

**UNCORRECTED PROOF**  
**GENERAL PURPOSE STANDING COMMITTEE NO. 4**

**Thursday 27 October 2011**

**Examination of proposed expenditure for the portfolio areas**

**POLICE AND EMERGENCY SERVICES, THE HUNTER**

**The Committee met at 2.00 p.m.**

**MEMBERS**

The Hon. M. R. Mason-Cox (Chair)

The Hon. R. Borsak  
The Hon. A. R. Fazio  
Dr J. Kaye  
The Hon. T. Khan

The Hon. C. J. S. Lynn  
Mr D. Shoebridge  
The Hon. S. Whan

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**PRESENT**

**The Hon Michael Gallacher**, *Minister for Police and Emergency Services, Minister for the Hunter*

**NSW Police Force**  
**Mr A. Scipione**, *Commissioner*

**New South Wales Crime Commission**  
**Mr P. Bradley**, *Commissioner*

**Ministry for Police and Emergency Services**  
**Mr L. Tree**, *Chief Executive Officer*

**Fire and Rescue NSW**  
**Mr G. Mullins**, *Commissioner*

**NSW Rural Fire Service**  
**Mr S. Fitzsimmons**, *Commissioner*

**NSW State Emergency Service**

**Mr M. Kear, *Commissioner***

## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

Corrections should be marked on a photocopy of the proof and forwarded to:

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**

**CHAIR:** I declare this hearing of General Purpose Standing Committee No. 4 inquiry into the budget estimates for 2011-12 open to the public. I welcome Minister Gallacher and accompanying officials to the hearing. The Committee will examine the proposed expenditure for the portfolios of Police and Emergency Services, and the Hunter. In accordance with the Legislative Council guidelines for the broadcast of proceedings, only committee members and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photos. In reporting the proceedings of this Committee the media must take responsibility for what they publish or what interpretation they place on anything that is said before the Committee. The guidelines for the broadcast of proceedings are available on the table by the door.

Any messages from attendees in the public gallery should be delivered through the Chamber and support staff or the Committee clerks. Minister, I remind you and the officers accompanying you that you are free to pass notes and to refer directly to your advisers while at the table. The Committee has agreed that the Police portfolio will be examined between 2.00 p.m. and 3.20 p.m. and the Emergency Services portfolio will be heard between 3.45 p.m. and 4.50 p.m., with the flexibility of asking questions about the Hunter in that time frame as well. The Minister will be representing himself in the Hunter portfolio without any officials. The Government will not be asking any questions. The hearing is expected to conclude at 4.50 p.m. The transcript of the hearing will be available on the web from tomorrow morning. The House has resolved that answers to questions on notice must be provided within 21 days. Mobile phones should be turned off or switched to silent and away from the microphones.

All witness from departments, statutory bodies or corporations will be sworn in prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath as a member of Parliament. All other witnesses should state their full name, job title and agency and swear an oath or take an affirmation.

**ANDREW PHILLIP SCIPIONE**, Commissioner of Police, NSW Police Force, and

**LES THOMAS TREE**, Chief Executive Officer, Ministry for Police and Emergency Services, sworn and examined:

**PHILIP ALEXANDER BRADLEY**, New South Wales Crime Commissioner, affirmed and examined:

**CHAIR:** I declare the proposed expenditure for the portfolios of Police and Emergency Services, and the Hunter open for examination.

**The Hon. STEVE WHAN:** Mr Bradley, how do you feel the unexplained wealth laws, which came into effect late last year, are going?

**Mr BRADLEY:** I think they are going fairly well. There have not been a lot of cases where those amendments have been utilised, partly because the existing legislation was fairly comprehensive, but there are some cases that clearly fall within the amendments and, where they do, we use them. There have been no concluded cases as yet.

**The Hon. STEVE WHAN:** Would you agree that criminal motorcycle gangs are amongst the biggest criminals in Australia? Can you give us an indication of what areas of criminal activity they appear to be involved in?

**Mr BRADLEY:** Some of them are quite big. The gangs themselves are difficult to generalise because they vary greatly in size and strength, level of discipline, and their propensity to commit crime. But the worst of them I would say commit crime in an organised way as part of a concerted effort. The crimes include the worst types of crime, including homicide, down to relatively minor crimes. Having said that, a lot of the worst crimes committed by members of the outlaw motorcycle gangs are committed by individuals who do not necessarily have the endorsement of the gang to which they belong.

**The Hon. STEVE WHAN:** Commissioner Scipione, what is your view on criminal motorcycle gangs and the threat they currently pose to crime in New South Wales?

**Mr SCIPIONE:** Consistent with, and adding to, the comments Mr Bradley has just made, the fact is that these particular groups are involved in organised crime and, as such, they need to be dealt with as organised criminals. The concern that we as an organisation has had in the past is that we need to be able to quickly and responsibly deal with these particular groups. We know that they create a lot of damage within society and community. In recent times we have been particularly effective in dealing with them through the establishment of a task force known as Raptor.

Raptor has been successful in bringing to justice many, many members of outlaw motorcycle gangs in this State. Some of the problems we encounter not only originate in New South Wales; they come from other parts of Australia. For that reason we are working very closely with other law enforcement agencies, both police and other specialist organisations such as the Australian Crime Commission, to ensure that we are doing as much as we can to try to stop the evil spread of the work that these gangs are involved in. They are primarily involved in drug distribution. They traffic firearms and they manufacture drugs, and we know just how destructive all of that is. It is a significant problem and one that we will continue to work hard to counter.

**The Hon. STEVE WHAN:** Minister, the High Court made its decision on outlaw motorcycle gangs legislation in July this year. Why has it taken so long for the Government to respond to the decision?

**The Hon. MICHAEL GALLACHER:** It is interesting that you say: Why is the Government taking so long? I would have thought that the previous Government would have taken every opportunity to reflect on its mistakes prior to giving armchair general-like advice to a new Government that recognises that the High Court has made a decision and that there needs to be a preparedness to look at how we approach outlaw motorcycle gangs at a State level while also recognising that motorcycle gangs and their members do not comply with State boundaries. They do not understand, recognize or work within the confines of State boundaries and therefore, there also needs to be some consideration at a national level in relation to this problem. Now, of course, the commissioner has mentioned Strike Force Raptor, and if you were to believe the shadow Minister for Police, Mr Rees, one could assume that nothing is being done to target outlaw motorcycle gangs by police.

It really is a very unfair proposition for the shadow Minister—the former Premier—to make. He presided over a time when the former Government was simply fumbling in the dark, trying to work out what where it was going to do with outlaw motorcycle gangs. I think it is important to put on the record the success that the New South Wales police have had in relation to dealing with outlaw motorcycle gangs. Look at it in the context of what we have been able to do at a State level and then also look at what is available for us, not only at a State level but at a national level. In the case of Strike Force Raptor—the figures speak for themselves—the police have made nearly 1,500 arrests and seized more than 300 firearms, almost \$2 million in cash and large quantities of illicit drugs. So let the record show what the New South Wales police have been able to do without the ham-fisted interference of the former Government. New South Wales police have been able to continue to address that issue.

**The Hon. STEVE WHAN:** Thanks Minister.

**The Hon. MICHAEL GALLACHER:** You asked me a question about what we were going to do and I will continue to indicate to you that I am working with the Attorney General and the NSW Police Force to ensure that time is taken to get it right, to work with police and to give them the resources that they need.

**The Hon. STEVE WHAN:** So Minister, what timeframe do you think that is? And are you saying that you do or you do not believe that there needs to be the legislation in place and that the legislation needs to be fixed?

**The Hon. MICHAEL GALLACHER:** Thank you, I will answer your first question and then I will come back to your second question should we have time. The first question related to what we were doing. I think it is important that we do work with police and give them the resources that they need, with Strike Force Raptor, to get on with the job and to use State laws. But as the Attorney General and I have indicated publicly, we are prepared to sit down and look at alternative ways in which we can deal with outlaw motorcycle gangs and the intricate way in which they avoid detection. They do not all wear colours; they do not all participate in bike rides with soft toys in an attempt to create the image of being really nice people. There are some very nasty people who go to elaborate lengths to avoid detection.

**The Hon. STEVE WHAN:** So, Minister, we do have limited time—

**The Hon. MICHAEL GALLACHER:** We will ensure that we will do whatever we can.

**The Hon. STEVE WHAN:** Minister, excuse me.

**The Hon. TREVOR KHAN:** Point of order: The Minister is answering the question. Whether the Hon. Steve Whan likes it or not, the Minister is entitled to answer the question in the way that he sees fit.

**The Hon. STEVE WHAN:** Chair, it is not—

**The Hon. TREVOR KHAN:** Let me finish my point. The Minister is being generally relevant but the Hon. Steve Whan is constantly interrupting him.

**The Hon. STEVE WHAN:** I have been patient in the answer so far and there are important specific answers that I am hoping to get from the Minister, so I do not think it is unreasonable for me to try and draw him back to the questions which I would like to get answered.

**CHAIR:** Order! The Minister was answering the question and should be given the opportunity to do so. I think the Minister was coming to a close, in reasonable time no doubt, but directing that answer to your question.

**The Hon. MICHAEL GALLACHER:** I will now move on to the second question that was asked by the member a few minutes ago in relation to when that will happen. The answer is: When we get it right—when the police come forward, which they are, and we can get it right for the people of New South Wales, that is when we will announce it.

**The Hon. STEVE WHAN:** I certainly admire the work that the NSW Police Force is doing in this area but there are only two weeks left of Parliament this year, are you suggesting that we will not have legislation in place for this important issue until next year, at least?

**The Hon. MICHAEL GALLACHER:** As the member would know, I am not in a position, and nor should I be, to be talking about the Government's proposed legislation, whether we intend to or not and therefore—

**The Hon. STEVE WHAN:** Minister, do you believe that it is urgent to actually have this legislation in place to tackle criminal bikie gangs? Is this something that you believe is important or do you share your Attorney General's soft-on-crime approach in these areas?

**The Hon. TREVOR KHAN:** Point of order: We have seen again that what the Hon. Steve Whan is attempting to do is a Luke Foley. He has lost the opportunity of establishing dominance and he should simply allow the Minister to answer the questions.

**CHAIR:** Order! The Hon. Steve Whan will allow the Minister to complete his answer.

**The Hon. MICHAEL GALLACHER:** Sadly, those in opposition try to use words like "softly". They do not use the word "sensible" in their approach to getting this right. They do not learn from their own mistakes. Knee-jerk responses seem to run deep within the Australian Labor Party. In terms of our approach, we will continue to build on the support that we have given the NSW Police Force, particularly Strike Force Raptor, to make sure that there are more than 1,500 arrests. We are getting on with the job and if you believe the Opposition, you would think that everything was running amok.

**The Hon. STEVE WHAN:** I am certainly not saying that nothing is happening, but the point, Minister, is that you are unable to tell this committee when you believe this law should be introduced. You are, in fact, unable to tell the committee whether you believe there should be a law reintroduced along these lines, is that right?

**The Hon. MICHAEL GALLACHER:** Sadly, the member has forgotten that he had 16 years in government. I was sworn in as a Minister in April of this year. I will continue to work with my agencies and I will work with the Attorney General to ensure that we get it right for police and we do not conduct ourselves in the ham-fisted way that the former Government did. It ended up getting it thrown out, which again highlights its incompetence. I thank you for giving me the opportunity to reflect on it.

**The Hon. STEVE WHAN:** Clearly, we are highlighting the fact that you have still not been able to make a decision, even on the direction that you want to take in this. I am interested to note that you have even questioned earlier whether you believe the State should have its own legislation in this area. Do you or do you not believe the State should have its own legislation in this area?

**The Hon. MICHAEL GALLACHER:** We do have our own legislation in this area in New South Wales and that is why Strike Force Raptor is getting on with the job of locking up bikies. While we continue to use the resources of the NSW Police Force, we will work with the police and the Attorney General in the Police portfolio to ensure that we continue to look at alternative laws to assist police to unravel, uncover and dismantle these illegal organisations.

**The Hon. STEVE WHAN:** Are you in full agreement with your Attorney General on this issue?

**The Hon. MICHAEL GALLACHER:** In what regard?

**The Hon. STEVE WHAN:** On the urgency of this matter?

**The Hon. MICHAEL GALLACHER:** What quote are you referring to?

**The Hon. STEVE WHAN:** Well, I simply want to know whether you and the Attorney General have the same priority on this matter.

**The Hon. MICHAEL GALLACHER:** The Attorney General and I agree on a lot of things but you if you can draw my attention to what reference you are making, to what it is he is alleged to have said, then I will be in a position to tell you whether I agree with that or not.

**The Hon. STEVE WHAN:** We will move on for the moment to a number of other issues.

**The Hon. MICHAEL GALLACHER:** I thought you might.

**The Hon. STEVE WHAN:** During the election campaign, the Liberal candidate for Maroubra told us that if the Liberals won government, the Malabar police station would be reopened as a fully functioning police station. When is that going to happen?

**The Hon. MICHAEL GALLACHER:** Before we move on to that, have you concluded with your questions on the Crime Commission?

**The Hon. STEVE WHAN:** I have but the crossbenchers may have some questions.

**CHAIR:** The crossbench will have some questions.

**The Hon. MICHAEL GALLACHER:** Could you please return to your question?

**The Hon. STEVE WHAN:** A commitment was made during the election campaign to reopen the Malabar police station as a fully functioning police station. When is that going to happen?

**The Hon. MICHAEL GALLACHER:** As you know, there has been a widespread audit of the NSW Police Force conducted by former Assistant Commissioner Peter Parsons, that is now a matter for Government consideration and it is also something that I suspect in time the executive of the NSW Police Force will respond to.

**The Hon. STEVE WHAN:** So you are unable to make a commitment to back your candidate on that issue?

**The Hon. MICHAEL GALLACHER:** Bearing in mind again that it was your Government that closed down the Malabar police station.

**The Hon. STEVE WHAN:** I am talking about what you would do.

**The Hon. MICHAEL GALLACHER:** I think it is important to reflect on where we have come from to be in a position to work out where we are going. It is important to recognize that your parliamentary friend and colleague the member for Maroubra, whilst Minister for Police, was more than happy, before he took on the Police portfolio, to see the police station closed. The moment that the police station closed and he became the Minister for Police, he got away from that one as fast as possible.

**The Hon. STEVE WHAN:** Minister, if you are not willing to answer that question—

**The Hon. MICHAEL GALLACHER:** I am more than happy to answer the question.

**The Hon. STEVE WHAN:** Not specifically.

**The Hon. MICHAEL GALLACHER:** Not to your liking, unfortunately.

**The Hon. STEVE WHAN:** What will you do to meet calls from communities in Casino and Yamba for 24-hour police stations? Will you provide a mobile police command van for Grafton, and did the disgraced former parliamentary secretary for Police and member for Clarence mislead the voters of Clarence when he led them to believe that a Coalition Government would virtually double the number of police in Clarence and provide six extra police at Yamba?

**The Hon. MICHAEL GALLACHER:** As I have indicated, at the end of the day we have had former Assistant Commissioner Peter Parsons conduct an audit of New South Wales police resources. They will be a



matter considered by Government and most certainly acted upon by Government in consultation with the NSW Police Force, unlike you when you were in government. Let us reflect again: it was all about pins on maps and manipulation by government—

**The Hon. STEVE WHAN:** You have been the Minister for seven months now.

**The Hon. MICHAEL GALLACHER:** It was by manipulation by government, putting pins on maps to look after your mates to ensure that the resources were there. This was the first time in history that an audit has been conducted of police resources, and this will be a starting point upon which I believe successive governments will build in terms of the allocation of resources, not how you and your mates saw them.

**The Hon. STEVE WHAN:** Can you confirm whether previous resource allocations were made on pins on maps at the behest of Government Ministers?

**Mr SCIPIONE:** In terms of divestments and the like—

**The Hon. STEVE WHAN:** No, in terms of allocation of police resources.

**Mr SCIPIONE:** Certainly we worked through a complex process to determine what resources went where.

**The Hon. STEVE WHAN:** The police made those decisions. Can you confirm that the Parsons review has been provided to the Minister's office?

**Mr SCIPIONE:** In terms of the review being handed to the Minister? I understand that is the case, yes.

**The Hon. STEVE WHAN:** When did that occur?

**Mr SCIPIONE:** I could not tell you when that happened, but maybe the Minister could.

**The Hon. MICHAEL GALLACHER:** I am more than happy to. But before I move on to that I will refer to one other point and remind you of Kincumber police station, which was promised during the 1995 election campaign. There was no Kincumber police station—

**The Hon. STEVE WHAN:** I have not asked you about the Kincumber police station.

**The Hon. MICHAEL GALLACHER:** But your Government made an assertion—

**The Hon. STEVE WHAN:** If you want to direct—

**The Hon. MICHAEL GALLACHER:** Your Government put a police station in there. It built a police station and then put an officer in there who was on light duties. He did not have a gun, handcuffs or a car. He was not allowed out of the station. It was only a couple of years ago that you sold the station for about \$300,000 after you built it for \$2 million.

**The Hon. STEVE WHAN:** We heard the same Dorothy Dixier from the Minister for the Central Coast the other day. We might move on.

**The Hon. AMANDA FAZIO:** As the Minister for Police and the Minister responsible for the highway patrol and making sure that we keep people who are under the influence of alcohol away from the wheels of cars, are you concerned about the message sent today to the public by Bart Bassett, MP, using the excuse of being of good character, rather than accepting his personal responsibility and pleading guilty to drink driving?

**The Hon. MICHAEL GALLACHER:** You are asking for an opinion that you know, as a former President, would be improper and I do not intend—

**The Hon. AMANDA FAZIO:** Opinions are improper in question time in the Legislative Council; they are not improper here. I am asking you as police Minister whether you are concerned about the message sent to the public that, rather than accept responsibility for drink-driving, Bart Bassett, MP, used the excuse that he was

of good character to evade having a conviction recorded. It is a matter of personal responsibility. What is your response?

**The Hon. MICHAEL GALLACHER:** I will not reflect on the court, as you are asking me to do. The court has made its decision.

**The Hon. AMANDA FAZIO:** I am not asking you to reflect on the court. I am asking you to reflect on the behaviour of one of your colleagues.

**The Hon. MICHAEL GALLACHER:** I was not at the court hearing. I did not hear what was put before the court. Therefore, I cannot form any opinion or comment in relation to the decision made by the court.

**The Hon. STEVE WHAN:** Can you tell us on what date you were provided with the Parsons review and whether the full review will be released publicly?

**The Hon. MICHAEL GALLACHER:** I can advise the Committee that I have now received the audit of police numbers and resources. Members of the Committee will be aware that I commissioned an audit to be conducted by Mr Peter Parsons, a former assistant commissioner with 36 years experience in the NSW Police Force, after 16 years, sadly, of fudged numbers, increased bureaucracy and countless station closures.

**The Hon. STEVE WHAN:** We do not need the editorialising. The commissioner has just contradicted you on that. Would you mind answering the question about the date you received it and when the review will be released? Will it be publicly released in full?

**The Hon. MICHAEL GALLACHER:** I will work my way through to that. The audit will help us give the community a clearer picture of where our police are and where they need to be. That is the important thing. We need to start building in terms of an understanding of what the future challenges are for police and the community needs to understand exactly why the changes are being made into the future. It is something that the previous Government, sadly, failed to do. It ignored the whole involvement, despite the best efforts of the police. The previous Government's approach to community-based policing all but died. The police tried to keep it alive as best they could but it was not open and transparent.

**The Hon. STEVE WHAN:** The editorialising can go with Dorothy Dixier questions. Would you mind answering the two specific questions?

**The Hon. TREVOR KHAN:** Point of order: Again, it is apparent that the Hon. Steve Whan is attempting to harden up his act but he is doing so by traducing—

**The Hon. AMANDA FAZIO:** That is not a point of order. Stop wasting our time for questions. Stop trying to grandstand. You are not in Tamworth Local Court now.

**CHAIR:** Order!

**The Hon. TREVOR KHAN:** —traducing the rules of how budget estimates run. The Minister is entitled to answer the questions without—

**The Hon. AMANDA FAZIO:** Traducing. Pull your head in.

**The Hon. STEVE WHAN:** On a lengthy point of order—

**The Hon. TREVOR KHAN:** —the performance that is going on.

**CHAIR:** Order! I will allow the Opposition to ask one further question.

**The Hon. STEVE WHAN:** I simply want an answer to these two points.

**The Hon. MICHAEL GALLACHER:** You are only allowed one question.

**The Hon. STEVE WHAN:** On what date did you receive the report, and are you going to release the full report to the public?

**The Hon. MICHAEL GALLACHER:** In terms of the release of the report, that will be a matter for Government when it has had a full opportunity to consider it in consultation with the executive of the NSW Police Force. In relation to the date, I do not have it with me. I will take that on notice and get the date for you. *[Time expired.]*

**The Hon. ROBERT BORSAK:** In Budget Paper No. 3, page 2-90 relating to the Crime Commission, an entry under "Identification and confiscation of the assets of serious criminals" indicates that the 2009-10 result included an order of \$19.5 million to be passed on to the Australian Taxation Office. Can you give us details of what this was all about?

**Mr BRADLEY:** There was a case that has been reported, at least some aspects of it, in which the commission commenced confiscation proceedings against a company that was suspected of involvement in crimes against the State of New South Wales, in particular reverse invoice fraud and the like. The investigation led to the discovery of substantial fraud of the Australian Taxation Office. The commission continued with its confiscation proceedings. The Australian Taxation Office issued assessments and the orders made in favour of the commission were about \$19 million. The total amount in question in terms of evaded tax was about \$40 million. The proceedings were concluded on the basis that the commission's orders would be satisfied by a payment of the \$19 million on the basis that it would be used to diminish the liability to the Australian Taxation Office and the balance of the liability was paid directly to the Australian Taxation Office. That is my understanding.

**The Hon. ROBERT BORSAK:** I note that the Crime Commission in future years plans to continue its review of its practices and procedures, focusing on integrity and accountability. What have been the outcomes of this ongoing review so far?

**Mr BRADLEY:** The most significant outcome has been a total review of about seven major topics identified by the management committee in its direction to the commission, and a voluminous report has been produced that mainly consists of revised policies and practices. There is more work going on.

**The Hon. ROBERT BORSAK:** Is that voluminous report a public document?

**Mr BRADLEY:** Some elements of it are public, I would say, yes.

**The Hon. ROBERT BORSAK:** Have they been made public yet?

**Mr BRADLEY:** No, I do not think they have.

**The Hon. ROBERT BORSAK:** When might they be made public?

**Mr BRADLEY:** I would have to look at them and let you know.

**The Hon. ROBERT BORSAK:** Could you let us know?

**Mr BRADLEY:** Yes.

**The Hon. ROBERT BORSAK:** In the Delivering Our Commitments Budget 2011-12 document, I note provision for an extra 110 police vehicles for 2012-13. How many vehicles do the police have at the moment? How many were damaged during the last financial year, and at what cost?

**The Hon. MICHAEL GALLACHER:** No surprise, I will have to take on notice the number of vehicles and the amount of damage occasioned to those vehicles, but I will get you an answer.

**The Hon. ROBERT BORSAK:** I might put a few of these for you to take on notice—some of these are a bit detailed. The budget commitment for police station replacement and upgrades includes only \$4 million for this year of the total of \$69 million over four years; have you any idea where it will be spent?

**The Hon. MICHAEL GALLACHER:** Where the money will be spent?

**The Hon. ROBERT BORSAK:** Yes.

**The Hon. MICHAEL GALLACHER:** As you would be aware, Mr Borsak, we have obviously conducted an audit of police resources, but I suggest the allocation of funds for resources within the NSW Police Force would fall primarily to the commissioner and his delegation to senior people within the NSW Police Force to determine their priority works and the timelines and the amounts required to fulfil those priority works.

**The Hon. ROBERT BORSAK:** Will we get that information? Will the commissioner provide that to us?

**Mr SCIPIONE:** We can take that on notice.

**The Hon. MICHAEL GALLACHER:** We can take that on notice and get it for you.

**The Hon. ROBERT BORSAK:** How many of the hundred additional mobile number plate recognition units funded over the next two financial years will be delivered in 2011-2012? This is a top-of-the-line program for the police, is it not?

**The Hon. MICHAEL GALLACHER:** Yes, it is an important issue. I will try to get an answer for you before we conclude today, a detailed answer about the roll out.

**The Hon. ROBERT BORSAK:** What is the use-by-date for the PolAir 5 counterterrorism helicopter? Will the aging machine last until 2013-2014 when the \$16 million in funding will be provided?

**The Hon. MICHAEL GALLACHER:** We have already made a commitment to PolAir 5, as you would be aware. I would suggest to you it would be able to continue, but I will come back to that. You asked me a question in relation to automatic number plate recognition. Before March, as you rightfully pointed out, we showed this commitment to install mobile automatic number plate technology in a further 100 vehicles. The recent budget delivers \$3.6 million this financial year to deliver on this pre-election commitment. In addition to this the O'Farrell Government has committed a further \$1.366 million to continue the current roll out of mobile automatic number plate recognition. As I have already said in the House mobile automatic number plate recognition uses cameras to automatically scan the road for unregistered or stolen vehicles and when it detects one, automatically alerts police. Officers can then take appropriate action. In the meantime police are able to continue their work confident in the knowledge they will be alerted when a criminal drives by.

The other point I want to make is that it is also about officers' safety as well. If a vehicle is known to be used by a known offender, particularly a violent one—whether it be the driver or a passenger—it gives the police officer that advantage as they approach the car. They know what they are dealing with and whether they need back up. This technology has been progressively rolled out throughout the police fleet. I am told that 82 units have currently been installed and the roll out of the first tranche of these units is expected to be completed by June 2012, which will bring the total number to 110. Police will then start seamlessly rolling out the additional 100 that were part of our pre-election commitment to the NSW Police Force, expected to be installed by the end of 2013 with a total of 210 units.

**The Hon. ROBERT BORSAK:** Just getting back to PolAir 5, are you saying that you are going to continue to support PolAir 5, or are you saying you are going to refit or trade it in or what?

**The Hon. MICHAEL GALLACHER:** It will continue to be maintained obviously in an airworthy condition—it is not just going to be rolled out—but we have committed \$16 million to a new PolAir 5 and we are keeping our commitment in relation to that. That is the counterterrorism helicopter, of course, as you would know.

**The Hon. ROBERT BORSAK:** Yes. What is the latest figure on police numbers, given that it is a key outcome in last year's budget to have the figure reach 15,806? How many of the 550 additional police promised by June 2014 will join the NSW Police Force in the next nine months, that is, before the end of this financial year?

**The Hon. MICHAEL GALLACHER:** I am very grateful to the honourable member for an opportunity to talk about police numbers. Of course, the budget that this Committee hearing is predicated upon most certainly is a step in the right direction in delivering the extra 550 police officers that we committed to prior to the election and are committed to today. This Government is investing over \$214 over the next four

years to fund the recruitment of these additional officers. By June 2014 the NSW Police Force will employ a record 16,356 officers. The first 150 extra officers are scheduled to come on line with the class of recruits due to attest in December this year. If you would like me to continue on with that I will.

**The Hon. ROBERT BORSAK:** I have more questions but I have run out of time.

**The Hon. MICHAEL GALLACHER:** I thought you might have—sadly. We can always come back to that.

**The Hon. ROBERT BORSAK:** I will come back to that.

**Mr DAVID SHOEBRIDGE:** Mr Bradley, you must accept that the New South Wales Crime Commission needs to have some oversight of its operations?

**Mr BRADLEY:** Yes.

**Mr DAVID SHOEBRIDGE:** And should be open to some detailed public scrutiny about its overall operations—you would agree with that?

**Mr BRADLEY:** No.

**Mr DAVID SHOEBRIDGE:** Mr Bradley, do you in hindsight now accept it was a totally improper action for the New South Wales Crime Commission to subpoena the records of journalists who were investigating into your commission's operations?

**Mr BRADLEY:** No.

**Mr DAVID SHOEBRIDGE:** Why did the New South Wales Crime Commission withdraw the subpoenas in the Supreme Court that it had to get to the records of investigative journalists?

**Mr BRADLEY:** As the issues were refined before the Supreme Court the legal advice was that we should not pursue the recovery of those pieces of evidence.

**Mr DAVID SHOEBRIDGE:** So as a matter of principle you would still be perfectly comfortable with using the New South Wales Crime Commission to subpoena the records of investigative journalists?

**Mr BRADLEY:** We did not use the New South Wales Crime Commission; the subpoenas were issued by the court at our request.

**Mr DAVID SHOEBRIDGE:** The New South Wales Crime Commission filed with the courts subpoenas and had the court issue subpoenas, that is what happened, is it not?

**The Hon. MICHAEL GALLACHER:** Sought the issue of subpoenas, yes.

**Mr DAVID SHOEBRIDGE:** It is not a question of pedantics here, the New South Wales Crime Commission sought to have subpoenas directed to investigative journalists to discover their sources, that is what has happened, is it not?

**Mr BRADLEY:** The purpose of seeking the issue of subpoenas by the court was to discover some criminal acts which had occurred in relation to documents that were illegally disseminated to the public.

**The Hon. MICHAEL GALLACHER:** Mr Chairman, can I just interrupt for one moment? I seek some advice on it. This matter, as far as I am aware, is currently the subject of a complaint to the Police Integrity Commission inspector. I am concerned that we may well be starting to tread into very uncertain waters in relation to now raising matters that have become the subject of a complaint to the Police Integrity Commission inspector.

**Mr DAVID SHOEBRIDGE:** To the point of order: There are no judicial proceedings; it is not sub judice. It is entirely proper that this Parliament, as one of the few tools of accountability, asks these questions to the New South Wales Crime Commission.

**CHAIR:** I will take advice on that.

**The Hon. MICHAEL GALLACHER:** Mr Chairman, I have concerns we could well be, depending on the line of questioning that the honourable member undertakes, trying to compete with an investigation that may or may not be taking place. However, we do know a complaint has been made to the Police Integrity Commission inspector.

**Mr DAVID SHOEBRIDGE:** I am moving on to another point now. This is chewing up one of the few times we have.

**CHAIR:** I have stopped the clock. I understand the importance that you have a fair opportunity to ask questions, so the clock has been stopped. Have you drawn this line of inquiry to a close?

**Mr DAVID SHOEBRIDGE:** I would like a further response from Mr Bradley on one further point.

**CHAIR:** Let us hear the question and we will make a determination as to its suitability.

**Mr DAVID SHOEBRIDGE:** Mr Bradley, given the substantial disquiet caused by your organisation subpoenaing the records of investigative journalists, do you not agree that you should be reviewing at a minimum this kind of use by the New South Wales Crime Commission of the courts to silence inquiry?

**The Hon. TREVOR KHAN:** Gee, that is a loaded line.

**The Hon. MICHAEL GALLACHER:** That is not loaded, is it?

**Mr BRADLEY:** I just think that the question contains assertions with which I do not agree.

**Mr DAVID SHOEBRIDGE:** Your organisation, in the course of those Supreme Court proceedings for which you issued subpoenas, was seeking to shut down an inquiry by the Police Integrity Commission.

**Mr BRADLEY:** That is wrong.

**Mr DAVID SHOEBRIDGE:** You took the view that the terms of reference of the Police Integrity Commission did not allow it to have the extent of the inquiry that it was undertaking.

**The Hon. TREVOR KHAN:** Point of order: It seems that Mr Shoebridge is making statements or assertions and not asking questions. My suggestion is that he should ask questions as opposed to making accusations.

**CHAIR:** I am sure Mr Shoebridge was about to ask that question.

**Mr DAVID SHOEBRIDGE:** Absolutely.

**CHAIR:** Please do so.

**Mr DAVID SHOEBRIDGE:** That is correct, is it not?

**Mr BRADLEY:** No.

**Mr DAVID SHOEBRIDGE:** You accept now that the Supreme Court proceedings that you commenced to try to stifle the inquiry by the Police Integrity Commission were misguided, having been dismissed by the Supreme Court. You agree with that?

**Mr BRADLEY:** Well, they were not.

**Mr DAVID SHOEBRIDGE:** The Supreme Court made a very clear ruling that the action brought by you to try to prevent the Police Integrity Commission from undertaking a review of your actions was not well founded.

**Mr BRADLEY:** That is incorrect.

**Mr DAVID SHOEBRIDGE:** Do you accept that it is an extraordinary proposition that you would spend hundreds of thousands of dollars of taxpayers' money seeking to stop the Police Integrity Commission having a full and thorough investigation of an action of the New South Wales Crime Commission?

**Mr BRADLEY:** Firstly, we did not do that, and your figures are wrong.

**Mr DAVID SHOEBRIDGE:** How much was spent by the New South Wales Crime Commission?

**Mr BRADLEY:** Oh, I think those figures have been provided somewhere before. I do not have them with me.

**Mr DAVID SHOEBRIDGE:** The combined expenditure between the expenditure of the New South Wales Crime Commission and the Police Integrity Commission was of the order of hundreds of thousands of dollars, was it not?

**Mr BRADLEY:** It may be. I do not have the figures with me.

**Mr DAVID SHOEBRIDGE:** Could you take that question on notice and provide the answer?

**Mr BRADLEY:** Yes, I can do that.

**Mr DAVID SHOEBRIDGE:** Minister, are you comfortable with the situation which has you, as a politician, sitting on the management committee that oversights the New South Wales Crime Commission?

**The Hon. MICHAEL GALLACHER:** It is not a question of whether I am comfortable with it. It is more a question of whether the time has come for us to look at the Crime Commission in the context of every other aspect of policing having undergone substantial modernisation over the past 25 years and an opportunity to reflect on it. I am glad you have asked that question because it does give me an opportunity to again make the point that we have done exactly what you and others have asked for, and that is: We have put in place a special commission of inquiry, this time to be conducted by a distinguished retired judge, David Patten. His particular focus will be on the management, accountability and oversight aspects of the commission—the very things that you are asking for, and have asked for.

I am sure that you would indicate to this Committee your confidence in this individual's ability to look at it, as we on this side most certainly believe he has that ability. As the Standen trial made evident, one of the most important and difficult tasks in law enforcement is ensuring that there are protocols and safeguards for proper management of criminal informants. This is obviously one of the areas that the Patten review will be examining. The Patten review will also consider the appropriateness of the current oversight arrangements for the Crime Commission as well as the adequacy of internal corruption resistance measures. Again, things that I am sure The Greens will give a big tick to; things that everybody gives a big tick to.

**Mr DAVID SHOEBRIDGE:** I will give a big tick when you get off the management committee.

**The Hon. MICHAEL GALLACHER:** I have also indicated to you it will be part of—well, it is important to look at what the Patten inquiry is looking at and most certainly to consider it in the fullness of the review. As you would know, I am not just on it; I am the chairman of it.

**Mr DAVID SHOEBRIDGE:** Exactly.

**The Hon. MICHAEL GALLACHER:** The legislation says that I am the chairman of it.

**Mr DAVID SHOEBRIDGE:** Minister, I accept it is not your personal choice.

**The Hon. MICHAEL GALLACHER:** The legislation would have to be amended in that regard. So rather than me giving a personal view out there, I have asked Justice Patten to look at the management committee, the oversight, the use of informants—the whole box and dice in relation to the Crime Commission.

**Mr DAVID SHOEBRIDGE:** As a question of principle, as the Minister for Police, do you agree it is totally inappropriate to have a serving politician chair and effectively run the oversight committee of the New South Wales Crime Commission?

**The Hon. MICHAEL GALLACHER:** Again, we are getting into an area where you are asking as a matter of principle a question of maybe my opinion in regard to it.

**Mr DAVID SHOEBRIDGE:** Every so often government does deal with principle, Minister.

**The Hon. MICHAEL GALLACHER:** Yes, I know that.

**Mr DAVID SHOEBRIDGE:** And this is the question: As a matter of principle, do you agree it is inappropriate to have a serving politician chair the oversight committee of the most secretive and powerful investigative police body in New South Wales?

**The Hon. MICHAEL GALLACHER:** I have questioned why a member of Parliament needs to be on there, but at the end of the day it is up to retired Justice Patten to put forward what he believes is a logical extension of that in the context of whether or not a member of Parliament or a Minister should be there. I have asked him to look at it. If I did not feel that there was some degree of uncertainty in my own mind, I would not have asked him to look at it. I have asked him to look at it, and I would like to think that we should have an opinion from this distinguished gentleman in relation to the entire organisation in the not-too-distant future.

**Mr DAVID SHOEBRIDGE:** Thank you, Minister. When did you first receive a copy of the review of police housing and accommodation in relation to asbestos? When did you first receive that?

**The Hon. MICHAEL GALLACHER:** Well, I have to say to you that I will need a drink of water because this is the first time anyone has asked me, from either the Opposition or The Greens, a question about asbestos. I am nearly going to pass out. After nearly two months—

**Mr DAVID SHOEBRIDGE:** That is not true.

**The Hon. MICHAEL GALLACHER:** —none of you has asked me about asbestos or lead-based paint.

**Mr DAVID SHOEBRIDGE:** That is not true.

**The Hon. MICHAEL GALLACHER:** I find it absolutely remarkable, particularly members of the former Government. Be that as it may—

**Mr DAVID SHOEBRIDGE:** Minister, having now got you wonderful opportunity to tell the people of New South Wales when you first found out, when was it?

**The Hon. MICHAEL GALLACHER:** As to the date, I will give you an answer as soon as I am advised. I do not have the answer with me—the date with me.

**Mr DAVID SHOEBRIDGE:** Approximately? You must know generally or have an approximate date. Was it yesterday or a week ago?

**The Hon. MICHAEL GALLACHER:** Have a look at *Hansard* and count back two days. When I was informed I sat down with senior personnel of the Police Force and I said to them, "I'm not going into the Parliament, I'm not going onto the ABC to try to wash my hands of it and say, 'Well, this is terrible.'"—hang on, hear me out—because what I did not want were people sitting in homes out the back of Boggabri and everywhere else, hearing it on the ABC for the very first time.

**Mr DAVID SHOEBRIDGE:** But they had been for months, Minister.

**The Hon. MICHAEL GALLACHER:** No.

**Mr DAVID SHOEBRIDGE:** But they had been waiting for months and months.



**The Hon. MICHAEL GALLACHER:** No, it was not my role.

**CHAIR:** Order!

**Mr DAVID SHOEBRIDGE:** They had been waiting for your senior officers to take steps.

**The Hon. MICHAEL GALLACHER:** You asked me a question and I am telling you about the process. I do not have the date.

**Mr DAVID SHOEBRIDGE:** They had been in houses for 18 months before your senior officers—

**The Hon. MICHAEL GALLACHER:** If you have a look at when I first raised it—

**CHAIR:** Order! Mr Shoebridge!

**Mr DAVID SHOEBRIDGE:** —took any steps to tell them.

**The Hon. MICHAEL GALLACHER:** Have a look at when I first raised the issue in Parliament and count back two days. I gave the executive of the Police Force a day to get out there and to tell their people about the extent of what I had just been informed. It is not for me to be going on radio and putting fear into people. You wanted a date. Have a look at *Hansard* and count back two days.

**CHAIR:** That concludes the questioning from The Greens. I understand, Mr Shoebridge, your questioning of Mr Phillip Bradley is concluded as well?

**Mr DAVID SHOEBRIDGE:** Yes, after that insightful response.

**CHAIR:** Thank you very much, Mr Bradley. You are excused. I appreciate your attendance here today.

**(Mr Bradley withdrew)**

**CHAIR:** The Opposition will have a further 20 minutes of questions.

**The Hon. STEVE WHAN:** Minister, following on from that question, can you or the commissioner tell us when senior police first knew about asbestos and lead-based paint in police housing?

**The Hon. MICHAEL GALLACHER:** Well, again, I am just absolutely floored that after two months—

**The Hon. STEVE WHAN:** Minister, we just heard that spiel.

**The Hon. MICHAEL GALLACHER:** —none of you has bothered to ask me a question in relation to this.

**The Hon. STEVE WHAN:** Especially when we get this sort of answer.

**The Hon. MICHAEL GALLACHER:** You all go on about air quality. I remember the debates we had about Bernie Banton—and quite rightly so. We spoke about Bernie Banton.

**The Hon. STEVE WHAN:** Minister, it is a simple question.

**The Hon. MICHAEL GALLACHER:** But you had not raised it.

**The Hon. STEVE WHAN:** How about an answer?

**The Hon. MICHAEL GALLACHER:** No. You have got to swallow deep on this one because of your incompetence and non-preparedness to ask a question in the House in the past two months. The answer I will give you is this: I have now referred this to the Ombudsman. I do not intend to sit here and answer questions from you as you showed no interest in this matter in the past few months.

**The Hon. AMANDA FAZIO:** We did not ask you to answer the question.

**The Hon. MICHAEL GALLACHER:** You did.

**The Hon. AMANDA FAZIO:** We asked the commissioner to answer the question.

**The Hon. MICHAEL GALLACHER:** The question was to the Minister or the commissioner. This matter is now before the Ombudsman. I think it is inappropriate that I, or the commissioner, or any of the senior police are now giving a running commentary to you.

**The Hon. STEVE WHAN:** Okay, Minister. We get your gist, but it is an extraordinarily evasive answer.

**Mr DAVID SHOEBRIDGE:** Point of order: This Minister, a member of our House, is refusing to answer a very simple question about accountability being directed by a Committee established by the House. I ask you to direct the Minister to answer the question.

**The Hon. AMANDA FAZIO:** To the point of order: By my tally, this is now the seventh question that the Minister has refused to answer. I ask you to direct the Minister to refer the question to the commissioner so that we can get an answer. When did the senior police know about the asbestos and lead paint problem in police housing?

**CHAIR:** As members are aware, the Minister can decide how he answers a question.

**Mr DAVID SHOEBRIDGE:** But not to not answer the question.

**CHAIR:** The Minister has answered in the manner that he believes is appropriate.

**The Hon. STEVE WHAN:** I will persist with one more question on this matter. Minister, the Police Association suggests that senior police knew of this matter in 2008. The Police Association states that it is concerned that officers were not told of these problems earlier and it has called for WorkCover to investigate, with a view to laying charges. What is your response to those comments?

**The Hon. MICHAEL GALLACHER:** I am more than happy to continue to answer this question about an Opposition that has only just found out that two months ago in mid August I raised concerns in the Parliament—

**The Hon. STEVE WHAN:** We are asking you questions in estimates and it would be appreciated if you could take them seriously.

**The Hon. MICHAEL GALLACHER:** By February you will work out who won the Melbourne Cup.

**The Hon. STEVE WHAN:** This is a serious issue, Minister.

**The Hon. MICHAEL GALLACHER:** You say it is serious but no-one can take you seriously because it has now been referred to the Ombudsman for investigation. An independent person who, normally you people—

**The Hon. STEVE WHAN:** If that is the extent of your answer I will move on to something else.

**The Hon. MICHAEL GALLACHER:** No, it is not the extent of my answer; there is more to come. I say to you that in the discussions I have had the Police Association is very happy with this matter being referred to the Ombudsman. The Opposition is now trying to verbal police and that is a bit rich.

**The Hon. STEVE WHAN:** I am quoting from their publications.

**The Hon. MICHAEL GALLACHER:** The fact is that it has been referred to the Ombudsman for investigation. I have indicated to the House that I became aware of this problem in mid August. I do not have the exact date here but I have looked at this matter and I believe that it does need to be independently examined.

It needs to be done in such a way that the confidence of the rank and file in the organisation and in the former Government's mishandling of this matter also needs—

**The Hon. STEVE WHAN:** Are you suggesting that former Ministers were aware of this matter?

**The Hon. MICHAEL GALLACHER:** I do not know because none of you have asked me questions for the past two months. I can only assume you are running scared.

**The Hon. STEVE WHAN:** You do not seem to know much about it at all, do you?

**The Hon. MICHAEL GALLACHER:** I am only assuming you guys must be running scared. Why did you not ask me a question in the past two weeks?

**The Hon. STEVE WHAN:** You do not want to answer the question about when senior police knew about it.

**The Hon. MICHAEL GALLACHER:** You should have asked me before I referred it to the Ombudsman.

**The Hon. STEVE WHAN:** Minister, as you are aware, a large number of adverse findings have been made against the Police Integrity Commission. Do you continue to support the existence of the Police Integrity Commission? What do you propose to do to restore confidence in the Police Integrity Commission? Has the Government considered having another body undertake the duties of the Police Integrity Commission?

**The Hon. MICHAEL GALLACHER:** Unfortunately, the Hon. Steve Whan has not been briefed properly, otherwise he would know that the Police Integrity Commission actually rests under the Premier's control. If he thinks I will talk about the Premier's portfolio he has another think coming.

**The Hon. STEVE WHAN:** As Minister for Police and Emergency Services you do not have a view on that matter?

**The Hon. MICHAEL GALLACHER:** I have made my views known in relation to restoring confidence within the rank and file police as well as the executive in relation to the Police Integrity Commission. The Premier has referred to some aspects of the Police Integrity Commission as dysfunctional. He has indicated that he is considering a review of the Police Integrity Commission. I suspect that in time you and I and everyone else will know exactly what the context of that review is. I think it is extremely important that procedural fairness is applied to members of the NSW Police Force. This is not a groundbreaking revelation from me; I have spoken about this for some time. I spoke about it prior to the election campaign and only a few nights ago at a function involving about 1,300 detectives. I believe it is crucial to restore procedural fairness if full confidence in the Police Integrity Commission is to be a commonplace aspect of policing in New South Wales.

**The Hon. STEVE WHAN:** As Minister for Police and Emergency Services you cannot give us your opinion on whether the Government is considering replacing the Police Integrity Commission or whether you are confident in its continued existence?

**The Hon. MICHAEL GALLACHER:** You have asked a number of questions relating to the governance of the Police Integrity Commission. As I have indicated to you, it rests within the purview of the Premier, not the Minister for Police and Emergency Services.

**The Hon. STEVE WHAN:** The Police Association states that your Government's wages policy will contribute to an exodus of police and lower morale in the police force. The Victorian Government has just awarded its police a 19 per cent pay rise over four years. Are you concerned that under your wages policy police wages are likely to become lower in relative terms than those of their fellows in other States? If so, will you act to ensure that police get fair wage outcomes over your cap?

**The Hon. MICHAEL GALLACHER:** I thank the Hon. Steve Whan for again reflecting on the former Government's wages policy.

**The Hon. STEVE WHAN:** I am talking about your wages policy.

**The Hon. MICHAEL GALLACHER:** We intend to be more disciplined with your policy and actually apply it. The Police Association has been provided with an exemption from the wages policy in the current award negotiations before the Industrial Relations Commission. Given this case is still ongoing, I will not be interfering with that independent process. However, I want to share some things with you. I can inform the Committee that during conciliation hearings held on 27 and 28 July, the NSW Police Force and the Police Association agreed to an interim pay increase for all officers of 2.5 per cent. That will be backdated to 8 July. Consideration of other matters will continue before the Industrial Relations Commission and the case has been split into three categories based on the association's claim.

The matter returned from adjournment this week and there have already been a number of hearing days. I am sure the Hon. Steve Whan is aware of them. I understand that the Industrial Relations Commission has invited parties to conciliation on these issues relating to special duties remuneration. The Commissioner of Police has advised me that he has declined this offer. I state again that I have declined to interfere in this matter, given it is currently before the Industrial Relations Commission.

**The Hon. STEVE WHAN:** Police in Victoria have received a 19 per cent increase over four years, which takes that range well beyond this current hearing. As Minister for Police and Emergency Services are you willing to accept police salaries in New South Wales at the next and subsequent hearings falling below the rate of inflation, for a start, or falling back in relative terms to police in other States?

**The Hon. MICHAEL GALLACHER:** I do not intend to discuss what may or may not happen in the future. I like to deal with the here and now. The now is that there is a matter before the Industrial Relations Commission and I will wait until that matter is concluded before I start to run a commentary on it. Rest assured that this Government will do everything it can to pay police as much as it possibly can to do the work they are doing—protecting all of us in this State.

**The Hon. STEVE WHAN:** Over and above the 2.5 per cent if necessary?

**The Hon. MICHAEL GALLACHER:** We will do whatever we can to pay them as much as we possibly can. But we have applied a policy that we adopted from your Government—one that when you were in Cabinet you no doubt agreed to. We are now adhering to your policy.

**The Hon. STEVE WHAN:** Commissioner, is it the case that for the past eight or so years the NSW Police Force has remained above authorised strength generally?

**Mr SCIPIONE:** Generally. Certainly we have from time to time fallen below but that has been a very rare occurrence. A decision was taken and we have worked at ensuring as best we could that we never went below authorised strength.

**The Hon. STEVE WHAN:** Commissioner, my understanding is that the Government funds you for a certain number of positions—that is, the authorised strength positions. Is that correct?

**Mr SCIPIONE:** Yes, there is a formula that is applied from Treasury but, in effect, it is for authorised positions, yes.

**The Hon. STEVE WHAN:** To remain above authorised strength you need to find funding from somewhere for what might be considered to be extra positions or employees. Is that also correct?

**Mr SCIPIONE:** That is the case. Any salaries that we have to find over and above the authorised strength that contribute to our actual numbers need to be found—we have got to pay the wages.

**The Hon. STEVE WHAN:** If that supplementation is not available I understand that is sometimes called the saw-tooth effect, where numbers drop below during graduation classes. Is that correct?

**Mr SCIPIONE:** For many years in New South Wales the saw-tooth effect to which you refer is one whereby in order to balance the books there was an average taken of the number of positions that were filled within the organisation, which meant that if you were to run for a period of, say, 100 over strength, in order to balance the books you needed to be at some stage for the same period under by 100. The sawtooth was certainly

with us for many years. However, a decision was made in recent years that we work over and above the sawtooth and not fall below the authorised number.

**The Hon. STEVE WHAN:** Minister, can you indicate where in the budget there is appropriation or supplementation to keep the Police Force above authorised strength?

**The Hon. MICHAEL GALLACHER:** I thank the honourable member for giving me the opportunity to reflect on the ego of the Hon. John Watkins, who came up with this proposition that saw money being put into the Police Force to create a false economy in terms of police numbers. The previous Government was first and foremost about appearance. Past Police Ministers—and, boy, there have been some—obviously like to stand up in front of large classes.

It may not surprise many here to learn that whenever additional police officers were due to come on line the previous Government funnelled the extra officers into one class to inflate the numbers. Apart from straining the resources of the Police Academy, such large classes cause big fluctuations in the number of police officers in the field. One class would have hundreds of students struggling to find a seat in the lecture theatre in Goulburn and other classes barely filled the seminar rooms. Local commands had to go without cops for longer periods when officers resigned and were transferred. Inevitably, commands had to wait for the Government attestation to give them fresh recruits.

I am pleased to state that this Government will not be engaging in such clumsy and inept practices. One of the first things we have done is ensure that extra police officers are recruited more evenly across the three attestations each year. This will mean less strain being imposed on the academy and more consistent numbers of police officers entering our communities. With this Government's first \$214 million commitment to hire 550 extra cops, I am pleased to say that our communities will see more and more police officers over the next four years. Our commitment to extra police officers and the injection of this additional \$214 million is timely, and I will explain why.

When we came to government and examined the Police budget we were shocked to discover that the previous Government had stripped the allocation for police officers. I was extremely disappointed to discover that for the first time ever the previous Government made a decision not to provide the funds for a class big enough to cover the number of police officers expected to leave the Police Force. After years of pushing up attestation numbers prior to an election, the former Government made a conscious decision to starve the Police Force of funding so that by April 2012 it will be significantly under strength. Members of the former Government knew that given the time it takes to train officers there would be nothing that the new Government could do about it. That is what they referred to as the sawtooth. They knew they were propping up a false economy in relation to policing and they made sure that they continued—

**The Hon. STEVE WHAN:** Are you claiming that we were training too many officers?

**The Hon. MICHAEL GALLACHER:** The former Government knew full well that by withdrawing this funding police officer numbers would drop below the authorised strength. However, with a massive investment of \$214 million we will help to mitigate the impact of this miserable former Government tactic. The Liberal-Nationals Government will also be taking a more measured approach to the allocation of additional police officers. Rather than bringing on the additional positions we have committed to in one big media attention-grabbing hit at the end of the calendar year—coincidentally just before an election—they will be brought on line every four months to coincide with attestations until we hit a record 16,356 officers by June 2012. The boom-bust days and the false economies of Labor are over. Sadly, the member who asked the question does not understand that he was handed a hand grenade by the previous Minister.

**The Hon. STEVE WHAN:** We have had more than enough of your editorialising. My question was simple, but I thought I would let you put some of that on record. Have you or have you not provided funding over and above that required to maintain the authorised strength?

**The Hon. MICHAEL GALLACHER:** As I indicated, this Government is investing more than \$214 million—not a lazy \$214—over four years.

**The Hon. STEVE WHAN:** The Police Association believes that authorised strength should be based on measuring FTEs. Are you willing to consider that?

**The Hon. MICHAEL GALLACHER:** Are you talking about full-time equivalents?

**The Hon. STEVE WHAN:** Yes.

**The Hon. MICHAEL GALLACHER:** As I indicated, this is one of the mix of issues related to resourcing and staffing addressed in the audit undertaken by Peter Parsons. I do not intend to engage in a running commentary about some aspects of that. The association knows that because it was extensively involved in consultations during the audit. It is probably best that we wait until the Government and the senior executive of the Police Force have had an opportunity to examine the matters raised by the association with Mr Parsons and others.

**The Hon. STEVE WHAN:** Will you commit to continuing to make data on authorised strength publicly available and to maintaining authorised strength as the basis for measuring police numbers?

**The Hon. MICHAEL GALLACHER:** This is another great myth perpetrated by the former Government. The honourable member is talking about the disparity between authorised and boots on the street.

**The Hon. STEVE WHAN:** It is authorised and actual, and it has been published.

**The Hon. MICHAEL GALLACHER:** That was a play on words on the part of the former Government.

**The Hon. STEVE WHAN:** Will you or will you not retain that system?

**The Hon. MICHAEL GALLACHER:** I have been told since I became Minister that that system was introduced because the previous Government was being hounded by the then Opposition. I want a more transparent and, shall I say, honest way—which is different from the way you guys did it—to inform the public how many police officers are at their local station. I have been very critical of the previous Government's approach to authorised and actual figures. I do not think it was honest and I have asked for a better way—

**The Hon. STEVE WHAN:** So you are confirming that you looking at a different system?

**The Hon. MICHAEL GALLACHER:** —to provide transparency.

**The Hon. STEVE WHAN:** Will you commit to making those figures public? Will you also commit to ensuring that the public can make comparisons between the old measurement and the new measurement?

**The Hon. MICHAEL GALLACHER:** I will step away as much as I can from the myth and confusion that you people—

**Mr DAVID SHOEBRIDGE:** You are doing a good job today, Minister.

**The Hon. MICHAEL GALLACHER:** —gave to the New South Wales community—

**The Hon. STEVE WHAN:** Minister, unlike you, I managed to ask my questions without casting aspersions on you. I would appreciate straight answers.

**The Hon. MICHAEL GALLACHER:** I did not say it was you.

**The Hon. STEVE WHAN:** Are you aware that the most recent figure for New South Wales population growth is 1.3 per cent per annum and that you would need more than 800 more police officers over the next four years to keep up with that rate of growth? The former Government increased police strength by about 3,000 officers over five years and the Police Association has called for an increase of 1,500 police officers over the next eight years. Would you agree that that is a reasonable request?

**The Hon. MICHAEL GALLACHER:** I thank the honourable member for his question and for his unwitting endorsement of need for the audit. He refers to population growth and the pressures on New South Wales police officers. However, unfortunately for him we promised 550 extra cops and we will deliver them. The previous Government promised 360 extra cops, but over four years.

**The Hon. STEVE WHAN:** We delivered 3,000 in five years.

**CHAIR:** The honourable member's time has just expired.

**The Hon. STEVE WHAN:** I wondered why the Minister finished that answer so quickly.

**The Hon. ROBERT BORSAK:** There have been numerous questions about police numbers, so I will return to my question. The Minister referred to a cap of 16,356 without that being a ceiling. I was talking about the 550 additional police officers promised by June 2014. There must be some attrition rate built in to those numbers to arrive at the average increase the Government is trying to achieve. Perhaps that is part of the sawtoothing, which I do not think anyone, even with the best of intention, could avoid. What is the assumed attrition rate in the budget?

**The Hon. MICHAEL GALLACHER:** I thank the honourable member for his question. I understand it does vary from time to time, simply because of the changing economic needs of individuals who are approaching retirement and the like with superannuation, but on average it is probably between 70 and 80 a month. The point you raise in relation to attrition and there not being an understanding of what is the cause of that attrition rate is a very valid one. For a number of years I asked the previous Government to look at the reintroduction of what I would best describe as exit interviews. The previous Government said that really there was no need for that. My argument was that if you are losing between 70 and 80 a month and a large number of those officers are probably leaving before they should—in other words, they are not all reaching retirement age—then you probably owe it to them, and you probably owe it to the economy and to the State, to get a better understanding of why they are leaving. That is why I asked about exit interviews.

I am pleased to inform the Committee that I have been advised by the NSW Police Force that a great deal of work has been done by the human resources command—and I thank them for it—to assist in the implementation of the commitment that I gave for exit interviews. There is the development of resignation standard operating procedures for all commands to follow, and I am advised that the separation survey has been redesigned for both sworn and unsworn employees, so not only sworn police but also public servants who are also leaving, as well as notification to resign forms, which will capture reasons for an officer leaving. Commands will now be required to report on a monthly basis about the number of resignations, designation surveys and notifications submitted and, most importantly, and I thank the honourable member for the question, communications have gone out to all police force staff advising them of these changes and where they can access the forms.

Now that officers are aware of their right to complete these surveys, I am advised that in the first half of this year approximately 57 per cent of those resigning have chosen to do so, and this compares to less than 5 per cent prior to the introduction of these changes. Exit interviews are an important tool, providing commanders with valuable information as to why an officer has chosen to leave and what steps, if any, may be taken to address problems and make necessary improvement for the next time around.

**The Hon. ROBERT BORSAK:** I address my next question to Commissioner Scipione. I refer to recent incidents in Victoria where Victorian police investigators admitted that they had made unsworn affidavits. Apparently they were not swearing on the Bible or affirming their words, which is the basic legal requirement for obtaining search warrants by affidavit. Does New South Wales have similar requirements and has there been an investigation here to see that all proper procedures are being followed by New South Wales police?

**Mr SCIPIONE:** There is an obligation on police officers swearing affidavits to do exactly as you have indicated. I am not aware of an audit being carried out because I am not aware of a complaint. If we were to receive a complaint you can be assured that we would be looking at this. If this were an issue that had been brought to my attention, I would have given it serious consideration and certainly, if need be, we would have conducted the inquiries and audit, as you say, and determined if this were a problem. At this stage it certainly has not been raised with me.

**The Hon. ROBERT BORSAK:** I would expect, if you did get a complaint, you would have to conduct some sort of review of that process.

**Mr SCIPIONE:** Certainly.

**The Hon. ROBERT BORSAK:** It goes to the very heart of evidence, does it not?

**Mr SCIPIONE:** Absolutely, and I can assure you that in New South Wales we go that extra yard, or metre. In this area, as opposed to most other States, from the beginning of the process through to the finish of the process, we strictly record what is happening—so much so that we actually allocate an independent search officer that is responsible for and does, as a matter of course, a video of the search warrant that would have been obtained as a result of the affidavit laid before the court. You can be assured that if that had been raised it would have constituted a complaint under the Police Act and, as such, would have been subject to an investigation at least.

**The Hon. ROBERT BORSAK:** Again to you Commissioner, and I do not expect you will have the answers at your fingertips, how many safekeeping inspections of licensed firearm owners were carried out in the 2010-11 financial year? How many of those were on the premises of licensed firearm dealers?

**Mr SCIPIONE:** The detail you are after I am told we do not have with us, but certainly we will take that on notice and make it available, sir.

**The Hon. ROBERT BORSAK:** Does each local area command have an identified firearms licensing officer? How many hours of training on firearms legislation and administration of that legislation were provided to firearms licensing officers over the last financial year and how many firearms licensing officers participated in that training?

**Mr SCIPIONE:** Likewise, sir, I will take the question on notice and provide that advice.

**The Hon. ROBERT BORSAK:** Minister, I do not expect you to answer off the top of your head, but how many firearms ranges are currently approved in New South Wales and how does that compare with the number approved 12 months ago?

**The Hon. MICHAEL GALLACHER:** I will have to take that on notice, unfortunately; I am not aware of that figure off the top of my head. The Hon. Amanda Fazio would have known.

**The Hon. AMANDA FAZIO:** Do you know anything?

**The Hon. MICHAEL GALLACHER:** It is just about your afternoon tea time. The pain will be over soon.

**The Hon. ROBERT BORSAK:** Minister, how many shooting clubs, hunting clubs and collecting clubs are approved in New South Wales and how does that compare with the number 12 months ago?

**The Hon. MICHAEL GALLACHER:** The Hon. Amanda Fazio would know it, but I do not, unfortunately, and I will have to get that figure and come back to you.

**The Hon. ROBERT BORSAK:** Perhaps this question is for the Commissioner. Why was the target time to respond to urgent calls revised from 10 minutes to 12 minutes in 2010-11?

**Mr SCIPIONE:** I assume you are talking about urgent response times in terms of target time? I am not quite sure.

**The Hon. ROBERT BORSAK:** I am talking in terms of targets, that is right.

**Mr SCIPIONE:** For 000 calls?

**The Hon. ROBERT BORSAK:** Yes.

**Mr SCIPIONE:** Certainly there was some movement in this area. Particularly of recent times, we are seeing a lot more people moving away from cities. We know that, as people make a tree change or sea change, often they are living further from a police station than even a vehicle travelling at very high speed would take to get there if everything was ideal. If somebody moves and is living 30 minutes from a police station, it is very difficult to get there in less than 10 minutes. Whilst that might be the target time, in terms of those times that have been delivered in certain parts of the State they fell well within the target time. In other areas, of course,



they will go over. In this regard there has been an averaging and that change has been made and published in the annual report.

**The Hon. ROBERT BORSAK:** The target times for 2010-11 showed an increased performance from 74 to 80 per cent. I just wondered whether there was something to do with playing with the numbers to get a response or a better statistic.

**Mr SCIPIONE:** In terms of a better statistic, it is not a statistic that we would rely on in terms of solving crime. It is not one that is measured by the Bureau of Crime Statistics and Research. If you like, it is a stretch target that we set our officers and it is one that we measure regularly through the Compass process. We certainly look at times when they do blow out. As I have indicated, there are many areas, particularly in metropolitan areas, where we are under that target time, but in country areas it is a touch harder.

**The Hon. ROBERT BORSAK:** Is it a fact that since 2005 the State Government has closed 65 police stations across the State and, if so, what percentage of those was in rural and regional areas? Has the Government sold more than \$74 million worth of police stations and residences since 1999 and, again, what proportion of them was in rural and regional New South Wales?

**Mr SCIPIONE:** I am happy to take that on notice in terms of the percentages you are after.

**The Hon. ROBERT BORSAK:** In relation to the Glock pistol—this is an old favourite of ours—how many accidental discharges were reported in police stations across the State in the last 12 months?

**Mr SCIPIONE:** I will take that on notice and make sure you get the accurate information you are after.

**CHAIR:** Mr Shoebridge, you have the last 10 minutes.

**Mr DAVID SHOEBRIDGE:** Commissioner, have you received any additional funding from the Government to deal with the 205 properties that were identified as substantial risks due to asbestos and lead contamination?

**Mr SCIPIONE:** We are currently in discussions and have sought some funding. At this stage that is a decision that we have not yet been advised of.

**Mr DAVID SHOEBRIDGE:** So you have not received any additional funding?

**Mr SCIPIONE:** No, in terms of the budget this year we certainly have money allocated to deal with not just asbestos or lead paint but hazardous situations. It is not just a matter of dealing with those areas you have identified. We have a budget that is allocated specifically for maintenance and that is quite significant. In the last year alone I think there was—

**Mr DAVID SHOEBRIDGE:** Was it \$13 million?

**Mr SCIPIONE:** That was last year's spend. Certainly we will continue to spend a lot of money to ensure that we do all we can with what we have got. At this stage we are still awaiting some final advice as to some bids we have before the Government for some specific moneys to remedy some of these issues.

**The Hon. MICHAEL GALLACHER:** Following on from that. There is an assertion in that very question that the Government has not supplied money—

**Mr DAVID SHOEBRIDGE:** My questions are to the commissioner.

**The Hon. STEVE WHAN:** I do not think he said that at all.

**The Hon. MICHAEL GALLACHER:** He did. He said the Government has not supplied any money.

**The Hon. AMANDA FAZIO:** You are verballing him.

**The Hon. MICHAEL GALLACHER:** I again make the point that I became aware of this in mid August. The budget for the estimates we are now debating and discussing came down on 6 September—about two weeks later. If the member is happy to ask me a question about the Government's approach to it then I am more than happy to answer him.

**Mr DAVID SHOEBRIDGE:** Commissioner, having been in receipt of this report that showed 63 high-risk properties and 205 hazardous properties, and having been in receipt of this report since 2010, when did the police first ask for a funding allocation to remedy that substantial problem?

**Mr SCIPIONE:** Can I take a bit of time just to talk through that. Of the 63 properties that you talk about—

**Mr DAVID SHOEBRIDGE:** Not that I talk about; that the property portfolio strategic assessment talks about.

**Mr SCIPIONE:** —that you have mentioned here today. It is important to note that none of them, not one of those 63 properties, relates to asbestos or lead paint.

**Mr DAVID SHOEBRIDGE:** When did you make the request for funding to deal with either the 205 or the 63?

**Mr SCIPIONE:** As I say, we have for many years, and we continue to, made bids and get funded for our property maintenance. This falls within the area of property maintenance. Certainly we have over a number of years sought and obtained money. But the issue surrounding this particular report: the Coffey report, which is what I think you are alluding to on top of the property portfolio—

**Mr DAVID SHOEBRIDGE:** The UnitedGroup Services.

**Mr SCIPIONE:** —the UnitedGroup document. Certainly from my perspective the Coffey report, which you have alluded to, I was first made aware of that by my Deputy Commissioner in August of this year.

**Mr DAVID SHOEBRIDGE:** How do you explain that? How do you explain that this crucial report, identifying your officers at risk, was not made available to you or you were not notified of it for more than 12 months after police had it?

**Mr SCIPIONE:** Let me say that this is a full portfolio document. We have well over 500 delivery output stations. This is not just dealing with hazardous material. It deals with—

**Mr DAVID SHOEBRIDGE:** This is a substantial issue about the health and welfare of 16,000 police officers.

**CHAIR:** Order!

**Mr SCIPIONE:** I will answer the question, if you let me. This is a significant body of work. It is not one single report. Numerous reports came together to make the Coffey report. The decision you are talking about, and seeking me to comment on, is something that we are both asking the same questions about. That is why the Minister has referred the matter to the Ombudsman. We are now in the process of providing significant amounts of documentation to the Ombudsman, and we will be looking for his determination as to how that happened.

Can I say, in terms of my being advised, was I happy? No. Have we since moved? I took this immediately to the Government, to the Minister and said, "This is an issue. This is not good enough." Have I indicated, if you like, that I am to the point where I actually apologised? Yes, I have. What happened here was that a report was brought together and a decision was made within the department to hold this centrally and to not comply with what is what is required of us—that is, to disseminate locally to those officers and to those stations in order for them to be fully informed.

**Mr DAVID SHOEBRIDGE:** In order for them to protect themselves.

**Mr SCIPIONE:** One of the issues you talk about is police properties. I am assuming you are talking about some of the houses that our police officers live in?

**Mr DAVID SHOEBRIDGE:** Including that.

**The Hon. TREVOR KHAN:** Point of order: We are going through this exercise where we have the cocky on the tin who constantly interjects to make commentary—

**Mr DAVID SHOEBRIDGE:** You are illustrating the point as the Government's galah.

**The Hon. TREVOR KHAN:** Mr David Shoebridge should be brought to order. He should stop his harping interjections, which he is making a habit of.

**CHAIR:** Order! Mr David Shoebridge will allow the commissioner to finish his answers.

**Mr SCIPIONE:** The requirements of legislation in New South Wales make it very clear. We should have been advising police officers who are working in stations of the status of those particular stations when it came to asbestos. We did not. The register was held centrally; it should have been released and made available locally. The legislation at this stage does not require us to do the same in terms of police housing, but I made a decision the minute I was advised in August of this. I made a decision that we would advise every person in every property in this State of exactly what was happening, and we have since done that.

The requirement at law is not until 1 January next year; we have made that decision and done it now. And, we have said not only will we advise the individuals but we will publish this within the police database so that any officer at any time can access our intranet service and determine what the holding is, what the problem may well be, what any hazards that are contained within any station and/or residence are.

**Mr DAVID SHOEBRIDGE:** What explanation did Deputy Commissioner Catherine Burn, Corporate Services, give you for the failure of her and her department to relay that critical information to police for 15 months after her department first dealt with it?

**Mr SCIPIONE:** Deputy Commissioner Burn, based on her advice to me, similarly was not made aware of this until July of this year. She made me aware of it whilst I was on annual leave. She took the time to ensure that I was made aware of it whilst on leave, and she fully briefed me on the day I returned from leave.

**Mr DAVID SHOEBRIDGE:** How can it be that your Deputy Commissioner, tasked with having oversight of this, was unaware of this for 15 months?

**Mr SCIPIONE:** That is why the Ombudsman has been given the responsibility of getting to the bottom of it.

**Mr DAVID SHOEBRIDGE:** What explanation did Deputy Commissioner give you about that failure?

**Mr SCIPIONE:** I would like to find out exactly what has happened. That is why I will wait for Mr Barbour's report. He has every document that has ever been generated around this.

**Mr DAVID SHOEBRIDGE:** But surely you have asked the Deputy Commissioner?

**Mr SCIPIONE:** I have.

**Mr DAVID SHOEBRIDGE:** What did she tell you?

**Mr SCIPIONE:** Certainly at this stage she has indicated to me that she was not made aware. At this stage it would be appropriate for us to get somebody with some independence to have a look at this and to come up with the answers that both you and I are seeking.

**Mr DAVID SHOEBRIDGE:** Have you made any inquiries as to the sudden departure of the police director of corporate services a matter of weeks ago? Have you made any inquiries as to whether or not that is related to this concern about contaminated police properties?

**Mr SCIPIONE:** My advice is that the officer you are talking about chose to resign. When afforded the opportunity, in all of the discussions I have ever had with that officer, this has never been raised as an issue. Unless you have got some other information that you would like to pass on to me; that is my determination. I believe that this is not related. Certainly I have spoken to the officer and it has never been raised.

**Mr DAVID SHOEBRIDGE:** What steps have you now taken to ensure that this kind of complete failure in the NSW Police Force does not happen again and that your 16,000 officers are protected?

**Mr SCIPIONE:** This will never happen again because, as I have indicated, first and foremost what I have said is that every property that we have is now subject to and will be reported against online. So that every single officer, not just one officer who may have worked in a police station 20 or 30 years ago not knowing what may have happened in that station previously because there was no documentation held at the station, now has access to and can draw on the organisation's entire holdings when it comes to hazardous material. That is online now. I gave an undertaking to the association first and foremost to determine and get to the bottom of this. More importantly, I apologised that we did not hand the document out and that those details were not made available. Equally as important, I said that this will never happen again because we will over respond and tell every officer exactly what it is that we have by way of holdings in this area, and we will make it available on line.

**Mr DAVID SHOEBRIDGE:** Given that the manufacturer of tasers gives a specific warning to those whom it sells them to not to direct the charge from a taser towards someone's chest because it can result in the death of the person who is struck, why is it that the standard operating procedures for police do not prohibit police officers from targeting the chest?

**Mr SCIPIONE:** That is not the area that they primarily target.

**Mr DAVID SHOEBRIDGE:** Why is it that the standard operating procedures do not prohibit the targeting of the chest? You are not concerned about this, Trevor?

**CHAIR:** Order!

**The Hon. TREVOR KHAN:** That is not the issue. That is offensive.

**CHAIR:** I will allow the commissioner to respond.

**Mr SCIPIONE:** The use of a taser—I know you have a very firm position on this and we have talked around this in the past.

**Mr DAVID SHOEBRIDGE:** Of not firing tasers at people's chest because the manufacturer warns against it—

**Mr SCIPIONE:** So, you would see tasers removed from service and then you would see officers significantly injured. The number of injuries in the organisation has dropped significantly because we have given our people access to tasers, and trained them well, with an oversight that is better than in any other State in this nation—probably as good, if not better, than anywhere else in the world—where we video every single incident.

**Mr DAVID SHOEBRIDGE:** The recent coronial investigation puts it otherwise, Commissioner.

**CHAIR:** Thank you Commissioner.

**Mr DAVID SHOEBRIDGE:** The Commissioner has not answered the question.

**The Hon. MICHAEL GALLACHER:** Before we break, I draw something to the attention of the Committee. The Opposition has requested that the three deputies be here today. We have with us the four most senior people in the NSW Police Force; the Executive of the police force is here. The Opposition requested their attendance but has not asked any of them one question. The Opposition should think carefully next year before they pull these three important officers away from their important duties. It is a disgraceful situation because

these officers have put in a lot of time preparing for this estimates hearing and preparing to give evidence in their portfolios, and these lazy people have not asked them one question.

**Mr DAVID SHOEBRIDGE:** I move that we have an additional 10 minutes of hearing because there are a number of questions I would like to direct to the Deputy Commissioner, Catherine Burn, particularly given the grandstanding of the Minister..

**The Hon. STEVE WHAN:** I second the motion.

**CHAIR:** Order! The time allotted for the hearing was decided in a deliberative meeting of the Committee.

**The Hon. STEVE WHAN:** Point of order: The comment from the Minister was deliberately provocative and deliberately defensive. We have seen the Minister during this entire session think it is some sort of game to avoid answering questions. For him to finish off with such a deliberately provocative statement demonstrates his lack of respect for the parliamentary process and accountability. And while the motion of Mr David Shoebridge might also be something outside the consideration of the committee, the Minister invited that motion.

**CHAIR:** Thank you for your observation, we will leave it there.

**(The witnesses withdrew)**

*[Short adjournment]*

**GREGORY PHILLIP MULLINS**, Commissioner, Fire and Rescue NSW,

**MURRAY ALEXANDER KEAR**, Commissioner, NSW State Emergency Service,

**SHANE OWEN FITZSIMMONS**, Commissioner, NSW Rural Fire Service, sworn and examined:

**The Hon. STEVE WHAN:** My questions are addressed to the Commissioner of the Rural Fire Service. How many new or refurbished tankers will the Rural Fire Service be rolling out this financial year? The Minister knew this question was coming.

**The Hon. MICHAEL GALLACHER:** I thought you would have been a bit more subtle.

**Mr FITZSIMMONS:** Those figures are just about to be ratified and they will be the subject of the Minister's endorsement in the next week or so.

**The Hon. STEVE WHAN:** Are you able to tell me how much has been allocated this year for the tanker program?

**Mr FITZSIMMONS:** I do have that figure but again that is subject to some approvals over the next week or so. Some \$25.7 million for tankers has been allocated.

**The Hon. STEVE WHAN:** As I understand it, last year \$37 million was allocated for tankers, according to the budget papers, so it would be a fairly substantial drop on last year's allocation.

**Mr FITZSIMMONS:** I am not sure it was quite that high but it was just over \$30 million.

**The Hon. STEVE WHAN:** Similarly, last year the Rural Fire Service built 49 new stations and upgraded another 46, according to the budget papers, plus five fire control centres. How many new stations, upgraded stations and new fire control centres will be funded in 2011-12?

**Mr FITZSIMMONS:** Again that is the subject of determination in the next week or so. That program is a rolling program subject to planning approvals and preparation works at the local district level.

**The Hon. STEVE WHAN:** Would you expect the numbers to be as high as last year or less?

**Mr FITZSIMMONS:** At this stage there is still some uncommitted money kept in reserve of district allocations. The total allocation in the forthcoming budget will probably be less than what we saw last year.

**The Hon. STEVE WHAN:** The budget papers show the actual expenditure on the Rural Fire Service for 2010-11 was nearly \$291 million. This year the projected expenditure is \$285 million. When was the last time the Rural Fire Service budget dropped?

**Mr FITZSIMMONS:** It has not dropped this year.

**The Hon. STEVE WHAN:** So what is the actual figure for this year?

**Mr FITZSIMMONS:** The budget papers have been tabled, but for the rural firefighting fund the total expenses are \$285 million and the rural firefighting fund will be in the order of \$271million, which is indicative of about a 5 per cent increase on last year.

**The Hon. STEVE WHAN:** The budget papers from last year show the actual expenditure at \$291 million. What is the reason for the difference in that?

**Mr FITZSIMMONS:** I will take that on notice but fundamentally there are variations between money that is spent that is ultimately claimed back through emergency funding as well. Also, we saw the enhancement in the original allocations from last year to incorporate the royal commission that came in later in the year.

**The Hon. STEVE WHAN:** I intend to ask you about that in a minute. Given that you have not published the program tankers, can you tell us what impact this year's reduced allocation for tankers will have on the average age of the Rural Fire Service fleet?

**Mr FITZSIMMONS:** The average age of the fleet is in the order of 11 years and there are more than 4,000 firefighting tankers across New South Wales.

**The Hon. STEVE WHAN:** Do you expect it to increase or continue to decrease as a result of less funding?

**Mr FITZSIMMONS:** I think it will stay round about that 11 years.

**The Hon. STEVE WHAN:** I am sure you would remember, as you just mentioned, announcing with me and the former Premier last year a \$106 million package of measures to improve bushfire responsiveness in response to the Victorian bushfires royal commission. Can you tell me whether you are satisfied that the land management agencies will be meeting the commitments they made in that policy? In particular, have the funds been allocated, to your knowledge, to meet the National Parks and Wildlife Service's commitment to increase hazard reduction? My memory is that they were meant to allocate an additional \$11.7 million for this financial year and \$62.5 million over the next five years.

**Mr FITZSIMMONS:** I cannot speak specifically on the dollar figures for the National Parks and Wildlife Service but I know that it is setting some very strong targets over the coming years. As a matter of fact, it confirmed in this morning's coordinating committee that it would be recruiting in the order of 80 or 90 additional field staff to assist with the delivery of that hazard reduction program, which will see a doubling of efforts fundamentally over the coming years.

**The Hon. STEVE WHAN:** This year's Rural Fire Service budget included \$14.7 million for mitigation crews. An additional \$9.96 million was announced last November. How much of the total \$14.7 million is new money allocated by the current Government in the last budget?

**Mr FITZSIMMONS:** Can you repeat that?

**The Hon. STEVE WHAN:** How much of the \$14.7 million announced in this year's budget is new money over and above the amounts that were announced last year?

**Mr FITZSIMMONS:** It is largely a continuance of the hazard reduction money and the investment in mitigation crews to assist in the delivery of those hazard reduction works across the State.

**The Hon. STEVE WHAN:** Similarly, in the \$16.6 million allocated for the upgrade of communications, some increase of \$11.2 million was announced last November. How much of the \$16.6 million was new money in this year's budget?

**Mr FITZSIMMONS:** Part of that Victorian royal commission response incorporated in the order of \$40 million over a four-year period. It was not averaged out as an even amount per annum over the next four years. There was a lesser amount allocated last year, particularly given the lateness of the allocation. There has been a boost in that radio communications infrastructure money this year to see that program delivered but it is part of that.

**The Hon. STEVE WHAN:** Consistent with that announcement.

**Mr FITZSIMMONS:** Correct.

**The Hon. STEVE WHAN:** What is the difference between the current structure of Police and Emergency Services and the structure that was the subject of so much protest in 2009?

**Mr FITZSIMMONS:** Can you repeat the question?

**The Hon. STEVE WHAN:** What is the difference between the current structure of the super department, Police and Emergency Services, and the structure which caused so much protest back in 2009?

**Mr FITZSIMMONS:** I think the principle thing is there is no super department as such. I continue to report directly to the Minister for the business of the Rural Fire Service and the Ministry for Police and Emergency Services continues as a policy coordination unit between emergency services in advising the Minister where appropriate.

**The Hon. STEVE WHAN:** Do you consider that in all budget matters you have the same independence as you had in previous arrangements? Were you present in all meetings involving senior officers with Treasury, the Department of Attorney General and Justice and/or the Cabinet budget committee as the Rural Fire Service budget was considered?

**Mr FITZSIMMONS:** I cannot be aware of meetings I have not attended.

**The Hon. STEVE WHAN:** Are you aware of any that occurred that you were not at?

**Mr FITZSIMMONS:** No, I am not. As a matter of fact the budget negotiation meetings that I have had are between me and my staff, and the Treasury liaison officer in determining our budget requirements and what our allocation is.

**The Hon. STEVE WHAN:** Does the Department of Attorney General and Justice or the director general of that department have any role in consideration of your budget submission?

**Mr FITZSIMMONS:** None that I am aware of.

**The Hon. STEVE WHAN:** Minister, over to you—I know you have been feeling lonely.

**The Hon. MICHAEL GALLACHER:** No, I have just been watching you fishing with a new bait.

**The Hon. STEVE WHAN:** Minister, what is your view on the Victorian Royal commission's recommendations that there should be percentage targets for hazard reduction?

**The Hon. MICHAEL GALLACHER:** There are a number of issues that are of interest in the context of this debate today in relation to emergency services and I have been particularly interested in this suggestion that somehow, under this new structure, emergency services—whether they be Rural Fire Service, or State Emergency Service or, indeed, Fire and Rescue—would somehow become worse off. I think one of the things you do have to be honest with—

**Mr DAVID SHOEBRIDGE:** This is about the percentages.

**The Hon. MICHAEL GALLACHER:** Yes, I am working my way through.

**The Hon. STEVE WHAN:** Minister, I got my answers on that question, so I am happy now.

**The Hon. MICHAEL GALLACHER:** That is fine, because what you did forget to point out, is that under your Government, the New South Wales Government radio service trunk network that covers approximately one-third of the land mass of New South Wales and enables multiple users from different agencies to make and receive calls—and as a former Minister you would recall—is now costing, by way of an annual flat fee, \$7.66 million from each of our four emergency service organisations. So whilst I can understand where you are trying to go—

**The Hon. STEVE WHAN:** Which Treasury is supposed to supplement, Minister.

**The Hon. MICHAEL GALLACHER:** I can understand what you say.

**The Hon. STEVE WHAN:** Which you are doing under your Government.

**The Hon. MICHAEL GALLACHER:** You are trying to suggest that somehow things are worse off when in fact you did leave a few unhappy campers by instigating these changes, but be that as it may.

**The Hon. STEVE WHAN:** A bit of rewriting of history going on there, Minister.



**The Hon. MICHAEL GALLACHER:** But I think it is important to put that on to the record.

**The Hon. STEVE WHAN:** Perhaps I can help you with this question by directing you to hazard reduction?

**The Hon. MICHAEL GALLACHER:** I am trying to answer your question. The previous Government had a track record of fobbing off inquiries about hazard reduction targets, and time and time again the former Minister, whose name escapes me, spun the same old lines and at last year's budget estimates he said "New South Wales does not believe that setting percentage targets is the right way to go about hazard reduction".

**The Hon. STEVE WHAN:** That is correct, Minister. I am asking you for your view.

**The Hon. MICHAEL GALLACHER:** I think what they call that is a cop-out and I think you have been caught out.

**The Hon. STEVE WHAN:** Minister, do you or do you not believe in the hazard reduction targets your shadow set?

**The Hon. MICHAEL GALLACHER:** You have asked me a question—it is your shadow reporter question based on the Royal commission, and I think it is worthy of quite a detailed answer so you get a full understanding.

**Mr DAVID SHOEBRIDGE:** At least an answer at some point.

**The Hon. MICHAEL GALLACHER:** While it is true that hazard reduction is not the only strategy that should be used to reduce bushfire risk, it is a vitally important part of any responsible mitigation program. This was, as you pointed out, rightfully recognised by the Victorian Bushfires Royal Commission and I am pleased to say that this Government, a Liberal-Nationals Government, has listened to the commission and to the community, which is why we have put in place a new strategy to attack bushfire risk. As I have announced elsewhere the strategy embraces an approach that includes setting ambitious but realistic goals for hazard reduction and we are not shy of setting ourselves—

**The Hon. STEVE WHAN:** Thanks, Minister.

**The Hon. MICHAEL GALLACHER:** No, it is an important question.

**The Hon. STEVE WHAN:** Minister, I have actually read your press releases on this.

**The Hon. MICHAEL GALLACHER:** But the other members may not have, so it is important that they get a full picture.

**The Hon. STEVE WHAN:** Minister I am running out of time, so if I could interrupt?

**The Hon. MICHAEL GALLACHER:** We are not shy of setting ourselves a high bar for achievement.

**The Hon. STEVE WHAN:** No——

**The Hon. MICHAEL GALLACHER:** You did ask me a very important question.

**CHAIR:** The Minister is responding and I am sure he will be timely in his response.

**The Hon. MICHAEL GALLACHER:** Mr Chairman, the annual average area treated by hazard reduction activities is to increase by 45 percent—

**Mr DAVID SHOEBRIDGE:** It is not part of his experience. We cannot be sure of that.

**The Hon. MICHAEL GALLACHER:** I think it is a significant part of the answer that would have been denied, had I pulled up short. I think it is important to put that on the record and that is a clear target. It is

vitality important that we ramp up our efforts to protect bushfire-prone communities, particularly as we enter the high level of fire activity in New South Wales.

**The Hon. STEVE WHAN:** Thank you, Minister.

**The Hon. MICHAEL GALLACHER:** I pulled up short to give you more time.

**The Hon. STEVE WHAN:** Minister, in many pre-election comments the then Coalition spokesman frequently pointed to wanting benchmarks in terms of percentages of bushfire hazard reduction. In what you have just said, and in previous announcements, you have actually gone with the same sort of measurement systems as the previous Government had in place, so has the Liberal-Nationals now rejected the idea of percentage figures as targets for hazard reduction burning?

**The Hon. MICHAEL GALLACHER:** As I have indicated—

**The Hon. STEVE WHAN:** A yes would be very reassuring for most volunteers.

**CHAIR:** Order!

**The Hon. MICHAEL GALLACHER:** It is not about yes or no answers in estimates, it is about sending you further information, and we are about giving further information. It is about achieving realistic targets.

**The Hon. STEVE WHAN:** But it is very disappointing I think that you cannot actually answer that question with a yes or a no.

**CHAIR:** Order!

**The Hon. MICHAEL GALLACHER:** The disappointing thing is that the member does not get the answer that he can manipulate, the one that he wants. What he gets is an honest answer and one that has a degree of information that quite simply spoils his press release.

**The Hon. STEVE WHAN:** Thanks, Minister.

**The Hon. MICHAEL GALLACHER:** I apologise for that.

**The Hon. STEVE WHAN:** Minister, the yes or no answer would have actually helped you. Can I go on to the funding system?

**The Hon. MICHAEL GALLACHER:** I do not think you are here to help.

**The Hon. STEVE WHAN:** Minister, have you or anyone in the Government initiated a review of the funding system for the emergency services and can you tell us what your personal view as Minister is on the funding model that the emergency services currently has?

**The Hon. MICHAEL GALLACHER:** Of course the member would be well aware that asking for a personal view, seeking opinions, is not provided for in our Standing Orders so I will not be giving personal reflections or personal views in regard to it. But let me tell the honourable member that the Liberal-Nationals Government has committed to a review of the funding arrangements for emergency services. As part of this review we have committed to consulting all stakeholders, whilst also indicating that existing levels of funding would be maintained. Mr Chair, I am advised that a steering committee for the review has recently been formed comprising New South Wales Treasury, the Ministry for Police and Emergency Services as well as representatives from Fire and Rescue NSW, the NSW Rural Fire Service, NSW State Emergency Service and the Division of Local Government. This Government's commitment to stakeholder consultation remains unchanged and no changes to the current funding arrangements will take place without appropriate consultation with stakeholders occurring first.

**The Hon. STEVE WHAN:** Do you have a time frame for that review?

**The Hon. MICHAEL GALLACHER:** It has started, and it is underway, and if I can get some time frames for you I will report to you on that.

**The Hon. STEVE WHAN:** Could you take that on notice and let us know?

**The Hon. MICHAEL GALLACHER:** Yes, if there are time frames available I will most certainly get them back to you.

**The Hon. STEVE WHAN:** I go on to the State Emergency Service. Commissioner Kear, with the Government proposing increased urban development in western Sydney, particularly around the Hawkesbury River area, are you seeing increased demand on the State Emergency Service to provide advice on flood planning for new and existing communities and do you believe you are adequately resourced to provide the input which you are often asked for on flood modelling and planning for new communities?

**Mr KEAR:** Thank you for the question. The NSW State Emergency Service is quite often called on to make comment on developments in various areas. A number of years ago the Hawkesbury-Nepean program was instigated, and we are a very active member of that program. In regard specifically to that area we have already been asked for comment on a number of developments in that area. As Sydney is growing, the number of requests in regard to development increases as well. As a result of the Queensland inquiry and that subcommittee, the State Emergency Management Committee, the NSW State Emergency Service is deliberating on those issues and it is a part of a Cabinet minute currently going before the Minister.

**The Hon. STEVE WHAN:** Thanks Commissioner, you have answered my next question as well on the Queensland flood report. Minister, given that we have just heard there is some input going into a response to the Queensland floods interim recommendations, do you have a timetable as to when that might be released?

**The Hon. MICHAEL GALLACHER:** I thank the honourable member for his question. The floods of December 2010 and January 2011 sadly resulted in the deaths of 35 people and three remain missing. More than 78 per cent of Queensland, an area bigger than France and Germany combined, was declared a disaster zone with 2.5 million people affected. The scale of the disaster led the Queensland Government to establish a committee of inquiry into the floods. On 1 August 2011 an interim commission report and 175 associated recommendations were handed down. The recommendations broadly relate to matters relating to flood preparedness. In response to the release of the interim report a high level analysis has been undertaken by the State Emergency Management Committee [SMEC].

The committee found that approximately a quarter of the interim report's recommendations were specific to the Queensland context and were not applicable to New South Wales, while the balance of the recommendations were required to be considered against current New South Wales arrangements to ensure adequate provisions were in place. To progress consideration of these recommendations, the committee established a high-level working group to examine the recommendations. The working group comprises members from nominated emergency management agencies and special invitees representing other key stakeholders, including the New South Wales Dams Safety Committee. I am advised that the committee currently is considering the recommendations of the working group before providing advice to the Government in relation to the recommendations. This Government is committed to ensuring that the New South Wales response to the recommendations is both well informed and commensurate with the needs of the New South Wales community, and will announce its response shortly.

**The Hon. STEVE WHAN:** Is there any approximate time frame for when the public might expect that?

**The Hon. MICHAEL GALLACHER:** Unfortunately, I do not have those with me.

**The Hon. STEVE WHAN:** Would you be able to take that on notice?

**The Hon. MICHAEL GALLACHER:** I will take on notice, if we have some time frames.

**The Hon. STEVE WHAN:** Thank you. Commissioner Mullins, did Fire and Rescue NSW meet its budget targets this year, or has Fire and Rescue NSW required supplementation at all for 2010-11 budget?

**Mr MULLINS:** Thank you very much for the question. The answer to that is, yes, we did meet our targets. We actually turned in a very small surplus—

**The Hon. STEVE WHAN:** Congratulations.

**Mr MULLINS:** —against predictions sometime ago that we would not, so we are quite proud of that. There had been supplementation during the year. That was a result of recommendations from a steering committee that Brendan O'Reilly, a former Director General of Premier and Cabinet, and I established to look at our budgetary position. We established a new workplace standards unit. We recruited a number of people to human resources, particularly in the workers compensation area and return to work. We received a supplementation for additional firefighter positions. Front-line business manager and business officer positions have enabled us to devolve budgets. They were fully covered by supplementation from Treasury and additional income.

**The Hon. STEVE WHAN:** Commissioner, within that process, how is Fire and Rescue NSW going in meeting projections for bringing down costs relating to workplace injuries and so on?

**Mr MULLINS:** I am very pleased to report that all of the indicators are heading in the direction that I like, and that is south. As you would be aware, we had some concerns some years ago about our workers compensation performance. We had hindsight premium adjustments when we have had to pay some millions of dollars for poor performance three and five years ago. We have actually calculated that the year after next we should start receiving refunds because of the excellent performance we have had in recent years.

Just this year PricewaterhouseCoopers, on behalf of New South Wales Treasury, reported that we are currently 26 per cent under budget for injuries occurring in the 2010-11 financial year and 40 per cent under budget in the 2009-10 year, which has led us to the predictions that the year after next we will turn around. That is because we have increased resources in the areas of injury management, workers compensation, and devolved financial accountability for workers compensation to individual area commands. There was not a lot of transparency in the commands before, as again you would be aware, and we are providing support and training for local managers when dealing with workers compensation.

**CHAIR:** It is now time for questions from the Hon. Robert Borsak.

**The Hon. ROBERT BORSAK:** Minister, firstly, let me commend all volunteers for the hard work and dedication they show. I direct my question to the State Emergency Service volunteers and the service they provide for the State of New South Wales and congratulate them for more than 30,000 volunteer hours they provided during Cyclone Yasi in Queensland and the Victorian floods last year. The budget papers show a key initiative will be to provide \$17.4 million to provide flood and storm rescue capability. Will all that money be spent in this financial year? What will it involve?

**The Hon. MICHAEL GALLACHER:** The NSW State Emergency Service's 2011-12 budget and total expenses will be \$76.6 million. I understand this is the highest budgeted total expenses in the 56-year history of the NSW State Emergency Service. As members would be aware, the NSW State Emergency Service is funded from a three-way funding model with contributions from insurance companies, local councils and the State Government. In the 2011-12 NSW State Emergency Service budget, the highlights include: \$17.4 million to provide flood and storm rescue capability for 12 months; \$4.2 million for professional development and training of NSW State Emergency Service volunteers and staff; and \$8.9 million for technology applications and equipment to enhance volunteer support, storm operations response, and community information.

I also advised—and of course members would not be surprised to hear—that we are committed to ensuring that the NSW State Emergency Service has the funding it needs to work towards educating communities to be prepared to deal with emergencies and ensure that the 10,000 NSW State Emergency Service volunteers are trained and equipped to the highest standards to provide timely response to requests for assistance from our communities. Last year the NSW State Emergency Service received almost 80,000 requests for assistance from the community. Over the same period, more than 600 people were rescued from road accidents and almost the same number from floods. We are committed to maintaining ongoing support to the 10,000 volunteers of the State Emergency Service. I am sure you would agree with me that they deserve the community's thanks, and all of our thanks.

**The Hon. ROBERT BORSAK:** I direct you specifically to the part of the question I was talking about, which is the \$17.4 million. You might not have it to hand, but what specifically was that going to be spent on, since it involves new capability from my reading of it?

**Mr KEAR:** Thank you very much. I would just clarify that question. Those budget amounts that the Minister announced are part of the recurrent budget for the NSW State Emergency Service, so that amount will be expended in the course of this financial year. Specifically, as it says, \$17.4 million provides both flood and storm rescue capabilities. As the Minister indicated, there were 600 rescues last year in a year that was probably the second-highest rainfall year on record. That will go towards providing capability in regards to training of volunteers.

**The Hon. ROBERT BORSAK:** Is that training more volunteers or boats, trucks and helicopters?

**Mr KEAR:** Not helicopters, but all of the others—flood rescue training at different levels for volunteers, maintenance of flood boats and it will provide our personal protective equipment [PPE] for volunteers in the area of both flood and storms response.

**The Hon. ROBERT BORSAK:** Thank you, commissioner. The Minister mentioned the strength of the volunteer force, which I think is 10,000. That was going to be one of my questions. How is the State Emergency Service addressing the need to build sustainable volunteer support through recruitment and retention strategies? As you know, volunteers are notoriously difficult to get and then they are also a bit difficult to keep.

**Mr KEAR:** I will just ensure that I have got your question correctly. That is how are we building capability in recruiting volunteers?

**Mr DAVID SHOEBRIDGE:** And keeping them.

**The Hon. ROBERT BORSAK:** And keeping them.

**Mr KEAR:** As you said, NSW State Emergency Service has more than 10,000 volunteers. I am pleased to say that that number has continually increased every year—certainly in the last three years that I have been commissioner of the organisation. What we have done is address some of the targets in the current 2021 plan that the current Government has put forward. In regards to a number of categories of our volunteers, in the last three years we have had a 400 per cent increase in the number of volunteers aged between 16 and 25 that have joined the organisation as a result of a number of strategies, including the cadet program that was implemented that now operates in 19 schools across the State. To date well over 800 students have participated in the program.

The recruitment for the NSW State Emergency Service is as follows. There are 228 units across the State divided into 17 regions. Because of different demographics of those regions, there are different recruiting campaigns going on in different areas. I suppose one of the benefits of having one of the busiest operational periods in the organisation's history is a spike in the number of people being recruited to the organisation. The statistics answer the question that we continually have an increase in the number of volunteers and in specific areas those numbers in young people are quite pleasing.

**The Hon. ROBERT BORSAK:** You talk a lot about your success with recruitment in the cadet level but in relation to retention do you use any specific strategies?

**Mr KEAR:** Again those strategies are at a local level, so it varies across the State.

**The Hon. ROBERT BORSAK:** Will you take that question on notice and provide answers in relation to some of the key areas?

**Mr KEAR:** Certainly.

**The Hon. MICHAEL GALLACHER:** I want to add to that. I am sure the Hon. Steve Whan, the former Minister, is aware that the State Emergency Service Amendment (Volunteer Consultative Council) Act 2010 established a Joint Volunteer Consultative Council with the function to advise and report to the State Emergency Service Commissioner on any matter relevant to volunteers in the service. It was about giving them a voice and recognising there was a disparate group spread across the State. It was about giving them an

opportunity to have a voice right up to the commissioner by bringing this council together and by making sure that Charlie Moore, the President of NSW State Emergency Service Volunteers Association Incorporate is a member of the council was well as other volunteer representatives. That is another thing that we are continuing to support and encourage.

**The Hon. ROBERT BORSAK:** You mentioned earlier in relation to the funding model for the State Emergency Service as 73.7 per cent coming from insurance companies, 11.6 per cent from State Government and 14.6 per cent from local government. That strangely adds up to 99.9 per cent. Is the Minister happy with model or does he think the State Government should contribute more and perhaps take some of the costs off the hard pressed local councils and shires of this State?

**The Hon. MICHAEL GALLACHER:** The Hon. Robert Borsak well understands that that is the exact reason why we are conducting the review. There are councils, particularly smaller regional councils, which are struggling to make contributions to emergency services. That is why within government we have embarked upon this review to look at the funding model to see if there are better ways.

**The Hon. ROBERT BORSAK:** You say you have embarked upon a study?

**The Hon. MICHAEL GALLACHER:** The review is underway. It has commenced. It involves each of the agencies in the process and it is one that will look at the strengths and weaknesses of the current funding model as well as at alternatives. It is not until one starts to travel into some regional areas of New South Wales where the voluntary contributions that have previously become the normal stipend, if you like, the assistance that goes to our emergency service people, whether they be State Emergency Service or Rural Fire Service, that we see that some of those councils are really struggling to make that contribution and that is why it falls to government. This problem has occurred for some time.

**The Hon. ROBERT BORSAK:** Maybe the Minister will consider taking out some money from the budgets of the National Parks since the local councils are not getting those rates any more.

**The Hon. MICHAEL GALLACHER:** Did you attend the Environment estimates earlier?

**The Hon. ROBERT BORSAK:** No, unfortunately not.

**The Hon. MICHAEL GALLACHER:** I thank you for your suggestion. I can assure the Hon. Robert Borsak we are serious about making sure that the funding model is one that is built for the future.

**Mr DAVID SHOEBRIDGE:** Minister, is one of the funding options for Emergency Services a broad-based property levy, as has been repeatedly put on the table by the local government sector?

**The Hon. MICHAEL GALLACHER:** I am not going to speculate on one, two or three models. I think the committee will look at every option that is available to it. This will take time within government to deal with outside agencies as well as other levels of government, including local government right around the State and drawing a distinction between the demands and pressures of, say, the metropolitan local government areas as opposed to regional areas.

**Mr DAVID SHOEBRIDGE:** Will you seek public submissions for the purpose of the review?

**The Hon. MICHAEL GALLACHER:** Yes.

**Mr DAVID SHOEBRIDGE:** When will they be sought?

**The Hon. MICHAEL GALLACHER:** I understand March next year.

**Mr DAVID SHOEBRIDGE:** Mr Tree, has there been any investigation of allegations of substantial lost revenue in relation to insurance policies that are entered into by corporate entities principally in Sydney with overseas insurers so as to avoid the levy?

**Mr TREE:** That is something that will be covered in the review. I think it is probably fair to say that the review will be fairly broad ranging. Obviously, in the call for public submissions if people want to take that up we would look at it.

**Mr DAVID SHOEBRIDGE:** Has your department or its officers undertaken any investigation about that potentially substantial bleeding of revenue away from our emergency services?

**Mr TREE:** That has not been brought to my attention, but obviously if it were I would look at it.

**Mr DAVID SHOEBRIDGE:** Are there any current plans to close 000 communication centres?

**Mr TREE:** That is not in my area of expertise.

**The Hon. MICHAEL GALLACHER:** But it is in mine. I am more than happy to answer this question. I will not beat around the bush. Mr David Shoebridge is alluding to the major upgrade that Fire and Rescue NSW is currently undertaking of its emergency call taking dispatch and fire communication systems. This project includes a significant technological upgrade of the computer-aided dispatch system, audio recording and telephony systems, and the expansion of the Newcastle Communications Centre. This upgrade means that Fire and Rescue NSW will be using the same information technology platform as the one used by the NSW Police Force and the Australian Capital Territory Emergency Services.

The technology upgrade will create a single integrated virtual operating environment in which emergency calls will be routed to all available call takers regardless of where they are located. Every time a Fire and Rescue NSW call taker will have an immediate access to mapping and location information for the entire State. This will reduce call answer times and improve the time taken to dispatch crews to an emergency. I understand that to ensure the greatest benefit is obtained from this new technology a strategic review of Fire and Rescue's current four communication centres was undertaken.

This review recommended the closure of the communication centres at Katoomba and Wollongong, which managed just 4 per cent and 8 per cent of emergency calls respectively, activity which can be readily absorbed by the two largest centres in Sydney and Newcastle. The commissioner has assured me that the closure of the two communication centres does not represent a reduction in services provided to the communities of Katoomba and Wollongong, nor does it impact on community safety. The upgrade technology will provide enhanced call taking dispatch capability, resilience and redundancy for emergency communications across the State. Indeed the expansion of the Newcastle communication centre alone will provide more call taking seats than currently available across the three regional communication sites.

I am also advised by the commissioner that the closure of the two centres will not result in any job losses. Three of the 34 staff currently at Katoomba and Wollongong communication centres will remain in operational communications to provide support during the implementation of the new operating model. The remaining 31 staff will be redeployed to front-line firefighting positions in the Blue Mountains and Wollongong areas. I am sure we all agree that that is where firefighters want to be. They want to be doing their job. We are giving them an opportunity to get away from behind desks because as technology improves we give them a chance to get back to do what they want to do: fight fires and save our community. Of course, this will boost levels of emergency protection for the people of the Blue Mountains and Wollongong and enhance Fire and Rescue service delivery to communities across New South Wales. It is a win-win all round.

**Mr DAVID SHOEBRIDGE:** Commissioner Mullins, have all 31 of the staff accepted redeployment to front-line firefighting or is it a question of negotiation?

**Mr MULLINS:** No, it is very much a question of negotiation. We spoke to the Fire Brigade Employees Union the week before last and provided it with a copy of the report. At its request we kept it confidential—I understand staff have a copy of it anyway. We will officially release that early next week. We have been talking to stakeholders such as Blue Mountains City Council and Wollongong Council. Back to your question: Have they all been approached? They have not been approached. At the request of the union we are looking at options. We understand that two or three Katoomba firefighters have been injured or have illnesses that may keep them off fire trucks. We are looking at options to keep them in the Katoomba area so that they work close to home. We will look at their individual circumstances.

**Mr DAVID SHOEBRIDGE:** In reference to what now appears to be the imminent closure of the Katoomba 000 communication centre, do you accept that the people working at that centre are highly trained and experienced communication officers who know the area intimately and removing them from that role potentially puts people accessing that service at risk because of the loss of intimate local knowledge?

**Mr MULLINS:** I will answer that in two parts. You asked whether I accept that those people are professionals and very good at what they do. The answer is absolutely yes.

**Mr DAVID SHOEBRIDGE:** With solid local knowledge.

**Mr MULLINS:** You may not be aware that the Katoomba communications centre covers an area from near Moree to Broken Hill to Wentworth, and the officers do not have local knowledge of those areas. What local knowledge they have built up is that which is on geographic information system databases. We went through a similar process some years ago when every fire station had its own fire call number. It was going to be the end of the world because of the loss of local knowledge. We transferred the calls to nine communication centres and then reduced that to four centres. Every time we did that it was going to be the end of the world because local knowledge would be lost. Over the years the operators at Katoomba have dealt with fires near places like Bobs Farm near Griffith. Therefore, Bobs Farm will be in the geographic information system as a special feature because the operators would have put it there. If they do not know, the firefighters at Griffith will. We do rely on the local knowledge of local firefighters, but I do not accept that this will lead to any reduction in services. In fact, we think the service will be faster and better as a result.

**Mr DAVID SHOEBRIDGE:** Will you commit to no net job losses in Katoomba as a result of these restructures?

**Mr MULLINS:** I can do better: There will be more jobs in the Blue Mountains than there are at present as has been stated in our discussions with the Fire Brigade Employees Union.

**Mr DAVID SHOEBRIDGE:** Can you confirm that there will be no net job losses as a result of the closure of the 000 communications centre at Wollongong?

**Mr MULLINS:** Not at this stage, because there may be some transfers between the areas. We are looking at staffing increases in Newcastle, or perhaps some staff reductions, and staffing increases in the Blue Mountains. We are in early talks with the Fire Brigade Employees Union. The net result will be no reduction in the number of firefighters. However, as the Minister said, there will be 31 additional firefighters on fire engines rather than in desk jobs.

**Mr DAVID SHOEBRIDGE:** Is it true that last week some 25 metropolitan fire stations did not have sufficient personnel to respond to emergency call-outs?

**Mr MULLINS:** Do you mean during an industrial dispute?

**Mr DAVID SHOEBRIDGE:** Yes.

**Mr MULLINS:** No, the number, at worst, was 22 as a result of industrial action taken by the Fire Brigade Employees Union. The bans imposed by the union forced relieving staff to return to what we call their base stations. That left vacancies at 60 fire stations and we recalled off-duty firefighters to fill gaps. On any given day in Sydney we have what we call a surge capacity of about 20 fire stations. We can take 20 fire stations off line to do bushfire hazard reduction, training and prevention work. We took a risk-management decision not to staff a number of fire stations to minimise the financial impact on the community of New South Wales of the irresponsible actions of the union.

**The Hon. STEVE WHAN:** Commissioner Mullins, what were the top five capital works bids for new stations submitted to this year's budget process and to last year's budget process?

**Mr MULLINS:** Cabramatta fire station is the first project on the list, and it will cost about \$3.25 million. The list also included the new call centre in Newcastle at a cost of about \$2.9 million. We also bid for new fire stations at Jerilderie and Brewarrina. I am doing this from memory.

**The Hon. STEVE WHAN:** How did this year's list differ from last year's? Although I am sure Brewarrina deserves a fire station, I do not recall it being on last year's list. When was it added?

**Mr MULLINS:** I will take that question on notice. It has been one of our forward projections, but I am not sure about the priority.



**The Hon. STEVE WHAN:** What is the state of play with the replacement of the training college at Alexandria with a new facility?

**Mr MULLINS:** People may not be aware that that training college was established in about 1977. I did my own training there.

**The Hon. MICHAEL GALLACHER:** I did, too.

**Mr MULLINS:** It was a state-of-the-art facility at that time, but it is now not what we expect of an emergency service facility. We have taken additional responsibility for hazardous materials, we do 70 per cent to 75 per cent of road accident rescues in New South Wales and vertical rescues, and we work closely with the Police Force in dealing with the potential consequences of a terrorist attack. However, we cannot make smoke, noise or light at the facility because of encroaching residential developments in Alexandria. We have been looking in the Sydney Basin for a new location and we have been working with the State Property Authority and other emergency service agencies to see whether we can share a facility. We are confident that we are getting to a stage that we may have some options.

**The Hon. STEVE WHAN:** You will remember an announcement being made before the election by the former Government about a new location and the sale of the Alexandria facility to fund a move. It sounds as though that has not been carried through by the new Government.

**Mr MULLINS:** Part of the potential business case that we discussed with the State Property Authority involved the value of the existing site. It would be an offset, but it certainly would not cover the cost of a new training college of the scale that we require.

**The Hon. MICHAEL GALLACHER:** If you remember correctly, it was an unfunded commitment.

**The Hon. STEVE WHAN:** It was to be partly funded by the sale of the Alexandria site. The question remains that it is not something you have funded.

**The Hon. MICHAEL GALLACHER:** It was what could be best described as a thought bubble on your part before the election.

**The Hon. STEVE WHAN:** I can assure the Minister that we were thinking about it for quite some time. Since the Minister is so keen to answer a question I will direct one to him. Can you guarantee firefighters that the Government will not seek to water down or to cut the Fire and Rescue NSW death and disability scheme?

**The Hon. MICHAEL GALLACHER:** While I am getting information to answer that question I will add to an earlier answer about new fire stations. You forgot Bathurst and Nowra—

**The Hon. STEVE WHAN:** That question was about staffing, not capital works, and Labor built those stations.

**The Hon. MICHAEL GALLACHER:** They needed crewing as well.

**The Hon. STEVE WHAN:** That is what I said.

**The Hon. MICHAEL GALLACHER:** It is important that those towns have additional firefighters. With a new government we have a new approach and the people of those towns will be happy to know that improvements are on the way with a budget increase of \$3.9 million. As the member knows, the death and disability scheme covering firefighters has been in operation since 2003. Many longstanding employees of Fire and Rescue NSW are covered by other pre-existing arrangements. I am advised that as the death and disability scheme matures the proportion of Fire and Rescue NSW employees covered by the scheme is increasing. An increase in the number of people covered by the scheme naturally results in a greater number of claims.

I am also advised that the gradual increase in claims due to membership growth is expected to continue for approximately five to 10 years. In line with recent discussions with Treasury, the commissioner has advised that Fire and Rescue NSW is undertaking significant work to manage people who are not fit for firefighting

duties. It is about looking after the staff better and the service should be commended for that. That process is likely to involve the medical discharge of a number of employees who will never be able to meet the inherent requirements of operational firefighting. As a result of this process, Fire and Rescue NSW has advised that it expects to see a corresponding increase in death and disability claims over the next two years.

These increases will be somewhat mitigated by improvements that Fire and Rescue NSW have recently implemented in injury prevention management and workers' compensation processes, including improved claims management procedures, increased resourcing for the management of return to work, an upgraded information management system and improved relations with the insurer. The workers' compensation improvements have reduced the time frame required to identify injured workers who are unable to return to work as firefighters. The improvements that Fire and Rescue NSW has made to its workers' compensation process have already resulted in large reductions in workers' compensation costs and it is expected that these reductions will be reflected in the death and disability scheme over the next three to five years.

**The Hon. STEVE WHAN:** I take it from the very good progress that has been made by Fire and Rescue NSW, which I am familiar with, you are telling us that there is no need to review or change the scheme?

**The Hon. MICHAEL GALLACHER:** The information I have been given is such that there is a degree of confidence from Government that the next three to five years will see significant improvements. I cannot comment beyond five years at this stage—it is probably a bit too far away.

**The Hon. STEVE WHAN:** For your term is fine. Your Government's decision to sack Stacey Tannos, AFSM, as head of Emergency Management New South Wales and the State Emergency Recovery Controller occurred very quickly after the election. What steps did you put in place to ensure that the knowledge that Mr Tannos had of disaster recovery, and particularly the process of getting financial assistance, was retained for the public sector?

**The Hon. MICHAEL GALLACHER:** The honourable member has asked a question that is based on a false premise that my Government—and therefore me—sacked Mr Tannos. My understanding is that that is not correct.

**The Hon. STEVE WHAN:** He left of his own accord, did he?

**The Hon. MICHAEL GALLACHER:** To give some advice and assistance to the honourable member, I would refer to the chief executive officer to step us through that process.

**Mr TREE:** Mr Tannos's position was terminated on the establishment of the ministry basically because there were two senior executive positions and the job was much broader than the former Emergency Management New South Wales. The senior staff of Emergency Management New South Wales still work in the ministry and the expertise in grants administration, recovery and other functions that were undertaken by the former Emergency Management New South Wales remain in the ministry. The role of the ministry is a larger coordination function to assist the Minister and also to provide a single source of advice and coordination in the portfolio in line with all the needs of stakeholders and government priorities.

**The Hon. STEVE WHAN:** Mr Tree, or Minister, when the previous Government established the position of the disaster recovery controller, it was clearly designed to be a specialised position. Are you satisfied that, now that it is part of a very busy director general's duties, it is getting the attention that it deserves?

**The Hon. MICHAEL GALLACHER:** Are you asking me or the chief executive officer?

**The Hon. STEVE WHAN:** I will ask Mr Tree.

**Mr TREE:** Obviously, the role of recovery coordinator is a very important role, but that was not solely the job that Mr Tannos undertook. As you well know, he was also involved in ministerial support and a whole range of other functions, which are mine. The deputy recovery controller, Jason Collins, remains in the organisation. He is a very experienced officer. I think the test of how we handle this was the North Coast floods, which occurred in June, where a very successful recovery operation was undertaken, which I think proved to everyone that we can continue to do that function in a very efficient way.

**The Hon. STEVE WHAN:** In view of the time we have available, I will move on to some questions to the Minister. As Minister for the Hunter, will you lobby the Government you are part of to have a new bridge built over the Swansea channel?

**The Hon. MICHAEL GALLACHER:** Sadly, Swansea has been subjected to years of neglect by the former Government. You are probably not aware, but the bridge from time to time—particularly on hot days—gets stuck in the upright position. As a result of pressure being applied to the former Government, which it had previously ignored, particularly by the now local member who was on the council as well as the former Opposition, myself included, the former Government finally started to invest some money into it. We will continue to invest in maintaining road and bridge infrastructure in the Hunter region. The New South Wales Government has allocated \$950,000 in 2011-12 to maintain the Swansea bridge over the entrance to Lake Macquarie on the Pacific Highway at Swansea. A comprehensive annual maintenance program is being carried out to improve the reliability and serviceability of the Swansea bridges and the maintenance program has improved the reliability of the bridges; however, isolated incidents still occur which cause delay to the traffic. The community update outlined to the community in about August this year spoke about the maintenance program. Biannual service of the Swansea bridge was undertaken in September 2011.

**The Hon. STEVE WHAN:** Do you believe that a new bridge is necessary?

**The Hon. MICHAEL GALLACHER:** I am not in charge of infrastructure, obviously.

**The Hon. STEVE WHAN:** But you are the Minister for the Hunter.

**The Hon. MICHAEL GALLACHER:** I am the Minister for the Hunter and I am more than happy to explain to you my role as a regional Minister for that area. Once you start to talk about major infrastructure and the technical side of it, it is not just about the bridge, it is a question of whether you look at a tunnel and whether a tunnel is feasible for the community of Swansea. I am sure you are familiar with it—

**The Hon. STEVE WHAN:** A tunnel sounds terrific. Is that something you are looking at seriously?

**The Hon. MICHAEL GALLACHER:** No, I am not suggesting that at all. It is something that probably the former member Milton Orkopoulos was looking at at one stage, but then he was distracted.

**The Hon. AMANDA FAZIO:** He was not the former member. The most recent member was Robert Coombs.

**The Hon. MICHAEL GALLACHER:** I just forget, I am sorry. Be that as it may, we have committed \$950,000 to maintain the bridges and to keep them operating or functioning. In terms of the future infrastructure needs of that region, I would suggest you best speak to the Hon. Duncan Gay, the Minister for Roads and Ports, or indeed speak to Mr Brad Hazzard, who is the Minister for Planning and Infrastructure, and I am sure you will get an outstanding answer.

**The Hon. STEVE WHAN:** It is disappointing that the Minister for the Hunter does not have a view on it himself. Minister, are you aware that, due to the large backlog of development applications with the Department of Planning, at least one coalmine—the Ashton coalmine—recently laid off 16 workers? Are you concerned about that, and what are you doing to try to speed up the processing of those applications?

**Mr DAVID SHOEBRIDGE:** They are reviewing them this time—actually looking at the development applications, not just ticking the box.

**The Hon. STEVE WHAN:** This is for the continuation of mining operations in an existing coalmine where naturally, as you go through, you have to lodge new applications at times.

**The Hon. MICHAEL GALLACHER:** I do acknowledge the interjection by Mr David Shoebridge, who does recognise that for the first time a degree of scrutiny is going on under the new Government in its approach to planning issues. In this case, you are talking about the mine. I am not aware of the details in relation to problems that they are having within the context of planning, but I will take that question on notice and get an answer for you.

**The Hon. STEVE WHAN:** That would be appreciated. Is the next stage of the Newcastle bypass fully funded in this year's budget?

**The Hon. MICHAEL GALLACHER:** For a detailed analysis of where it is up to in terms of road funding, I would suggest that you raise the matter tomorrow with the Minister for Roads and Ports, but I can assure you that we are doing absolutely everything that we can to get these road improvements made in an area that has been sorely neglected for so long.

**The Hon. STEVE WHAN:** Since you were appointed as Minister for the Hunter, how many times have you visited the Hunter and what electorates have you visited?

**The Hon. MICHAEL GALLACHER:** I would have to refer to my diary. Sadly, I do not have it with me.

**The Hon. STEVE WHAN:** Feel free to take that on notice.

**The Hon. MICHAEL GALLACHER:** I will take it on notice. I was there the other day when I finally got the chance to open a police station that I promised. It was number one on the capital works program back in 1995, until the Labor Government came in and took it off the list. I was very proud to open it a couple of days ago. It was a proud moment.

**The Hon. STEVE WHAN:** What date did the building of that police station start?

**The Hon. MICHAEL GALLACHER:** The date that they realised that Craig Baumann was going to be there for a very long time.

**The Hon. STEVE WHAN:** In other words the previous Government built it. What funding has been allocated in the budget to secure the Hunter's long-term water needs?

**The Hon. MICHAEL GALLACHER:** The planning process to secure water for the lower Hunter is underway. The new Lower Hunter Water Plan is being developed by the Metropolitan Water Directorate within the Department of Finance and Services in collaboration with Hunter Water and other agencies. I suggest if the member has any more detailed questions, or if he requires further information, he should direct his inquiries to the appropriate Minister, the Minister for Finance and Services.

**The Hon. STEVE WHAN:** You cannot answer whether there is an allocation in the budget for that?

**The Hon. MICHAEL GALLACHER:** The point is—

**The Hon. STEVE WHAN:** I understand that another Minister handles the main part of it, but I thought that might be in the briefing of the Minister for the Hunter.

**The Hon. MICHAEL GALLACHER:** The role of the regional portfolios has changed quite substantially. Under the former Government it was all about media opportunities in competing with local members and other Ministers for local priorities. The approach this Government is taking is one that recognises that the role of a regional Minister is to complement the work of the local member, as well as the primary Minister, and not to be second-guessing and discussing in detail the intricacies of the portfolios that those Ministers are responsible for. My role is to assist in a collaborative way, working with the local members and the Ministers, to ensure that there is a team approach to a policy area rather than what we saw under the former Government, where you were competing with one another for media space. In fact, you would often find yourselves in a situation where you were at logger heads with one another and having different views.

**The Hon. STEVE WHAN:** It seems to me, both from your answers and those given by Minister Hartcher the other day, that the role of the Minister for the regions is not to know anything at all. Is there any point in my asking you about whether there is any money in the budget for a review of the Lower Hunter Regional Strategy?

**The Hon. MICHAEL GALLACHER:** I am more than happy to answer questions in relation to that regional strategy, and I will wait for those to come through. Again I make the point that the lower Hunter is

made up of a number of seats. It is important that the Minister for the region works collaboratively with the local members to ensure that there is an outcome that works for the entire region, not only one or two.

**The Hon. STEVE WHAN:** I do not think that the local members would mind you answering questions overall on the strategy. We do not get to have them at estimates.

**The Hon. MICHAEL GALLACHER:** As they say, there are winners and losers in everything. Unfortunately, today is probably not yours. Be that as it may, if you are after a detailed answer I would suggest that you refer it to the appropriate Minister.

**The Hon. STEVE WHAN:** Minister, do you have a view on the revitalisation of the Newcastle central business district? Particularly, the long-running issues about the rail line in the central business district?

**The Hon. MICHAEL GALLACHER:** The member asked me a question about my view therefore he is after an opinion.

**The Hon. STEVE WHAN:** What is the position of the Minister's portfolio on the Hunter central business district revitalisation?

**The Hon. MICHAEL GALLACHER:** I thank the member for giving me a chance to get the answer across. I do not know if the member has been to Newcastle lately—

**The Hon. STEVE WHAN:** Yes, I have.

**The Hon. MICHAEL GALLACHER:** I understand Opposition members will be attending a shadow Cabinet meeting next week in Newcastle to speak to the community. I think you will have plenty of time when you are there. Sadly—

**The Hon. STEVE WHAN:** I am not sure that the bell means you have to stop answering the question if you actually have an answer to give.

**The Hon. MICHAEL GALLACHER:** I am happy to continue, I just do not want steal the time of your colleagues. The State Government has given a commitment to return decision-making wherever appropriate to local communities. This is one of the many issues we are talking about. Are you talking about the rail line or the rejuvenation of the city?

**The Hon. STEVE WHAN:** The central business district and the rail line have generally been seen as part of the same debate in Newcastle.

**The Hon. MICHAEL GALLACHER:** The Newcastle city centre is identified as an urban renewal precinct under State Environmental Planning Policy 2010. Newcastle has strategic importance as the main city in the Hunter region. It is the second biggest city in the State, and I think it is the sixth biggest city in the country. The Lower Hunter Regional Strategy establishes a framework to accommodate 10,000 new jobs and 4,000 new dwellings in the Newcastle city centre by 2031. The Department of Planning and Infrastructure is working in partnership with the Hunter Development Corporation and the City of Newcastle on strategies to encourage urban renewal in Newcastle. The first step that the people of Newcastle took was for the first time in 100 years to vote a Labor member out of office. That was the first part of its renewal.

**The Hon. STEVE WHAN:** They will realise their mistake. In fact, they have—

**The Hon. MICHAEL GALLACHER:** It is like alcoholism: the first thing you have to do is realise you have a problem. The urban renewal study will assess the impact of mine subsidence and flooding on the economic viability of development; review the current local environmental plans and development control plans for the city centre; identify opportunities to improve the Hunter Street public domain; identify adaptive re-use options for the city's heritage buildings; and develop an integrated transport vision and implementation plan. The study will be publicly exhibited by the Department of Planning and Infrastructure in early 2012, and implementation is expected to commence in late 2012.

**The Hon. STEVE WHAN:** Are you sure that was not the answer that was written when we were in Government?

**The Hon. MICHAEL GALLACHER:** No.

**The Hon. ROBERT BORSAK:** Minister, will you explain to the Committee the function of the establishment of the Independent Hazard Reduction Audit Panel and the council for emergency services? Who is on the panel and the council? Who will they advise?

**The Hon. MICHAEL GALLACHER:** The Government has made an election commitment to increase the amount of hazard reduction being carried out across New South Wales and to establish an Independent Hazard Reduction Audit Panel. Both of these proposals are aimed at ensuring that New South Wales communities are better protected against the threat of bushfires—something particularly relevant as we head into the 2011-12 summer season. I am happy to announce that work is underway to deliver on these commitments. The Independent Hazard Reduction Audit Panel will be chaired by the Chief Executive Officer of the Ministry for Police and Emergency Services, Mr Les Tree, and will include representation from the NSW Rural Fire Service, NSW Rural Fire Service Association, an environmental expert and additional expertise as required.

It will be tasked with using an evidence-based approach to audit the agency's performance on meeting hazard reduction targets and other mitigation efforts. This will involve the conduct of regular risk assessments, including fuel sampling and increasing fuel-load intelligence. The Government's 2021 Plan includes key targets to increase hazard reduction across the State and to ensure that more properties in bushfire-prone areas are protected by 2016. These are to increase the number of properties protected by hazard reduction works across all bushfire-prone tenures by 20,000 per year by 2016, and to increase the annual average level of area treated by hazard reduction activities by 45 per cent by 2016. Responsibility for meeting this target rests with me. I will be relying on the assistance of the Independent Hazard Reduction Audit Panel to ensure that work in this area is targeted and conducted in the most effective way.

The member also asked a question about the establishment of a council for emergency volunteers. The Government has committed to a target of increasing the proportion of the New South Wales population involved in volunteering to exceed the national average by 2016. The Government is also committed to establishing a new council of emergency volunteers to provide advice on matters involving emergency service volunteers. This reflects the vital role that volunteers play in emergency management across a range of areas, including surf lifesaving, fire and rescue and disaster recovery. It is proposed that the council will comprise volunteer representatives from the NSW Rural Fire Service and the NSW State Emergency Service, along with other organisations including surf lifesaving, the Volunteer Rescue Association and Marine Rescue NSW. It will be chaired by Mr Geoff Provest in his capacity as my Parliamentary Secretary.

**The Hon. ROBERT BORSAK:** What progress has been made in developing a tiered set of policies and training materials to help government officials be more aware of the State's disaster recovery arrangements? When will the first documents be made public?

**The Hon. MICHAEL GALLACHER:** Natural disasters such as floods, storms and bushfires, challenge the capabilities and preparedness of our emergency services. They also put pressure on the resources and resilience of impacted communities. Fortunately, in New South Wales we have emergency services agencies: Fire and Rescue NSW the Rural Fire Service; the State Emergency Service; the Volunteer Rescue Association; Marine Rescue and the NSW Police Force. Those agencies respond swiftly and professionally to assist and protect communities from disasters and other hazards. We are also guided by the State Emergency Management Committee, which is responsible for ensuring that New South Wales has arrangements that are robust, effective and flexible enough to deal with any hazards or emergencies we could face.

These arrangements are set out in the State Disaster Plan, which is called Displan. They enable emergency services to work cooperatively under the overall leadership of a designated combat agency or the State Emergency Operations Controller. Along with the immediate emergency response, it is important to ensure that communities impacted by disasters receive the financial assistance and support they need to recover. Arrangements to provide coordinated State assistance and resources are outlined in the State Recovery Plan, oversighted by the State Emergency Recovery Controller, Mr Les Tree, and a declaration of a natural disaster is another critical way to support impacted communities.

**The Hon. ROBERT BORSAK:** There are so many plans and reviews going on, it is hard to keep track of them all.

**The Hon. MICHAEL GALLACHER:** As long as they work when you need them.

**The Hon. ROBERT BORSAK:** When will we know the outcome of the review of the New South Wales State Disaster Plan and was the review needed because of incidents relating to the lack of clarity as to the different roles and responsibilities of each of the agencies working to manage disasters? Is it expected that the review will recommend any one particular agency to have control of any particular disaster?

**Mr TREE:** The review of the State Disaster Plan was a decision of the State Emergency Management Council basically because there had not been a review for many years. It is currently being undertaken by the Chairman of the State Emergency Management Committee, Mr Phil Koperberg. It is expected that the committee will consider the review at its next meeting, which is in December and then the committee will be reporting to Government. The plan already allocates responsibility for agencies for a range of disasters so, for example, Commissioner Fitzsimmons is responsible for rural fires and Commissioner Kear for floods. It is very clear and I would expect that those arrangements will not change.

**The Hon. ROBERT BORSAK:** So there will not be one over-arching—

**Mr TREE:** No, because in fact the reviews of the Queensland and Victorian arrangements have found that New South Wales has the best arrangements in the country in these areas because everyone knows what they are doing.

**Mr DAVID SHOEBRIDGE:** Just do not ask the Minister.

**The Hon. ROBERT BORSAK:** Who is undertaking the first New South Wales Natural Disaster Risk Assessment and when will it be finished?

**Mr TREE:** That is being undertaken by my agency as part of the National Resilience Strategy and that has to report to the Council of Australian Governments next year.

**The Hon. ROBERT BORSAK:** Which agency, Mr Tree?

**Mr TREE:** The Ministry for Police and Emergency Services.

**The Hon. ROBERT BORSAK:** When is it likely to go to the Council of Australian Governments?

**Mr TREE:** Next year.

**The Hon. ROBERT BORSAK:** When is it likely to be made public?

**Mr TREE:** It has to go to our Cabinet first and our Cabinet will make a decision about whether it is to be made public. There has been extensive consultation with all agencies and communities about this plan. It is not finalised yet.

**The Hon. ROBERT BORSAK:** Thank you.

**The Hon. MICHAEL GALLACHER:** Are we dealing with Emergency Services or Hunter now?

**Mr DAVID SHOEBRIDGE:** A bit of each. For over-abundant caution, Minister, you were asked some questions about the Death and Disability scheme. Given its robustness, can you give a guarantee there will be no cut in benefits to that scheme for the balance of this parliamentary term?

**The Hon. MICHAEL GALLACHER:** The most recent advice I have before me indicates that there is no need for that, nor has there been any discussion about that or consideration of that, so I can only answer based on what I have available to me now.

**Mr DAVID SHOEBRIDGE:** The Commonwealth is moving to deem a number of work-related conditions—primarily cancers—as work-related when they are contracted by firefighters, because of the epidemiological studies that link the work to the contraction of the disease. Will the New South Wales Government be moving to give that same protection to hardworking firefighters in New South Wales?

**The Hon. MICHAEL GALLACHER:** The member will be aware, because this has been raised in the council with the Minister for Finance and the answer that he gave referred to the Monash University investigation, which will have a three-year time frame.

**Mr DAVID SHOEBRIDGE:** You are not going to wait for the end of that though, are you?

**The Hon. MICHAEL GALLACHER:** That study is underway. At this stage I do not have proposals before me from Fire and Rescue NSW in regard to it. But at the end of the day it would be looked upon seriously by the Government because we are talking about the wellbeing of our firefighters and we are talking about cancer. I do not think for one moment that this would be something that any government, Labor, Liberal or indeed The Greens, would drag their feet on if there were a proposition put to Government in regard to it.

**Mr DAVID SHOEBRIDGE:** Then I will ask the Commissioner, no doubt you are following closely the developments at a Commonwealth level. At what stage is Fire and Rescue NSW in terms of assessing the financial costs and the feasibility of giving that same deeming protection to fire fighters here in New South Wales?

**Mr MULLINS:** In terms of looking at the financial costs, we have not as yet done any studies. I have been speaking to the Secretary of the Fire Brigade Employees Union over a number of months, encouraging him to ensure that the Fire Brigade Employees Union is part of the Monash University study, because the Australasian Fire and Emergency Service Council wants to establish some Australian-based data. The United States data is sometimes contradictory. Some studies are saying that there are links to certain cancers, then another study will say that there are not, but overall, my belief is that there seems to be a link. It is imperative that we move quickly on this.

Unfortunately, we are in a bit of a battle between two unions—the United Firefighters Union of Australia who have put up this legislation and the Fire Brigades Union who have withdrawn from that body. The Fire Brigades Union agreed to take part in the study and is now back in the study. One of the prerequisites of that agreement is that the Monash study should look at the United States data immediately and not wait three years, it should move on from there, rather than starting from scratch. I think that is a good thing. I think we will get some rapid answers. If fire fighters require more cover, they will get it. I am a firefighter and I do not want to muck around on this.

**Mr DAVID SHOEBRIDGE:** You undertake that as soon as those initial results come out of the Monash study that you will be formulating a proposal to Government in relation to that?

**Mr MULLINS:** I am duty-bound to make evidence-based recommendations to my Minister, the Premier and the Government. The evidence is unclear and many States in the United States are not enacting this legislation; some are, some are not. So we are trying to establish with Monash, with the experts in the field, what the facts are and if that evidence is there I will be recommending to the Minister that we provide that cover.

**Mr DAVID SHOEBRIDGE:** And you are working cooperatively with the Fire Brigades Union in relation to that?

**Mr MULLINS:** I have to say, I am disappointed because I have not been spoken to about the deeming legislation by the Fire Brigades Union personally, although we have spoken about the Monash University study. I was away for a month on holidays and when I returned the Fire Brigades Union had sent an email to the Minister and to me which said: "Please support this". The email contained little supporting information. The United Firefighters Union of Australia briefed personally a number of politicians and worked closely with the Australasian Foreign Emergency Service Council. So I think the approach of the Fire Brigade Employees Union is pretty slapdash and now they are saying no-one is supporting them.

**Mr DAVID SHOEBRIDGE:** You are supporting them and you do support that?

**Mr MULLINS:** I am saying that we need to find the evidence, because the evidence from the United States is not conclusive.

**Mr DAVID SHOEBRIDGE:** So currently you are not supporting them?



**Mr MULLINS:** No, I am saying that we are trying to establish the evidence and we have epidemiologists from Monash working on that. We have agreed with the United Firefighters Union of Australia—I am Deputy President of the Australasian Fire and Emergency Services Council—that the base line will be the United States studies, not starting from scratch. That means we should get some rapid answers.

**Mr DAVID SHOEBRIDGE:** When do you expect those answers?

**Mr MULLINS:** I do not know because it is up to the researchers.

**Mr DAVID SHOEBRIDGE:** Minister, you said your Government is working cooperatively with the Hunter Development Corporation in relation to the Newcastle heavy railway line. Does that mean you adopt the position of the Hunter Development Corporation in relation to the termination of the heavy rail line at Wickham?

**The Hon. MICHAEL GALLACHER:** The State Government has given a commitment to return decision-making to local communities where appropriate. The issue in terms of the rail line is one of the many issues that will be considered by the Hunter Infrastructure and Investment Fund [HIIF], which is responsible for guiding the establishment of a long-term infrastructure priority for the region and developing a 20-year regional infrastructure plan. It will also assist and examine infrastructure projects that support the renewal of the Newcastle central business district. I suggest that if you are asking for the Government's position in relation to the Hunter Development Corporation, it now falls under the control—it is no longer under me—of the planning Minister and the infrastructure Minister, which I think is appropriate. Having Hunter Development Corporation sitting with the Minister for Police and Emergency Services is a bit weird, given that it is planning.

**The Hon. STEVE WHAN:** I thought you were the Minister for the Hunter.

**The Hon. MICHAEL GALLACHER:** But it is a primary Minister. The primary Minister is planning and infrastructure. You do not want the Hunter Minister competing with Planning and Infrastructure on a different set of goals.

**Mr DAVID SHOEBRIDGE:** This debate is interesting.

**The Hon. MICHAEL GALLACHER:** In answer to your question, any further detailed questions in relation to Hunter Development Corporation's position should be put to the Minister for Planning and Infrastructure.

**Mr DAVID SHOEBRIDGE:** I am asking about the Government's position. You said the Government is working cooperatively with the Hunter Development Corporation. I am asking what position the Government takes in that cooperative approach about the termination of the heavy rail line at Wickham.

**The Hon. MICHAEL GALLACHER:** The Hunter Development Corporation had a position—

**Mr DAVID SHOEBRIDGE:** Do you support it?

**The Hon. MICHAEL GALLACHER:** We do not answer yes or no.

**Mr DAVID SHOEBRIDGE:** I can tell.

**The Hon. TREVOR KHAN:** Point of order—

**The Hon. AMANDA FAZIO:** He does not answer anything.

**The Hon. TREVOR KHAN:** If Mr David Shoebridge could just let the Minister answer the question, rather than have a chat.

**The Hon. AMANDA FAZIO:** There is no point of order about chatting.

**CHAIR:** Order! We are almost near the end of the hearing. I think the Minister is bringing his answer to a conclusion.

**The Hon. MICHAEL GALLACHER:** I refer the member to the Minister for Planning and Infrastructure in relation to detailed questions about the Hunter Development Corporation's proposals. The proposals were put to the previous Government. In true tradition, the previous Government did nothing.

**Mr DAVID SHOEBRIDGE:** What are you doing?

**The Hon. MICHAEL GALLACHER:** A new Government, a new approach, a new Minister.

**The Hon. STEVE WHAN:** A new Government, more buck-passing.

**The Hon. MICHAEL GALLACHER:** And coming up with the Hunter Infrastructure Fund, which was never there before—\$350 million.

**Mr DAVID SHOEBRIDGE:** The Hunter Development Corporation has substantial plans for the redevelopment of the port and a key part of that would be deprioritising passenger rail services through certain parts of the metropolitan rail system in Newcastle. Are you opposed to the deprioritising of passenger rail services on metropolitan Newcastle lines?

**The Hon. MICHAEL GALLACHER:** Again, you are talking about the Hunter Development Corporation's proposals.

**Mr DAVID SHOEBRIDGE:** I am talking about the Newcastle railway line and the priority given to passengers on the Newcastle railway line in the premier city in the middle of the Hunter, for which you are the Minister.

**The Hon. MICHAEL GALLACHER:** I make the point that the previous Government left the community behind in terms of consultation. Ports, the coal chain, the Hunter Development Corporation all have proposals—

**Mr DAVID SHOEBRIDGE:** Do you have a position about maintaining passenger priority on the metropolitan railway line in Newcastle?

**The Hon. MICHAEL GALLACHER:** In terms of capacity, timetabling and matters relating to rail infrastructure, obviously those questions would be better suited to the Minister for Transport, because you are starting to talk about which services, which time slots, where they are going. That is beyond the purview of the Minister for the Hunter.

**Mr DAVID SHOEBRIDGE:** Just prioritising rail as opposed to freight or coal.

**The Hon. MICHAEL GALLACHER:** The first priority is reinvigorating Newcastle's central business district. That is the number one focus that I have: to provide the support within Government to ensure that the necessary government agencies, private sector as well as Ministers, are involved in ensuring that we get a resolution to the issue.

**Mr DAVID SHOEBRIDGE:** I suppose there is no point in asking you about air quality either.

**The Hon. MICHAEL GALLACHER:** I am more concerned about the fact that we have not heard anything about carbon tax from you.

**(The witnesses withdrew)**

**The Committee proceeded to deliberate.**