

GENERAL PURPOSE STANDING COMMITTEE No. 4

Friday 29 June 2001

Examination of proposed expenditure for the portfolio areas

**URBAN AFFAIRS AND PLANNING,
ABORIGINAL AFFAIRS AND HOUSING**

The Committee met at 9.00 a.m.

MEMBERS

The Hon. I. Cohen (Deputy-Chair)

The Hon. Amanda Fazio

The Hon. D. T. Harwin

The Hon. C. J. S. Lynn

The Hon. D. E. Oldfield

The Hon. Janelle Saffin

PRESENT

The Hon. Dr A. J. Refshauge, *Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs, and Minister for Housing*

Department of Urban Affairs and Planning

Mr D. Papps, *Acting Director-General*

Mr P. Campbell, *Director, Central Corporate Services Unit*

Department of Aboriginal Affairs

Mr R. Davidson, *Acting Director-General*

Department of Housing

Ms A. Gallard, *Acting Director-General*

DEPUTY-CHAIR: I declare this hearing open. I welcome you to this public hearing of General Purpose Standing Committee No. 4. I wish to thank the Minister and the departmental officers for attending to today. At this meeting the Committee will examine the proposed expenditures for the portfolio areas of Urban Affairs and Planning, Aboriginal Affairs, and Housing. Before questions commence some procedural matters need to be dealt with.

Part 4 of the resolution referring the budget estimates to the Committee requires evidence to be heard in public. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings. Copies of the guidelines for broadcasting are available from the attendants. I point out that, in accordance with the Legislative Council's guidelines for the broadcasting of proceedings, only members of the Committee 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, you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee.

There is no provision for members to refer directly to their own staff while at the table. Witnesses, members and their staff are advised that any messages should be delivered through the attendant on duty or the Committee Clerks. For the benefit of members and Hansard, could departmental officials identify themselves by name, position and department or agency before answering any questions referred to them. Where a Member is seeking information in relation to a particular aspect of a program or a subprogram, it would be helpful if the program or subprogram could be identified. To ensure that an accurate record is made of this morning's proceedings, I would ask witnesses to provide to Hansard copies of any notes or other written material they refer to when answering questions.

The Committee has agreed to the following format for the hearing: 40 minutes for questions on Urban Affairs and Planning, 40 minutes for questions on Aboriginal Affairs and 30 minutes for questions on Housing, in that order. Do you anticipate that there will be any difficulty posed, Dr Refshaug, regarding lower House divisions? Is your House sitting this morning?

Dr REFSHAUGE: Yes, but we should not have divisions.

DEPUTY-CHAIR: As we did before, if there are divisions we will just stop the Committee and come back later. I declare the proposed expenditure open for examination on, first of all, Urban Affairs and Planning.

The Hon. DON HARWIN: Minister, have you travelled overseas during the past financial year?

Dr REFSHAUGE: Yes. I went off the heads to Dee Why and dived on the wreck of the *Dee Why* a few weeks ago. It was a great dive. I thought David might be asking that question. I have been to a few other dive sites overseas. I have travelled to London, and on the way I went to Sri Lanka and from there to Male in the Maldives and from there to a resort called Ellaidhoo and did a lot of diving there, very nice diving, both drip diving and boat diving, a bit of shore dives, and there were two, I suppose, semi-official functions I went to in London. One was the Anzac Day service at Westminster Abbey, and also on the following day at Australia House I went to a reception for Anzac Day.

The Hon. DON HARWIN: Was the trip you are referring to private recreation or official duties?

Dr REFSHAUGE: Private recreation.

The Hon. DON HARWIN: So you did not travel overseas on official duties?

Dr REFSHAUGE: I was officially, I suppose, at Australia House, but I paid for all of the travel, the accommodation. I suppose Australia House paid for the finger food.

The Hon. DON HARWIN: In relation to a recent mail-out to local residents by Landcom regarding the redevelopment of the Prince Henry Hospital site at Little Bay—you are probably familiar with this, but I will just identify it—how many households received the mail-out that the attendant is showing you, which was in relation to the redevelopment of the Prince Henry Hospital site?

Dr REFSHAUGE: I do not know how many received it. We would have to actually count them I suppose, how many were sent out. We can find the numbers and let you know.

The Hon. DON HARWIN: But I take it that some were sent out?

Dr REFSHAUGE: Yes.

The Hon. DON HARWIN: Can you provide the number of households which received the mail-out?

Dr REFSHAUGE: No, I can provide the number that was sent out. I cannot guarantee that they received them.

The Hon. DON HARWIN: Yes, I suppose you cannot be expected to vouch for Australia Post, but if you would not mind also providing how many copies of the brochure in the mail-out were produced?

Dr REFSHAUGE: Yes.

The Hon. DON HARWIN: And the total cost of publishing and printing the brochure?

Dr REFSHAUGE: Certainly.

The Hon. DON HARWIN: And the costs of distributing the brochure?

Dr REFSHAUGE: Certainly.

The Hon. DON HARWIN: In that mail-out there was a letter from the Premier to local residents which was enclosed. Could I also ask if you could provide a figure for how much the Premier's letter cost to produce and photocopy?

Dr REFSHAUGE: I can if it was through my agency. If it was not, then I cannot. You would have to ask other agencies, if it was not produced by our agency.

The Hon. DON HARWIN: So the Premier's letter was provided?

Dr REFSHAUGE: I do not know. I am saying if it was not produced by my agency, I would not be able to provide you with the cost. You would have to ask somebody else for that.

The Hon. DON HARWIN: I apologise, Minister?

Dr REFSHAUGE: I do not know who produced the letter. If it was one of my agencies that produced the letter, I will be able to provide you with the cost. If my agency did not produce the letter, I will not be able to provide you with the cost.

The Hon. DON HARWIN: Thank you, so you will take that on notice. Is it usual practice for Landcom to include letters of a political nature from parliamentarians in their information packages?

Dr REFSHAUGE: It is usual for Landcom to consult with the community and make sure that they have an understanding of what is happening in their area when Landcom is involved. It has a long history of particularly trying to improve its communications, and I have been very strongly supportive of the communications it has with its community. I believe that the work they do is partly creating neighbourhoods, not just doing developments, and I think it is important that they involve the community as much as possible. There are a number of different techniques that are used. Sometimes the local member's involvement would be very strongly advised. At other times there might be other ways of involving the community.

The Hon. DON HARWIN: Have there been any other examples of similar sorts of consultation exercises by Landcom where a brochure has had a letter included with the material sent out by Landcom?

Dr REFSHAUGE: Yes, I can remember, I do not know if it was Landcom, but certainly in the previous Government I remember a number of your colleagues would send out letters. I will find the information about them and make it public.

The Hon. CHARLIE LYNN: Minister, could I just hand you an excerpt from the *Sydney Morning Herald* dated 12 June 2001. It details invitees to the Gough Whitlam tribute dinner in May 1999. I have highlighted the names of a number of leading Sydney property developers and their consultants. Subsequent to that function have you had any meetings with any of the people highlighted on the list or their staff?

Dr REFSHAUGE: Subsequent to the meeting?

The Hon. CHARLIE LYNN: Subsequent to the function, have you had any meetings?

Dr REFSHAUGE: I do not know when the function was. I do not think I attended.

The Hon. CHARLIE LYNN: It was a function, as it says there, in May 1999.

Dr REFSHAUGE: I do not think it—does it say that somewhere?

The Hon. CHARLIE LYNN: Well, it is here.

Dr REFSHAUGE: Since May 1999?

The Hon. CHARLIE LYNN: Yes. Have you had a meeting? I am not asking whether you were at the function, but have you had a meeting with any of those Sydney property developers or their consultants since May 1999?

Dr REFSHAUGE: I am sure I have. "Armstrong table", that may be Ian Armstrong and I met with him yesterday. "Australian Commonwealth Games", I do not think so. "Australian Posters", I have met with people who are concerned about the changes that I have made to outdoor advertising. I am not sure if that was Australian Posters. I think they were probably unhappy at my decision. "Australian Stock Exchange", Dick Humphrey I think I have met with, a former head of the Premier's Department under Nick Greiner, I think I met him.

The Hon. CHARLIE LYNN: What was the subject of those discussions?

Dr REFSHAUGE: I think it was an exchange of pleasantries. "Bradman Corporation", yes, Peter Brennan is head of the HIA, the Hotels Industry Association. I meet with the Hotels Industry Association on a regular basis. He is from there. "Cable and Wireless Optus", yes, they have discussed issues with me. Lady Fairfax ran a fundraiser for a charity and she invited me. I certainly met her at that fundraiser. Robert Ho, Helen Sham-Ho's husband, I have met her since then. "Humpty Dumpty Foundation", yes, I have met with the Humpty Dumpty Foundation. They raise funds for the children's ward at North Shore Hospital. I may have met them with Kerry Chikarovski actually. We might have been together there. "IPOH Ltd", I do not remember, but my guess is I probably have. Ian Kiernan, yes, I have certainly met with Ian Kiernan. We have talked about the issues of Clean Up Australia and Clean Up the World.

The Hon. CHARLIE LYNN: I am only referring to the ones that are highlighted there really.

Dr REFSHAUGE: You do not want people who turned up; you just want the ones that are highlighted?

The Hon. CHARLIE LYNN: Yes.

Dr REFSHAUGE: "Leightons Holdings", yes, I almost definitely would have met with them. "Manboom" I do not remember. Again, I was making decisions they did not like about outdoor advertising and they probably did not want to meet me actually. "Meriton Apartments", yes, I regularly meet with Harry Triguboff and his team. "Multiplex Constructions", I am pretty sure I have met with them, particularly about their strong support for Aboriginal cadets and apprentices. I think they have quite an interest in doing that. "Walker Corporation", yes, there is a big development and we have had long discussions with Walker Corporation over the last two years. "Westfield Holdings", yes, I met Ken Hooper. Remember Ken? Ken was Kerry Chikarovski's chief of staff. I think I met Ken a number of times. He works for Westfield. He was in the papers, wasn't he, about setting up front groups that did not really exist to oppose other people's developments. I met with Ken.

The Hon. CHARLIE LYNN: Minister, have any of those developers that we have highlighted there approached you in regard to any development proposals at all?

Dr REFSHAUGE: Yes, I think Ken Hooper did. He was not keen to promote a development actually. I think he was trying to stop a development. And a number of these also belong to an organisation actually called the Urban Development Task Force and I meet with them, and I am very keen to meet with them. Their new executive officer is Wendy Machin. Remember Wendy? She used to be a Liberal member of the Lower House, a Minister.

The Hon. CHARLIE LYNN: She was a National Party member.

Dr REFSHAUGE: National Party, yes. Like Robert Webster, who has moved across to the Liberals, I presume she will too. So yes, there are a number of people whom I have met. You have probably met them too, I think.

The Hon. CHARLIE LYNN: Minister, in relation to your former staff, Trish Oakley and Julian Brophy, you have indicated that, "I have spoken with my former staff on a number of occasions". What has been the subject of those discussions or meetings that you have had?

Dr REFSHAUGE: About how my son is going at school. It has been about how I have been successful in giving up smoking for three years, almost three years, three years in August.

DEPUTY-CHAIR: Congratulations.

Dr REFSHAUGE: I am very happy. There have been a number of personal issues that we have discussed. We have discussed business issues. We have discussed outdoor advertising, which as I say, they I think were probably singularly unhappy with my decision on that. We have discussed the Australand proposal at Kurnell, and with my office there has been discussions about a proposed development at Hickson Road that I may have also discussed with them. I remember they were talking about that at one stage.

The Hon. CHARLIE LYNN: On how many occasions before your decision to call in the application by Australand to redevelop land on the Kurnell peninsular did you meet with those two former staff members?

Dr REFSHAUGE: On that issue, or met them? We might have met them socially.

The Hon. CHARLIE LYNN: On that issue.

Dr REFSHAUGE: I certainly remember once. I am not sure if there would have been more than one. It was quite some time ago.

The Hon. CHARLIE LYNN: Do you think it is appropriate that former staff are now consultants for property developers?

Dr REFSHAUGE: Ken Hooper is the former staff member—

The Hon. CHARLIE LYNN: Your former staff.

Dr REFSHAUGE: There has been never a proposal that should not be. My former staff, as I informed this Committee two years ago, checked with the ICAC about what was appropriate. The ICAC said there were no guidelines that were in place. My former staff suggested that they should not take on clients who had issues that they had worked on while they were in my office and the ICAC effectively said that is a good principle to follow but there is no requirement to do that. They have fulfilled that obligation.

As I say, many staff do find jobs elsewhere and I could certainly think of a number of staff of former Liberal Ministers that went out and did consulting and would come and bring in their clients to meet their former employers.

The Hon. CHARLIE LYNN: How many generally of your former staff would be working for property developers?

Dr REFSHAUGE: Former staff working for property developers? I have two former staff that are working for themselves. Another former staff member—there is one you could say is working for a property developer, I think she is working for an Aboriginal construction organisation in the Northern Territory.

The Hon. CHARLIE LYNN: Do they discuss property development proposals with you when they call?

Dr REFSHAUGE: Last time I spoke to my former staff member who is in the Northern Territory I think she did actually talk about issues of Aboriginal housing in Alice Springs.

The Hon. DON HARWIN: Minister, how many staff are employed on your ministerial staff?

Dr REFSHAUGE: I know how many there are but I want to be absolutely sure I get the right number, so I will tell you later in the day.

The Hon. DON HARWIN: I will come back to that. I do have one last question, Minister. Has your department adhered to the policy outlined by the Premier that no SES staff members should receive a bonus payment this year?

Dr REFSHAUGE: Yes.

The Hon. DON HARWIN: Can you give the Committee an assurance that the salary of the chief executive officers in your department have not been adjusted to include an equivalent amount to the bonus?

Dr REFSHAUGE: Yes, but that does not mean that they have not had an increase within the scale of their SES level.

The Hon. DON HARWIN: Just to finalise that question, Mr Chair, could you provide the details of the 1999-2000 financial year salaries for the chief executive officers within your portfolio?

Dr REFSHAUGE: I think they are public.

The Hon. DON HARWIN: And the 2000-01 salaries for chief executive officers?

Dr REFSHAUGE: They are in the annual report, or annual reports.

DEPUTY-CHAIR: Did you have a number of ministerial staff, Minister?

Dr REFSHAUGE: I am checking to make sure. I have two staff members as well who are departmental staff who do specific departmental work in my office. We will make sure that we get the formal terminology right and let you know.

DEPUTY-CHAIR: Subprogram 77.1.4 Implementation of Planning policy initiatives. How many submissions have been received in response to the Planfirst White Paper? How many submissions were supportive of and how many were opposed to Planfirst?

Dr REFSHAUGE: I do not have the specific number of how many were received. We will get that before the end of the day. The vast majority were in favour. It is seen pretty much universally as a very positive direction to go. Any negative comments are usually on suggestions for improvement rather than not to go in that direction. As I think I highlighted at the time, some organisations believe the proposed changes will save hundreds of millions of dollars in processing proposals. Over 3000 people have attended the information session, and to date, which was 8 June, we had over 400 submissions received.

DEPUTY-CHAIR: What deficiencies in the planning system are due to a lack of ministerial power?

Dr REFSHAUGE: That would be a very subjective view, it really is not directly related to the estimates. I feel that there is a need for people to have more understanding about how the planning system works, and so one of the roles I think that is required is to provide information and particularly find ways of ensuring that people have more information for decision making. In that sense, in general we would be supporting more local decision making rather than centralised decision making. At times you need to have consistency and uniformity by centralising.

DEPUTY-CHAIR: You say that, Minister, but is it not true that the Government is proposing to increase ministerial power and reduce local autonomy in Planning?

Dr REFSHAUGE: Planfirst does not do that. It in fact increases community participation. It increases regional participation, and part of the proposals, although still under discussion, could in fact reduce my involvement in local government's planning. That would depend on following State policies and regional policies.

DEPUTY-CHAIR: In terms of that transparency, I suppose, of process, will you be releasing an exposure draft of the Government's proposed amendment to Part 3 of the Environmental Planning and Assessment Act?

Dr REFSHAUGE: Yes, I will.

DEPUTY-CHAIR: Do you know when that will be?

Dr REFSHAUGE: It depends on Parliamentary Counsel completing it. It is a complex job.

DEPUTY-CHAIR: Still on Planfirst, I wonder if you could tell the Committee what funds have been allocated to the process of introductory changes to the EP and A Act as identified in the Planfirst document?

Dr REFSHAUGE: It would be hard to get a specific allocation for that aspect but my agency acting head will find what section it is under and how much is provided for that.

Mr DAVID PAPPS: The department has a standing policy reform unit within the organisation charged with the responsibility of leading reform of the planning legislation. While we are dealing with Part 3 at the moment, and that has

been the focus of their work, so the costs attributed to that exercise would involve their salaries and operational costs which we can obtain and provide you with in some detail later, I just wanted to make the point that reform of the legislation is a continuing process. The Government is keen to ensure that New South Wales planning legislation, which was at the forefront of planning legislation when it was introduced, remains contemporary, cutting edge, comprehensive and innovative.

We have a team whose job it is to focus on those sorts of issues. They are looking again at Part 4 and how well Part 4 is working. There is a continuing group who are dedicated to that work and that is where the principal cost arises.

DEPUTY-CHAIR: Minister, is there specific funding?

Dr REFSHAUGE: Just to give the Committee a bit of a view, the section of the department that works on those issues is planning system development and management, and as far as its operating expenses, its budget for this year is \$4.2 million. They would do other things as well as Planfirst.

DEPUTY-CHAIR: Does that quote you have made there include funding to assist local government in responding to changes and preparing new planning instruments at a local government level?

Dr REFSHAUGE: No.

DEPUTY-CHAIR: Do you have any funding for that at all?

Dr REFSHAUGE: At the moment we would see that as a joint responsibility for the State and local government.

DEPUTY-CHAIR: You would acknowledge that changes have put a significant amount of pressure on local government to undertake new State regulations and legislation?

Dr REFSHAUGE: Those changes have not occurred, they are still in the discussion changes. Legislation is not there. We need to negotiate.

DEPUTY-CHAIR: I get a lot of complaints from local councils that there have been changes at a State Government level, particularly in planning, yet they do not have the financial capacity to deal with it, particularly, it is not your portfolio, nevertheless, the 2.8 per cent rate capping and a real crippling of local government to actually carry out the planning and instructions from a State Government level from your department. Would you agree with that?

Dr REFSHAUGE: That is an argument they put to us on a regular basis. Yes, we will work with them to try and resolve the issue.

DEPUTY-CHAIR: Looking at your Planning portfolio, do you think that condition or that situation would be a factor in forcing or encouraging local councils to allow developments, particularly in the coastal region, that should not go ahead because they are strapped for cash?

Dr REFSHAUGE: No, I do not think it is because they are strapped for cash. I think their decision making is not so much restricted by that. It is often how much they decide to put into the planning department of their own funding, also the complexity of the developments and the ability of their staff to be able to look through those. Sometimes the difficulty to get planning staff can be an issue.

I have noticed a number of councils, especially when a development is more than just in one council area, have found that combining their resources of planning staff can be a way of making sure they get a better result, and sometimes they call on the department, or frequently they call on the department, for our advice and help as well.

DEPUTY-CHAIR: Minister, will the introduction of Planfirst and changes to the EP and A Act create controls at the State level for protection of the coast as identified in the coastal policy?

Dr REFSHAUGE: The coastal package that has been released, announced the other day, will feed in very much and be part of what Planfirst will deliver in the long term. Planfirst will probably take about five years to come into action. The comprehensive coastal assessment that will be done over the next three years will obviously fit into and be part of the plans developed out of Planfirst. This will, in that sense, be focusing on a particular part of New South Wales, the coast, and will then form all the regional plans in that area and also the local plans.

DEPUTY-CHAIR: What plans are allocated to supporting local government in the development of coastline management plans and when will the new coastline management manual be released?

Dr REFSHAUGE: The coastline management manual is being done by other Government agencies and you had better ask them about that. For the full coastal assessment \$8.6 million is being provided, and that is being provided in the same sort of way that the process of getting the regional forest agreements was done. Where the information needs to be collected from, that is where the funding will go.

DEPUTY-CHAIR: Minister, could you inform the Committee what the allocation was for coastal land acquisition and what was acquired with last year's funding?

Dr REFSHAUGE: Yes, I can. There are coastal lands identified that we will purchase when owners want to sell them to us, and that is on a basis obviously when the owner wants to sell, and I am not restricted by a line item on the budget. Treasury is committed to provide the funding as required.

DEPUTY-CHAIR: There is no limitation on acquisition?

Dr REFSHAUGE: On that specific part of already identified lands that we will want to acquire, we have notified, we have told people we will guarantee that is land we will buy. We also get a regular annual allocation of \$1.5 million. Since the scheme was started we have acquired 14,650 hectares at a total cost of \$43.5 million.

If you want some recent ones, 80 hectares at Cullendulla Creek at Batemans Bay is now a nature reserve; 106 hectares at Golwin Head at Tathra, now part of the Mimosa Rocks National Park; 0.18 hectares at Boat Harbour at Port Stephens; 11.1 hectares at McCauley's Head in Coffs Harbour.

DEPUTY-CHAIR: Perhaps if there are any more you could let the Committee know?

Dr REFSHAUGE: They were the significant ones.

The Hon. DON HARWIN: Minister, have you received any proposals yet, either from residents groups or Shoalhaven council for the acquisition under the Coastal Lands Acquisition Program for purchase of, first of all, a one hectare parcel at Plantation Point, Vincentia, and, secondly, for the purchase of land known as, although in private ownership also, Prince George Reserve, also at Vincentia, and do you propose to take any action under the scheme to purchase those two parcels of land?

Dr REFSHAUGE: I am informed the department received representations on that. I would imagine my office has also received representations. We are assessing them.

DEPUTY-CHAIR: What funds are available to assist in the protection of heritage buildings and federation buildings and can you identify any specific projects?

Dr REFSHAUGE: We have a grants program for heritage buildings. It really is a program that provides people who own heritage buildings with financial support to preserve them. It is a limited grants program.

Can I say I have been trying to change the grants program, which was basically using the interest on a fund to provide those grants. Because of the variability of interest rates, it seemed to me it would be better for the Government to have a process where we identified an amount for grants and that the fund be effectively managed or returned to Treasury. We actually have some more surety about how much funding is available on a regular basis. The grants and subsidies we have is \$4.14 million.

DEPUTY-CHAIR: Subprogram 77.1.4 Implementation of Planning policy initiatives. The Forest Agreements of north-east New South Wales state that by 1 January 2001 RACAC must establish a committee and seek funding to promote protection of conservation values on private lands within the two regions. Minister, can you advise us as to why this has not been done?

Dr REFSHAUGE: I will have to get advice and get back to you on that.

DEPUTY-CHAIR: Could you give me an assurance that if that has not been done, that you will undertake that as a matter of urgency?

Dr REFSHAUGE: I better find out if it has not been done, why it has not been done.

DEPUTY-CHAIR: Will you take it on notice?

Dr REFSHAUGE: Take it on notice, yes.

DEPUTY-CHAIR: 77.1.4 Implementation of Planning policy initiatives, can you tell the Committee what the current status is of the REP for the Kosciuszko area?

Dr REFSHAUGE: Yes, but you will probably get better and more information from David Papps.

Mr PAPPS: As you would be aware, the Government, in endorsing the recommendations made by Brett Walker, in his inquiry into planning in Kosciuszko as a result of the Thredbo disaster, recommended preparation of a regional environmental plan, essentially to put planning within the ski resort areas under Part 4 of the Act and make the Minister for Urban Affairs and Planning the consent authority.

Work has commenced on that project. Funds have been allocated to develop the plan. It will take between two and three years. In the meantime, the department is working with National Parks & Wildlife Service to prepare a State environmental planning policy which will give effect to the major recommendation, that is putting planning under Part 4 of the Act within the ski resort areas, and we expect that planning policy to be in place some time toward the end of this year as a temporary measure.

DEPUTY-CHAIR: Minister, or Mr Papps might wish to answer this: Given the threats to this area, including ski resort development, horse riding, power line clearing, road and sewerage infrastructure, will the REP contain a clear prohibition on future development proposals?

Mr PAPPS: The REP will contain prohibitions within it. The nature of those prohibitions is yet to be determined, but they are going to be broadly consistent with the sorts of purposes that the National Parks & Wildlife Act spells out. In other words, you are dealing obviously with development within a national park covered by the National Parks & Wildlife Act. So those sorts of activities which are not normally accommodated under that legislation will also be picked up and specifically dealt with under the REP.

DEPUTY-CHAIR: That is an interesting way to answer it I suppose. National Parks, as I know them, would prohibit those issues that I just raised. So is that a yes?

Mr PAPPS: No, that is not a yes. Your interpretation of what is prohibited under the Parks Act is perhaps not universally shared. The legislation provides for appropriate recreational use in National Parks, and as you would be aware, there are zones even within National Parks, so within Kosciuszko, for example, you go from pure pristine wilderness through to the villages of Thredbo and Perisher providing infrastructure and support for a very important regional tourism industry and under those circumstances development to accommodate that recreational pursuit is permitted.

DEPUTY-CHAIR: What would be the total current cost of the major engineering work which has been carried out since the Thredbo landslide to service the ski resorts?

Mr PAPPS: I could not answer that question because that would be a cost borne almost entirely by the National Parks and Wildlife Service.

Dr REFSHAUGE: Can I come back to you with an answer to the question I was asked earlier about my staff? I have 14 staff, plus one on maternity leave, and there are two departmental liaison officers who are effectively doing significant departmental work in my office. That does not include my electorate office staff.

DEPUTY-CHAIR: Going back to subprogram 77.1.2 Planning Policy development, what percentage of development applications on the coast of New South Wales have been approved in the last 12 months?

Dr REFSHAUGE: Most of those applications on the coast have been approved by local councils. It would not be within my knowledge. You would have to ask them.

DEPUTY-CHAIR: Were those under your purview? There are specific developments; in my home area I know there is a number of developments.

Dr REFSHAUGE: Only the ones that I have been the consent authority for. I would have to get accurate information for that.

DEPUTY-CHAIR: Perhaps you could take that on notice?

Dr REFSHAUGE: Yes.

DEPUTY-CHAIR: And when will the New South Wales coastal policy incorporate the metropolitan area?

Dr REFSHAUGE: As of three days ago.

DEPUTY-CHAIR: 77.1.2 Planning Policy development. How many SEPs have been made with no consultation with industry owners?

Dr REFSHAUGE: Out of the total 65 SEPs, they go back into the dim dark past.

DEPUTY-CHAIR: That is what we are worried about.

Dr REFSHAUGE: SEP 1 probably came in at the time of the EP and A Act in 1979. I have got no idea if I would be able to find that.

DEPUTY-CHAIR: In the last 12 months?

Dr REFSHAUGE: In the last 12 months? I think none, though I will confirm that, but I do not know of any that have.

DEPUTY-CHAIR: Would you perhaps be able to tell the Committee also how many have been made with general community consultation?

Dr REFSHAUGE: Yes.

Mr PAPPS: I was just going to add, Minister, although I do not have those figures, the Act provides a specific capacity for the Government Minister to introduce SEPs without consultation, and there are good reasons on occasions. I can think of one that you would be aware of where the Government introduced the State Environmental Planning Policy to control the clearing of native vegetation, and to introduce it through a period of extensive public consultation would have resulted in panic clearing. So there are circumstances where we believe it would be appropriate to introduce those sorts of planning estimates without extensive public consultation.

DEPUTY-CHAIR: Which draft SEPs have been varied in response to submissions from community groups and other organisations? Perhaps you would like to take that on notice.

Dr REFSHAUGE: My guess is that every SEP would be influenced in its making by community groups.

The Hon. DON HARWIN: Minister, what is the total cost of the salaries of your staff?

Dr REFSHAUGE: I will come back to you.

The Hon. DON HARWIN: Does your office have a service vehicle?

Dr REFSHAUGE: A service vehicle?

The Hon. DON HARWIN: A motor vehicle in addition to yours?

Dr REFSHAUGE: No.

The Hon. DON HARWIN: Which members of the staff have Government funded credit cards?

Dr REFSHAUGE: No-one, including me, no. I will have a credit card if I am going overseas on Government business, but I do not have a Government credit card otherwise.

The Hon. DON HARWIN: Which members of your staff have Government funded mobile phones?

Dr REFSHAUGE: I would think all of them.

The Hon. DON HARWIN: All staff?

Dr REFSHAUGE: Sorry, all advisers. There is a car phone as well. My driver has access to a car phone on a regular basis. Actually, no, not on a regular basis.

The Hon. DON HARWIN: Do any members of your staff have Government funded cars or salary packages including a car?

Dr REFSHAUGE: No. The vast majority of them either walk or use public transport or ride bicycles to work. Maybe you could learn from that actually with a bit of fitness. I remember an old cartoon in the *Daily Telegraph* that said, "It is better to be fit and happy than fat and hippy."

The Hon. DON HARWIN: Thank you, Deputy Premier. I have lost 14 kilograms.

Dr REFSHAUGE: I am very impressed.

The Hon. DON HARWIN: And I am not going giving up my car because I live near Vincentia. What is the cost of postage for your office?

Dr REFSHAUGE: I do not know. I will have to get that.

The Hon. DON HARWIN: Could you provide that figure?

Dr REFSHAUGE: Well, I would presume I could provide that figure. Yes, I am told I will be able to get the information.

The Hon. DON HARWIN: How much does it cost to rent your ministerial office?

Dr REFSHAUGE: Unbelievably too much. This was a decision by the Fahey Government that we should go there, and I think you should be absolutely ashamed of yourself that you insisted that we go there. It is a deal that you have done and you have tied it up so that we are stuck with it. I think you should hang your head in shame at even asking that question.

The Hon. DON HARWIN: I would like to know the figure if that is possible please.

Dr REFSHAUGE: The figure? This is not a figure; this is an outrageous.

The Hon. DON HARWIN: That may well be so—

Dr REFSHAUGE: It is and John Fahey should be blamed for this.

The Hon. DON HARWIN:— but since I wasn't a member of Parliament at the time, I would be very—

Dr REFSHAUGE: You were a minder there, probably with a Government paid mobile phone. Wasn't he? David, don't you reckon that is true?

The Hon. DAVID OLDFIELD: Absolutely irresponsible.

Dr REFSHAUGE: That is right. We should have an inquiry into this I think, David, an Upper House inquiry into it.

DEPUTY-CHAIR: We have got very little time. I am absolutely keen to get to the more gritty stuff, if I may.

Dr REFSHAUGE: Yes, I am sorry. I will provide you with the cost of my office rent.

The Hon. DON HARWIN: Is the Sydney Harbour Foreshore Authority considering any changes in the use of the Sydney Entertainment Centre? If it is, what is the status of the negotiations? Have you received any representations or have you met or taken a telephone call from the hon. Neville Wran regarding the future of the Entertainment Centre?

Dr REFSHAUGE: The answer to the second question is no and the answer to the first question is no.

The Hon. DON HARWIN: So you are not considering any change?

Dr REFSHAUGE: No.

The Hon. DON HARWIN: You have not met with Neville Wran?

Dr REFSHAUGE: I have met with Neville Wran, but not on that issue.

DEPUTY-CHAIR: Subprogram 77.1.3 Development Assessment and Local Plan Assessment. How many variations have been approved to the original consent for the Fox Studios site at Moore Park?

Dr REFSHAUGE: A number, and I cannot actually tell you. I will have to get that information and get back to you.

DEPUTY-CHAIR: Would you care to give an opinion to the Committee as to whether it is a matter of time before approval is granted for Fox Studios to operate 24 hours a day?

Dr REFSHAUGE: I would not want to put an opinion. I know that there are aspects of Fox Studios that work in different ways to others. I do not think at all ever there will be a 24-hour blanket operation.

DEPUTY-CHAIR: Has the Government ever imposed any restrictive conditions on Fox Studios in accordance with submissions made by the community?

Dr REFSHAUGE: Yes.

DEPUTY-CHAIR: Could you describe any of those?

Dr REFSHAUGE: Yes, it is about the traffic flow as they leave Fox Studios, insisting that there be no left turn into the Moore Park residential area, so they have to turn I think it is right into the more industrial open space area. There are other conditions I am sure as well, noise conditions as well.

DEPUTY-CHAIR: Given that you continue to assist Fox business-

Dr REFSHAUGE: And assist the residents in some of their concerns.

DEPUTY-CHAIR: Is Fox a significant doner to the ALP?

Dr REFSHAUGE: I have no idea. It is on the public record who donates to the Labor Party.

DEPUTY-CHAIR: I am wondering if you could advise how much time and expenditure went into assessing the 800 submissions by the public against the proposed draft St Marys REP, and you could you compare this against the 30 submissions for the proposed development?

Dr REFSHAUGE: I think probably it is about seven years, these submissions bringing up issues that have been raised for quite some time. I think seven years is the time that it has been going forward. Many of the submissions would have been reiterating issues that have been raised before, but the process has really effectively taken seven years—sorry, nine years.

DEPUTY-CHAIR: Expenditure-wise can you give any details?

Dr REFSHAUGE: No, it would be impossible to disaggregate the figures to work out how much we spent specifically on that issue over the last nine years.

DEPUTY-CHAIR: And resources and expenditure which were employed following up on the recommendations of the section 22 committee which was set up during the SREP and finalised in the report making many recommendations?

Dr REFSHAUGE: Sorry, what was the first part of the question?

DEPUTY-CHAIR: Could you advise how much expenditure and resources were employed following up on the recommendations of the Section 22 committee which was set up?

Dr REFSHAUGE: No, again, that disaggregation of how many minutes of an hour were spent by our office in doing that specifically as part of our time rather than other things would be impossible to do.

DEPUTY-CHAIR: Given that is impossible, could you explain why the recommendations of the committee were not followed?

Dr REFSHAUGE: Yes, because further advice indicated that a better position would be more appropriate.

DEPUTY-CHAIR: Is it true that you gazetted the St Marys REP 30 without Cabinet approval? I understand you signed off on the REP on 21 December 2000.

Dr REFSHAUGE: No.

DEPUTY-CHAIR: No?

Dr REFSHAUGE: No.

DEPUTY-CHAIR: So you got Cabinet approval for that?

Dr REFSHAUGE: Did I have Cabinet approval?

DEPUTY-CHAIR: I understand the Premier was not in the country on 21 December.

Dr REFSHAUGE: Just because something has been approved by Cabinet does not mean it is announced that day.

DEPUTY-CHAIR: If that is not the case, could you perhaps provide financial or budget evidence that the proper procedures in this matter were followed?

Dr REFSHAUGE: I do not think there is any requirement for budget procedures to be followed. I do not think there is any indication that the proper procedures were not followed. They were all very much followed quite appropriately.

DEPUTY-CHAIR: Can you provide evidence to the Committee that the financial donations of Lend Lease Corporation to the Labor Party and the so-called contribution by the joint developers towards the cost of the regional park did not influence the decision making process at all?

Dr REFSHAUGE: The evidence is that any contributions to any political party are on the public record and the decisions we have made are transparent. To suggest otherwise is to suggest that there is something untoward going on. If you have any evidence yourself, I would advise you as an elected member of Parliament that you have a responsibility, in fact probably you are obliged, to refer that to the ICAC. If you do not do that, you are probably acting corruptly yourself.

DEPUTY-CHAIR: I am just asking the question.

Dr REFSHAUGE: I am just suggesting to you that if you have evidence, you should refer it to the ICAC. If you do not do that, you are probably hindering a potential investigation and you may be in breach of the ICAC Act yourself. Certainly, to follow that, if I had any information, I would refer it to the ICAC.

DEPUTY-CHAIR: We will now move to questions on the portfolio area of Housing.

The Hon. CHARLIE LYNN: Minister, why was Fouady Markaboui evicted from her Department of Housing home in Bore Street, Colyton, whilst in a coma in hospital, against her wishes?

Dr REFSHAUGE: Could I suggest to the Committee that to raise the issues of individual tenants would be potentially breaching the provisions of the Privacy Act and could I also warn the Committee that my shadow Minister has raised a number of individuals or properties and made allegations about them. The vast majority of allegations have been untrue and have, in that sense, undermined the people who are living in those properties.

Can I suggest, if you are absolutely sure of this issue and you know personally this is the case, I will be happy to take it on notice, but it would be better not to be raising people's names publicly when the track record of the Opposition is in fact to get it badly wrong.

The Hon. CHARLIE LYNN: Minister, if in this particular case she was evicted, would the department provide her with another home?

Dr REFSHAUGE: Can I suggest if you have any information of a particular individual, it may be better to raise it with me or the department either through correspondence or directly, rather than bringing up people's names who may or may not be in the circumstances you are suggesting. As I say, on the track record of your colleagues they have been incorrect, and substantially incorrect. Although it would be privileged presumably, here it certainly does not help the individuals to have their reputations trashed.

The Hon. CHARLIE LYNN: That is the purpose of questions, to find out what the facts are, to see if the information we have got is correct.

Dr REFSHAUGE: As I say, I would prefer, if you want to know about that, and am happy to receive the information you have, but not in such a public forum.

The Hon. CHARLIE LYNN: Minister, did a KPMG report find an unlicensed driver wrote off a taxpayer provided manager's vehicle in an accident in July 1999, and how many other departmental provided vehicles have been damaged whilst driven by non-departmental personnel? You will probably want to take that on notice.

Dr REFSHAUGE: No. I have answered that question in my House, and it was not a departmental vehicle.

The Hon. CHARLIE LYNN: There are no other departmental vehicles of which you are aware that have been damaged whilst driven by non-departmental personnel?

Dr REFSHAUGE: The issue you are raising is about community housing rather than the Department of Housing. You are mixing up two bits. If you get the information right I am happy to find an answer for you. You actually seem to be confusing two parts of the housing system. It might be better if you got your confusion fixed up first.

The Hon. CHARLIE LYNN: Minister, what action are you taking to protect honourable tenants of a Department of Housing estate in Casino following a series of arguments and fights that culminated in a recent brawl with more than 40 people assaulting one resident, who had complained of noise levels, fracturing his skull?

Dr REFSHAUGE: I am aware of the circumstances. There is quite a comprehensive response. I think it would be better if I provided that to you or to the Committee later, if I can take that effectively on notice to provide a more detailed response.

The Hon. CHARLIE LYNN: Minister, would you support a policy change to blacklist and permanently evict tenants guilty of serial harassment and intimidation of more vulnerable neighbours?

Dr REFSHAUGE: We do that anyway. We brought it in. Your Government refused to bring it in.

The Hon. CHARLIE LYNN: How many complaints against tenants did the department receive in 1999-2000?

Dr REFSHAUGE: Do you want me to include the spurious ones raised by your colleagues that turned out to be factually wrong?

The Hon. CHARLIE LYNN: Yes.

Dr REFSHAUGE: You want a list that has no basis in reality?

The Hon. CHARLIE LYNN: You are saying you did not receive any complaints?

Dr REFSHAUGE: I received complaints from people like your colleagues who got them factually wrong on a regular basis. If you want a list of inaccurate allegations made by the Opposition, I will make that available.

DEPUTY-CHAIR: Complaints are complaints, Minister.

Dr REFSHAUGE: We can give you a little bit now.

The Hon. CHARLIE LYNN: Please.

Dr REFSHAUGE: The member for Davidson alleged that 36 properties were vacant, but the reality was that 21 were fully tenanted, so he got that wrong by quite a margin. One of the tenants had been living in her house for over 21 years, and another is a very ill woman who was required to spend some time in hospital undergoing treatment. Three of

the houses the Member for Davidson said were vacant Department of Housing houses were private homes, not owned by the Department of Housing, three were owned by the community housing sector, two were redevelopment blocks with builders on site, and a Department of Housing house that the Member for Davidson said was vacant was actually a vacant block of land with no house on it. Yes, we can keep on providing you with the mistakes of your colleagues. I do not know if that is edifying for you. I am happy to continue to do it.

The Hon. CHARLIE LYNN: How many tenants were evicted from public housing in 1999-2000?

Dr REFSHAUGE: This is really year to date. We had 60 evicted for rental arrears and ten evicted for nuisance and annoyance related matters through the Residential Tenancies Tribunal. We cannot evict them without the Residential Tenancies Tribunal.

The Hon. CHARLIE LYNN: You do have a policy that permanently blacklists and bans tenants guilty of serial harassment. How many public tenants in public housing were blacklisted and banned by the Department of Housing permanently in 1999-2000?

Dr REFSHAUGE: We do not, in that sense, blacklist or ban for life people from public housing, but we do put on their records, if they have been evicted, the reason for that eviction, and then, if they are seeking later to be rehoused, we would obviously work on a tenancy agreement with them that would guarantee that they would not be repeat offenders, with consequences if they were.

The Hon. CHARLIE LYNN: How many people fell into that category in 1999-2000?

Dr REFSHAUGE: It would be impossible to determine. You would have to look through each individual case. I do not have a list that I would be able to give you and say these are the blacklisted people.

The Hon. DON HARWIN: Minister, does the Department of Housing keep records of tenants who have declared that they have ownership of overseas properties and are currently housed in Department of Housing properties?

Dr REFSHAUGE: Each individual's file would have any information about their circumstances, including that which would say a property that they owned that they were unable to live in.

The Hon. DON HARWIN: So does the department have an aggregate number in terms of how many tenants have declared ownership of overseas properties?

Dr REFSHAUGE: No.

The Hon. DON HARWIN: Just in individual files?

Dr REFSHAUGE: In most cases they would actually be ineligible for public housing.

The Hon. DON HARWIN: Does the department keep records that indicate how long prospective tenants have been waiting on the waiting list kept by the department?

Dr REFSHAUGE: Yes, we do. You might realise that of course it is not one comprehensive list, because there would be a different list for people, say, who would be waiting for a single bedroom unit in central Sydney to those waiting for a four bedroom house in Casino. There is no point in putting them on the same list. You would be a number of different lists that we have, and the waiting time for those varies enormously. In that sense, how long they have been on the list varies enormously depending on the availability of the stock and the popularity of that area.

The Hon. DON HARWIN: Could you tell me how many lists there are?

Dr REFSHAUGE: A thousand.

The Hon. DON HARWIN: About a thousand lists?

Dr REFSHAUGE: They are classified according to size, type and location of dwelling.

The Hon. DON HARWIN: Are you able to provide the Committee, looking at all those lists, with how long has the person on the longest waiting list been waiting?

Dr REFSHAUGE: There is a difficulty in that because some people will have been on the list and taken off the list and gone back on the list, there will be people whose circumstances have changed and so they have changed from one list to another. It is meaningless to provide that. Certainly it is not unusual for people to be expecting to wait over seven years for housing if there is not a priority circumstance. In some areas you would be waiting significantly less than that, in some areas more than that.

The Hon. DON HARWIN: Capital expenditure. Minister, the 2000 annual report states that \$100 million was spent on public housing and \$97 million on new community housing. Given the Asset Acquisition Program was \$393 million, could you reconcile the figures? Where did the rest of the money go and was the full amount allocated in the Asset Acquisition Program expended?

Dr REFSHAUGE: Can we take that on notice? I think there is some difficulty with the figures you are providing, and whether we accept those figures are totally comprehensive, we will get you a better answer. Can I say there is no money that goes back to Treasury. All the money is used in housing, whether it be in maintenance or building houses or whether it be in head leasing.

The Hon. DON HARWIN: In which suburbs was new public or community housing acquired or built in the 1999-2000 financial year, and how many homes were added to that housing stock in each suburb?

Dr REFSHAUGE: Specifically I will get that information for you. I do not have the details here.

The Hon. DON HARWIN: Would you also be able to provide the following information? In which suburbs were new public or community housing acquired or built in the 2000-01 financial year to date, and how many homes were added to the housing stock in each suburb for that year as well please?

Dr REFSHAUGE: Yes.

The Hon. DON HARWIN: The 2000 annual report shows that gross proceeds from sales of public housing were \$117 million, double what was budgeted at \$46.9 million. Is the same expected for 2001 and where was the extra revenue directed?

Dr REFSHAUGE: In regard to the public housing, that is the budgeted figures, the increase on the actual was the sale of some commercial buildings as well. The revenue that was raised by selling houses went back to providing more houses. Some of the money from the sale of commercial assets that we had went to paying the Commonwealth debt.

The Hon. DON HARWIN: Which were the commercial assets?

Dr REFSHAUGE: I will get you a list of those.

The Hon. DON HARWIN: Could you, thank you. Minister, the department suspended negotiations with inner city real estate agents with a view to selling off high value Woolloomooloo terraces.

Dr REFSHAUGE: I am not aware of any negotiations.

The Hon. DON HARWIN: In which suburbs did the department lease housing in 1999-2000?

Dr REFSHAUGE: Again, I will take that on notice.

The Hon. DON HARWIN: And year to date 2000-01?

Dr REFSHAUGE: I will take that on notice.

The Hon. DON HARWIN: Could you check how many dwellings were leased in each of these suburbs?

Dr REFSHAUGE: Yes.

The Hon. DON HARWIN: What was the cost of repairing vandalism to public housing in 1999-2000?

Dr REFSHAUGE: Very hard to know. If you want to disaggregate it from vandalism that occurred by tenants or vandalism that occurred by other than tenants, because most of the vandalism would be occurring by other than

tenants. So you are wanting total amount of maintenance? The most accurate answer I can give you on that is that we spend about \$2 million per year to repair unidentified third party damage. In that sense, \$2 million dollars on vandalism.

The Hon. DON HARWIN: Are you expecting similar costs in 2000-01?

Dr REFSHAUGE: That seems to have been the pattern for many years. I am hopeful we will be able to reduce it. We are always looking at strategies for doing that.

The Hon. DON HARWIN: Has any of this been recovered from tenants?

Dr REFSHAUGE: This is unidentified third party damage, so no. It is by people we do not know.

DEPUTY-CHAIR: Minister, given that the public housing waiting list is just under 100,000, why is it that while almost \$53 million was allocated for public housing last year, only \$27.75 million was actually spent on public housing?

Dr REFSHAUGE: It is much more than that figure. That was just representing new acquisitions supplemented by sales.

DEPUTY-CHAIR: Given the 100,000 on the waiting list, has at least \$53 million again been allocated this year for public housing? If not, why not?

Dr REFSHAUGE: \$99 million has been allocated for new supply in public housing.

DEPUTY-CHAIR: Minister, what was the total expenditure on modification of public housing to accommodate people with disability in 2000-01 and what will it be in 2001-02?

Dr REFSHAUGE: Almost \$4 million, and it will be almost \$4 million again.

DEPUTY-CHAIR: What was the total expenditure on construction of accessible public housing for people with disability in both those years?

Dr REFSHAUGE: Almost all of our public housing for pensioners is designed and constructed so it will be accessible for people with disabilities.

DEPUTY-CHAIR: You are saying the housing for pensioners covers that. You do not target specifically people with disabilities?

Dr REFSHAUGE: Some people will become disabled during their tenancies, particularly older people. We are keen that the houses we are building or will be using are designed immediately for people with disabilities, or with minor modifications will be accessible for people with disabilities.

DEPUTY-CHAIR: In my limited experience of the area, there is a significant difference in needs for people with disabilities, even down to the function of toilets and areas for showers, and there are a significant number of specific issues that people with disabilities do face, I would have thought beyond aged pensioners and their inability to cope with normal circumstances. I am a bit surprised that you do not recognise that there are a wide range of disabilities with very specific needs, heights of drawers, equipment, the way ironing boards come out of walls and the shape of toilets.

Dr REFSHAUGE: Yes. I suppose there are two aspects to the question. One is new stock that we are building or using, particularly for aged people. That is designed so that it will be accessible to people with disabilities, or with minor modification it will be. The \$4 million that we will spend is on existing stock that needs to be modified, and we have the advice of occupational therapists to make sure that the design works effectively. So it is \$4 million we are actually spending on existing stock, but to think that that is the only amount of money we are spending on people with disabilities is wrong, because the new stock is targeted for older people, who in the main are our clientele.

DEPUTY-CHAIR: I appreciate that, but I have been to accommodation for people with disabilities where generally conditions are appropriate. However, there are people living in dwellings who cannot reach door knobs, et cetera.

Dr REFSHAUGE: Yes.

DEPUTY-CHAIR: Will there be any funding to target those areas?

Dr REFSHAUGE: That is the \$4 million, and 15 percent of people in community housing have special needs.

DEPUTY-CHAIR: How many people with disability are currently accommodated in public housing and what is the level of unmet demand for public housing among people with disability?

Dr REFSHAUGE: The definition of "disability" is probably pretty variable. Everybody has a financial disability. Not everybody who has got a financial disability is in public housing.

DEPUTY-CHAIR: I am talking about physical disability.

Dr REFSHAUGE: Are you talking also about mental disability?

DEPUTY-CHAIR: Yes, I would be.

Dr REFSHAUGE: Then the definitions are going to be rather difficult as to whether the disability is continuing or not or is intermittent.

DEPUTY-CHAIR: Can you answer in terms of housing construction-

Dr REFSHAUGE: 28 per cent.

DEPUTY-CHAIR:-for people with physical disabilities?

Dr REFSHAUGE: I am informed 28 per cent are for disability on the department's assessment or the department's information. We do not actually assess the disability. It is other people who assess the disability.

DEPUTY-CHAIR: Do you have any other initiatives proposed in 2000-01 to improve access to community housing for people with disabilities and what initiatives are you proposing?

Dr REFSHAUGE: Fifteen percent in community housing is a pretty high percentage, especially when you compare it with the general population. I think that is a pretty strong commitment that we are keen to maintain, but I think so is the community housing sector.

DEPUTY-CHAIR: Minister, "Other housing programs" in your term have received an increase in funding of approximately 25 percent. What are those other housing programs and why is there such a large increase in funding?

Dr REFSHAUGE: That is mostly Rent Start, which is assisting people to get into private accommodation. It also includes special assistance subsidies and a very small amount of Mortgage Assistance Scheme. There are some announcements I made before of the boarding house upgrade program, tenant participation in community development initiatives, affordable housing initiatives, the Housing Appeals Committee, and there is also a large chunk that goes back to the Commonwealth. The Commonwealth seems to take money back.

DEPUTY-CHAIR: From community housing?

Dr REFSHAUGE: From other housing initiatives.

DEPUTY-CHAIR: Is there a budget allocation to finish developing and implementing the affordable housing guidelines stemming from changes passed last year by the Government?

Dr REFSHAUGE: Sorry, could you ask the first part of the question again?

DEPUTY-CHAIR: Is there a budget allocation to finish developing and implementing the affordable housing guidelines stemming from changes passed by the Government, that is the Environmental Planning and Assessment Amendment (Affordable Housing) Act 2000?

Dr REFSHAUGE: There is not a specific budget line item allocation. It is part of the responsibility of the Department of Urban Affairs and Planning, and there is no indication to me that there is a financial hold-up in the development.

DEPUTY-CHAIR: Can you indicate how much is allocated to it?

Dr REFSHAUGE: It is not a specific line item allocation. It is part of the core functions of the department and it is done as their normal core business.

DEPUTY-CHAIR: Could you indicate when the guidelines will be finished and implemented?

Dr REFSHAUGE: Its release is imminent.

DEPUTY-CHAIR: Minister, given the huge unmet need for services for homeless people, why is it that the Government can find \$600 million at the drop of a hat to bail out HIH victims, yet is unable to find significant new money to deal with the continuing and growing homelessness crisis?

Dr REFSHAUGE: I think that is a question you should put to the Treasurer.

DEPUTY-CHAIR: You do not see any role for you in dealing with the homelessness crisis?

Dr REFSHAUGE: That is not the question that you asked.

DEPUTY-CHAIR: Well, then I will ask: Is there any significant new money in your portfolio to deal with the continuing and growing homelessness crisis?

Dr REFSHAUGE: We provide a total of \$53.52 million for programs which provide direct assistance to people who are homeless or vulnerable to homelessness. That includes the Crisis Accommodation Program of \$17.87 million; it includes funds to the homelessness action team; Rent Start \$21.45 million; special assistance subsidy of \$12.03 million; funding to the City of Sydney homeless persons information centre and brokerage services \$.31 million; and further homelessness initiatives of \$.775 million.

In addition to the direct assistance to those who are homeless or facing homelessness, substantial assistance is provided to people in crisis through mainstream public, community and Aboriginal housing. In the 2001-02 budget \$242.9 million is being provided to commence 2042 new homes.

In addition to the above provisions in the 2001-02 budget, \$1.49 million was released to implement over two years that further initiative. The funding will be spread over three budgets. It will pilot two new types of housing projects. It will provide long-term accommodation for homeless people who have difficulty living independently and need support with basic living tasks, such as cooking, cleaning and laundry. The projects will be managed through partnerships between community based housing and service providers.

In summary, I suppose all of our funding is spent on people who could potentially otherwise be homeless. For those who are homeless at the moment, we provide a guarantee that if you want a roof over your head for the night, we will provide it.

DEPUTY-CHAIR: You guarantee that?

Dr REFSHAUGE: If people want to, we will provide it. In fact, during the Olympic time we were concerned that the accommodation that we use, which is usually in low cost hotels, may have been fully booked. So we pre-booked accommodation to make sure that we were not crowded out of the market in that sense. On our estimates we thought we would need a maximum of 300 beds a night. We pre-booked for the peak period 300 beds a night. On average 170 beds of those 300 beds were vacant per night.

We co-ordinated the requests for people who wanted to be housed, we had accommodation available every night and we had spare accommodation that we had in that sense over-booked, and although we do not have pre-booked accommodation now on a large scale, because the feeling of being crowded out is not there, we will provide accommodation for people who want it overnight.

DEPUTY-CHAIR: So this is happening. I must say I congratulate you on the Homeless Protocol which was developed during the Olympics. It was a huge success, but is there a budget allocation and a commitment by the Government to retain and extend this protocol to cover all police, public officials and local government council rangers across New South Wales?

I am rather surprised to hear that you are saying that all homeless people are actually housed at this time, as it is not what I have seen, having gone around to a number of the areas and having been a participant in the homelessness conference.

Dr REFSHAUGE: I am not saying that.

DEPUTY-CHAIR: There was a recognition that even those who want housing or want accommodation are not being accommodated at this time.

Dr REFSHAUGE: We were very keen to ensure that every agency that people would come to was aware of the fact that we had pre-booked accommodation, and that if anybody wanted or if any agency wanted on behalf of a client to find accommodation for the night, that would be available. It was available. We provided it for around about 130 or so on average every night.

DEPUTY-CHAIR: This is at the present time, you are saying?

Dr REFSHAUGE: No, this is when we pre-booked, because we wanted to make sure that we were not squeezed out.

DEPUTY-CHAIR: That was during the Olympic period?

Dr REFSHAUGE: Yes, but still if people want accommodation for the night, if they approach any of the agencies who have access to this, they will have accommodation for the night. Can I say it tends to be that people will actually be accommodated for more than one night, but that is the guarantee. We provide them with accommodation for tonight, but often they have multiple problems and we try at that time to get other agencies who would be involved in trying to get these people's lives together to be able to come and do assessments and see what is required. So people will often stay more than one night in the accommodation we provide, but it is always available.

DEPUTY-CHAIR: In times of increasing rents, lack of affordable housing and the huge public housing waiting listing, can you say if, and if so explain why, there is a reduction since 1998-99 in the number of public housing tenants receiving subsidies?

Dr REFSHAUGE: I would expect that more people are receiving subsidies. The amount of subsidy may be changing, as I announced the increase of rents to progress over the next few years to be in line with the community housing sector of the churches.

DEPUTY-CHAIR: I understand that there are fewer numbers of people who are receiving subsidies.

Dr REFSHAUGE: It would be highly unlikely. If there is any change, it would be pretty much a statistical variation, a non-relevant statistical variation, rather than a change in policy. The policy is that we are particularly targeting people who have priority needs and they almost always would be in receipt of benefits and therefore they would be receiving their subsidy.

DEPUTY-CHAIR: I am mindful there is an impending division coming up.

Dr REFSHAUGE: I will stop mid-sentence if I have to leave.

DEPUTY-CHAIR: We will proceed until that happens. We will now move to Aboriginal Affairs.

The Hon. DAVID OLDFIELD: Minister, given the extremely high level of sexual assault, sexual abuse and rape in Aboriginal communities, what plans do you have to address these issues?

Dr REFSHAUGE: Can I say that everybody, I think, who has looked at this issue is very concerned about the domestic violence or sexual assault in any community. There has been a large number of allegations made to date about sexual assault and domestic violence in Aboriginal communities, and there is no doubt it does exist there.

I am concerned that we have a co-ordinated approach to this that is effective. The Federal Government provided some seed funding some time ago for one community in New South Wales to trial some new approaches there. I suppose through all of our Government programs we are trying to make sure that the circumstances that might lead to domestic violence are minimised in Aboriginal communities. At the moment I am drawing together a more comprehensive review of what all Government agencies are doing, so we can look at where there might be gaps and where we could work to do it better.

I think, as I say, domestic violence is a tragedy wherever it is occurring, and there are certainly enough difficulties that Aboriginal communities face. To have this as well is difficult and I know that it has been raised and will continue to

be raised as a major issue at the ministerial Council on Aboriginal and Torres Strait Islander Affairs (CATSI) when it regularly meets.

The Hon. DAVID OLDFIELD: Given the circumstance of the apparent prevalence of convicted criminals holding high level positions in Aboriginal leadership in other States—convicted for crimes including assault, rape and even extending in one case to the rape and murder of a young child—do you have any concerns about the backgrounds of Aboriginal leaders in New South Wales?

Dr REFSHAUGE: I think that is a pretty broad statement that borders on the offensive. I think our job is to make sure that we develop leadership skills in Aboriginal people and that we make sure that in the process of that we build strong communities. If they have committed criminal acts in the past, then obviously those should be taken into account in any position that they might take or seek to take, as would happen in the general white community as well. Having broken the law does not necessarily preclude you from being a major contributor to society, particularly if you have paid your debt. It depends I suppose to some degree on what the crime was and whether there is any indication that people have learnt from paying their debt.

DEPUTY-CHAIR: Can I ask the honourable member, whilst I have allowed a degree of latitude, if he could keep somewhat to budgetary matters?

The Hon. DAVID OLDFIELD: I believe all these things lead to budgetary matters and I am getting to that a little later on. Also, given what the Minister says, his replies clearly relate to the further line of questioning. Given that you have just said, Minister, that as in white society a person's background should be considered, but depending on the seriousness of the crime, which was the area you were going into, have there been any inquiries in New South Wales that would have informed you of the backgrounds of any such leaders that might concern you, in particular when we are talking about serious crimes which have been disclosed in the backgrounds of other leaders in other States, including rape and murder?

DEPUTY-CHAIR: He said they have served their time. Is that a question at that point?

The Hon. DAVID OLDFIELD: According to the Minister it is, because he just said a moment ago that depending on the crime you would consider their backgrounds as you would in white society. So I would suggest it is, as the Minister has noted himself.

Dr REFSHAUGE: Could you repeat your question?

The Hon. DAVID OLDFIELD: Have there been any inquiries in New South Wales that would have informed you of the backgrounds of any such leaders in New South Wales, for example in the case of serious crime such as has been seen with other Aboriginal leaders in other States with crimes such as rape and murder?

Dr REFSHAUGE: I do not believe I have been informed by any formal inquiry or review of that matter. I do not know of any formal documentation on that.

The Hon. DAVID OLDFIELD: Would you agree that Pat O'Shane's recent statements that attacked the credibility of women claiming to have been raped has the potential to damage the willingness of women who have been raped or sexually abused to come forward?

DEPUTY-CHAIR: I actually cannot see what that has to do with looking at the Minister's budgetary portfolio.

The Hon. DAVID OLDFIELD: I think it has everything to do with it.

DEPUTY-CHAIR: You might but I cannot see it.

The Hon. DAVID OLDFIELD: Your refusal to see it does not mean that it does not exist.

DEPUTY-CHAIR: I cannot see how that relates. Could you please ask questions in line with budgetary matters.

The Hon. DAVID OLDFIELD: All of these questions lead to the bottom line of what expenditure do you have in place to provide support for victims of sexual abuse, rape, and domestic violence? Do you have any expenditure in place for support groups and counselling in relation to these forms of attack?

Dr REFSHAUGE: I do not think the honourable member understands the responsibility of the department. Apart from a major project, that of the Aboriginal community development project, which is more of an infrastructure program, the department is not a line agency in providing direct services. That is in other portfolios and the question is probably best directed to the appropriate Ministers.

The Hon. DAVID OLDFIELD: Are you concerned by the high level of violence and intimidation in Aboriginal communities?

Dr REFSHAUGE: I think I answered that.

The Hon. DAVID OLDFIELD: Would you like to see these photographs which were sent to me by various people in Aboriginal communities?

DEPUTY-CHAIR: I would request that you do not follow that line because the question does not relate to budgetary matters. I ask you to ask questions on budgetary matters.

The Hon. DAVID OLDFIELD: It goes beyond money, so I will hand over to you if you want to stick with money rather than people.

DEPUTY-CHAIR: You are welcome to take that to the media and do whatever you will. You have had all your questions. Thank you. Minister, regarding State Acquisition Program, Aboriginal Housing Office, could you elaborate on the Land Purchase and Project Development Program listed in the State Asset Acquisition Program?

Dr REFSHAUGE: Yes. The Aboriginal Housing Office is set up as a separate organisation with a separate CEO by an Act of Parliament. It is a model that other states are looking at. We have certainly been leading the way. Half the board are ATSIC representatives and community representatives chosen by me after advice from the selection panel. It has a number of functions; one is to provide housing for people who are Aboriginal and in fact has taken over the old HFA program, the Housing for Aborigines Program. It also has funding through the Commonwealth State Housing Agreement to provide further housing. Part of its role and responsibilities is also to improve the skills of those who are providing Aboriginal housing in the community sector, many of whom are Aboriginal Land Councils, some of whom are specific Aboriginal housing organisations.

It has been quite rigorous in ensuring that accountability is transparent and appropriate before any funding for organisations will be provided. It is also embarking on a major program of upgrading the skills of the housing managers for these organisations. It is, I think, a long and a difficult program to implement. I am insisting that they do it with rigour and that they make sure that the management skills of those who are running Aboriginal housing is to a level that will guarantee that they are providing a quality service, a service that in no way people will be unhappy with.

DEPUTY-CHAIR: Minister, could you inform the Committee where the land is likely to be purchased and what type of project development will take place?

Dr REFSHAUGE: There would often be houses that have been bought in communities that have significantly high Aboriginal population, often identified by the Aboriginal housing organisations themselves. The process of identifying where housing needs should be met is quite a complex one and is informed by a large amount of research done on what are the housing needs for each of the regions, based on ATSIC regions. Then there is a debate at the local level by local Aboriginal communities about the specific types of needs within their region and where the targeting should be. That information is used to inform where the make-up of the budget should go throughout the State.

We have one really significant complication and that is that the funds from Federal Government are not allowed to be used in Sydney. They refuse to allow any Aboriginal housing funds to be used for Aboriginal people who live in Sydney, it has to be used outside Sydney. That causes us some concern because there are no doubt Aboriginal people living in Sydney who have housing needs as well. They may not have as great a housing need as some others but they certainly have housing needs, and despite constant attempts by me to get the Federal Government to change their view, they refuse to provide housing or funding for Aboriginal people who live in the metropolitan region. In fact, I had quite a heated argument with Senator Vanstone about that just recently.

DEPUTY-CHAIR: The budget papers show that in 2000-01 more than \$36 million was allocated for the Aboriginal infrastructure program. However, less than \$13 million I understand was spent and this year only \$32.5 million has been allocated. Would you comment on that?

Dr REFSHAUGE: This is a program that really is very much involving the local community in their own solutions. Previously we have had a number of Aboriginal infrastructure programs or parts of programs that have been

often well meaning but determined by a central agency, usually in Sydney or in Canberra, that say what will happen to Aboriginal people but then it does not. Frequently those programs fail or partially fail because there has been no community involvement in the decision making.

This program is different from that in that it does take up some of the good things that have happened before, it adds to that a number of dimensions. There must be community consultation and the community must be deciding where and what the infrastructure will be. There are limits as to what we can provide and say to the community, these are the sorts of things you could be looking at and these are the range of things that could be thought about.

The community needs to take its own time to decide as to what should be done, how it should be done, where it should be done. That does not follow the normal Government bureaucratic process; it follows a community process. We would be hoping to have communities making decisions in a speedier time and therefore be able to spend that money. Some communities want to take a bit more time, they want to work through those issues.

We had some difficulty when local governments decided this is a great way to stop them having to spend money and decided the State Government should be taking up the local council's responsibilities. So we had to unpick some issues where local government would say, "Now, the State has money for Aboriginal people in these programs, we want to suck it out of that and use it for what their rate payers should have been paying". So all those are the reasons why there has been delay.

We have an expectation of the program that I thought would be lasting seven years. It is probably going to last eight years. The money is guaranteed, \$200 million will be there, but it is to be spent in that sense at the community's time frame, but with the proviso that we will have to check to make sure that what is being put up is not cost shifting from local government to the State Government.

DEPUTY-CHAIR: Minister, it explains why only \$13 million was spent, suggesting a lack of organisation and allowing the community to do it. The program does not do it itself, undertake the process itself and take responsibility for it. That does not actually explain why there is less allocated this year than last year. Surely over that period there would be an opportunity to encourage those communities to expend those funds?

Dr REFSHAUGE: The money was a total amount allocated over a period of time. The money, that \$200 million will be spent, it is available to be spent. The time frame on how and when it will be spent is in the community's hands, with an oversight by the department that what is being asked for is appropriately within the program. If the communities can spend it faster, we can provide more. That money is available. We are trying to make a realistic estimation of where communities are at the moment, what decisions have been made, what expenditure can be foreseen this far out—which is, I suppose, a 12-month period, at least when the budget was put together a couple of months ago—a lot of which requires community decision making. I am happy to spend it faster.

DEPUTY-CHAIR: That is heartening to hear.

Dr REFSHAUGE: I am not trying to hold it back but I have to be realistic about how the community takes these issues on.

DEPUTY-CHAIR: You are saying that if the community creates the need, then you will significantly upgrade that \$32.5 million next time around?

Dr REFSHAUGE: No, I am saying we have \$200 million to spend. I do not mind spending it faster. That amount of money will be spent. However fast it is spent, it will be spent. We will determine which communities they are on a needs assessment. We need the communities to work out, through their working parties, what it is and how it is they want that money to be spent on. We need to assess that, but if they can do that process faster, that money can be spent faster. If not, the money will be spent when they are ready. There will be no reduction of that total amount of money spent. In fact, there is more likely to be an increase.

DEPUTY-CHAIR: Given that we have Aboriginal communities still living with totally inadequate sewerage, water supply systems and other major deficiencies, it seems unusual or unexpected that some of those major infrastructure systems cannot be more effectively targeted in this period?

Dr REFSHAUGE: That is exactly what we did in the first year. We knew the consultation period would take a long time. We decided we would pick on the issues where there was less need for prolonged community consultation and those were the water and sewerage issues, emergency repairs. In our first year we effectively had minimal community consultation about doing that, because they were so obvious and so needed. I share your concern to get it done fast. Money is available to be spent and we do want to do that. We need to learn from the past and if you go into a

community and tell them what you are going to do and tell them that their view does not matter, then the end result is much less successful than if you involve the community. It does not matter whether it is white or black, it is the same process. You get a much better outcome, much better result, you get ownership of the program, you find solutions much faster and coming more effectively if you use this consultation process. I must admit that every other State has looked at this program and said that they think it is a fantastic model program and they are looking at changing their work to fit in with what we have been able to do here.

DEPUTY-CHAIR: How many of the staff in Department of Aboriginal Affairs are temporary workers and do you have any intention of making staff permanent who have worked at the department for more than 12 months?

Dr REFSHAUGE: Yes, since Linda Burnie has taken over as head of the department she has particularly gone through the process of getting those who are temporary onto a permanent basis, and that has been rapidly progressing.

DEPUTY-CHAIR: Could you outline to the Committee what new and practical policies, programs and services are provided for this year's budget which will help to overcome the severe and continuing social and economic disadvantages that are faced by many Aboriginal and Torres Strait Islander people in their communities?

Dr REFSHAUGE: Really you need to look at other portfolios, because we are not a service delivery portfolio, apart from the ACDP. If you are looking at programs for improving people's health, you should be looking to the health minister, the education Minister and so forth, because the Department of Aboriginal Affairs does not provide direct service, except in a very limited area.

DEPUTY-CHAIR: How about where we see a need to alleviate the social and economic disadvantage faced by these people?

Dr REFSHAUGE: Again that would be other portfolios. I think actually if you want to get an easier way, look through the budget papers for it. The booklet on the budget delivering social justice would be a good place to get a more comprehensive view across Government of what is being done.

DEPUTY-CHAIR: The New South Wales State Reconciliation Committee is a voluntary committee as I understand. The secretary is located in New South Wales Department of Aboriginal Affairs. Is there a budget allocation for this very important committee? If so, how much?

Dr REFSHAUGE: Yes, there is. It was interesting to note that the Commonwealth Government refused to continue any funding for this organisation and its counterparts across the country. One of the many disappointments, I suppose, is that the Federal Government has shown in its attitude to Aboriginal people an attempt to undermine, I suppose, the reconciliation process. The State Government was very keen to pick up the ongoing funding for the reconciliation committee. It is not a large amount.

DEPUTY-CHAIR: Can you tell the Committee how much?

Dr REFSHAUGE: \$111,000.

DEPUTY-CHAIR: What are the policy objectives of the Aboriginal Housing Office?

Dr REFSHAUGE: I think I have already gone through that, but I think you are probably best informed by the legislation itself. I refer to the legislation that has the objectives very clearly in it.

The Hon. DON HARWIN: Minister, what arrangements are in place for you as Minister for Aboriginal Affairs to co-ordinate overall policy and delivery of service to Aboriginal communities in New South Wales?

Dr REFSHAUGE: I suppose being a Minister of the Crown gives me the ability to be involved in a whole range of ways to influence and coordinate.

The Hon. DON HARWIN: Are there any interdepartmental committees?

Dr REFSHAUGE: There is a CEOs' forum that meets on a regular basis that looks at co-ordinating not only policy but delivery service issues. We have forums where we take CEOs out to Aboriginal communities to learn on the ground how their policies actually work or do not work, what the difficulties are in delivering what looks like a good program from Sydney, but on the ground is not actually delivering the goods, so we can inform people more clearly about the issues that they face. I suppose Cabinet is the ultimate place to make sure there is co-ordination. There are a number of other committees, I suppose, that you could use for those sort of functions.

The Hon. DON HARWIN: At that CEOs' forum do you discuss budget priorities and delivery of services across portfolios?

Dr REFSHAUGE: Those would be issues that would be discussed.

The Hon. DON HARWIN: Could you tell me how much was allocated in the budget and how much was spent in each of the six years of your Government to address domestic violence in Aboriginal communities and what specific initiatives?

Dr REFSHAUGE: As I answered before, those are in other portfolios. You would have to ask the other portfolio's Ministers.

The Hon. DON HARWIN: There would be no discussion at the CEOs' forum of what priority might be put on domestic violence issues?

Dr REFSHAUGE: Yes.

The Hon. DON HARWIN: What spending might take place across portfolios in the budget?

Dr REFSHAUGE: If you are looking at priorities, that would be more at Cabinet, because the CEOs are there to implement Government policy, not create policy. Your Government would probably work in a different way. In fact it did many times. We still feel the elected representatives should be making policy and that is probably what the people who vote for us think as well.

The Hon. DON HARWIN: Have you made any allowance in the 2001-02 budget to support co-ordinated research into domestic violence in Aboriginal communities which presumably would be something under your policy brief in the DOA?

Dr REFSHAUGE: No, it is not under my policy brief. You should be looking at the portfolios that have specific responsibilities.

The Hon. DON HARWIN: Looking at the budget papers and also reviewing what was in the annual report of the DOA last year, it shows that only one of the 25 major grants, the total program coming to \$500,000, and none of the 40 discretionary grants, worth approximately \$135,000, related to family violence prevention. How do you justify just one grant of \$34,000 out of approximately \$635,000 going to domestic violence prevention activities?

Dr REFSHAUGE: These grants are not designed to be taking up where other portfolio responsibilities are. These are particularly where other portfolio responsibilities do not meet, and you are misunderstanding the grants program significantly, as you obviously have. The grants program, which is to provide for individual service provision, or looking at ways of doing that, would be much more likely to come under other Government agencies. Our programs are targeted to a number of specific areas and are usually for programs that will not get funding elsewhere and are not appropriate to be funded by elsewhere.

The Hon. DON HARWIN: What programs does your Government have to support Aboriginal victims of domestic violence?

Dr REFSHAUGE: I do not think you understood the role of the department. It is not a service provider.

The Hon. DON HARWIN: Thank you. I have not misunderstood at all.

Dr REFSHAUGE: Haven't you? You display an enormous amount of ignorance.

The Hon. DON HARWIN: I am just surprised, Minister, that as the Minister with overall responsibility across the Government and as the Deputy Premier you are not able to answer questions about—

Dr REFSHAUGE: You are not asking me about my portfolio as Deputy Premier. You are asking me about my portfolio as Minister for Aboriginal Affairs. Aboriginal Affairs does not provide direct services except to the ACDP. I know you may find that difficult, but even under your arrangements the Premier had the office of Aboriginal Affairs and did not have responsibility for providing for services such as health, and would not answer questions on Aboriginal health as a direct result of it. You may not like the system, but that is what this democracy is about.

The Hon. DON HARWIN: Can you advise—

Dr REFSHAUGE: I can give you an in-house service on it later, if you like, to explain how Government works. It may be useful for the next—

The Hon. DON HARWIN: Minister, can you advise what part of the budget funds were employed for travel and associated costs for the Labor Caucus Backbench Aboriginal Affairs Committee and how much was expended on their travel and accommodation during 1999-2000?

Dr REFSHAUGE: You will have to ask the Parliament that. That comes out of the parliamentary allowance.

The Hon. DON HARWIN: So there was no funding out of the allocation in the budget for that?

Dr REFSHAUGE: No.

The Hon. DON HARWIN: None at all?

Dr REFSHAUGE: No. Do you want a trip to an Aboriginal community?

The Hon. DON HARWIN: I would be delighted.

Dr REFSHAUGE: Do you want us to pay for it?

The Hon. DON HARWIN: No, I don't wish to you to pay my—

The Hon. DAVID OLDFIELD: I will chip in if you are willing to send him.

Dr REFSHAUGE: One way you would.

The Hon. DON HARWIN: Can you advise whether the cost of Aboriginal Land Council administrators in 1999-2000 was deducted. Rather, can you advise whether or not the review of the Aboriginal Land Rights Act—

Dr REFSHAUGE: Sorry, can I go back to your earlier question? my Parliamentary Secretary, Col Markham, travels around significantly on my behalf, with or without other caucus members, to Aboriginal communities. Part of his travel had been paid for, as was usual, by the department. I have changed that process of late so that his travel now comes out of my ministerial budget.

The Hon. DON HARWIN: Could you advise how much has been paid?

Dr REFSHAUGE: Yes, I will.

The Hon. DON HARWIN: That is the expense for your Parliamentary Secretary?

Dr REFSHAUGE: But I will have to get those figures for you.

The Hon. DON HARWIN: I will go back to the question I was asking. I refer to Budget Paper No. 3, Volume 2, page 20-47. Can you advise whether or not the review of the Aboriginal Land Rights Act 1983 has been funded from this or another section of the budget? Can you advise how much has been spent to this time in regard to the review of the Aboriginal Land Rights Act 1983, including the production of the discussion paper on the review, and could you also advise what stage the review is now up to and what you anticipate will be the outcome of the review?

Dr REFSHAUGE: The specific details of the dollars I will try and get to you if we are able to disaggregate them to make them meaningful for you. The review is pretty much complete. We have had a number of community consultations. The New South Wales Aboriginal Land Council are also undertaking their own community consultations. We have now got general agreement between the New South Wales Land Council and myself about the amendments that there will be. It was highlighted when we undertook this review that it would be not looking at change in policy specifically, that policy initiative changes could be done through a different process at a different time, and we are at the moment just finalising the negotiations about the end result of what the Bill will be, but I expect to introduce the bill in the next session of Parliament.

The Hon. DON HARWIN: I refer to Budget Paper No. 3, Volume 2, page 20-47, and the annual report. Having in mind that at page 94 and 95 of the annual report there were 40 discretionary grants made totalling over

\$100,000, can you advise what criteria was applied by your department in giving discretionary grants? Who makes the decision in regard to whether or not the grants will be made and what checks are there on outcomes that are obtained as a result of the contributions that are made?

Dr REFSHAUGE: The discretionary grants involve money less than \$4,000. They are provided to business people or organisations to assist them in crisis circumstances and to give them the capacity to take advantage of economic, social and cultural opportunities where no other source of funding is available. They are only sought as a last resort. In limited circumstances the department may make an exception to this requirement.

To date, 2000-01, 132 discretionary grant applications have been received; 104 of them have received funding; total expenditure has been over \$2000 [?]. Major grants, up to \$45,000, are available for projects that are designed to address social justice priorities of the Government and the Department of Aboriginal Affairs. There are two funding rounds each year for major grants with priorities identified for each round, and the recommendations for the major grants come to me for final approval.

The Hon. DON HARWIN: Minister, I refer to Budget Paper No. 3, Volume 2, on the same page, page 20-47, and page 94 of the Annual report 1999-2000, line item 16 notes that the HIPPY Development Committee Aboriginal Education Program at the University of New South Wales received funds to attend Israel's 80th HIPPY International Workshop totalling \$4,900. Can you explain why those funds were paid to these recipients and what outcomes were expected? Was a report received? If so, can you table the report please?

Dr REFSHAUGE: Yes; HIPPY is not used in the colloquial sense. It is an acronym for an educational program that has been designed I think in Israel and is being used extensively in first world nations around the world. It does seem to have quite significant success in developing the educational skills of Aboriginal people, particularly at the earlier days of their education. It is particularly designed for the earlier days of education.

There has been a project running in Victoria that seems to have some success. I was very keen for those who are looking at developing that program here to be able to have the experience to see more how that program works. Although what was being done in Victoria could be replicated here, there were some ideas from the visiting professor, who was proposing that we send some people to Israel to look at it, that in fact we could probably do better than Victoria and it would be worthwhile them getting the first hand experience of seeing what were this early education program's successes there and talking to people who had worked in other parts of the world so that they could get some better feedback on it. So that was the intention, getting further expertise from people who have been working with first nations around the world for what seems to be in other places a successful program and to see if it would be valuable to establish here.

The Hon. DON HARWIN: I refer to Budget Paper No. 3, Volume 2, page 20-49, the Aboriginal Community Development program. Last year at the estimates committee, reported at page 503 of the transcript, you stated, "Just a few weeks ago I signed off on \$53 million of programs for the next budget to go ahead." Can you explain how, if you signed off on those amounts, only \$12,866,000 was spent in the revised 2000-01 budget? Could you explain the difference?

Dr REFSHAUGE: I signed off not for one year. I may have, but I am not sure whether you said I said it was for a year or not. It was for an extended period rather than one year.

The Hon. DON HARWIN: Minister, same budget paper and page number, why has only 16 per cent of the Aboriginal Community Development Grant money been allocated so far?

Dr REFSHAUGE: The allocation has been there, it is a matter of whether it is being spent. I answered that question quite comprehensively earlier.

DEPUTY-CHAIR: One more question.

The Hon. DON HARWIN: How many specific projects has the ACDP completed so far and what is the estimate of total number of projects to be completed?

Dr REFSHAUGE: There are 22 communities that will benefit from the ACDP program. There are subprojects in each of those programs, many of which are yet to be done, some of which are completed. I suppose the most close to completion is Dareton and Mooli Mooli, both of which have seen housing built, landscaping, roads, water supply, and improved sewerage. Also, of course, a very important part of that is the training of apprentices. Some have gone through training and are setting up their own companies to use their skills that they learnt on the ACDP program in private and commercial enterprise.

The Hon. DON HARWIN: Budget Paper No. 3, Volume 2, page 20-47. Recent figures have shown no decrease in the level of Aboriginal deaths in custody. Indeed, there was a significant increase in 1999-2000. What specific policies and strategies have you or your department developed to tackle this issues?

Dr REFSHAUGE: This issue is very sad, not only the deaths in custody but the incarceration rates as well. I think it is an area in which it is difficult for us to make progress, but it is one we certainly should be focusing on. As far as the specific programs, really they fall within other portfolios. It would be worthwhile talking to other Ministers about those.

The Hon. DON HARWIN: Have you sought any specific Government support to address further the implementation of the Royal Commission's recommendations?

Dr REFSHAUGE: Most of those recommendations are required to be fulfilled by other agencies, and I am sure they would have sought appropriate funding if required.

The Hon. DAVID OLDFIELD: Minister, I note that you do have in the budget papers an element of expenditure relating to social well-being of Aboriginal people, and that is what I consider my previous questions were based on in a general sense. I will not continue down that line. I will ask you two questions from what has been asked and relating to responses you have given.

Dr REFSHAUGE: Yes.

The Hon. DAVID OLDFIELD: The first one is that you noted that the Federal Government would not allow the expenditure for Aboriginal housing in metropolitan areas. Is that a recent position or is it something that has always been in place? Is it a machination of the current Federal Coalition Government?

Dr REFSHAUGE: Since I have been housing Minister it has been the case.

The Hon. DAVID OLDFIELD: How long have you been housing Minister?

Dr REFSHAUGE: Since 1999.

The Hon. DAVID OLDFIELD: Could we get that further answered on notice?

Dr REFSHAUGE: Yes.

The Hon. DAVID OLDFIELD: Whether that is particular to the current Federal Government or whether it has existed previously?

Dr REFSHAUGE: Yes.

The Hon. DAVID OLDFIELD: Also you expressed the view that the Federal Government was undermining the process of reconciliation. I realise this could be a long answer, and I ask you to be succinct. Could I get an impression from you as to your understanding of what it is that will occur socially to signal that reconciliation has been reached? In other words, what are those objectives that will be seen to be achieved where one can say reconciliation has now been achieved?

Dr REFSHAUGE: I think when all people black and white in Australia, and other colours, have the same opportunities as each other and the same outcomes coming from those opportunities, when there is no racism, and when there is in that sense no need for special programs.

DEPUTY-CHAIR: Thank you, Minister. There are just a few formalities at the conclusion of this hearing. First of all, we cannot demand answers from you. Questions on notice involve a choice. We request that we can give you questions on notice.

Dr REFSHAUGE: I am keen to provide answers to the questions if possible.

DEPUTY-CHAIR: There will be written questions as well as those asked orally. Could we agree on a two-week period to answer the question on notice you have been asked orally during the hearing?

Dr REFSHAUGE: I am very keen to do it within two weeks. If there is a delay because of taking time to get the information, I will do my best to communicate with you. That does not mean we will not provide it as soon as we can.

DEPUTY-CHAIR: Written questions on notice will be placed on the notice paper. There will be a time limit for them, if I can get the Committee to agree. I ask a Committee member to move a motion. We have had a 35-day limit for questions placed on notice. There is a concern that in case of prorogation those questions need not be answered. Can I get an undertaking from you, Minister, that all those questions on the notice paper will be answered within 35 days?

Dr REFSHAUGE: I do not know how many questions there will be on the notice paper. If you put in thousands of them, then it will take a lot longer to answer them. It depends on how many you are putting in and how relevant they are.

The Hon. DON HARWIN: I suggest the Committee sets the close of business on the day following the receipt of the transcript as a deadline for receipt of written questions on notice and that a deadline of 35 days following that be set.

DEPUTY-CHAIR: That seems reasonable.

Dr REFSHAUGE: Again, depending on the difficulty or the inevitable requirements of getting the answers for you. I would have thought that is reasonable. It seems to be the usual pattern. I am keen that you get an answer to these questions.

The Hon. DAVID OLDFIELD: We always seem to have this debate. Is it 35 working days?

The Hon. DON HARWIN: 35 calendar days.

The Hon. DAVID OLDFIELD: It is not 35 sitting days?

DEPUTY-CHAIR: It is 35 calendar days, which is the usual process. If there are any other written questions on notice, they should be lodged by end of business on Monday.

The Hon. DON HARWIN: I would suggest that it be the close of business on the day following the receipt of the transcript, because sometimes you want to review what has been said.

Dr REFSHAUGE: I suggest close of business today. You can work it out. I will do the best I can.

The Committee proceeded to deliberate.