internationally. Since the Labor Party was last in government, the coalition has presided over massive real increases in current expenditure, well in excess of population growth rates and well above the rate of inflation, including significant increases of 12 per cent in health

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expenditure, 13 per cent in education expenditure, nearly 63 per cent in social and community services expenditure, and more than 23 per cent in law and order and public safety expenditure.

The coalition Government's proud record in health has been exhaustively debated in the other place. I agree with the Opposition spokesman for health, who I think is Dr Andrew Refshauge. Though it was a dismal performance, I agree with the comments that I heard him make on the radio one morning that he has stunning hospital service options available in his area. He made complimentary remarks about the standard of the health service on a worldwide basis. I compliment him on his honesty on that occasion. Despite everything that the Opposition had to throw at our hardworking Minister for Health, the Hon. Ron Phillips -

**The Hon. Patricia Forsythe:** They did not touch him.

**The Hon. S. B. MUTCH:** They did not touch him, as the Hon. Patricia Forsythe said. They did not lay a glove on him. It was a vindication of all the hard work that he has done. He is sometimes criticised by people on his side of the House, not only for working too hard but also for not being political enough. One expects Ministers to pork-barrel, but the Hon. Ron Phillips has taken a reasonable approach to the allocation of health resources. I am sure that a number of my Labor colleagues would exult in the money that has been expended in their electorates to provide people with a better health service where they live.

I can remember Laurie Brereton talking about beds for the west. The Labor Party is very good at talking about the west and places where people are in need, but it is not so good at putting the people's money where its mouth is. This Government has acted and it is providing health services where they are needed. Another area that is of major interest to me is law and order. The Government has indicated its total commitment to law enforcement by the recent announcement of the recruitment of 500 additional police over the next five years, 200 of whom - a substantial increase in police numbers - will be recruited this financial year. The Government's commitment to law and order in 1994-95 is a 3.6 per cent increase on last year's commitment and amounts to a significant total of \$1.9 billion.

I am pleased to note a 14 per cent increase to \$41.4 million for business and regional development. Of that expenditure, 41 per cent will go to regional development. Honourable members know how important it is to ensure the better development of outlying areas. The new regional business development scheme will be funded by a contribution of \$4.5 million. The scheme provides financial assistance to companies to offset the cost of establishing or expanding in a country location and to enhance longer term competitiveness, and so sustain employment. The scheme supports business opportunities that can lift the competitiveness of local economies. Most financial assistance from the regional business development scheme goes to small and medium size businesses and is backed by professional project facilitation and advisory services.

The scheme is accessible through the department's offices based in 13 locations throughout New South Wales, as well as the Office of Regional Development based in Sydney. In addition, the Office of Small Business provides a variety of services to assist those intending to start or to buy a business or to develop a business plan. It works in cooperation with regional development boards and business enterprise centres to provide maximum accessibility of business information services. One of the programs, first base, provides specialist assistance to those going into business for the first time. Clients can seek information or ask for assistance from an experienced business adviser. The first base service includes an extensive library of business related videos, a comprehensive range of publications for sale covering most facets of small business management, and self-help computer terminals providing management assistance programs.

Small business advisers have been recruited for their range of skills and experience in private enterprise. Their role is to help potential business people to identify the areas of a business proposal requiring attention. Advisers can help aspiring owners to establish a business, to develop an all important plan, and to identify opportunities. Many other programs are designed to assist small business in New South Wales. Small to medium firms employ more people than corporate business in New South Wales and constitute over 97 per cent of all enterprises in the State. Another program that is of great importance to the State's development is the business skills program through which advice and assistance is provided to business people entering Australia to take up permanent residence. Approximately 40 per cent of business migrants to Australia choose to settle in New South Wales, and it is imperative that the State retain this pool of commercial and entrepreneurial experience.

The Office of Small Business serves as a registration point for business migrants and provides literature and advice to prospective migrants regarding the establishment and operation of a business in New South Wales. The office also provides advice to the Australian Government on business migration issues to ensure that the interests of New South Wales are reflected in the development of business migration policies. Sydney is proving to be an irresistible lure to many large international companies. They like to set up base in Sydney for many reasons, not the least of which is the attractiveness of the physical surroundings of this great city.

Recently I was honoured to be invited to be part of a service involvement seminar run by United Parcel Service of Australia. UPS is a major corporate citizen in the United States of America, and it has often been listed as number one in the transport delivery sector. It certainly has a high reputation. I

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noted that UPS got into the spirit of the State in which it is basing its business in Australia. Its corporate slogan "Going for gold together" reflects the choice of Sydney as the chosen city to host the year 2000 Olympic Games. That slogan certainly beats a couple of the proposed slogans for the bicentenary, such as "Coming together" or "Making it together".

It certainly was an impressive seminar. The UPS employs 200 Australians; it does not just bring Americans out here to conduct its operations. It is very much into employing local residents. The UPS signed the one-hundredth enterprise agreement under the State Government's new industrial relations regime. It should be applauded for having the one-hundredth enterprise agreement. I would like to think that enterprise agreements have given the UPS the flexibility that is needed to ensure it has good productivity. The people working for UPS would have a great incentive to do better. I was impressed with the personnel at the seminar. They reminded me of a cross between the Mormons and the marines. It is certainly a very effective company, as is reflected in its bottom line.

The enterprise agreement signed by the UPS was facilitated by the 1991 Industrial Relations Act - a benchmark for labour reform throughout Australia. The Act is based on the principle that employers and employees are well placed to determine the best working arrangements for themselves. Since the Act commenced, nearly 700 enterprise agreements have been registered, covering over 60,000 employees. These agreements contain a range of provisions which have increased flexibility, productivity and efficiency. These are the keys to economic growth and employment security.

It is good to see that New South Wales is a very attractive place for businesses to invest and set up regional headquarters. There is no doubt that Australia is seen by many countries as an incredibly viable base for launching their activities in the Asian region. They see Australia as a secure base and a good place to do business. We have the rule of law and we have had better industrial relations since this Government came into office. We no longer hear overseas investors say, "We are concerned about investing in New South Wales because of industrial problems". I like to think that our initiatives in industrial relations have contributed to this better attitude towards Australia as a safe place to invest. It is also seen as a safe base for continuing expansion in the Asian region. It is important that we facilitate the basing of operations of these companies in New South Wales, which provides great benefits to the people of this State.

I refer briefly to some of the benefits that the people of the Sutherland shire have received from the State

budget. As a resident of the Sutherland shire I am very pleased with the budget. I note that \$170,000 has been allocated for traffic signal work at the Miranda roundabout on Port Hacking Road. Hopefully, it will work. Driving on that roundabout is a cross between being on a merry-go-round and a roller-coaster. I would like to see emphasis on driver education with respect to roundabouts, particularly those that have four lanes. It is like playing Russian roulette. Roundabouts tend to facilitate the better progress of traffic. They are very much in fashion. One of the major commitments in the budget is the Woronora Bridge. This has been a long running issue. I have an article from the *Shire Monthly*, an excellent magazine distributed in the Sutherland shire. It is edited by Mr Frank Darling. Referring to the Woronora Bridge it states:

... Woronora Bridge has been a sticking point between Sutherland Council and the State Government for many years, with council doing a backflip on the decision to back the project as its ranks began to be dominated by the Labor Party.

The honourable member for Sutherland, Chris Downy, is quoted as saying:

... the argument is quite simple: Council doesn't want the bridge - anyone living in or crossing to or from the west of the shire does.

It was good to see \$6.6 million allocated for stage one of the project in the budget. It is hoped that that project will be finished by 1998. We have had excellent results in infrastructure development. Quite a lot of money has been allocated to the Sutherland shire, which is very much appreciated. The further funding for the upgrade of Sutherland Hospital was announced. There will be big improvements to accident and emergency services and to outpatient facilities. This money is needed. An amount of \$1.072 million has been set aside in the budget to allow completion in the 1994-95 financial year. I will not take too much time talking about the benefits. I am a resident of the Sutherland shire, and it would look like self-interest. The Government has given a large commitment to the shire in this budget.

I congratulate the Hon. R. D. Dyer, who unfortunately is not in the Chamber. He has always had my support in his role as shadow minister and in his aspirations to become Leader of the Opposition. I think he will have plenty of time to realise that ambition. In the next few years he may well make it. I was a bit worried because I knew that there was going to be a reshuffle of the very shadowy ministry.

**The Hon. Virginia Chadwick:** I was worried about Ron, too.

**The Hon. S. B. MUTCH:** I was worried about Ron; the Minister was worried about Ron - we were all worried about Ron. We used whatever influence we had in the Labor caucus! Obviously someone was working with him. Peter Anderson was a big threat to his position, as we all know. That threat has been shelved. Frankly, I feel sorry for Peter Anderson.

**The Hon. Virginia Chadwick:** He was shafted.

**The Hon. S. B. MUTCH:** Yes, he was. I cannot believe the stupidity of the Labor Party.

**The Hon. Virginia Chadwick:** It is vindictive.

**The Hon. S. B. MUTCH:** I cannot believe the vindictiveness of Mr Carr, which does not augur well for his future holding of the position of Leader of the

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Opposition after the next election. It is very sad to see someone with the ability of Peter Anderson languishing in the outfield. I am a bit concerned about his future.

**The Hon. L. D. W. Coleman:** He is out of the game.

**The Hon. S. B. MUTCH:** Yes, that is the way it goes. The shadow ministry has been published in the papers. I cannot tell who has been promoted and who has been demoted, because I did not know who was what anyway. I do not think anyone knows who is in shadow cabinet.

**The Hon. Virginia Chadwick:** You just have to be careful about Aquilina the Good.

**The Hon. S. B. MUTCH:** That is right - there are two Aquilinas. It is a bit problematic for those two gentlemen.

**The Hon. Virginia Chadwick:** There is a tall, dark and handsome one.

**The Hon. S. B. MUTCH:** A tall, dark and handsome one? What is the other one like?

**The Hon. Virginia Chadwick:** Not so good.

**The Hon. S. B. MUTCH:** Be that as it may, apparently John Murray was demoted. I was very sad to hear this.

**The Hon. Virginia Chadwick:** Do you know who he is?

**The Hon. S. B. MUTCH:** I am not sure. I am sure I have bumped into him somewhere in the corridors. He has been demoted. Apparently he took it well and he was not bitter, as is reported in the *Daily Telegraph Mirror*. He was the former Olympics and public works spokesman. I did not even know that the Labor Party had an Olympics and public works spokesman. Apparently there was one and there is now a new one. I am not sure who that is. We will probably not find out. I looked anxiously at the newspaper to see whether the name of the Hon. R. D. Dyer appeared, and it was there.

**The Hon. Jan Burnswoods:** I knew you were a nice person.

**The Hon. S. B. MUTCH:** Thank you very much. One cannot travel on study tours without gaining some affection even for members of the Opposition. The Hon. R. D. Dyer has responsibility for family, community and disability services. That is good to see. Unfortunately, it is a bit of a balancing act because he has not progressed, but he has not dropped off. If I were the Leader of the Opposition in this House, the Hon. M. R. Egan, I would be quite anxious. He should watch very carefully over his shoulder. There is a photo in the *Daily Telegraph Mirror* of the Hon. J. W. Shaw. The newspaper says that he is now shadow attorney general and spokesperson on industrial relations. That is obviously a promotion. But I am not so sure that it is exactly what he wanted.

I am a member of the Council of the University of Wollongong. At the meeting last Friday I was given a copy of "Commerce Links", the newsletter of the commerce faculty at the university. It was the winter edition. It may well be the winter of the Hon. J. W. Shaw's discontent. Obvious aspirations were revealed in the publication. Associate Professor Ray Markey wrote a monumental 600-page history of the New South Wales Labor Council entitled "A Case of Oppression: the life and times of the Labor Council of New South Wales". Honourable members opposite would know about the oppression in the New South Wales Labor Council, particularly those in the Left.

**The Hon. Virginia Chadwick:** Did you read that amazing document about Reba Meagher and oppression in the Young Labor Movement?

**The Hon. S. B. MUTCH:** There are some interesting documents circulating but I have not had an opportunity to peruse them. The newsletter refers to the "Wollongong launching of the book by Jeff Shaw, ALP leader in the New South Wales Legislative Council and shadow minister for industrial relations". When I saw that I wondered whether people had inside knowledge of the new reshuffle. If they thought they had inside running they would be sadly disappointed. The Hon. J. W. Shaw has been given a promotion and now is shadow attorney general and spokesperson on industrial relations. I think before he was just the industrial relations spokesperson. He now has another button sewn on his coat. I will not bore honourable members by going through the list of other shadow ministers.

**The Hon. Virginia Chadwick:** I was actually quite interested.

**The Hon. S. B. MUTCH:** Well, one is Richard Face, shadow chief secretary. I thought he would have been better as police spokesman because he is well known in police youth circles. A couple of other names are fairly mysterious. Ernie Page might have been demoted. I have the feeling he was once responsible for local government. He is now responsible for administrative services, so he is still in the shadow ministry. There are much more talented people in the Opposition who are not in the shadow ministry. Thank God it is an Opposition list and will remain so. One would hate to think of those people ever forming some sort of ministry. It is certainly a worry. There is not a group photo but there are photos of Michael Knight, Paul Whelan, Jeff Shaw and John Murray. They look like passport photographs.

I was at a meeting of the Independent Commission Against Corruption committee when Acting Commissioner Mant appeared at a public hearing. When John Hatton spoke in support of his motion for the establishment of the police royal commission he said, "If I genuinely believed that this motion would undermine the ICAC after my 15-year battle of giving people somewhere to take matters of corruption, I would certainly not recommend the royal commission". But he did, which I thought was extraordinary. At the meeting with Mr Mant the

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Hon. D. J. Gay said, "You said earlier that you believed ICAC could have handled it and done it well". He was referring to the royal commission. Mr Mant did not take much prompting. He said, referring to the decision to set up the police royal commission, "I think there was disappointment and some bewilderment as to the logic of the decision". Remember, we are talking about significant expenditure, \$100 million, to run a royal commission into police. Mr Mant said, "I have thought about it obviously quite a bit. I sit there in Redfern watching down here in the city a duplicate organisation being constructed - hearing rooms; security procedures; computers; files; information; staffing, including probably some of our staff eventually; and a Supreme Court judge heading it. It is a mirror image of the commission".

That is an indictment of Mr Hatton setting up the royal commission with the connivance and conspiracy of the Opposition. Mr Mant later said, "I would have thought in cost terms adding resources to an existing organisation would have given you a far more effective return than creating that entire organisation in another place". It says a lot about Mr Hatton's concern about expenditure and the needs of his own electorate when he can force upon the Government, because of his ridiculous position of power - which is an anomaly and quite an accident -

**Reverend the Hon. F. J. Nile:** At a cost of \$100 million.

**The Hon. S. B. MUTCH:** Yes, when we have gone to the trouble of setting up a standing royal commission, the Independent Commission Against Corruption. It has a headquarters and all the equipment necessary to conduct such inquiries with security. Talk about snubbing one's nose at the ICAC! And Mr Hatton has always purported to be a friend of the ICAC and to be in favour of the efforts of the ICAC. He has given a huge vote of no confidence in that organisation. He should look after the interests of his constituents and try to attract what he can for the people of South Coast. They certainly are deserving of his undivided attention and commitment. Frankly, they are not getting it while he is running the State of New South Wales for everybody else.

The Premier today released details of measures that the Government hopes will prove to be effective in assisting people who are affected by the severe drought being experienced in this State. I would certainly welcome evidence that Sydney people are refraining from hosing their gardens, during the daylight hours particularly. It should be sheeted home that we are all affected by this drought and that it is very important to conserve water. The water levels at Warragamba and other dams are very low. Recently I drove through Tenterfield, that great place where Henry Parkes made his address calling for the federation of Australia, and visited the school of arts there. For me, the most striking thing as I drove through places such as Tenterfield, Tamworth and Armidale was the terrible state of the land. It was appalling to see how dry the country up there

can get in times of drought. I certainly feel for those who have to try to eke out a living from drought stricken land.

Today the State Government has appointed a drought relief coordinator, to ensure that drought assistance measures are delivered effectively. The drought relief coordinator is to head a small strategic unit within the Premier's Department, comprising senior officers seconded from key State government agencies. The Government has noted that the drought has deteriorated into a statewide disaster, and is widening its response to help rural families and communities cope with the disaster. It is true that a number of agencies are now offering substantial amounts of drought assistance. The Government is moving to ensure that the relief on offer is delivered effectively. The drought relief coordinator will have responsibility to keep the Government informed on the developing situation and the need for further assistance measures. God forbid that we need any further assistance measures.

The drought relief coordinator is to be Geoff File, who is currently Executive Director (Regulatory), New South Wales Agriculture, and is that department's natural disaster relief coordinator. The Government has announced a number of additional assistance measures. An amount of \$10 million of State funds is to be allocated under the rural adjustment scheme to match funds provided by the Commonwealth for interest subsidies for existing and additional debt of primary producers in areas of the State that meet the Commonwealth's exceptional circumstances criteria. Under the humane treatment of livestock program, additional funding of \$1 million is to be provided to New South Wales Agriculture to allocate to rural lands protection boards in rural areas and the Royal Society for the Prevention of Cruelty to Animals in the metropolitan areas of Sydney, Newcastle and Wollongong to enable severely drought affected livestock to be treated humanely.

There are also additional grants to animal welfare agencies. An important measure is that of local government rate relief. A special borrowing allocation of \$33 million is to be made available to local government bodies to provide them with a financial bridging loan facility to permit them to defer rates of those primary producers and small businesses that the local government body determines have been impacted by the drought and are unable to meet their rates payments. Another measure is the doubling of the private vehicle conveyance of school children subsidy, effective from the commencement of the fourth term of the current school year, at a net cost to the State of \$7.5 million. There is also the free carriage of charitable goods by rail. The Minister for Community Services is to advise the Minister for Transport of the agencies that will be able to make use of this offer, and any other bodies or individuals making inquiries regarding this measure are to be directed to the coordinating agencies. Funding of that initiative will be met from within the existing resources of the State Rail Authority.

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The Government also announced an initiative concerning overdimension vehicle permits and special livestock load limits. Grazing on Crown land will be increased. Under a relaxation of conditions for the special conservation scheme, asset test limits applying to loans for stock and domestic water supply works are to be removed until 30 June 1995, in view of the need for these works in the drought. Funding for those grants is to be met from the existing allocation to the scheme, which was increased in the initial drought relief package. Other assistance measures include debt mediation assistance for farmers, drought electricity accounts payments assistance vouchers, interest subsidies to drought affected businesses, increased grants to community groups, bore deepening grants, and cloud seeding. I certainly wish for success with the pilot cloud seeding project to be undertaken by the Minister for Land and Water Conservation in consultation with the drought coordination unit, at a cost of \$100,000. With all our prayers, that project might work.

Another measure is the provision of special fodder and water trains to cart fodder and water to drought affected areas. There is also assistance with property valuation fees. The proposed increase in property valuation fees for councils in drought declared areas of the State is to be deferred, at a cost of \$300,000. The proposal of the Minister for Land and Water Conservation to reduce the lease payments to other land-holders in the western division, including those in towns who have not yet received a lease reduction, is to be examined.

The Minister for Agriculture is to undertake a further examination of the provisions for the transportation of livestock under the existing transport subsidy scheme. The Government's action is to be welcomed. In this wide brown land there is nothing worse than a drought. Let us hope that the measures announced today help to alleviate to some extent the distress felt by those who are suffering from the drought. Of course, nothing will help as much as rain. We need a good, sustained rainfall. Let us all hope that we get one.

I should like to conclude my remarks by congratulating the Treasurer, Peter Collins, on another fine budget. I am proud to be a member of a government that is fiscally responsible. In States under Labor control money has basically been thrown down a hole. Today the new Leader of the Opposition in Western Australia apologised for the conduct of previous Western Australian Labor governments in their handling of State finances. He wanted to start in his new role with a clean slate; he is ashamed of the tradition of Labor Party profligacy. I am proud to be part of a government that is fiscally responsible. No-one can accuse this Government of having brought down a budget designed to buy votes. The Government is being responsible. I am sure that the Government's responsibility and its careful approach to ensure that New South Wales remains the top State in Australia will bear fruit and will be supported by the people of this State in the coming election.

**The Hon. JAN BURNSWOODS** [5.49]: I also wish to speak to the 1994-95 budget. Given the hour, I expect to spend a few minutes on my contribution now and then finish it later. I should like to start with the good news in this year's budget.

**The Hon. L. D. W. Coleman:** The appetiser, perhaps?

**The Hon. JAN BURNSWOODS:** Indeed, it may well be the appetiser. There is one good thing about this year's budget: it is the last budget of John Fahey and the Fahey Government. After seven years, this is the last Fahey budget that we will have to put up with. I am sure that the people of New South Wales will join me in being grateful for that small mercy. For the past seven years we have had to put up with waste and mismanagement, government by public relations, glossy brochures, and more. Who could forget, for instance, the famous wilderness areas Christmas present that John Fahey tried to sell to the people just before last Christmas?

We have had a continual issuing of glossy documents, either to do with the budget or something else. We have had continual wrong priorities, missed chances, scandals and a litany of incompetence from Minister after Minister. Indeed, it is appropriate that, as I speak, members in the lower House are debating a censure motion in which the Leader of the Opposition has moved to censure the Premier and has referred to that large group of backbenchers - the police line-up as it is now called - of Liberal Party and National Party scandal-ridden people.

When this budget was handed down in September it sank without trace almost immediately. This was partly because the Premier had another brilliant idea. This is the man who boasted a year ago about how bright he was. His brilliant idea this time was that instead of using the few goodies that were being handed out in the budget, largely because of the Government's luck in receiving an income boost from stamp duty and other signs of the current economic recovery, he tried to sell the people of New South Wales the idea of a balanced budget. But it was not to happen this year. The Premier's bright idea was that we would have balanced budgets in the future.

It is a long time since I was familiar with religious lore, but his idea reminded me of the old prayer - I forget which reprobate it was who later became a saint - "Oh Lord, make me pure - but not just yet". Certainly the Premier and his balanced budget idea seemed to be a promise that in the future, if by some miracle he is returned to office, he will be pure and have balanced budgets. He was not going to have a balanced budget this year; he was going to have another deficit budget, just like every year in the last six years. After the first couple of days of puzzled head scratching and general bewilderment about exactly what this miracle budget balancing idea was supposed to achieve, the budget sank without a trace and the Premier's brilliant idea turned out yet again to be another flop.

Since then we have heard very little about the budget or the great balanced budget referendum. The Government has proved just as incompetent in selling, drafting and presenting its budget as it was in its infamous Parramatta by-election campaign. The Government spent the weeks of the Parramatta by-election campaign promising works amounting to an astounding \$1.5 billion in an attempt to buy votes. The voters were totally unimpressed and rejected that great list of promises. Indeed, one might say they were cynical. The voters of Parramatta rejected the attempt to buy them by pork-barrelling, as will the voters of every electorate in New South Wales on 25 March will have the good sense to reject every effort this Government makes to buy their vote. As I said at the beginning, the good news about this budget is that it is Fahey's last budget.

Just as the voters of Parramatta were aware of the false vote-buying attempts and the incompetence of this Government, throughout the year we witnessed a government without vision, a government adrift, a government with no real program. Parliament has sat for a record short number of days and the Government is basically a tired drifting old government seeing out its last 12 months. The Government made its one last effort with the Parramatta by-election. For example, one promise was for a railway line from Hornsby to Parramatta. A few hundred million dollars? No trouble at all. But in the budget the Parramatta-Hornsby line, with its cost of hundreds of millions of dollars, turned out only to be a feasibility study.

In examining the reaction to those promises in and around Parramatta one could argue there was only one person who was impressed by the Government's spending spree. That one person - the Hon. Justice Barry O'Keefe - was very much beholden to the Government. He sent out 800 letters to the electors of Parramatta commencing, "Great news for Parramatta". This was a man that the Government had attempted to appoint as the Independent Commission Against Corruption commissioner. I was interested to hear in the contribution of the Hon. S. B. Mutch his acknowledgment that the Government - having totally mucked up the appointment of a new ICAC commissioner and also the amendment of the Independent Commission Against Corruption Act over the past year - has now had to appoint a second acting commissioner. Justice O'Keefe, having intervened in such a spectacular fashion in the Parramatta by-election - though fortunately to no effect - is certainly looking increasingly shaky as a possible ICAC commissioner. However, that is another matter and I will not deal further with it tonight.

In previous years I have devoted my contribution to the budget debate to speaking about particular issues. Last year I devoted my entire contribution to issues concerned with children and young people, specifically to children's services and child care, education, the care of State wards, and juvenile justice - especially institutions like Minali where the Government's failure to look after children committed to care had produced such spectacular examples of tragedy for children and young people. I also spoke at some length about Fahey's attempts to use Family Week essentially as window-dressing to hide the real state of affairs produced by this Government's underspending in its community services budget, and its long delays in coming up with green papers, white papers and specific proposals for changes in children's services, juvenile justice, care of State wards and so on.

Almost everything I said last year in criticism of the Government remains true this year. For instance, the Government has still failed to sign the Commonwealth-State child care agreement, thus still throwing away approximately \$17 million of funds that could otherwise have been spent on meeting the enormous demand for child care. Although those issues remain important this year, I will not address them tonight. In the previous year I spoke predominantly about the issue of domestic violence and another issue that is unfortunately all too often associated with domestic violence - firearms control. I was tempted this year to say a great deal more about guns, partly because some members of the National Party might have enjoyed my comments and partly because it remains an issue about which I feel very strongly.

I was also tempted to speak on a number of issues relating to women, particularly following the contribution last night by the Hon. Elaine Nile when she devoted much time to some rather unfortunate attacks on women, particularly those she called feminists, and attacked women who did not stay at home and adopt the stereotype role she seemed to feel was appropriate. It does not cease to amaze me that the Hon. Elaine Nile can

produce this rhetoric year in and year out and apparently see no contradiction with her presence in this Chamber. She certainly has not adopted the role she thinks is good enough for other women. Apparently that particular piece of hypocrisy never worries her. However, I have decided not to speak about that issue. I propose to speak about a number of issues of particular relevance to the people of Ryde, the area of Sydney in which I live. I am doing so for a number of reasons. Obviously the people who live in the Ryde area have been affected by the way in which the Fahey Government has mismanaged the economy of New South Wales and has consistently selected the wrong priority whenever one is available.

*[The Deputy-President (The Hon. D. F. Moppett) left the chair at 6.00 p.m. The House resumed at 8.30 p.m.]*

**The Hon. JAN BURNSWOODS** [8.30]: Before the dinner break I had not got very far through my speech on the 1994-95 budget. Some members seemed to be disappointed at what I said I would concentrate on this year but, despite the blandishments to which I was subjected during the dinner break, I have decided to speak as I intended.

**The Hon. L. D. W. Coleman:** Promises, promises and nothing.

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**The Hon. JAN BURNSWOODS:** That could almost be the epitaph of the Fahey Government. If one wanted to sum up the last years of Liberalism in the State, promises, promises and nothing would do pretty well. This year, rather than speaking on the general issues that I have addressed in previous years, I intend to refer particularly to the area in which I live, the suburb of Ryde. It is an interesting part of Sydney. As most honourable members would be aware, none of the seats on the northern side of the Parramatta River until Parramatta - where we are now proudly represented by the new member, Gabrielle Harrison - are held by the Labor Party. That of course will change in March next year. Peter Macdonald is the Independent member for Manly but after his electorate there is a wasteland of Liberal held seats. Ryde is virtually on the border of three electorates - Gladesville, Ermington and Eastwood. Those three seats are currently held by the Liberal Party but until 1988 Gladesville was held by Rodney Cavalier and the old seat of Ryde was held by Gary McIlwaine, both Labor members.

**The Hon. L. D. W. Coleman:** Past history.

**The Hon. JAN BURNSWOODS:** I mention this not because I want to go into history but because I want to point out that a factor which often works to the disadvantage of people in my area is the assumption that it is an area typical of the north shore. People in places such as Ryde, North Ryde, West Ryde and other parts of Sydney which are not at all silvertail areas often miss out on their proper share of government services because the assumption is easily made that their areas are part of the north shore. The general point I am making is well borne out by the lack of services provided and the wrong priorities the Government has given to the area over the last seven years. There can be no doubt that families in the Ryde-Gladesville area are hundreds and hundreds of dollars worse off now than they were in 1988, thanks to seven years of Greiner and Fahey. That is not to say that the Government has not attempted what is colloquially known as pork-barrelling in the area, particularly in the marginal seat of Gladesville. It is held by the Government with a margin of less than 3 per cent and therefore has been the subject of quite a bit of attention.

Some of the pork-barrelling in Gladesville became notorious earlier this year when we were exposed to the details of what became known as the infamous sports rorts affair. The member for Gladesville, Ivan Petch, the chairperson of the Government's backbench sport and recreation committee, was proved to have signed his name to a number of minutes and penned a number of memos in which he blatantly recommended sports grants of various kinds to Government held seats, particularly marginal seats, and equally blatantly targeted seats held by the Labor Party. I confess that the three seats of Gladesville, Ermington and Eastwood did rather well with sports grants. However, some of them reflected an odd set of priorities. Some of the grants were oddly located. Even in an area where the Government had set up a committee whose sole role appeared to be to take money from Labor electorates in a blatant vote buying effort to give the money to marginal Liberal seats, it got

its priorities wrong and the expenditure was not as effective as the Government might have hoped.

When I look at this year's budget to see what is happening in the area in which I live I cannot work out why the budget is so inadequate. The explanation to which I personally lean is that the Government has written off the unfortunate member for the seat of Gladesville. Ivan Petch is hardly one of the stars of this Parliament. Unfortunately for the residents of his electorate, in his seven years in Parliament he has been noticeable for his size and his somewhat officious manner; he certainly has not been notable for his parliamentary performance or his performance in the electorate. It seems that the Government has written him off and decided to concentrate on the marginal seats which are a little more hopeful. In the last few weeks, the local newspapers have had a few of the usual sorts of headlines such as "Good news election year State budget" and "Budget boost - State MPs rejoice" but the budget provision for the area is not impressive and nowhere near meets the needs of the people. I shall deal with a few areas in particular to compare what has been allocated with what is needed.

An area particularly close to my heart is education. Despite the Government's rhetoric about education and its claim that education spending has gone up, the total school education budget has been underspent by \$23 million over the last few years. So even in those areas where the Government has claimed to have provided extra spending, the increase has often turned out to be illusory. In the budget this year the only area of marked change for education reflects the restoration of 1,466 teachers. The Government has tried terribly hard, particularly during the Parramatta by-election campaign, to present the appointment of those teachers as an increment. I assure the Government that neither parents nor teachers will be fooled by that. Anyone who has anything to do with education is fully aware that the unlamented Terry Metherell cut 2,500 teachers from this State's education system and that it has taken almost seven years for the education system to have the number of teachers employed in 1988 reinstated.

As we all know, recent years have been very painful for the New South Wales school system. Parents and teachers will not forget the impact of the cuts to teacher numbers. Fewer teachers means larger classrooms, young children being given a much lesser basic grounding in education, less attention to individual students, more learning difficulties and less subject choice in high schools. The Government talks a great deal about the family, but in the education area in particular it has persistently chosen to disadvantage families and young people. Even more, it has persistently chosen to disadvantage school children and young people in areas that are not able to compete quite so well.

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I have previously pointed out to the House that the Government's obsession with the philosophy of competition and with cost cutting has led to an incredible degree of competition between schools. While there have been fewer teachers in our schools, those teachers have been spending a great deal of their time desperately trying to raise funds and thinking up ways to attract more students and compete with other schools in the neighbourhood. Apart from the waste of teachers' time and the fact that carrying out these public relations stunts is demeaning, it is the opposite of the ideals of education that I hold and I would hope other honourable members might hold as well.

To return to the electorate of Gladesville specifically, I should like to point out that, despite the Government's rhetoric this year, the Gladesville electorate continues to hold the invidious distinction of having the largest class in the entire State. Within the electorate of Gladesville there is still one class that has 36 pupils. The class has had 36 pupils all this year and continues to have 36 pupils. I assure all honourable members that when the school involved gains one extra teacher or part of an extra teacher next year the parents and teachers will have no doubt whatsoever that they are not getting anything extra, that they are only getting back what they were entitled to and what was taken away by this Government.

The other point I should like to make about the education budget is that although local members have made claims in the local newspapers about improved funding, it is particularly striking that not one allocation pertains to the electorate of Gladesville. The list of education allocations published in the *Northern District Times* on 21 September, for instance, includes amounts for various schools in the electorates of Eastwood and

Ermington. The honourable member for Gladesville has proved singularly inept at getting funds to meet the needs of schools at which maintenance is badly overdue and demountables continue to moulder away. Despite the obvious needs, about which I could go into detail, when one reads through the list of allocations published one finds that not one school in the electorate of Gladesville is mentioned.

Another matter that has been the subject of a certain amount of Government rhetoric is the provision of police. This matter has been discussed at some length locally as well. Some time ago the Government tried to make much of the provision of extra police. In fact, that might even have been one of the promises heard in the Parramatta by-election campaign. Certainly we have heard a great deal about an additional 500 police officers. It has become clear that for some considerable time the New South Wales Police Service has been well below its authorised strength. The appointment of extra police will not add to the Police Service; those officers will be simply filling up the gaps between the actual number of police and the established strength of the Police Service. The position reminds me somewhat of the Government's attempted duplicity over the number of teachers.

In the electorate of Gladesville, Ryde police station is the major police station, covering parts of Ryde and West Ryde. Both the electorate of Gladesville and the electorate of Ermington come within the constituency of that police station. Readers of the local media publications have been bemused over the past few months to read incredibly conflicting statements made by local members, who do not seem to be ever able to get their sums right. The Minister for Multicultural and Ethnic Affairs, Mr Photios, claimed that huge numbers of extra police were being appointed to Ryde police station. It turned out, however, that he was doing a little double or treble counting. For instance, he was counting the detectives twice and arriving at a very surprising figure. It appears that Ryde police station had been understrength by at least three police officers. Although it had an established strength of 53 police, in fact it had fewer than 50 police officers. Recently some of the vacant positions at Ryde police station were filled, but the station still did not have its full establishment. While the station remained understrength, we had the spectacle of Mr Photios claiming all kinds of advances.

Again I point out that, despite all of the Government's claims, the police operations budget has been underspent by a total of \$137 million since 1989. Once again we see evidence of a government that fits the description heard from the Hon. L. D. W. Coleman: promises, promises, and nothing. Certainly in the area of police that description would fit very well. The other police station within the electorate of Gladesville is Gladesville police station. There has been a long running saga to do with particularly misleading statements made over a period of time by the honourable member for Gladesville. The honourable member for Gladesville has the habit - which I am sure some other politicians will recognise - of working on the theory that if announcing something once is a good thing then announcing it twice is twice as good and announcing it 10 times is even better. He may well have been copying from his great mate, the Minister for Transport, who has been known to make announcements up to 13 times despite nothing happening. One of the favourite announcements and re-announcements of the honourable member for Gladesville relates to Gladesville police station, which is being rebuilt at the moment.

**The Hon. Dr B. P. V. Pezzutti:** You look pale and drawn, haggard.

**The Hon. JAN BURNSWOODS:** Not nearly as pale and drawn as -

**The PRESIDENT:** Order!

**The Hon. JAN BURNSWOODS:** Last year's capital works section of the budget contained a very interesting item on Gladesville police station. It announced a 1993 start date and a 1993 completion date. At that time work had not been started. The bumbling honourable member for Gladesville had spent a considerable amount of time announcing that the police station would be completed in 1994, so he was particularly embarrassed when the budget papers

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were released showing a completion date of 1996. The honourable member for Gladesville hastened to try to assure everyone that there were mistakes in the budget papers. He persuaded the unfortunate Minister - the now even more unfortunate Terry Griffiths - to go along with the myth that there was a mistake in the budget

papers. To the credit of Terry Griffiths though - and I like to give credit where it is due - he was not able to go quite so far as the honourable member for Gladesville and say that the police station would be completed by the end of 1994. Terry Griffiths was only able to say in the estimates committee that it would be completed by May 1995.

The honourable member for Gladesville also told us that work on this police station was to start in February. Of course it did not. Some considerable time later, I think it was in May, the same unfortunate Terry Griffiths got to turn the sod. The sod sat turned but very lonely for another three months until finally in August work started on the police station. The residents of Gladesville are now waiting, having been assured yet again by their member that this station will be completed in 1994. What did I find when I opened the budget papers again this year to see what was said about Gladesville police station? Once again the completion date is set down as 1996. Apparently we have yet another error in the budget papers.

**The Hon. Dr B. P. V. Pezzutti:** A printing error.

**The Hon. JAN BURNSWOODS:** It must be a printing error, yes. For two years running we have had a major printing error involving a couple of million dollars. Government members are quite happy with that; they do not mind being part of a government that puts out budget papers full of printing errors. Maybe that is the explanation for all of the other mistakes in the budget. I could refer to many more similar examples.

**The Hon. L. D. W. Coleman:** Such as?

**The Hon. Dr B. P. V. Pezzutti:** Let us hear them.

**The Hon. JAN BURNSWOODS:** There will be others later on.

**The Hon. Dr B. P. V. Pezzutti:** You said there were.

**The Hon. JAN BURNSWOODS:** There are, and I will get to them, but not yet as I intend to deal with a different area for a little time. The next issue I should like to mention is health. Again, health is hardly a success story for this Government in the Ryde and Gladesville areas. The Government has committed itself to the closure of Gladesville Hospital.

**The Hon. Dr B. P. V. Pezzutti:** And about time too. Most of the sounds coming from that centre sound just like you - unpleasant.

**The Hon. JAN BURNSWOODS:** Unfortunately for the as usual dishonourable Brian Pezzutti, and I very much resent the comment he makes about the sounds coming from Gladesville hospital -

**The Hon. Dr B. P. V. Pezzutti:** On a point of order: I object to the Hon. Jan Burnswoods referring to me as the dishonourable Dr Brian Pezzutti and I ask her to retract her statement.

**The Hon. JAN BURNSWOODS:** On the point of order: I certainly object to having a member of this House - I will not call him an honourable member - talking in this Chamber about the noises coming from Gladesville Hospital. I do not think we in this Chamber should cast aspersions on the mentally ill.

**The PRESIDENT:** Order! What is the point of order?

**The Hon. JAN BURNSWOODS:** I did not raise the point of order - he did.

**The PRESIDENT:** Order! Were you speaking to the point of order?

**The Hon. JAN BURNSWOODS:** Yes.

**The PRESIDENT:** Order! It is unparliamentary for a member to refer to another member as dishonourable. I ask the honourable member to withdraw that comment.

**The Hon. JAN BURNSWOODS:** Certainly, Mr President, if you ask, I shall withdraw it. This Government announced it was closing Gladesville Hospital. That has caused a lot of disquiet amongst the parents and friends of the mentally ill - the people the Hon. Dr B. P. V. Pezzutti appears not to care a fig about - and amongst many people in the area.

**The PRESIDENT:** Order! Honourable members making speeches are entitled to be heard in silence, albeit that silence will be relative. I ask honourable members to remember that.

**The Hon. JAN BURNSWOODS:** The other people concerned by this Government's commitment to the closure of Gladesville Hospital are the residents of Gladesville and Henley who very much fear what the Government intends to do with the beautiful site on the Parramatta River just down from the Gladesville Bridge. No-one has been able to get any statement from this Government about its plans for that site when it closes the hospital. Indeed, the closure, which had originally been announced for this year and then put off until April 1995 - perhaps a rather auspicious date, being a month after the election - I hear from the bureaucrats may well be considerably delayed because the Government's ineptitude in completing the work on community houses as part of the deinstitutionalisation plan and work at Greenwich hospital may mean that Gladesville Hospital will not be closed for another two years.

The Government has been inefficient and has caused nothing but heartbreak for parents and relatives of the mentally ill. The people of Gladesville have been concerned as to whether the Government intends to do with the major part of the Gladesville Hospital site as it has done with the Riverglades site, that is, to sell it off for medium density housing. That would be a tragedy for Gladesville Hospital. It would also mean the destruction of precious heritage buildings dating back to the 1830s. The honourable member

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for Gladesville in his contribution to the budget debate last night actually mentioned Gladesville Hospital. I was impressed that he remembered it and found it worth mentioning. However, I am afraid that all he said was:

The Government has ensured that all bushland in the Riverglades development in the old section of Gladesville hospital is retained.

That is the section that has been flogged off for medium density housing. That is the sole concern that the honourable member for Gladesville has shown for the entire issue of Gladesville Hospital. Ryde hospital is the subject of persistent rumours that this Government would love to close the hospital, but the honourable member for Gladesville has not bothered to mention it. The Government has already threatened to close the radiography sections. The Government is also in the process of privatising the bone and joint diseases centre located within the grounds of Macquarie Hospital, the other major psychiatric hospital within the Gladesville electorate. It would upset the Hon. Dr B. P. V. Pezzutti too much if I went into detail about the understaffing at Ryde hospital, the bed closures, and the effects of the ruthless productivity cuts of the last seven years. But I would like to express my concern that Ryde hospital -

*[Interruption]*

**The PRESIDENT:** Order! I remind honourable members - the Hon. Dr B. P. V. Pezzutti in particular - that he who seeks the protection of the standing orders must be prepared to abide by them.

**The Hon. JAN BURNSWOODS:** A large number of people, particularly elderly people in the Eastwood, Ryde, North Ryde, Ermington and West Ryde areas that surround Ryde hospital, have been worried lately by the funny little item placed in the local press by the hospital. The item is designed to persuade people that they really do not need accident and emergency services; that they really would be far better off attending the private medical centre around the corner and up the road. This is certainly not Labor philosophy on the role that public hospitals should play in our community. I reject the approach taken by Ryde hospital to drive

people away from its services rather than encourage people to view it and use it as a community hospital.

I shall now address the budget allocations for public transport and roads in the Ryde area generally. Although I cannot claim that the Government has not allocated funds for those items, the allocation is a classic example of the Government wasting funds for quite the wrong projects. Bearing in mind what was said earlier today by the Leader of the Government in this House in relation to the National Roads and Motorists Association, perhaps I should not be all that surprised. It was interesting that the Leader of the Government chose today to attack the Labor Party in relation to the NRMA. He obviously did not have advance warning of the decision delivered today by the Federal Court, which I welcome.

The behaviour of the board of the NRMA in the past few months has been disgraceful and certainly not in the best interests of its many members, who have long valued its services. That contribution by the Leader of the Government earlier today says something about the Government's attitude to roads and public transport. There are a number of comments about these items that I want to make in relation to the Ryde and Gladesville areas. I shall say little about public transport because the Government has very little interest in that subject. However, it has a great deal of interest in roads. In his contribution to the budget debate delivered last night, the honourable member for Gladesville said that a total of \$14.85 million will be spent in his electorate.

**The Hon. Dr B. P. V. Pezzutti:** That is a lot.

**The Hon. JAN BURNSWOODS:** That figure indeed seems to be quite a lot. However, it is difficult for me to work out exactly where the honourable member for Gladesville gets his figures. One of the major items of road expenditure in the electorate of the honourable member for Gladesville is the controversial M2 tollway. He appears to have a peculiar blind spot in relation to the M2. So far as I can establish, he has mentioned it only once in the past 12 months. He persistently refuses to say anything about it. Time after time honourable members representing the electorates of Eastwood, Ermington and Northcott and honourable members representing electorates in the area between Baulkham Hills and North Ryde have had a great deal to say about the supposed benefits of the M2 tollway, but the honourable member for Gladesville is always suspiciously quiet. He is obviously aware that the M2 tollway will be nothing short of a total disaster for his electorate.

The M2 tollway is designed basically to collect traffic from the whole of the north-west sector up to Windsor and to tap the area radiating out from Baulkham Hills, and to bring that traffic in a large curve around from Baulkham Hills and dump it at the intersection of Epping Road and Pittwater Road at North Ryde. Naturally the Roads and Traffic Authority, notorious as it is for creating missing links in the major road system, is happy with that. Presumably the member for Gladesville is aware that all that traffic has to go somewhere. Epping Road is already a logjam in peak hour every weekday morning. That traffic will make the situation worse on Epping Road before it proceeds down Pittwater Road and through all the residential streets and minor roads of North Ryde, east Ryde and Gladesville.

Although it is indeed true that quite a deal of money is earmarked for expenditure on roads in the Gladesville electorate, I believe, and it is clear that the honourable member for Gladesville also believes, that most of that money will produce nothing but disaster for the electorate. Though he devoted literally paragraph after paragraph of his contribution to the budget debate to the subject of roads, at no point did he mention the M2 tollway. Yet work on that tollway is due to start before the end of this year. Sherringham's Nursery, the famous nursery at North Ryde, has closed because of the proposed construction of the tollway. Numerous other businesses in North Ryde are closing. Yet the honourable member for Gladesville maintains his silence. He knows the

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tollway will be a disaster for his electorate, but he does not have the guts to attack the Government about it. He basically takes the coward's way out and says nothing.

In case honourable members think I am exaggerating the amount of expenditure involved, I point out that in this year's budget estimates the total cost of the M2 tollway is \$179.5 million. That is the Government's contribution, of course. The eventual cost to the taxpayers and the people of New South Wales will be a great

deal more than that. I should like to mention a few other matters relating to roads. One of the major roadworks that the residents of Ryde have been awaiting for a considerable number of years is the Top Ryde interchange at the intersection of Victoria Road and Devlin Street. Mr Photios, who in 1990 was then the member for this part of Ryde before he realised he was about to lose this area in the redistribution, promised that this interchange would be built as a matter of urgency.

The relevant area was then moved into the electorate of the honourable member for Gladesville. He either does not care about the Top Ryde interchange or he is just as inept in getting some action on that interchange as he is with various other things. The Top Ryde interchange has no starting date in this year's budget. The Government long ago admitted that it would be far too embarrassing to put a starting date on something that was started years and years ago. The site has been like a gravel pit for about five or six years. The project presently has a completion date of 1999. It used to be 1997, 1995 or whatever, but it is now 1999. In fact it was 1999 last year as well. Victoria Road is one of the most heavily used roads in Sydney, and Devlin Street taps into Concord, Strathfield and the whole area down to Wollongong if one goes over the bridge at Revesby. Devlin Street also taps into the new road going to Homebush Bay and the Olympic site, but the long promised interchange still has been delayed.

The honourable member for Gladesville said that he intended to talk to the Minister about getting the project speeded up. That is a little odd, bearing in mind that in last year's budget it was scheduled for completion in 1999 and that nothing has changed; it is still scheduled for completion at that time. Ryde City Council is not at all impressed with the record of the Government on the Top Ryde interchange. At a recent meeting of Ryde City Council the traffic committee, having considered the traffic problems around that intersection and the numerous serious accidents that occur there, carried a series of resolutions. One resolution was that no action be taken to change the approach to the intersection from Morrison Road into Church Street, the situation to be reviewed after the construction of the proposed Victoria Road-Devlin Street interchange.

I assure honourable members that there have been many serious accidents at the intersection of Morrison Road and Church Street, but the council is aware that it can do nothing constructive until the Government meets its responsibilities. Similarly, the council decided that nothing could be done about three-tonne load limits on Morrison Road. The council further resolved to ask the RTA to consult with the council before making any changes to any intersection which cause additional traffic on local roads. I support Ryde City Council's concerns in that respect because the electorate of Gladesville is in danger of becoming nothing but a sea of concrete to be driven over. Cars from the entire north-western sector traverse the area when travelling to the central business district of Sydney.

**The Hon. J. F. Ryan:** And western Sydney.

**The Hon. JAN BURNSWOODS:** Until the Government actually starts doing something about public transport, rather than concentrating totally on tollways and road auctions, areas such as Ryde and Gladesville - which have the misfortune to be placed between huge population centres in metropolitan Sydney - will continue to suffer the polluting, dangerous and asphyxiating effects of cars funnelling through residential streets because public transport is insufficient. The Government does not know the meaning of the words "integrated transport planning". Even when obvious, relatively minor improvements, such as the Top Ryde interchange, could really bring major improvements for a local area, the Government has put them off in favour of pie in the sky tollway dreams.

However, none of this appears to faze the honourable member for Gladesville, despite the very real concerns expressed by Ryde City Council about the proposed interchange being deferred from year to year. The honourable member for Gladesville seems quite happy to boast about a couple of new items that have appeared in the roads budget this year. "Additionally," he boasted, "money has been allocated to widen Delhi Road at North Ryde, an important artery out of Ryde". I do not know how well honourable members know the area of North Ryde, but I would like to point out that Delhi Road runs from Epping Road at the intersection with Pittwater Road, winds down through the Lane Cove River National Park, and crosses the Lane Cove River right at the major entrance to the Lane Cove park in the valley.

It is an incredibly sensitive area. It was much damaged by the tragic bushfires at the beginning of this year. Nevertheless, the park is regenerating and it is a very important lung for that whole northern area of Sydney. Delhi Road is basically a two-lane road which winds through Lane Cove River National Park. The Government's proposal is to turn Delhi Road into a four-lane road. The honourable member for Gladesville, in whose electorate this area lies, seems very pleased about that. The point is that the widening of Delhi Road, and the projected turning of it into a major traffic artery, is yet another dreadful side effect of the M2 tollway. Faced with the thousands of extra cars that will be dumped at the intersection of Epping Road and Pittwater Road during peak hour every day from Monday to Friday, the Roads and Traffic Authority has come up with a scheme to disperse them, which would destroy a large part of the Lane Cove River National Park by this massive widening of Delhi Road.

That appears in the budget for the first time this year. It has received very little publicity. In fact, it appears as "Delhi Road stage, north-west transport  
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link to Lane Cove River widened to four lanes", and a sum of \$8.5 million sits there for that. The amount allocated in the budget from taxpayers' funds for the M2 tollway is a gross underestimate, because what one has to do is start adding in all these spin-offs. Certainly, the proposed widening of Delhi Road and the \$8.5 million is one of those. Another spin-off from the M2 tollway that will destroy another large chunk of Sydney is mentioned in the budget papers. This appears in the very vague but still worrying phrase, "Epping Road, concept design for upgrading between Gore Hill Freeway and north-west transport link". The allocation is only \$150,000.

I am sure that the Minister for Industrial Relations and Employment and Minister for the Status of Women, the honourable member for Lane Cove, will not be too happy at the thought of Lane Cove being concreted to cope with all this traffic. The estimated total cost for that little item is \$70.5 million. The more one looks at the road budget with any understanding of the effects of the M2 tollway, the more one sees that, whether it is in Eastwood, Gladesville or Lane Cove electorates, whether it is destroying residential streets and subjecting residents to traffic or destroying the Lane Cove River National Park, the tollway is going to destroy a large section of those electorates.

Faced with all this, the honourable member for Gladesville maintains his very suspicious silence. He does not mention the M2 tollway. He knows that the tollway will bring untold harm to his electorate and he does not have the simple guts to even address the issue. There are some other matters in relation to roads that I could mention, but I am not sure whether honourable members opposite are very interested. There is perhaps one little item. It is only \$15 million, so honourable members opposite may not think it is important. It is another example of the desperate steps being taken by the Government to disguise from, in this case, the people of Eastwood, Denistone East, North Ryde and Macquarie Park the impact of the extra traffic that its policies are producing.

Honourable members may know about Silverwater Road and the upgraded road in the area of Ermington. In accordance with the RTA's usual strategy, all it will do is move thousands of cars from one part of Sydney to another. There is now a proposal to build yet another sort of mini-expressway, known as the Eastwood-Epping Road county road - stage one, indeed. The proposed road would run from Eastwood to North Ryde and would encourage the use of that road by all the trucks that will be the major users of the Silverwater Road. That will be in addition to all the peak hour cars currently funnelling through all of these streets. I can only assume from all the noise being made by honourable members opposite that they are really upset that all this road expenditure is being spent so badly. However, the proposed county road, as I am sure the honourable Minister will agree, has been a pipedream for years.

Every time an election comes around, one hears about the county road. One year it is a feasibility study, another year it is a test. A very small sum of \$100,000 has been allocated. The Government apparently thinks it can waste \$100,000 on the campaign to re-elect Ivan Petch for Gladesville. Of course, it is not going to build the road; it is merely going to have a little consultation in order to make it seem that it is doing something. It is

odd that the Government did exactly the same thing in 1991; indeed, it is odd that, during the 1988 election campaign, this so-called county road was mentioned at great length. The Government has presided over a massive increase in traffic funnelling through the major roads and the residential streets of the Eastwood, Ryde, North Ryde and Gladesville area. The Government is doing nothing to address the associated problems. Indeed, the work that it is doing, in particular the M2 tollway, will only increase the problem.

I certainly express the resentment of the people of the Ryde area that their problems - be it the health of their children, their peace at night or their freedom from accidents - are being so conspicuously ignored by the Government. I would happily debate other matters, particularly the environment. The Lane Cove River is an absolute disgrace. The Government has devoted some years to taking an \$80 environmental levy from people who live in areas like mine, for which they got absolutely no benefit either in stormwater control or cleaning of the rivers. The record of the Government on the environment is so well known that I probably do not need to go into it at great length. I would like to stress that, bounded as it is by the Parramatta River and the Lane Cove River, the electorate of Gladesville and the nearby electorates of Eastwood and Ermington desperately need attention paid to the state of those rivers, not only on environmental grounds but on health grounds. People cannot swim in them.

**The Hon. L. D. W. Coleman:** I have never seen them look better than in the past 20 years.

**The Hon. JAN BURNSWOODS:** That is curious, since people are no longer allowed to use canoes on the Lane Cove River. If the Hon. L. D. W. Coleman thinks that it is clean, I invite him to break the law and get in a canoe. The Hon. L. D. W. Coleman ought to go back to Orange, where I hope the waterways are a lot cleaner than the Lane Cove River. The only good thing to be said about this budget is that it is the last budget of the Fahey Government. We have had seven years of waste and wrong priorities, such as the examples I have given in the Ryde and Gladesville areas. We have had a philosophy of government management rather than of service; of high salaried officers rather than of a proper public service. We have had a Government that has wasted a fortune on fat cats, SES salaries, and on a huge number of consultants rather than providing services in health, education and public transport that I would like to see. We have a Government that - the Premier would be the first to admit - has no vision, because he does not believe in vision. Like all honourable members on this side of the Parliament, and like the majority of the people of New South Wales, I am very pleased that this is the last budget to be delivered by the Fahey Government.

**Debate adjourned on motion by the Hon. R. S. L. Jones.**

## JOINT ESTIMATES COMMITTEES

**The President** reported the receipt of the following message from the Legislative Assembly:

MR PRESIDENT

The Legislative Assembly desires to acquaint the Legislative Council that it has this day agreed to the following resolution -

That, in accordance with the Sessional Order on Estimates Committees:

(1) The following Estimates Committees are appointed:

1. The Legislature Estimates Committee;
2. Premier and Minister for Economic Development Estimates Committee;
3. Treasurer and Arts Estimates Committee;
4. Agriculture and Fisheries and Mines Estimates Committee;
5. Attorney General and Justice Estimates Committee;
6. Chief Secretary and Administrative Services Estimates Committee;
7. Community Services and Aboriginal Affairs Estimates Committee;
8. Consumer Affairs Estimates Committee;
9. Education, Training and Youth Affairs and Tourism Estimates Committee;
10. Environment Estimates Committee;
11. Multicultural and Ethnic Affairs Estimates Committee;
12. Health Estimates Committee;
13. Industrial Relations and Employment and Status of Women Estimates Committee;
14. Police and Emergency Services Estimates Committee;
15. Energy and Local Government and Co-operatives Estimates Committee;
16. Land and Water Conservation Estimates Committee;
17. Planning and Housing Estimates Committee;
18. Public Works and Ports Estimates Committee;
19. Sport, Recreation and Racing Estimates Committee;

20. Transport and Roads Estimates Committee; and

21. Small Business and Regional Development Estimates Committee

(2) The clauses and items of the Appropriation Bill and the Parliamentary Appropriation Bill set out in Schedule 1 to this motion be referred to the Estimates Committees as set out in that Schedule.

(3) The Committees shall have power to send for and examine persons, papers, records and things and to report from time to time.

(4) The quorum of an Estimates Committee shall be eight members provided that the Committees meet as Joint Committees at all times.

(5) The Chairman of an Estimates Committee shall exercise a deliberative vote and, in the event of an equality of votes, a casting vote.

(6) A Chairman may from time to time appoint another member to act as Deputy Chairman and the member so appointed shall act as Chairman when the Chairman is not present at a meeting of the Committee.

In the event of absence of both the Chairman and the Deputy Chairman, a member of the Committee shall be elected by the members present to act as Chairman for that meeting.

(7) The proceedings of the Committees shall be open to the public unless otherwise ordered by the Committees.

(8) The Legislative Assembly membership of the Committees (5 Government members, 3 Opposition members and 1 Independent member) be notified to the Clerk of the Legislative Assembly by the Government and Opposition Whips. The Government Whip shall nominate the Independent member.

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(9) The Clerk of the Legislative Assembly shall arrange the places for meetings of the Committees and notify, formally, the Members of the Committees of the times and places for the meetings.

(10) The Chairmen of the Estimates Committees be as follows -

The Legislature Estimates Committee - Mr Kerr

Premier and Minister for Economic Development Estimates Committee - Mr Tink

Treasurer and Arts Estimates Committee - Mr Zammit

Agriculture and Fisheries and Mines Estimates Committee - Mr Small

Attorney General and Justice Estimates Committee - Mr Kerr

Chief Secretary and Administrative Services Committee - Mr Kinross

Community Services and Aboriginal Affairs Estimates Committee - Mr Ryan

Consumer Affairs Estimates Committee - Mr Bull

Education, Training and Youth Affairs and Tourism Estimates Committee - Mr O'Doherty

Environment Estimates Committee - Mr Ryan

Multicultural and Ethnic Affairs Estimates Committee - Mr Samios

Health Estimates Committee - Mr Glachan

Industrial Relations and Employment and Status of Women Estimates Committee - Mrs Forsythe

Police and Emergency Services Estimates Committee - Mr Turner

Energy and Local Government and Co-operatives Estimates Committee - Mr Turner

Land and Water Conservation Estimates Committee - Mr Cochran

Planning and Housing Estimates Committee - Mr D. L. Page

Public Works and Ports Estimates Committee - Mr Beck

Sport, Recreation and Racing Estimates Committee - Mr Petch

Transport and Roads Estimates Committee - Mr Merton

Small Business and Regional Development Estimates Committee - Mr Fraser

- (11) In an Estimates Committee
  - (a) The responsible Minister shall be present at all times
  - (b) The Chairman shall call over the Estimates for each ministry and declare the proposed expenditure open for examination
  - (c) The question shall be proposed for each organisational unit "That the Vote be recommended"
  - (d) The proceedings of a Committee shall be recorded by Hansard
  - (e) The Clerk shall prepare minutes of meetings which shall be signed by the Clerk and the Chairman.
- (12) During the conduct of the Estimates Committees questions be limited to a maximum of 1 minute and replies be limited to a maximum of 3 minutes.
- (13) When each area of Estimates in the first Schedule is commenced the period set aside shall be equally apportioned between Government and non-Government Members. The Chairman of the Committee shall permit non-Government Members to question the Minister for the first 20 minutes; Government Members for the next 20 minutes and so on in rotation until the expiration of the allocated time.
- (14) Advisers who are present at an Estimates Committee to assist Ministers and the Presiding Officers (in the case of the Estimates of The Legislature) may address a Committee or answer questions if such questions are referred to them by a Minister or the Presiding Officers as the case may be.
- (15) The proceedings of a Committee shall be regarded as proceedings of the Parliament.
- (16) Notwithstanding anything to the contrary contained in the Standing or Sessional Orders, Ministers may indicate to Estimates Committees that information supplementary to a response given to the Estimates Committee in reply to a question asked by a member of that Committee may be lodged with the Clerk of the Legislative Assembly. Such information shall be regarded as part of the proceedings of the Parliament (and published as an annexure to the Questions and Answers Paper of the Legislative Assembly). Answers to questions taken on notice are to be answered by 18 November 1994.

- (17) The times and dates for consideration of the Estimates by the Estimates Committees be as set out in the Schedule 2 to this motion.
- (18) The Committees shall have the power to sit during the sitting or any adjournment of the House.
- (19) A message informing the Legislative Council of the terms of the resolution and requesting its nomination of 5 of its Members to participate on each Committee (of whom 2 shall be Government Members, 2 shall be Opposition Members and 1 shall be a non-Government Member nominated by the Leader of the Government) and requesting arrangements for the publication in the Questions and Answers Paper of the Legislative Council of supplementary information to Estimates Committees shall forthwith be transmitted to the Legislative Council.

### SCHEDULE 1

#### BUDGET ESTIMATES COMMITTEES - MINISTERIAL PORTFOLIO ALLOCATIONS

#### APPROPRIATION BILL REFERENCES

Estimate Committee No. Items	Recurrent Items	Capital
<b>1 Legislature</b>		
The Legislature - subject to a separate Appropriation Bill		
<b>2 Premier and Economic Development</b>		
Cabinet Office	6.1.01	6.2.01
Parliamentary Counsel's Office	6.1.02	6.2.02
Premier's Department	6.1.03	6.2.03
Independent Commission Against Corruption	6.1.04	6.2.04
Ombudsman's Office	6.1.05	6.2.05
State Electoral Office	6.1.06	...
Government Pricing Tribunal	6.1.07	...
<b>3 Agriculture and Fisheries</b>		
Rural Assistance Authority	7.1.01	...
Department of Agriculture	7.1.02	7.2.01
New South Wales Fisheries	7.1.03	7.2.02
<b>4 Mines</b>		
Department of Mineral Resources	7.1.04	7.2.03
Coal Compensation Board	7.1.05	7.2.04
<b>5 Attorney General</b>		
Attorney General's Department	8.1.01	8.2.01
Judicial Commission	8.1.02	8.2.02
Legal Aid Commission	8.1.03	8.2.03

	Office of the Director of Public Prosecutions	8.1.04	8.2.04
<b>6</b>	<b>Justice</b>		
	Department of Courts Administration	8.1.05	8.2.05
	Department of Corrective Services	8.1.06	8.2.06
	Department of Juvenile Justice	8.1.07	8.2.07
<b>7</b>	<b>Chief Secretary and Administrative Services</b>		
	Chief Secretary's Department	9.1.01	9.2.01
	Casino Control Authority	9.1.02	...
	Office of the Chief Secretary and Minister for Administrative Services	9.1.03	9.2.02
<b>8</b>	<b>Community Services</b>		
	Department of Community Services	10.1.01	10.2.01
	Social Policy Directorate	10.1.02	...
	Community Services Commission	10.1.03	...
<b>9</b>	<b>Aboriginal Affairs</b>		
	Office of Aboriginal Affairs	10.1.04	...
<b>10</b>	<b>Consumer Affairs</b>		
	Department of Consumer Affairs	11.1.01	11.2.01
	HomeFund Commissioner's Office	11.1.02	...
Page 3930			
<b>11</b>	<b>Education, Training and Youth Affairs</b>		
	Ministry of Education and Youth Affairs	12.1.01	12.2.01
	Department of School Education	12.1.02	12.2.02
	New South Wales Technical and Further Education Commission	12.1.03	12.2.03
<b>12</b>	<b>Tourism</b>		
	Tourism NSW	12.1.04	...
<b>13</b>	<b>Energy</b>		
	Office of Energy	13.1.01	...
<b>14</b>	<b>Local Government and Co-operatives</b>		
	Department of Local Government and Co-operatives	13.1.02	13.2.01
<b>15</b>	<b>Environment</b>		
	Environment Protection Authority	14.1.01	14.2.01
	National Parks and Wildlife Service	14.1.02	14.2.02
	Royal Botanic Gardens and Domain Trust	14.1.03	14.2.03

	Urban Parks Agency	14.1.04	14.2.04
<b>16</b>	<b>Health</b>		
	Department of Health	15.1.01	15.2.01
	Health Care Complaints Commission	15.1.02	...
<b>17</b>	<b>Industrial Relations and Employment</b>		
	Department of Industrial Relations, Employment, Training and Further Education	16.1.01	16.2.01
<b>18</b>	<b>Status of Women</b>		
	Ministry for the Status and Advancement of Women	16.1.02	16.2.02
<b>19</b>	<b>Land and Water Conservation</b>		
	Department of Conservation and Land Management	17.1.01	17.2.01
	Department of Water Resources	17.1.02	17.2.02
<b>20</b>	<b>Multicultural and Ethnic Affairs</b>		
	Ethnic Affairs Commission	18.1.01	18.2.01
<b>21</b>	<b>Planning and Housing</b>		
	Department of Planning	19.1.01	19.2.01
	Homebush Bay Development Corporation	19.1.02	19.2.02
	Payments to other Government Bodies under the Control of the Minister	19.1.03	...
<b>22</b>	<b>Police and Emergency Services</b>		
	Ministry for Police and Emergency Services	20.1.01	...
	The Police Service of New South Wales	20.1.02	20.2.01
	New South Wales Crime Commission	20.1.03	20.2.02
	New South Wales Fire Brigades	20.1.04	...
	Department of Bush Fire Services	20.1.05	...
	State Emergency Service	20.1.06	20.2.03
<b>23</b>	<b>Public Works and Ports</b>		
	Office of the Minister for Public Works and Minister for Ports	21.1.01	21.2.01
<b>24</b>	<b>Small Business and Regional Development</b>		
	Department of Business and Regional Development	22.1.01	22.2.01
<b>25</b>	<b>Sport, Recreation and Racing</b>		
	Department of Sport, Recreation and Racing	23.1.01	23.2.01
<b>26</b>	<b>Transport</b>		
	Department of Transport	24.1.01	24.2.01

**27 Roads**

Roads and Traffic Authority	24.1.02	24.2.02
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**28 Treasurer**

Treasury	25.1.01	25.2.01
Crown Transactions	25.1.02	25.2.02
Advance to Treasurer	25.1.03	...

**29 Arts**

Ministry for the Arts	25.1.04	25.2.03
State Library	25.1.05	25.2.04
Australian Museum	25.1.06	25.2.05
Museum of Applied Arts and Sciences	25.1.07	25.2.06
Historic Houses Trust	25.1.08	25.2.07
Art Gallery of New South Wales	25.1.09	25.2.08
Archives Authority of New South Wales	25.1.10	...
New South Wales Film and Television Office	25.1.11	...

**SCHEDULE 2**

TUESDAY 18 OCTOBER 1994

Committee	Time
Agriculture, Fisheries and Mines	9.30am - 1.00pm
Industrial Relations and Employment and Status of Women	9.30am - 1.00pm
Community Services and Aboriginal Affairs	2.00pm - 4.30pm
Land and Water Conservation	2.00pm - 4.30pm
Consumer Affairs	7.00pm - 9.00pm

WEDNESDAY 19 OCTOBER 1994

Transport and Roads	9.30am - 1.00pm
Police and Emergency Services	9.30am - 1.00pm
Arts and Treasurer	2.00pm - 4.30pm
Premier and Economic Development	2.00pm - 4.30pm
The Legislature	7.00pm - 9.00pm
Multicultural and Ethnic Affairs	7.00pm - 9.00pm

THURSDAY 20 OCTOBER 1994

Planning and Housing	9.30am - 1.00pm
Attorney General and Justice	9.30am - 1.00pm
Local Government and Energy	2.00pm - 4.30pm
Chief Secretary and Administrative Services	2.00pm - 4.30pm
Regional Development and Small Business	7.00pm - 9.00pm
Sport, Recreation and Racing	7.00pm - 9.00pm

FRIDAY 21 OCTOBER 1994

Health	9.30am - 1.00pm
Education, Training and Youth Affairs and Tourism	9.30am - 1.00pm
Environment	2.00pm - 4.30pm
Public Works and Ports	2.00pm - 4.30pm

And requests the Legislative Council to adopt a resolution in similar terms.

Legislative Assembly  
13 October 1994

**K. R. Rozzoli**  
Speaker

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**Suspension of certain standing and sessional orders agreed to.**

**Motion, by leave, by the Hon. J. P. Hannaford agreed to:**

That the Assembly's Message be taken into consideration forthwith.

**The Hon. J. P. HANNAFORD** (Attorney General, Minister for Justice, and Vice President of the Executive Council) [9.23]: I move:

That:

(1) The following Estimates Committees be appointed:

- (a) The Legislature Estimates Committee
- (b) Premier and Economic Development Estimates Committee
- (c) Treasurer and Arts Estimates Committee
- (d) Agriculture and Fisheries and Mines Estimates Committee
- (e) Attorney General and Justice Estimates Committee

- (f) Chief Secretary and Administrative Services Estimates Committee
- (g) Community Services and Aboriginal Affairs and Ageing Estimates Committee
- (h) Consumer Affairs Estimates Committee
- (i) Education, Training and Youth Affairs and Tourism Estimates Committee
- (j) Energy and Local Government and Co-operatives Estimates Committee
- (k) Environment Estimates Committee
- (l) Health Estimates Committee
- (m) Industrial Relations and Employment and Status of Women Estimates Committee
- (n) Land and Water Conservation Estimates Committee
- (o) Multicultural and Ethnic Affairs Estimates Committee
- (p) Planning and Housing Estimates Committee
- (q) Police and Emergency Services Estimates Committee
- (r) Public Works and Ports Estimates Committee
- (s) Small Business and Regional Development Estimates Committee
- (t) Sport, Recreation and Racing Estimates Committee and
- (u) Transport and Roads Estimates Committee,

to examine and report on proposed expenditures from the Consolidated Fund for each organisational unit for each Minister listed in the tabled Estimates, and the corresponding clauses and schedules of the Appropriation Bill and the Parliamentary Appropriation Bill which shall stand referred to the appropriate Committee.

(2) The clauses and items of the Appropriation Bill and the Parliamentary Appropriation Bill set out in Schedule 1 be referred to the Estimates Committees as set out in that Schedule.

(3) The Committees shall have power to send for and examine persons, papers, records and things and to report from time to time.

(4) The quorum of an Estimates Committee shall be eight Members provided that the Committees meet as Joint Committees at all times.

(5) The Chairman of an Estimates Committee shall exercise a deliberative vote and, in the event of an equality of votes, a casting vote.

(6) A Chairman may from time to time appoint another Member to act as Deputy Chairman and the Member so appointed shall act as Chairman when the Chairman is not present at a meeting of the Committee.

In the event of absence of both the Chairman and the Deputy Chairman, a Member of the Committee shall be elected by the Members present to act as Chairman for that meeting.

- (7) The proceedings of the Committees shall be open to the public unless otherwise ordered by the Committees.
- (8) The Clerk of the Legislative Assembly shall arrange the places for meetings of the Committees and notify, formally, the Members of the Committees of the times and places for the meetings.

- (9) The Chairmen of the Estimates Committees be as follows:

The Legislature Estimates Committee - Mr Kerr

Premier and Economic Development Estimates Committee - Mr Tink

Treasurer and Arts Estimates Committee - Mr Zammit

Agriculture and Fisheries and Mines Estimates Committee - Mr Small

Attorney General and Justice Estimates Committee - Mr Kerr

Chief Secretary and Administrative Services Estimates Committee - Mr Kinross

Community Services and Aboriginal Affairs and Ageing Estimates Committee - Mr Ryan

Consumer Affairs Estimates Committee - Mr Bull

Education, Training and Youth Affairs and Tourism Estimates Committee - Mr O'Doherty

Energy and Local Government and Co-operatives Estimates Committee - Mr Turner

Environment Estimates Committee - Mr Ryan

Health Estimates Committee - Mr Glachan

Industrial Relations and Employment and Status of Women Estimates Committee - Mrs Forsythe

Land and Water Conservation Estimates Committee - Mr Cochran

Multicultural and Ethnic Affairs Estimates Committee - Mr Samios

Planning and Housing Estimates Committee - Mr D. L. Page

Police and Emergency Services Estimates Committee - Mr Turner

Public Works and Ports Estimates Committee - Mr Beck

Small Business and Regional Development Estimates Committee - Mr Fraser

Sport, Recreation and Racing Estimates Committee - Mr Petch

Transport and Roads Estimates Committee - Mr Merton.

- (10) In an Estimates Committee:

- (a) the responsible Minister shall be present at all times;

- (b) the Chairman shall call over each program area of each organisational unit for each Minister and declare the proposed expenditure open for examination;
  - (c) the question shall be proposed for each organisational unit "That the Vote be recommended";
  - (d) the proceedings of a Committee shall be recorded by Hansard;
  - (e) the Clerk shall prepare minutes of meetings which shall be signed by the Chairman.
- (11) During the conduct of the Estimates Committees questions be limited to a maximum of one minute and replies be limited to a maximum of three minutes.
- (12) When each area of estimates in Schedule 1 is commenced the period set aside shall be equally apportioned between Government and non-Government Members. The Chairman of the Committee shall permit non-Government Members to question the Minister for the first twenty minutes, Government Members for the next twenty minutes and so on in rotation until the expiration of the allocated time.
- (13) Advisers who are present at an Estimates Committee to assist Ministers and the Presiding Officers (in the case of the Estimates of the Legislature) may address a Committee or answer questions if referred to them by a Minister or the Presiding Officers as the case may be.
- (14) The proceedings of a Committee shall be regarded as proceedings of the Parliament.
- (15) Notwithstanding anything to the contrary contained in the Standing or Sessional Orders, Ministers may indicate to Estimates Committees that information supplementary to a response given to the Estimates Committee in reply to a question asked by a Member of that Committee may be lodged with the Clerk of the Parliaments. Such information shall be regarded as part of the proceedings of the Parliament and published as an annexure to the Questions and Answers Paper of the Legislative Council. Answers to questions taken on notice are to be answered by 18 November 1994.

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- (16) The times and dates for consideration of the estimates by the Estimates Committees be as set out in the Schedule 2.
- (17) The Committee shall have the power to sit during the sitting or any adjournment of the House.
- (18) The Report of each Estimates Committee shall state whether the votes of each organisational unit in the Estimates and the corresponding clauses and schedules in the Appropriation Bill and the Parliamentary Appropriation Bill are recommended or otherwise.

The failure of an Estimates Committee to report on any part of the votes shall be deemed to be a report recommending the proposed expenditure.

- (19) The following Members be appointed to the Estimates Committees:
- (a) The Legislature Estimates Committee
    - Government Members - Mr Bull, Mr Gay and Mr Jobling
    - Opposition Members - Mr Johnson and Mr O'Grady
    - Australian Democrat Member - Ms Kirkby
    - Call to Australia Member - Revd Mr Nile
  - (b) Premier and Economic Development Estimates Committee

Government Members - Mr Coleman, Mrs Evans and Mr Ryan  
Opposition Members - Dr Burgmann and Mrs Walker  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Revd Mr Nile

(c) Treasurer and Arts Estimates Committee

Government Members - Mr Gay, Mr Smith and Mr Samios  
Opposition Members - Mr Egan and Mrs Symonds  
Australian Democrat Member - Ms Kirkby  
Call to Australia Member - Mrs Nile

(d) Agriculture and Fisheries and Mines Estimates Committee

Government Members - Mr Moppett, Dr Pezzutti and Mr Smith  
Opposition Members - Mr Kaldis and Mr Obeid  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Revd Mr Nile

(e) Attorney General and Justice Estimates Committee

Government Members - Miss Gardiner, Mr Mutch and Mrs Sham-Ho  
Opposition Members - Mr Shaw and Mrs Symonds  
Australian Democrat Member - Ms Kirkby  
Call to Australia Member - Revd Mr Nile

(f) Chief Secretary and Administrative Services Estimates Committee

Government Members - Dr Pezzutti, Mr Smith and Mr Ryan  
Opposition Members - Mr Johnson and Mr Manson  
Australian Democrat Member - Ms Kirkby  
Call to Australia Member - Revd Mr Nile

(g) Community Services and Aboriginal Affairs and Ageing Estimates Committee

Government Members - Mr Jobling, Mr Ryan and Mrs Sham-Ho  
Opposition Members - Mr Dyer and Mrs Symonds  
Australian Democrat Member - Ms Kirkby  
Call to Australia Member - Revd Mr Nile

(h) Consumer Affairs Estimates Committee

Government Members - Mr Bull, Miss Gardiner and Mr Samios  
Opposition Members - Mr Enderbury and Mr Johnson  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Revd Mr Nile

(i) Education, Training and Youth Affairs and Tourism Estimates Committee

Government Members - Mr Bull, Mr Moppett and Mrs Sham-Ho  
Opposition Members - Mrs Arena and Mr Vaughan  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Mrs Nile

(j) Energy and Local Government and Co-operatives Estimates Committee

Government Members - Mrs Evans, Dr Goldsmith and Mr Mutch  
Opposition Members - Ms Burnswoods and Mr Shaw  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Mrs Nile

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(k) Environment Estimates Committee

Government Members - Dr Goldsmith, Mr Ryan, and Mr Samios  
Opposition Members - Ms Burnswoods and Mrs Kite  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Revd Mr Nile

(l) Health Estimates Committee

Government Members - Mrs Evans, Mrs Forsythe and Dr Pezzutti  
Opposition Members - Mrs Isaksen and Mrs Walker  
Australian Democrat Member - Ms Kirkby  
Call to Australia Member - Revd Mr Nile

(m) Industrial Relations and Employment and Status of Women Estimates Committee

Government Members - Miss Gardiner, Mrs Forsythe and Mr Mutch  
Opposition Members - Dr Burgmann and Mr Shaw  
Australian Democrat Member - Ms Kirkby  
Call to Australia Member - Mrs Nile

(n) Land and Water Conservation Estimates Committee

Government Members - Mr Coleman, Mrs Evans and Mr Moppett  
Opposition Members - Dr Burgmann and Mrs Walker  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Mrs Nile

(o) Multicultural and Ethnic Affairs Estimates Committee

Government Members - Mr Coleman, Mr Samios and Mrs Sham-Ho  
Opposition Members - Mrs Arena and Mr Kaldis  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Mrs Nile

(p) Planning and Housing Estimates Committee

Government Members - Mrs Forsythe, Mr Gay and Mr Ryan  
Opposition Members - Mr Macdonald and Mr Obeid  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Mrs Nile

(q) Police and Emergency Services Estimates Committee

Government Members - Mr Bull, Mr Gay and Mr Jobling

Opposition Members - Mr O'Grady and Mrs Walker  
Australian Democrat Member - Ms Kirkby  
Call to Australia Member - Revd Mr Nile

(r) Public Works and Ports Estimates Committee

Government Members - Mr Coleman, Mr Mutch and Dr Pezzutti  
Opposition Members - Mr Dyer and Mr Macdonald  
Australian Democrat Member - Ms Kirkby  
Call to Australia Member - Mrs Nile

(s) Small Business and Regional Development Estimates Committee

Government Members - Dr Goldsmith, Mr Jobling and Mr Mutch  
Opposition Members - Mr Macdonald and Mr Vaughan  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Revd Mr Nile

(t) Sport, Recreation and Racing Estimates Committee

Government Members - Mrs Forsythe, Mr Moppett and Mr Smith  
Opposition Members - Mr Enderbury and Mr Manson  
Australian Democrat Member - Ms Kirkby  
Call to Australia Member - Mrs Nile

(u) Transport and Roads Estimates Committee

Government Members - Mr Coleman, Miss Gardiner and Dr Goldsmith  
Opposition Members - Mrs Isaksen and Mrs Kite  
Australian Democrat Member - Mr Jones  
Call to Australia Member - Mrs Nile.

(20) The Leader of the Government, the Leader of the Opposition, the Leader of the Australian Democrats and the Leader of the Call to Australia Group may nominate in writing to the Committee Chairman an alternative Member of the Legislative Council to represent an appointed Member, if that Member is unavailable to attend any meeting of any Estimates Committee.

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(21) The Legislative Council insists that the Estimates Committees be composed of an equal number of Members of each House.

(22) The Legislative Council requests the concurrence of the Legislative Assembly that the Estimates Committees be composed of an equal number of Members of each House.

(23) The Legislative Council expresses the view that on any future occasion on which a Joint Committee may be proposed the same number of Members should be appointed from both Houses.

**Procedures in the House and Committee of the Whole House**

(24) The Chairman of each Committee or a Member deputed by the Chairman shall, after the Committee has concluded its deliberations and after the question on the second reading of the Appropriation Bill and the Parliamentary Appropriation Bill has been agreed to, shall present the Committee's Report to the President in the House.

The Reports shall be set down for consideration in Committee of the Whole House on the Appropriation Bill and Parliamentary Appropriation Bill respectively.

Consideration of a Report in the Committee of the Whole House shall be deemed to be consideration of those clauses and schedules of the Appropriation Bill and Parliamentary Appropriation Bill referred to that Estimates Committee.

(25) In a Committee of the Whole House:

- (a) the Chairman shall put the Question in respect of each Committee Report, "That the Report of the (name of the Committee) be adopted"; and
- (b) those clauses and schedules of the Appropriation Bill and Parliamentary Appropriation Bill not referred to an Estimates Committee shall be considered as one Question, "That the remaining clauses and schedules of the Bills be agreed to".

(26) At the conclusion of proceedings in Committee of the Whole, the Chairman shall report to the President that the Committee has or has not adopted the Reports from the Estimates Committees.

### SCHEDULE 1

#### BUDGET ESTIMATES COMMITTEES MINISTERIAL PORTFOLIO ALLOCATIONS

#### Appropriation Bill References

Estimate Committee No.	Recurrent Items	Capital Items
<b>1 Legislature</b>		
The Legislature - subject to a separate Appropriation Bill		
<b>2 Premier and Economic Development</b>		
Cabinet Office	6.1.01	6.2.01
Parliamentary Counsel's Office	6.1.02	6.2.02
Premier's Department	6.1.03	6.2.03
Independent Commission Against Corruption	6.1.04	6.2.04
Ombudsman's Office	6.1.05	6.2.05
State Electoral Office	6.1.06	...
Government Pricing Tribunal	6.1.07	...
<b>3 Agriculture and Fisheries</b>		
Rural Assistance Authority	7.1.01	...
Department of Agriculture	7.1.02	7.2.01
New South Wales Fisheries	7.1.03	7.2.02
<b>4 Mines</b>		
Department of Mineral Resources	7.1.04	7.2.03
Coal Compensation Board	7.1.05	7.2.04
<b>5 Attorney General</b>		

Attorney General's Department	8.1.01	8.2.01
Judicial Commission	8.1.02	8.2.02
Legal Aid Commission	8.1.03	8.2.03
Office of the Director of Public Prosecutions	8.1.04	8.2.04

**6 Justice**

Department of Courts Administration	8.1.05	8.2.05
Department of Corrective Services	8.1.06	8.2.06
Department of Juvenile Justice	8.1.07	8.2.07

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**7 Chief Secretary and Administrative Services**

Chief Secretary's Department	9.1.01	9.2.01
Casino Control Authority	9.1.02	...
Office of the Chief Secretary and Minister for Administrative Services	9.1.03	9.2.02

**8 Community Services**

Department of Community Services	10.1.01	10.2.01
Social Policy Directorate	10.1.02	...
Community Services Commission	10.1.03	...

**9 Aboriginal Affairs**

Office of Aboriginal Affairs	10.1.04	...
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**10 Consumer Affairs**

Department of Consumer Affairs	11.1.01	11.2.01
HomeFund Commissioner's Office	11.1.02	...

**11 Education, Training and Youth Affairs**

Ministry of Education and Youth Affairs	12.1.01	12.2.01
Department of School Education	12.1.02	12.2.02
New South Wales Technical and Further Education Commission	12.1.03	12.2.03

**12 Tourism**

Tourism NSW	12.1.04	...
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**13 Energy**

Office of Energy	13.1.01	...
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**14 Local Government and Co-operatives**

Department of Local Government and Co-operatives	13.1.02	13.2.01
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**15 Environment**

Environment Protection Authority	14.1.01	14.2.01
National Parks and Wildlife Service	14.1.02	14.2.02
Royal Botanic Gardens and Domain Trust	14.1.03	14.2.03
Urban Parks Agency	14.1.04	14.2.04
<b>16 Health</b>		
Department of Health	15.1.01	15.2.01
Health Care Complaints Commission	15.1.02	...
<b>17 Industrial Relations and Employment</b>		
Department of Industrial Relations, Employment, Training and Further Education	16.1.01	16.2.01
<b>18 Status of Women</b>		
Ministry for the Status and Advancement of Women	16.1.02	16.2.02
<b>19 Land and Water Conservation</b>		
Department of Conservation and Land Management	17.1.01	17.2.01
Department of Water Resources	17.1.02	17.2.02
<b>20 Multicultural and Ethnic Affairs</b>		
Ethnic Affairs Commission	18.1.01	18.2.01
<b>21 Planning and Housing</b>		
Department of Planning	19.1.01	19.2.01
Homebush Bay Development Corporation	19.1.02	19.2.02
Payments to other Government Bodies under the Control of the Minister	19.1.03	...

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<b>22 Police and Emergency Services</b>		
Ministry for Police and Emergency Services	20.1.01	...
The Police Service of New South Wales	20.1.02	20.2.01
New South Wales Crime Commission	20.1.03	20.2.02
New South Wales Fire Brigades	20.1.04	...
Department of Bush Fire Services	20.1.05	...
State Emergency Service	20.1.06	20.2.03
<b>23 Public Works and Ports</b>		
Office of the Minister for Public Works and Minister for Ports	21.1.01	21.2.01
<b>24 Small Business and Regional Development</b>		
Department of Business and Regional Development	22.1.01	22.2.01
<b>25 Sport, Recreation and Racing</b>		

Department of Sport, Recreation and Racing	23.1.01	23.2.01
<b>26 Transport</b>		
Department of Transport	24.1.01	24.2.01
<b>27 Roads</b>		
Roads and Traffic Authority	24.1.02	24.2.02
<b>28 Treasurer</b>		
Treasury 25.1.01	25.2.01	
Crown Transactions	25.1.02	25.2.02
Advance to Treasurer	25.1.03	...
<b>29 Arts</b>		
Ministry for the Arts	25.1.04	25.2.03
State Library	25.1.05	25.2.04
Australian Museum	25.1.06	25.2.05
Museum of Applied Arts and Sciences	25.1.07	25.2.06
Historic Houses Trust	25.1.08	25.2.07
Art Gallery of New South Wales	25.1.09	25.2.08
Archives Authority of New South Wales	25.1.10	...
New South Wales Film and Television Office	25.1.11	...

## SCHEDULE 2

### TUESDAY 18 OCTOBER 1994

Committee	Time
Agriculture, Fisheries and Mines	9.30am - 1.00pm
Industrial Relations and Employment and Status of Women	9.30am - 1.00pm
Community Services and Aboriginal Affairs	2.00pm - 4.30pm
Land and Water Conservation	2.00pm - 4.30pm
Consumer Affairs	7.00pm - 9.00pm

### WEDNESDAY 19 OCTOBER 1994

Transport and Roads	9.30am - 1.00pm
Police and Emergency Services	9.30am - 1.00pm
Arts and Treasurer	2.00pm - 4.30pm
Premier and Economic Development	2.00pm - 4.30pm

The Legislature 7.00pm - 9.00pm

Multicultural and Ethnic Affairs 7.00pm - 9.00pm

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**THURSDAY 20 OCTOBER 1994**

Planning and Housing 9.30am - 1.00pm

Attorney General and Justice 9.30am - 1.00pm

Local Government and Energy 2.00pm - 4.30pm

Chief Secretary and Administrative Services 2.00pm - 4.30pm

Regional Development and Small Business 7.00pm - 9.00pm

Sport, Recreation and Racing 7.00pm - 9.00pm

**FRIDAY 21 OCTOBER 1994**

Health 9.30am - 1.00pm

Education, Training and Tourism 9.30am - 1.00pm

Environment 2.00pm - 4.30pm

Public Works and Ports 2.00pm - 4.30pm

I draw the attention of the House to paragraphs 18 to 26 in the circulated document. These paragraphs are an amendment to the motion received from the other place. Paragraph 18 of the amended motion inserts a paragraph that is in the sessional orders of the other House but is not in the sessional orders of this Chamber. The paragraph proposes that the report of each of the estimates committees shall state whether the votes of each of the organisational units in the estimates and the corresponding clauses and schedules in the Appropriation Bill and the Parliamentary Appropriation Bill are recommended or otherwise to the Chamber. The failure of one of the estimates committees to report on any part of the votes shall be deemed to be a report recommending the proposed expenditure such that the House will have a report from the estimates committees which the House can consider at a subsequent date.

Paragraph 19 of the amendment recommends the constitution of the membership of the various committees by honourable members of this Chamber. The procedure on this occasion is to nominate the actual members of each of the committees. I know that the approach taken in the other Chamber is to provide that the leaders of the Government, or the party whips, will nominate the various members. That may be an approach that we should consider adopting on a future occasion in relation to such estimates. Paragraph 20 of the motion provides that when any honourable member of the House who has been nominated by this motion is not available to attend an estimates committee meeting the leader of the respective party will be able to nominate to the chairman of the relevant committee a replacement. The proposal will provide that that nomination may occur at any time, including during a committee meeting if it becomes apparent that an honourable member is

no longer available.

Paragraph 21 is an important provision. It relates to the membership of the committees. It proposes that the Legislative Council insist that the estimates committees be composed of an equal number of members of each House. It has been of some concern to all members of this Chamber that when joint committees are being established the two Houses should be regarded as equal Houses of the Parliament with equal powers and rights and that the committees should be equally constituted. This paragraph should be read in conjunction with paragraph 3, which proposes that the House should state that the Legislative Council expresses the view that on any future occasion on which a joint committee may be proposed the same number of honourable members should be appointed from both Houses. That is a message that we should continue to insist upon as an independent Chamber. On many occasions we have expressed this view to the other place, and on almost as many occasions the other House has refused to recognise that this House should be equally represented on committees, and that this House is an equal partner in the democratic process of this State.

Paragraph 22 states that the Legislative Council requests the concurrence of the Legislative Assembly that the estimates committees be composed of equal numbers of honourable members of each House, again laying down the challenge to the other Chamber. In proposing equal membership, the resolution of the other Chamber proposes seven members from that Chamber and five from this Chamber. I propose seven members from each Chamber, and the motion before the House recognises that there are two groups of crossbenchers in this Chamber. The proposal for estimates committees is new to the management of Parliament. It was first trialled three years ago in a different format. Last year a full week was set aside for dealing with estimates in a formal committee process as part of the process of Parliament. This system can best be described as still in its infancy. There is still much negotiation between the parties of the Parliament as to how best to administer the operations of estimates committees and as to their

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future function. I propose this process to the House but I do so in order to continue the trial operation of the estimates committees.

It will be proposed that each estimates committee will have four Government members, two Opposition members, and one member from each of the recognised groups from this House. The proposal recognises that under the negotiations to date the constitution of each estimates committee as previously formulated would have been six Government members and six non-Government members, and where a vote was needed the chairman would have both a deliberative and a casting vote. Under this proposal, there will be seven Government members and seven non-Government members, and the chairman will have both a casting and a deliberative vote. The balance of control in relation to these committees is not being altered.

The Legislative Council is insisting that it is equal to the Legislative Assembly. This year we are to trial the arrangement whereby at least one member from each of the recognised groups in this House is represented on each committee. That proposal has been advocated in the lower House, where there is a group of non-aligned Independents. One Independent member will be on each of the committees, as nominated by the Government Whip in the other Chamber. This is not an imbalancing of the operations of the estimates committees; it is a step forward in the way in which the committees might operate. The Government, the Opposition and the crossbenchers will look again next year at the operation of the estimates committees. I commend the amendment and the motion, as amended, to the House.

**The Hon. R. D. DYER** [9.32]: I shall make some brief remarks regarding the motion placed before the House by the Leader of the Government. The original proposal, if I can put the matter that way, was that five members of this House and seven members of the Legislative Assembly would be assigned to each estimates committee. The proposal now before the House is that each estimates committee will have seven members from this House and seven members from the other place. I want to make it clear that the Opposition is not opposed to the principle of equal representation of each House on the estimates committees. I am not demurring in that regard. However, on behalf of the Opposition, I express some concern - concern falling short of outright opposition - about the internal composition of the upper House component of the estimates committees.

The previous proposal was that there would be two Government members from this place on each committee; under the proposal currently before the House there are to be three Government members from this place on each committee. The original proposal also provided that there be one crossbench member and two members of the Australian Labor Party on each committee. Under the amended proposal the House is now considering, the crossbench members will be represented by two members, one representing each of the distinct groups occupying the crossbenches.

The mathematical outcome is that two crossbench members will represent four such members of this House and two members of the official Opposition will represent 18 members of this House. That illustrates a considerable disparity in the proportions. The Opposition demurs in that regard, but it does not wish to delay the deliberations of the House on this matter, nor does it wish to delay or frustrate in any way the setting up of the estimates committees that are due to commence hearings early next week. With those few words, I indicate the Opposition's concern in this regard. I shall not take firmer action on this occasion.

**The Hon. ELISABETH KIRKBY** [9.35]: On behalf of the Australian Democrats I thank the Hon. R. D. Dyer for his very tempered and sober remarks on this occasion. It was brought to my attention that the Opposition desired to oppose Cabinet's decision that Reverend the Hon. F. J. Nile and the Hon. Elaine Nile, who represent the Call to Australia group, and myself and the Hon. R. S. L. Jones, who represent the Australian Democrats, be represented on all estimates committees. I requested this of the Government some weeks ago. The Call to Australia group and the Australian Democrats represent a significant block of votes in the community - although we come from totally different spectrums. Both parties ought to have the opportunity to question Ministers on estimates and put forward points of view on budget proposals. We represent totally opposite positions so far as the general community is concerned.

I was delighted when I heard from the Leader of the Government that, for the first time, Cabinet had agreed to our both having representation. In the past, if the Call to Australia group and the Democrats wished to serve on the same estimates committee, we tossed for it. That did not seem to be the correct procedure to adopt, but it was the only way out of the impasse at the time. If we are to have joint estimates committees I believe that there must be an equal representation of members from the Legislative Council and the Legislative Assembly. It must not be forgotten that the Legislative Council is a sovereign House in its own right and it has the right to equal representation.

That argument could be taken further. We could say that it is not right for estimates committees to be conducted with members of the Legislative Assembly as the Legislative Council is the House of review. We should conduct estimates committees on our own, with greater representation from the Opposition, the Government and the crossbenches. This would not preclude the Legislative Assembly from having its own estimates committees, if it so desired. Perhaps that could be considered in future years, particularly if there is a change of government in March 1995. It is an issue for the future.

I am delighted that the Cabinet and the Government have agreed that there shall be equal representation from the Legislative Council and the

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Legislative Assembly. I am very pleased that the Opposition has not seen fit to oppose that decision. If the Opposition had so seen fit, I would have had to place on the public record that if there were a change of administration in March 1995 I would have had grave misgivings about the future of this Chamber; I would have felt that this House was being pushed back to the circumstances that pertained during the Wran administration, when we were forced to regard ourselves as merely a rubber stamp of the government of the day. The Chamber's powers of review were overridden time and again and sensible amendments put forward in this Chamber were automatically vetoed by the Government of the day and totally ignored. That does not reflect the function of this Chamber. The Legislative Council is a House of review. It is a sovereign House of Parliament in its own right and its members are entitled to equal representation on an estimates committee. As the Hon. R. D. Dyer pointed out, I am glad that the Opposition, whatever its concerns may be, has not seen fit to oppose the proposal at this time.

**Reverend the Hon. F. J. NILE** [9.41]: I put on the record the support of the Call to Australia group for the motion moved by the Leader of the House, particularly for what we believe is an improvement to estimates committees with the expansion of membership to seven from each House so that the Legislative Council has the same number of members as the Legislative Assembly. Other members have emphasised what is obvious: the Legislative Council is a sovereign independent House of Parliament. The respective total number of members of each House is not relevant when discussing joint committees. There should be seven from each House. We commend the Minister for proposing that. We note the point made by the Hon. R. D. Dyer in regard to the number of Opposition members in this House. In some ways a dilemma is created. However, the purpose of the estimates committees is to examine the Government's budget and its policies in various areas such as education, health and so on. It is not so much the number of members of the committee that is important but the representation.

The Government has established a principle that each party or group in this House should have a representative on the estimates committees. In the past there would be only a member of the Australian Democrats or a member of Call to Australia on each committee. Pertinent questions might have been asked by either group, but the party without a member on the relevant committee in that sense was disenfranchised by not having the opportunity to ask questions. I am glad that the Hon. Elisabeth Kirkby raised this issue on her own initiative with the Government and that the Government has acceded to her request, which we fully support.

**The Hon. R. D. Dyer:** You will be busy next week.

**Reverend the Hon. F. J. NILE:** Yes, but we have always been loath to upset the balance of power in this House. We accept and respect the traditions and conventions. I believe this is a positive change and an improvement on the previous policy and procedure. It gives each party the opportunity to inquire into matters. Whether that opportunity is taken up is up to the party. A number of members said that last year loud noises were made by the three Independents in the other place about the estimates committees. It seemed to me that on a number of occasions there was no Independent present at estimates committees.

**The Hon. R. S. L. Jones:** You were not there at some of them.

**Reverend the Hon. F. J. NILE:** I did not miss one meeting of the committees I was on, but I noticed that other members were absent. The Legislative Assembly should encourage the representation of Independents on estimates committees. We are pleased to support the amended motion of the Leader of the House and we thank him for his consideration.

**Motion agreed to.**

#### **Message**

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

### **BUDGET ESTIMATES AND RELATED PAPERS**

#### **Financial Year 1994-95**

**Debate resumed from an earlier hour.**

**The Hon. R. S. L. JONES** [9.45]: I am concerned that the economy is once again beginning to overheat. We have seen record approvals for housing starts with a tremendous upsurge in imports and now we have record jobs growth. One of the indicators of the booming economy is the number of luxury cars being sold. When the economy overheated last time Paul Keating put on the brakes and increased interest rates to such a level and for so long that the economy came to a dead halt. Hundreds and thousands of Australians lost their jobs, and

many businesses that could have remained viable went to the wall. That was the recession we had to have. In fact, it was more like a depression.

There are indicators that there will be an upward surge in price movements for manufacturers and retailers, who no longer need to cut their margins to recession levels. Whilst the inflation level at the moment is extremely low, I do not believe for one moment that it will stay that way. Interest rates are starting to creep up, and I have no doubt that prices will follow. We seem to be forever on a boom-bust cycle. This time it is likely that Paul Keating will once again misread the signals and keep interest rates down just a little too long. When he does move it might be very rapidly indeed and we might end up once more with the brakes being put on too sharply. I was disappointed therefore to see that the Treasurer of this State once again is budgeting for a deficit, this time of \$353 million, with a further increase of up to

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\$50 million with today's announcements to help people in the country. It is my view that this will exacerbate the problems that are beginning to show up in the economy.

When the economy begins to build up steam, as it is now, governments should pull back their spending and balance their budgets. That is easier said than done because there are always many demands on the public purse, as during this drought, for example - and these tend to be more pressing just before an election. Few of us in this country realise just how well off we are. The other day I had a letter from a friend in the Ukraine, an Australian, who told me that he can live like a millionaire on his income of \$994 a fortnight. Workers in the Ukraine receive approximately \$US10 a month. Units cost \$US7,000. We can imagine how long they would take to pay for. At least bread is cheap at 6¢ a loaf. Milk is 9¢ a litre and cigarettes are 30¢ a packet.

The other day I was talking to an executive of Pacific Dunlop, which manufactures shoes in China for the Australian market. The company pays its workers \$US3.50 a week plus accommodation. Yesterday I was wearing a pair of these Chinese made shoes for which I paid \$30 at Kmart in Ballina. I can tell honourable members that Kmart made a very healthy profit on that pair of shoes. The per capita gross national products of our Pacific neighbours are quite low. Fiji is better off than most with a GNP of \$US2,270 a year. The Marshall Islands is next at \$US1,156, Papua New Guinea \$US1,250, Vanuatu \$US1,200, Tuvalu \$US870, and the Solomon Islands \$US640. People who have been to Bali would be aware that the people who sell them clothes and food and drinks are lucky to earn \$A1 a day. The realities of the global level playing field have not really struck home yet for Australians. The level playing field is somewhere around a salary level of about \$5 a week globally. The only way we can possibly compete in this global marketplace is to continue doing what we have been doing for the past 200 years, and that is mining and selling off our resources. Alternatively - this will be pressed upon us anyway inevitably - we must become the clever country.

We are indeed becoming the clever country and are beginning to excel in many new fields such as communications, education, engineering and other non-product fields. The other day I met on a plane a managing director of a multimillion dollar company who lives right around the corner from me at Byron Bay, in the country, and works around the globe selling computer systems. We are now beginning to make more money with our brain power, and that is the only way we will be able to survive in the global marketplace. We cannot possibly compete otherwise, with our high labour costs. I doubt very much that in the long term we will be able to sustain the very high standard of living we enjoy now. As honourable members know, we are living significantly beyond our means. We are living off the savings of people overseas, and our debt is ballooning month by month. In order to maintain our high standard of living we have been selling off the farm. At some point we will have to learn to live within our means.

Once again New South Wales is experiencing a devastating drought. These droughts happen regularly, yet it comes as a surprise to the farming community that they happen every few years. This drought is much worse than most, unfortunately. The trouble is that we are exploiting this land and this country in a way that cannot be sustained in the long term. At some point we have to change our agricultural practices. For a long time now we have been using our country very unwisely and not productively. There is an example of that up our way. Our next-door neighbour has a 100-acre dairy farm but cannot live off that 100 acres. Honourable members can imagine why. In the past 50 years the productivity of her land has been reduced by 75 per cent.

She has now taken to selling the rocks off her property to keep going. Other neighbours of mine, however, can make a living on one acre, growing coffee. They make as much from one acre as my other neighbour makes from 100 acres. We have to be a little more clever in the way we use the land.

A Commonwealth Scientific and Industrial Research Organization scientist said on radio the other day that we provide food for about 60 million people. Much of the food is wasted. A large proportion of the food is meat products. If we were to provide food solely for a vegetarian diet, we would be able to provide food for 1.2 billion people. It is ironic that Japanese feedlots are now having to import grain from the United States of America to feed cattle that are to be killed for the Japanese market. They are losing up to \$150 a head at the moment. This, I suspect, is a foretaste of things to come. The world population is doubling about every 42 years. It is clear that it will be impossible to feed the ever-increasing population, especially when so much land is being taken out of production every year because it has become exhausted or degraded. In Western Australia every year 250 square kilometres are being taken out of production through salination.

In a few years time only the rich will be able to afford to eat meat, and they will be competing for grain with the world's poor. It will seem even less morally acceptable to eat meat. The other day I mentioned in the House the relationship between tree cover and rainfall. This issue has not yet sunk in with the Government. The Government has allowed hundreds of thousands of hectares in New South Wales to be cleared in the past six years. I mentioned this in a previous speech in the House, as did the Hon. I. M. Macdonald. To back up the scientific understanding of the relationship between rainfall and trees, I have here two scientific papers sent to me by Dr Jorg Hacker, the Director of the Flinders Institute for Atmospheric and Marine Sciences in South Australia.

One paper, entitled "Land - Atmosphere - Interaction in a Semiarid Region: The Bunny Fence Experiment", is written by T. J. Lyons, P. Schwerdtfeger, J. M. Hacker, I. J. Foster, R. C. G. Smith and Huang Xinmei. The other paper, entitled "Estimation of Surface Energy Balance from Radiant Surface Temperature and NOAA AVHRR Sensor  
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Reflectances over Agricultural and Native Vegetation", is written by Huang Xinmei and T. J. Lyons, Environmental Science, Murdoch University, Murdoch, Australia, by R. C. G. Smith, CSIRO, Division of Exploration Geoscience, Wembley, Australia, Remote Sensing Application Centre, Western Australian Department of Land Administration, Perth, Australia, and by J. M. Hacker and P. Schwerdtfeger, Flinders Institute for Atmospheric and Marine Sciences, Flinders University of South Australia, Adelaide, Australia.

The two papers are extremely important, and I recommend that honourable members read them. They indicate very clearly that there is a relationship between the clearing of land and rainfall. The material is much too complicated for me to read in the House today, but I do recommend that honourable members take the trouble to read the papers. Honourable members would then be aware that the clearing taking place in western New South Wales and in Queensland is certainly reducing the rainfall. The drought we are experiencing now, one of the worst ever in our experience at least, has undoubtedly been exacerbated by land clearing. I hope that fact sinks into the minds of some people, because now we have the science to prove it. The papers I have referred to are based on work carried out in Western Australia. The same work has been done in Africa and in Germany. The clearing of tree cover reduces rainfall, and that has been proved scientifically. The more cover we clear, the less our rainfall. There is a direct relationship between tree cover and rainfall, and I hope that sinks in at some point because it is very important.

Some years ago I visited Teheran. I might hasten to add that my son's great-great-grandfather was responsible for deforesting part of Iran in the last century - he was not on my side of the family, fortunately. I was shown a eucalypt forest that had been planted on the outskirts of Teheran. I was told that the people there were very surprised that the planting of that forest had increased the rainfall. The climate in Teheran had changed because of the forest: because the forest had changed, the rainfall patterns changed. That is anecdotal evidence, but it also demonstrates the relationship between trees and rainfall. I seriously hope that the relationship sinks in at some point, because it needs to.

In some of our country towns water levels are rising, playing fields are being salinated and houses are rotting. That is seen in Wagga Wagga. The land has become unproductive because water levels have risen through overwatering in the town and through lack of tree cover. Salination is another direct result of tree clearing. Salination is occurring all over the place. We need to get to grips with the question of replanting the trees that we are still taking down. An article in the *Sydney Morning Herald* of 25 June contains a quotation from Ian McLachlan, whom I supported on the *7.30 Report* recently for the work he has done on his own property in South Australia. He is actually quite advanced. He may well become the next Minister for the Environment. Ian McLachlan said that although there is a program to plant one billion trees we will be short of three billion trees. He stated:

Australia may lose 4 billion trees by the end of the decade, despite massive plantings under the Government's 1 billion trees program.

About 500,000 hectares of bush are cleared across the country every year

That is an estimation from the Australian Nature Conservation Agency. Mr McLachlan continued:

... the target of 1 billion trees would have to be more like 4 billion for Australia to even maintain the status quo.

Mr McLachlan endorses any effort to plant trees:

... everyone who's involved in this area agrees that we'll easily lose as many trees as we put back during the life of the program.

At least there is one enlightened member of the coalition, a Liberal on this occasion, of course, but nevertheless a country man who knows the country pretty well. I also have with me an article published just a few days ago. The article was sent down from Canberra and was presented at the Australia and New Zealand Association for the Advancement of Science Congress 1994 at Geelong on 27 to 29 September. This paper, written by Dr John Williams, CSIRO Division of Soils, is entitled "Farming Without Harming: How Australia Made Rural Industry Sustainable". The conference was about the environment and natural resources 2020 vision statements. The conference was looking ahead to what could be achieved, and Dr John Williams was writing as though he were in 2020. He told of the changes that had taken place in the previous 25 years. It would be worth putting on record some of Dr Williams' ideas because they are relevant, particularly at this time of one of the worst droughts, a drought that has been exacerbated by man. Dr Williams stated:

Australia has by 2020 developed configurations of land use which are in harmony with the biophysical functioning of the landscape. These involved radical changes in the way the biophysical resources of the Australian landscape are used, and have led to massive reductions in damage to soil and water resources. Native biota is both conserved and utilised to produce a great diversity of plant and animal derived products for export. Export earnings from native flowers, plants and animals now exceeded the value of grain exports.

For the first 200 years of European settlement, the impact of food and fibre production on soil and water had been severe. The soils under cropping and grazing were regularly eroded by water and wind. Major dust storms which pass over Adelaide, Sydney and Melbourne took millions of tonnes each year of fertile top soil and deposited it in the Tasman Sea. Inland rivers received loads of sediment from farmland, which contained nutrients and organic pollutants in addition to sewage effluent from our inland cities. This resulted in widespread algal blooms on water reservoirs, rivers and lakes which threatened to poison

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urban water supply and aquatic life. Until the 1990's, it was common practice to clear the land of trees and replace them with pastures and crops which allowed water and nitrates to leech past the root zone. In as little as five or ten years, acidification of the soil and dryland salinisation was the result. Intensive and continuous cultivation and overgrazing had oxidised the soil carbon reserves and thereby removed the bonding material that retained the good soil aggregation and structure. The structural decline exacerbates the soil erosion and loss of further nutrients to our rivers and streams. Fortunately, these occurrences are things of the past and these types of land deprivation are rarely seen today.

Honourable members must remember that he is talking of the year 2020; these things have not yet happened but

he is a man of vision. He is looking ahead to things we have to do if we are to retain our industries in rural New South Wales. He goes on further:

The control of nutrient loss from our farms to our lakes, streams and wetlands was perhaps one of the easiest problems to solve. It involved redesign of farm layout so that priority was given to ensuring that stock yards and dairy sheds were located where effluent could be treated in artificial wetland and ponds so that nutrient was trapped and recycled on the farm. New knowledge of soil organic matter and fertiliser interactions were used to prevent formation and release of soluble forms of phosphate bound to organic molecules. Use of filter strips and riparian zone vegetation became routine methods in trapping and reusing nutrient so that it did not enter the stream. The management of pesticides provides greater challenges which, while under the control in most instances, remains a concern with the large stores of residual agricultural chemicals that accumulate in soils and sediments over 30 years of intensive use until the late 1990's.

. . . Wind erosion and the generation of dust storms from cropped land continued into the 2010's before cropping in our marginal land came to an end after a long series of negotiations and evaluation of the best technology available. Australia's participation in the development and adoption of United Nations agreements on Diversification in 1998 played a large part in the decision by government to systematically restrict cattle and sheep grazing from the fragile arid lands of central and northern Australia . . . Large areas of cropping and grazing land on the margins of the arid zone were taken out of traditional agriculture.

We have been saying this for some years, in this House for at least 6½ years and outside of the House before that. This man is a scientist with the CSIRO, a well respected man who is saying exactly the same things that we have been saying. We can no longer afford to continue with our current farming practices. It cannot be viable in the long run. Somehow we have to negotiate with those farmers in those arid zones to pull back where they are no longer viable and can never be viable. At some point in the future we must negotiate those farmers out of those zones. I wish it would happen sooner rather than later; it would stop the agony that these people have so badly suffered and will continue to suffer during the droughts. I am sure it will get worse in the future.

**The Hon. J. P. Hannaford:** Effluent spreading being undertaken by the Water Board may have a good effect.

**The Hon. R. S. L. JONES:** That is exactly right. That is the first stage and can be extended right throughout the rural areas.

**The Hon. J. P. Hannaford:** If we are able to send that out, some of those arid areas could be rejuvenated.

**The Hon. R. S. L. JONES:** Yes, that can happen, but we have to be careful. We have to be bold in the way we manage that. I read an interesting article in the *NSW Farmers News* of September. Honourable members should be aware that I have held a long-term interest in the treatment of animals. For many years I have worked on a number of issues. It is clear from surveys undertaken by Morgan Research Centre Proprietary Limited in 1985 and 1994 that public perception of farm animal welfare has increased. The article refers to important social issues in 1985 and in table 2 shows that cruelty to animals was regarded as important by 23 per cent of people, and by 29 per cent in 1994. A number of other animal welfare issues have increased quite significantly. For example, the slaughter of whales and seals increased from 59 per cent to 70 per cent; cruelty to domestic pets increased from 59 per cent to 60 per cent; laboratory experiments on animals increased from 45 per cent to 53 per cent; hens in cages in sheds decreased from 30 per cent to 28 per cent; and care of circus, zoo and marine animals increased from 19 per cent to 25 per cent.

I have worked on some of the campaigns and it is interesting to see how the figures have changed over the years, The campaigns that have not been active have shown a slight decline. It is clear that if these issues receive an airing in the media they capture public imagination. Public perception of the issues is then increased. Considering some of these figures it is apparent that we will have to work on some of the issues over the next few years so that when the survey is conducted in 10 years time areas that are not high on the agenda at this time will become high. Recently I came across something rather extraordinary and I thought it was important to let honourable members know about it. It is a most remarkable development. When I first read

about it I did not believe it. It is called Sonic Bloom. I doubt whether any members have heard of it; it is rare. It comes from the United States of America. Fortunately, scientific research has been conducted on it, because it sounds so extraordinary. I will read what it is about:

Sonic Bloom is a plant growth enhancer sprayed on crops as many as five times during early growth through blooming. A unique part of the treatment: You spray while plant metabolism is stimulated with an audible sound.

A battery-powered loudspeaker, modulated by a computer chip, warbles like a robin desperate for a mate in spring. Lab studies show that nutrient movement within plants climbs as much as 700% under this sound frequency. It apparently helps the plant absorb and translocate nutrients and hormones in the spray.

A wide variety of farmer and lab tests with Sonic Bloom show 20% to 100% yield increases on fruit, vegetables and field crops. The sound/spray process was developed in 15 years of research by Dan Carlson Scientific Enterprises of Blaine, Minnesota.

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It sounds like one of those things one hardly dares believe is possible. The Sonic Bloom update is published by Sonic Bloom Queensland Proprietary Limited, P.O. Box 430, Noosa Heads, 4567, phone number (074) 491837. One scheme they have been working on is with a sprout company called Sprouts Extraordinaire, of Longmont, Colorado. Dan Carlson went on to say:

The reality is that we have found that sprouts, alfalfa in particular, increase in weight by 1,200% in 72 hours. We take a seed, soak it in sonic bloom, play the sound and 72 hours later we have an edible sprout. Our sprouts get almost a thirty-day shelf-life instead of three or four days.

We believe that within six to eight months we will produce a shipping container, 8½ feet wide, 8 feet tall, 40 feet long, totally self-contained, that will make sprouts. We believe that it will produce 5,000 pounds of sprouts per week, 260,000 pounds of food per year. You can reuse the water, and if you divide 2,600 pounds by 1,200 you will find that you will only need a few hundred pounds of seed to do this.

Now think what ten of these containers could do. Ten of these would produce 2.6 million ton of food and twenty would do almost six million ton of food. And one container would cost only \$10,000.

Dan Carlson watched his sonic bloom create amazing transformations. Reports of double size and triple size harvests came from as far away as Europe and as close as his own nut farm in River Walls, Wisconsin. Oliver Doubleday, a strawberry farmer in rural England, consistently reports triple yields with Sonic Bloom. The Circle K Apple Orchard just six miles from Carlson's farm also reports triple size harvests. In addition, the orchard is reporting an eight month shelf life and a vast increase in nutrients. Dan Carlson says:

When we did our analysis we came up with 1750% more zinc, 400% more iron, 326% more chromium and 126% more potassium, all of these things being key ingredients in longevity, health and mental activity. The orchard also finds that the number of apples lost to disease and insects is reduced by over 80%. This is not an unusual situation. The Sonic Bloom system raises the trace element and complex sugar content of plants. Those changes make the plant much healthier and less susceptible to attack by disease and insects.

Some research on this issue has been done in China. The paper is headed "Experiments on Introduced Sonic Bloom Technique" by Tianzhen Hou, Kai Yu, Rezi Wan and Dan Carlson of the Xinjiang Academy of Forestry Science. The abstract reads:

Sonic Bloom Technique was introduced from United States. This technique utilize sound wave to stimulate plant growth, accompanied by spray of chemical fertilizer, to increase the yield of crops or vegetables. Based on three-year period experiments, the technique has been confirmed effective to raise the yield of tested vegetables and crops. When treated with sound alone, fertilizer alone or the combination of sound and fertilizer, the yield increase for *phaseolus vulgaris L.*, *Glycine max*, and seeds of watermelon was at the range of 13-81%, 19-67%, and 25-64%, respectively, when compared with their controls.

I have many examples of this technique. For example, I have pictures of leaves from an oak tree before and after they were treated with sonic bloom and they are about five times the size. I have a letter from a company called Lily Hill dated 17 September 1993. The writer is Penny Kelly. The company is located at Lawton, Michigan. The letter reads:

Two years ago we bought your small garden kit and started using it twice a week on our office plants and trees. Within a short time everything began to grow with tremendous energy. They grew so much we were afraid there wouldn't be room for the people so I had to cut back the treatments to once a week, then to every other week . . .

When the office plant did so well, we decided to begin using Sonic Bloom in our vineyards. We have two vineyards of about 7 acres each, totalling around 14 acres. Both are under contract to Welch Foods (of the grape jelly fame).

The letter talks about the company's incredible yields. It has an incredible amount of new healthy wood for the next year. The letter continues:

We usually trim the vines using the Kniffen Method of trimming and aim for about 80-90 buds per vine. We did our usual trimming this year and yet we have counted between 150 and 170 buds per vine, some as high as 180 or more!!

We have been visited by other grape farmers and have discovered that quite a few have lost a considerable percentage of their grapes due to mildew and other diseases. Some have lost as much as 50% to 80% in spite of continuous spraying. Our vines are extremely healthy and they did not seem to be bothered much by the leafhopper, mites or Japanese beetles here and there.

I have example after example but I have read only one or two. The evidence is there. Those farmers who are interested in increasing their yields and profits should investigate this technique. Some of the more conservative rednecks will not bother with this technique until it is too late, and they will be beaten by others who are more advanced. In the past I have made a number of comments in this Chamber about the dangers of a meat based diet. I have received the results of some recent research, and it is so important that I must place it on the record. As I have said before in this Chamber, the eating of meat and dairy products is the number one cause of premature death globally. It is also the number one cause of the destruction of the environment. The research was published recently in the *Research Bulletin*, No. 3, August. The headline is "Vegetarian diet cuts risk of cancer by 40 per cent". The accompanying article reads:

Vegetarians have 40% less risk of cancer, 30% less risk of ischaemic heart disease and 20% less risk of all-cause mortality according to findings from the Oxford Vegetarian Study.

Between 1980 and 1984, 6115 non-meat eaters were recruited through The Vegetarian Society and the media. A control group of 5015 meat-eaters was recruited by vegetarian participants volunteering friends and relatives, matched as far as possible for age, gender, socio-economic class and other lifestyle factor.

. . . Subjects were observed up until the age of 80.

Observed mortality rates were compared with expected mortality rates using mortality data for England and Wales and standardised mortality rates (SMRs) calculated for each cause of death. The whole cohort had an SMR of 0.46(54% lower mortality than the general population).

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Non-meat eaters were found to have significantly lower SMRs for all-cause mortality, ischaemic heart disease and cancer than meat-eaters. After adjusting for smoking, body mass index and social class, death rate ratios of non-meat eaters v meat-eaters were 0.80 for all-causes, 0.72 for ischaemic heart disease and 0.61 for all cancers. This means that up to the age of 80 years, non-meat eaters have 20% less risk of all-cause mortality, 28% less risk of ischaemic heart disease mortality and 39% less risk of cancer mortality.

This information is taken from an article by M. Thorogood, et al, (1994) entitled "Risk of death from cancer and

ischaemic heart disease in meat and non-meat eaters", published in volume 308 of the *British Medical Journal* at pages 1667-71. A German study was also interesting. It was published in the Spring 1993 edition of *Research Bulletin*, a publication of the Vegetarian Society. That society's research yielded similar results. The article reads:

Over 1900 vegetarians were identified in Germany in 1978 by researchers at the German Cancer Research Centre in order to study their mortality and to see how this compared with national mortality statistics.

Of the 1904 volunteers recruited into the study, 858 were male and 1046 female. Status of participants after eleven years to May 1989 was determined through the registrar's office of the last place of residence. Copies of death certificates were obtained from the relevant public health offices, and cause of death coded according to international classification rules. Mortality was then compared with national mortality rates for West Germany between 1980 and 1986. From these standardised mortality ratios (SMRs) were calculated.

By the end of May 1989, 225 persons (11.8%) had died. This was about one-half of the mortality of the general population (SMR of 0.44 for men and 0.53 for women). This was mainly attributable to the reduction in cardiovascular disease in both sexes, which was less than half of that of the national average. Cancer mortality was reduced by one-half in men and one-quarter in women. For men, the largest reductions were observed in lung cancer, colorectal cancer and other gastro-intestinal cancers. For women, rectal and pancreatic cancers were most reduced.

Breast cancer in women was reduced by 25%. There were fewer deaths from stomach cancer for both sexes than in the national population. Deaths from respiratory and digestive system diseases were reduced by over 50% in both sexes. Reduced mortality was greater in males than females for all major diseases.

I have other research that I will place on the record on the next sitting day.

**Debate adjourned on motion by the Hon. R. S. L. Jones.**

## **SPECIAL ADJOURNMENT**

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

That this House at its rising today do adjourn until Tuesday 25 October 1994 at 2.30 p.m. unless the President, or if the President be unable to act on account of illness or other cause, the Chairman of Committees shall, prior to that date, by communication addressed to each member of the House, fix an alternative day and/or hour of meeting.

## **BUDGET ESTIMATES AND RELATED PAPERS**

### **Suspension of Standing Orders**

**Motion, by leave, by the Hon. J. P. Hannaford agreed to:**

That so much of the Standing Orders be suspended as would preclude a motion being moved forthwith, that the Resolution adopted earlier this day relating to the adjournment of the debate on the Budget Estimates until next sitting day, be rescinded.

### **Rescission of Order**

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

That the Resolution adopted earlier this day relating to the adjournment of the debate on the Budget Estimates until next sitting day be rescinded.

**Debate resumed from an earlier hour.**

**The Hon. R. S. L. JONES** [10.20]: I am pleased to have this opportunity to continue to put this extremely important information on the record. I have some information here on Alzheimer's disease. It has been taken from a research bulletin of the vegetarian society dated May 1994. Honourable members should not forget this information, because it is extremely important. An article, published by Gien, P., et al, in 1993 and entitled "The Incidence of dementia and intake of animal products: preliminary findings from the Adventist Health Study" noted that:

Meat-eaters may be more than twice as likely to develop senile dementia than their vegetarian counterparts, according to the findings of a study conducted at Loma Linda University in California.

Dementia is widely recognised as a major medical, social and economic problem in developed countries where the over 65s account for an increasingly high percentage of the population. In the UK, around 20 per cent of the total population are aged over 65. Estimates of dementia prevalence are 5-7% for moderate or severe dementia and 10-15% for mild, early and borderline demented states.

Researchers from the Department of Preventative Medicine at Loma Linda University investigated the relationship between animal product consumption and evidence of dementia in two cohort studies. The first involved 272 California residents matched for age, sex and postal area; 68 Vegan, 68 lacto-ovo-vegetarian and 136 meat-eaters, described as heavy meat-eaters consuming meat over four times a week. The second substudy included 2,984 unmatched subjects residing within the Loma Linda area. All participants were enrolled at the Adventist Health Study.

In the matched substudy, it was found that subjects who ate meat were over twice as likely to become demented as their vegetarian counterparts, and this increased to three times as likely when past meat consumption was taken into account.

In other words, there is a powerful relationship, proven scientifically in the study, between the eating of meat and dementia. I think that is evident from some of the people I have met who eat meat. There is also a meat link with prostate cancer: An article entitled "A prospective study of dietary fat and risk of  
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prostate cancer", published in the journal of the National Cancer Institute by Giovannucci, E., et al, in 1993, stated:

Meat consumption has been strongly linked to prostate cancer according to a study of nearly 48,000 men aged 40 to 75 carried out by the Harvard School of Public Health. Men who ate red meat five or more times a week were 2.6 times more likely to suffer from prostate cancer as those who ate it only once a week.

Red meat was the food group with the strongest possible association with advanced cancer. Dr Edward Giovannucci, head of the research team, says, "Even eating red meat three times a week rather than five, you did get some benefit".

Results support the hypothesis that animal fat, especially from red meat is associated with an elevated risk of prostate cancer and that the potential role of carcinogens caused by cooking animal fat needs to be explored.

There is also a relationship between high fat diets and lung cancer. I have been talking for some years about the relationship between the smoking of cigarettes and lung cancer but there is also now a positive correlation between the eating of meat and dairy products and lung cancer. An extract from a study entitled "High fat foods and the risk of lung cancer", by Goodman, M. T., et al, in 1992, published in *Epidemiology*, volume 3(4) at pages 288-289, indicated as follows:

A case control study of the association of dietary cholesterol and fat with lung cancer was conducted in Hawaii on a population of 326 subjects with lung cancer and 865 age and sex matched controls. There was a positive link between the consumption of processed meats (bacon, sausage, luncheon meat) eggs and cream desserts and risk of lung cancer. The relation tended to be stronger in men who were heavy smokers. Data indicates that smokers with a high intake of foods rich in animal protein or fat are at increased link of lung cancer compared with other smokers.

Fortunately, there is help because meat eaters, on the other hand, are protected at least from coronary heart

disease. An article by Fraser, G. E., et al, in 1992 entitled "A possible protective effect of nut consumption on risk of coronary heart disease", published in the *Archives of Internal Medicine*, volume 152, included the following:

A study of over 26,000 Seventh Day Adventists found that subjects who consumed nuts frequently (over four times a week) experienced substantially fewer fatal coronary heart disease events and non-fatal heart attacks, when compared with those who consumed nuts less than once a week.

Nuts eaten were primarily peanuts, almonds and walnuts. It is suggested that their protective effect is due to their favourable fatty acid profiles, nuts commonly eaten having a high ratio of polyunsaturated fatty acids to saturated fatty acids and a high percentage of total fat as monounsaturated fat. Frequent consumption of nuts was found to be protective in both vegetarians and non-vegetarians. It is concluded that the frequent consumption of nuts may protect against the risk of coronary heart disease.

I have picked out the special articles, because I believe it is important to let people know what the risks are. There are some other fascinating studies, one of which, by Davis, G. J. and Dickerson, J. W. in 1994, entitled "Bowel function, bowel disease and vegetarianism", was published in the South African *Medical Journal* supplement for July on pages 42 and 43. In that study 75 life-long vegetarians aged 16 to 94 were recruited, as was an age, gender and socioeconomic matched omnivore control group. The life-long vegetarians recorded 37 of the diseases being investigated, compared with 106 reported by omnivores. No case of hiatus hernia, diabetes mellitus or coronary thrombosis was recorded by life-long vegetarians. These subjects also reported fewer cases of constipation, appendicitis, irritable bowel syndrome, haemorrhoids and varicose veins.

Diseases which occurred in both groups tend to occur at an earlier age in omnivores.

Omnivores reported 36 outpatient hospital appointments and had spent 654 days in hospital. This compares with eight appointments and 139 days for vegetarians. Unlike omnivores, lifelong vegetarians had not been hospitalised for diagnosed angina, haemorrhoids or varicose veins.

One of the other studies that has been known for some time, but in which a new study has been undertaken, was published by Giovannucci, E., et al, 1994, in an article entitled "Intake of fat, meat and fibre in relation to risk of colon cancer in men". This appeared in *Cancer Research*, volume 54, pages 2390 to 2397, and stated:

An American study of 48,000 men aged 40 to 75 found a clear association between red meat and colon cancer.

This group was followed from 1986 to 1992, during which time 205 cases of colon cancer were diagnosed.

Men who ate beef, pork or lamb as a main dish five or more times a week had a risk of colon cancer more than three times that of men who ate these foods less than once a month.

This suggested that there is quite a significant relationship between the eating of meat and colon cancer. This is repeated with scientific studies. I wish that people would be aware of the risk of a meat based diet, not just to themselves but to the planet generally. I have seen the Amazon being cleared. I have seen destruction occurring all around the world. It is getting worse and worse. Now grain is being imported from America to feed feedlot beef for the Japanese market. How ridiculous! I have an article published on 21 September in the *Daily Telegraph Mirror*. The headline was "Smokers will die 20 years early", and the article stated:

About 500 million people alive today will eventually be killed by tobacco if their current smoking pattern persists, with half of those dying between the ages of 35 and 69 years.

It is extraordinary. It is possibly the second biggest cause of premature death after the eating of meat. Ironically, below that article is one entitled "Party Proposes to Legalise Cannabis". The article stated that the British Liberal Democrats had become the

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first major political party in that country to vote not actually for legalisation - the newspaper has it wrong - but

for the decriminalisation of marijuana. An article appeared in a Queensland paper, which does not give the actual source of its information, to say that a call for decriminalisation of marijuana use was put out by the Australian Parliamentary Group for Drug Reform. Underneath that is an article which states that Queensland produces 70 tonnes of this drug. A study was conducted by the Queensland Criminal Justice Commission. The article stated that marijuana production was vital to the Queensland rural economy and that many country towns would decline if the Government were to stamp out the illegal industry.

To gauge the economic value of the marijuana crop to Queensland a comparison can be made with the Queensland annual tobacco production of 70,000 tonnes, which is worth \$44 million. The article says that small towns would close if marijuana growing were stopped, because Queensland could not sustain that sort of money going out of the economy. The value of the crop for Queensland is 70 tonnes of marijuana worth \$360 million. There are ways and means of getting around that. It does not need to be legalised, only decriminalised. An Australian Associated Press report was released on 12 October showing that even though South Australia in 1987 decriminalised the use of marijuana, the rate of increase was much the same for South Australia compared to the rest of Australia. That means there was no significant increase in the use of marijuana.

The 1993 study showed that the number of South Australians who have used cannabis at least once increased from 26 per cent in 1985 to 38 per cent in 1993. In Victoria, where cannabis use is a criminal offence, the figure rose from 23 per cent in 1985 to 31 per cent in 1993. In Tasmania the figures are even steeper. In 1991, 2 per cent of Tasmanians surveyed said that they used cannabis at least once a week. In 1993 it was 7 per cent. I certainly do not advocate the use of marijuana, by any means, but apparently a number of our Federal colleagues have used marijuana, as was shown by a survey last January of 105 members of the House of Representatives and senators. Of those surveyed, 52 per cent favoured the decriminalisation of marijuana and 44 per cent did not. Four per cent did not respond. Approximately 26 per cent are in favour of legalisation of marijuana, but 69 per cent said no. In relation to heroin, 37 per cent favoured decriminalisation. How many have actually used marijuana? A very large proportion. Thirty-four per cent of our Federal colleagues said that they had smoked it.

It is probable that most of those favoured decriminalisation, as would many others who have never tried it. Far more important than that is the legal use of the crop rather than the illegal use, which does not do anyone too much good, even though it is better than alcohol. I have a book that has been banned by Customs, *Crop Physiology of Fibre Hemp (Cannabis sativa L.)* by Hayo van der Werf. Customs seized two other copies of this book that were imported by Andrew Katelaris, obviously because they did not understand what the book is about. The book is about what the title claims, the crop physiology of fibre hemp. The book discusses the legal growing of the fibre, not about the drug plant. At page 139 the book refers to a promising new crop and states:

World paper consumption was 230 million tonnes in 1989 . . . so the pulp market clearly is large.

The author adds:

. . . the 'crop' arable farmers in the Netherlands are looking for should be profitable, produced for a large non-food market, require little or no biocide and should help reduce disease in the current crop rotations.

That is why he examined the growing of fibre hemp in the Netherlands. He continues:

However, as pulp production currently exceeds demand, prices are very low . . . On the other hand, the European Union gives a subsidy of 641.60 ECU per hectare to fibre hemp growers . . . Based upon the results of the Hemp Research Programme, it is concluded that fibre hemp for pulp is potentially a profitable crop for arable farmers in the Netherlands, if a pulp factory is set up . . . However, as this conclusion is based on a large number of suppositions, amongst others regarding the costs of pulp production, it is somewhat hypothetical. In France the area of hemp for pulp increased from 4,000 ha in 1992 to 6,000 ha in 1993 (J P Mathieu, National Federation of Hemp Producers, personal communication). In England 600 ha of fibre hemp were grown in 1993, representing the first hemp crops in that country since the second World War; an area of 1200 ha is expected for 1994 . . .

Hemp is an extremely effective weed suppressor and no herbicides are needed . . . however, contrary to literary reports claiming

that hemp is almost disease-free, in wet years the hemp crops we studied in the Netherlands suffered severe damage from the fungi *Sclerotinia sclerotiorum* and in particular *Botrytis cinerea* . . . from field experiments conducted during three years in the Netherlands, it was concluded that one or two applications of a fungicide shortly after full grown cover was reached did not increase stem yield . . . so, although fungal diseases may severely reduce hemp yield in the Netherlands, the use of fungicides is not worthwhile.

It is interesting to note that the crop is incompatible with some major soil pathogens, amongst these are the fungus *Verticillium dahliae* and the root-knot nematodes *Meloidogyne chitwoodi* and *Meloidogyne hapla*.

All three pathogens were suppressed by hemp, and the author concluded that the introduction of hemp in a crop rotation might improve soil health.

Today I am wearing a suit of 100 per cent hemp made by Andrew Katelaris of the Cannabis Clothing Company. At least four manufacturers are making such clothes in Australia. Andrew Katelaris has been importing the material from China and Hungary but now there is a new supplier in India at about one-third

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the cost. He will be able to import cannabis sativa from India for about \$6 a metre. When I have the opportunity I will tell the House what the *Women's Wear Daily* is saying about this new material for the American markets in the next year. There is no doubt that it could be a multimillion dollar industry in Australia. At some point we will be able to grow our own.

**Debate adjourned on motion by the Hon. R. S. L. Jones.**

#### **ADJOURNMENT**

**The Hon. J. P. HANNAFORD** (Attorney General, Minister for Justice, and Vice President of the Executive Council) [10.41]: I move:

That this House do now adjourn.

#### **NRMA SHARE FLOAT**

**The Hon. ELISABETH KIRKBY** [10.41]: During question time today I asked the Minister for Energy, and Minister for Local Government and Co-operatives a question about the NRMA float. Since that time many things have happened. As honourable members may be aware, a judgment handed down in the Federal Court today has suggested that the meetings that were to be held next week should not now be held. The Federal Court has ruled that the prospectus put out by the board of directors of the NRMA was seriously flawed and misrepresented the situation so far as the float was concerned.

There has been a great deal of public controversy over the last few days about the conduct of the ballot. I would like to place on the record some of the concerns that were brought to my attention by members of the NRMA board. It has been brought to my attention that the NRMA hotline was telling members that it was unable to generate voting forms for those members who had not received them, or who had incorrect allocations of forms or who wished to change their vote. There was also a problem with people who had joint ownership of an NRMA insurance policy. It was believed that only the first named person on the joint ownership would ever get the right to vote. In many cases, women were being disenfranchised.

It was put to me earlier that it would be proper to request the Parliament to institute an inquiry into the process and to demand an extension of time for the 700,000 votes yet uncast, which are very likely to be prejudiced by the leak of results prior to the closing of the ballot, to ensure that nobody would be denied the right to cast their vote. The Government should have acted to enable them to do so in an atmosphere more conducive to the proper conduct of a ballot. Anyone who has been involved in a ballot would know that it is grossly improper to open ballot papers before the closing date, that they should be counted progressively and

that the result should be leaked to the media and thus brought in a prejudicial way to the attention of many tens of thousands of members who had not already voted.

Information was given by the assistant corporate secretary to insurance policy holders that they could not vote at all because they were not on the register. They were also informed that at this time the register could not be corrected. It is totally unacceptable that those people who had received no ballot papers or who had received erroneous papers because of mistakes in the register should be denied their legal and financial rights. This matter has been put on hold by the judgment of the Federal Court. I still contend that it should not have been necessary for this matter to be taken to the Federal Court in the first place.

If the NRMA had wished to set up the conditions for a public float, it should have done so in a proper manner. It should have ensured that the register was correct. It should have attempted to ensure that all members received ballot papers so that they were able to cast their vote. And, as with all referenda, a no case should have been put with equal strength to a yes case. That certainly has not occurred. Perhaps all NRMA members would be happy to know that the High Court has ruled in the way it has. Although it is impossible to foretell at this time what is likely to happen, at least there should be time for further consideration. [*Time expired.*]

### COELIAC AWARENESS WEEK

**The Hon. D. F. MOPPETT** [10.46]: On 20 September the Coeliac Society of New South Wales launched an awareness week in Parliament House. Many honourable members would have noticed a display held in the fountain court. The Coeliac Society is organised to raise awareness and to promote research into this disease. It helps, through mutual support, those who suffer from this condition. It was an auspicious occasion because the society celebrated 20 years of its existence. It is timely that the activities of the organisation are brought to the notice of the House. It proposes to hold a significant seminar at Warwick Farm over the weekend. For those who do not know, coeliac disease is a condition suffered by certain people who, for genetic reasons, are predisposed to react to gluten in their diet, which is common in many cereals.

As a result of their sensitivity or lack of tolerance to gluten in their diet, they suffer from a loss of the lining in their intestines, which leads to a number of uncomfortable and serious symptoms. The organisation is of great significance in helping the sufferers of this condition. The condition is receiving increasing attention. Until recently diagnosis has been difficult. My attention was drawn to the condition through a person who did not realise he had the

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disease until his retirement. Through lack of diagnosis he died. A fatal outcome is not common; it is mostly a chronic disease. It is difficult for people, particularly those in the country, to find gluten free products to make their lives relatively comfortable.

I would like to acknowledge the help that organisations such as Mauri Bros and Woolworths have rendered to these people to make sure that their lives are made easier. It is difficult for people in the country to cope with this disease. Finding the products which are gluten free and having their condition diagnosed are difficult. I commend the work of the Coeliac Society. I hope that members who are present will assist in any way they can to make sure that the efforts of the society are rewarded in the future.

### INDUSTRIAL RELATIONS

**The Hon. J. W. SHAW** [10.49]: Because life is finite and unduly short it is impossible to reply to and correct every utterance of the Hon. Dr B. P. V. Pezzutti on the myriad topics on which he has opinions. However, on 20 and 21 September the honourable member proffered to this House some observations on the topic of industrial relations, and those observations warrant a reply. In particular, he asserted that I had a plan to "delete the anti-corruption provisions of the Industrial Relations Act that apply to trade union members", and

I assume he meant trade unions and their officers. This assertion is untrue. Nothing I have said or written, when properly understood, indicates that there would be any absence of remedy for corrupt conduct in the industrial relations legislation that will be passed by the next Labor government in this State. It is true that I do not favour a complete incorporation into industrial relations legislation of the legal regime that applies to trading and commercial companies. I believe that the enactment of the entire Companies Code in the industrial law is unnecessarily complex and lacks utility.

However, there would certainly be provisions in Australian Labor Party legislation to enable the Industrial Relations Commission to enforce the registered rules of employer and employee organisations, to declare those rules invalid if they are undemocratic or improper, and to enforce fiduciary duties of officers in relation to members. In particular, there would be effective and reasonable provisions to guard against corrupt practices or conduct whether in employer or employee organisations. My own view is that corruption is rare in the Australian trade union movement, and we should be grateful for that fact. However, it is also my view that where malpractice does occur there should be effective legal avenues of redress over and above the criminal law of fraud, which of course has application to the officers and members of industrial organisations. The Hon. Dr B. P. V. Pezzutti should not rely upon press statements from the office of the Minister for Industrial Relations and Employment to ascertain Labor's policy or my views on this question. He should read the policy documents of the Opposition before providing his commentary on them to this House.

### ETHNIC GRANTS

**The Hon. J. F. RYAN** [10.52]: On Monday of the October long weekend I had the pleasure of representing the Premier at the Sixth Filipino Grand Fiesta, which was held at the Bankstown City Raceway. The function was well attended and everybody had a good time. Special credit should go to the organiser, Mr Manny Castillo, President of the Philippines-Australia Sports Club, and Mrs Lolit Farmer. A perfect day was destroyed by a classic display of hallmark cynicism and hypocrisy by Labor leader Bob Carr, who also attended the function. I am sure honourable members will remember a time only weeks ago when the Government's outstanding ethnic grants program was under attack. Members will search in vain to find a single member of the Labor Party who had the courage at that time to defend our non-English speaking communities in their time of need. On the contrary, there are many examples of Labor members joining with less tolerant elements of the community to lay the boot in.

Both the Opposition leader in this House and Bob Carr described ethnic grants as crass politicking and election bribes. Included in the grants was a \$15,000 grant to assist the Philippines-Australia Community Foundation to build a multipurpose centre at Rooty Hill. If the careful manner in which these grants were distributed by the Government this year should be described as insulting, I will leave members of this House and the public to judge Mr Carr's actions for themselves. He arrived at the function just in time to hear the introductory words of Mr Castillo, who said that his sports club would set itself the objective of building its own clubhouse next year. After Mr Castillo, Mr Carr was the next speaker introduced. Not five minutes later Mr Carr confidently promised the crowds gathered at the function that if he became Premier he would help the Filipino community in building the club. He said, "As Premier I will assist you in locating suitable land and provide other assistance".

Judging from the crowd reaction I am sure that people interpreted Mr Carr's remarks to mean that he would provide cheap land and possibly a grant for the clubhouse. That is unbelievable hypocrisy. The grants given by the Government were subject to the external scrutiny of the Ethnic Affairs Commission. Yet Opposition members described those grants as insulting bribes to win votes. In contrast, Mr Carr, in less than five minutes, hearing no more than one sentence of detail about the plans by the sports

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association for a clubhouse, confidently promised assistance. I can only suggest that he is faster than Ros Kelly's whiteboard. I am certain most people will compare Mr Carr's practice of trying to make policy on the run with the Government's method of providing grants at arms-length through assessment by the Ethnic Affairs Commission. I concede that Mr Carr chose his words very carefully. They could mean that his government would do no more than assist the community in finding land, for which it would be expected to pay

a market price. But Mr Carr did not make that clear. He was either being deliberately misleading or being a hypocrite. There is no alternative.

**Motion agreed to.**

**House adjourned at 10.55 p.m.**

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