

GENERAL PURPOSE STANDING COMMITTEE No. 5

Tuesday 6 June 2000

Examination of proposed expenditure for the portfolio areas

**ENVIRONMENT, EMERGENCY SERVICES,
AND CORRECTIVE SERVICES**

The Committee met at 8.00 p.m.

MEMBERS

The Hon. R. S. L. Jones (Chair)

The Hon. Jan Burnswoods
The Hon. A. B. Manson
The Hon. C. J. S. Lynn

The Hon. J. R. Johnson
The Hon. M. I. Jones
The Hon. J. F. Ryan

PRESENT

The Hon. R. J. Debus, *Minister for the Environment, Minister for Emergency Services, Minister for Corrective Services, and Minister Assisting the Premier on the Arts*

Environment Protection Authority

Dr N. Shepherd, *Director-General*

Mr A. Ramsey, *Acting Executive Director, Finance and Administration*

Ms D. Rygate, *Manager, Policy Review*

Mr W. Hicks, *Manager, Sydney Catchments*

National Parks and Wildlife Service

Mr B. Gilligan, *Director-General*

Mr E. Daicos, *Director, Corporate Services*

Dr D. Keith, *Senior Research Scientist*

Waste Service New South Wales

Mr R. Grimwade, *Manager Director*

Department of Corrective Services

Dr L. Keliher, *Commissioner*

Mr I. Holt, *Director, Budget*

Ms D. Allen, *Director, Strategy and Policy*

Mr N. Daines, *Director, Capital Works*

CHAIR: I welcome everyone to this public hearing of General Purpose Standing Committee No. 5. First I wish to thank the Minister and his departmental officers for attending tonight. At this meeting the Committee will examine the proposed expenditure from the Consolidated Fund for the portfolio areas of the National Parks and Wildlife Service, the New South Wales Environment Protection Authority, Corrective Services and Emergency Services.

Before questions commence there are some procedural matters that need to be dealt with. As you will all be aware, part 4 of the resolution referring the budget estimates to the Committee requires the Committee to hear evidence on the budget estimates in public. Under Standing Order 252 of the Legislative Council this Committee has resolved to authorise the media to broadcast sound and video excerpts of the public proceedings held today. The Committee's resolution conforms with the guidelines governing the broadcast of proceedings adopted by the Legislative Council on 11th October 1994. The attendants on duty have copies of these guidelines. I emphasise that only members of the Committee and witnesses before the Committee may be filmed or recorded. People in the public gallery are not considered to be part of the proceedings and therefore should not be the primary focus of any filming or photographs.

In reporting the proceedings of the Committee, as with the reporting of proceedings of both Houses of the Parliament, you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee. In previous years' budget estimates resolutions there has been provision for members of the Committee and substitute members to be free to refer to their own staff at any time. There is no such provision in the current resolution. Members and their staff are therefore advised that any messages should be delivered through the attendants on duty or the Committee Clerk.

For the benefit of members and Hansard and the effective operation of the Committee, it is very important that the departmental officials identify themselves by name, position and department or agency before answering each question. There is wide latitude allowed in asking questions on any of the budget estimates and related documents before the Committee. However, where a member is seeking information in relation to particular aspects of a program or sub-program, it will help the Minister, the Committee and Hansard if the program or sub-program is identified.

The Committee has agreed to the following format for this hearing. The Committee has agreed not to allocate specific blocks of time to different parties or members. Members will be provided with an opportunity to pursue specific lines of questioning until such time as they have exhausted questions relating to that issue.

I will endeavour to ensure that this process is as equitable as possible and that all members are given an opportunity to ask questions. We will not be allocating time to Opposition or crossbench members. As you are aware, a period of two hours has been set aside for today's public hearing. If at the conclusion of that period members have not exhausted the questions to which they require answers, the Committee may decide to hold additional hearings before it is required to report on 23rd June 2000.

I declare the proposed expenditure open for examination.

The Hon. J. F. RYAN: I have a question with regard to the National Parks and Wildlife Service. Has Fort Denison been connected to the mainland sewerage system, as was promised in reply to a question on notice in the Legislative Assembly in January 2000? What was the cost of the connection? What revenue has been gained per year by the lease of Fort Denison to a private cafe operator? Has the private operator contributed anything towards the cost of the sewerage connection?

Mr DEBUS: I will ask the Director-General to supplement my answer, but in broad terms the sewerage connection is either complete or about to be completed. A lease has been negotiated with a restaurateur who will now actually conduct the restaurant business on Fort Denison. I am not exactly sure when that will begin, but it will be relatively soon. I am advised that will be August. No revenue has yet been derived from that business.

Mr GILLIGAN: By way of supplementing the answer, the Minister is correct. The actual pipeline connecting Fort Denison with the mainland is in place, but some of the toilet facilities and connections to that major pipe I understand are still being completed. The lease is finalised with the preferred tenderer as a result of a public tender process. We expect to be able to announce that within the next couple of weeks with a view to having a start-up by the end of July, beginning of August.

The Hon. J. F. RYAN: What is the cost of connection?

Mr GILLIGAN: I do not have the specific cost of connection off-hand, I do not think. Yes, I have: approximately \$430,000.

The Hon. J. F. RYAN: Nearly half a million dollars. For how many toilets is that?

Mr GILLIGAN: I must admit I have not counted them.

Mr DEBUS: Enough toilets to provide appropriate services for up to 135 people staying on the island for a while.

The Hon. J. F. RYAN: I would be interested to know what the revenue will be. Referring also to the use of harbour foreshores for special events, what estimates were made of the revenues expected to flow from selling access on New Year's Eve to National Parks owned properties around Sydney Harbour? How much was estimated to be gained from these sites? What was the actual revenue from those sites?

Mr GILLIGAN: Responding on behalf of the Minister: the New Year's Eve celebrations in Sydney were developed and implemented as a whole of government initiative which was co-ordinated by the Premier's Department. From the service's point of view the key objectives during this event were to ensure safety for the public and for staff, and to protect cultural and natural heritage values of Sydney Harbour National Park. Operating costs associated with the event were to be met from the sale of tickets for public access to the harbour islands. Access to mainland sites – foreshores – did not attract a fee. The service was able to deliver what we considered to be a very successful outcome from the New Year's Eve events. As part of the celebrations the Service conducted a public ballot to select some people to witness the first sunrise of 2000 from the top of Mount Warning.

The tickets for the places on the harbour islands were priced at \$200 per person. The total ultimate receipts from the occasion were \$303,377, whilst expenses totalled \$294,829. So there was a small profit, in this case \$8,548.

The Hon. J. F. RYAN: Was there any damage done to any site?

Mr GILLIGAN: Nothing of any consequence. We had taken particular measures to provide additional facilities both in terms of public safety and security and also additional toilet facilities for the people visiting the island as well as providing transport to and from the island, so overall we believed it was a very successful venture and it gave us an opportunity to participate with the community at large in something that was in fact a very positive community event and to be able to do that in a way which covered our costs so that there was not a cost to the public purse generally or a threat to the heritage values of Sydney Harbour National Park, but at the same time people were able to take part with a minimum of personal expense, so on balance we considered it a very successful venture.

The Hon. J. F. RYAN: Is there any plan to do something similar with those venues during the Olympic Games period?

Mr GILLIGAN: We are certainly looking at the use of the islands during the Olympic Games and, whilst our plans are not finalised yet, generally the islands are available as venues for occasions such as the Olympic Games and also for New Year's Eve, as a general rule.

CHAIR: I would like to ask a question of David Keith.

The Hon. JAN BURNSWOODS: Mr Chair, I was just wondering do we have a procedure that enables us to pick individual people?

CHAIR: Yes.

The Hon. JAN BURNSWOODS: It may be that, in the absence of the Minister, it could be a problem.

CHAIR: He would not have the same degree of knowledge on this subject, I suspect.

The Hon. JAN BURNSWOODS: Could I just make the point that perhaps, if there are difficult areas, in the Minister's absence, it may be that we —

CHAIR: Well, we can come back to it afterwards. David, I met a ranger over the weekend who said that you were one of the people in National Parks who knew a lot about the effect of burning off on the ecology and he told me that his experience in a particular very large national park was that when they burnt off to prevent bushfire hazard they actually ended up with an environment with five species left, like grasses and ferns. What is your experience and knowledge of burning off and the effect it has on the ecology?

Dr KEITH: It is a fairly complex issue. I will answer it in two parts, if I may, first in relation to short-term effects and secondly in relation to longer-term effects. In the short term essentially what happens after a bushfire is that there is what you might call a recovery process where many of the species, both plants and animals, which are present in one form or another before the fire, return at different rates of appearance and growth. In some cases that simply means changing from one form, such as seeds in the soil, to above-ground plants. In other cases it may mean that, for example, a particular animal disappears from the area that is burnt for some time and then returns as conditions become suitable. Those kinds of short-term processes are perhaps spectacular and, in some cases, perhaps alarming to the human eye, but they are very much a routine ecological process of coming and going in relation to a disturbance regime that is part and parcel of the Australian landscape.

The longer-term effects are not so much to do with any particular individual fire but the combined effects of sequences of fires. In this case it concerns the way that particular life history characteristics of each species interact with the way that each fire occurs; in other words, how closely or how far apart each fire is from the next one in time, fire frequency as we call it, part of the fire regime. There are certain groups of species that are able to exist under fire regimes of quite frequent fire and others that are not. Conversely, there are other groups of species that may exist over very infrequent fire regimes and others that are unable to exist in those kinds of circumstances. The kinds of changes that occur in relation to fire regimes over the long term are somewhat less spectacular but of greater concern for the conservation of biological diversity because it concerns whether or not the species can maintain an existence in a particular area.

CHAIR: So what is your view of cool burns versus hot burns because this same ranger said with hot burns you get more generation of more species than with cool burns?

Dr KEITH: Yes, that is a simple generalisation; it is not a bad generalisation but there are some exceptions. There are a certain group of species, for example the native legumes, which respond very well to hot burns or high intensity fires and they certainly appear in greater abundance after such a fire than they would under a lower intensity fire.

CHAIR: Are they more fire prone species or not?

Dr KEITH: They generally are, yes. There are some that are not so fire prone. But, generally, it is the species that have hard woody kind of leaves that are rough to touch that are the ones that are most fire prone and a number of those are native legumes.

CHAIR: They tend to pop up after a cool burn or a hot burn?

Dr KEITH: Mostly a hot burn. The legumes are a group that have a special kind of seed dormancy that is broken much more effectively by hot burns than it is with cool burns, so a cool burn tends not to make so many individuals of these species germinate and turn into standing plants. They stay sitting in the soil until some other fire or until the seed degenerates, just rots in the soil.

CHAIR: Do you think the amount of burning that is being done at the moment is sufficient to prevent a catastrophic bushfire situation affecting properties, individual houses, for example? There has been some concern that the amount of value has gone down.

Mr GILLIGAN: I think it may be more appropriate for me to respond on that particular one since it is a wider fire management issue rather than simply a scientific one. Certainly I think the critical point that needs to be made is that hazard reduction burning is only one component of the total mix of mechanisms that are available and are applied in any co-ordinated fire management plan and the fire management plans that the service is involved in are ones that not only include the service's parks and reserves but also the adjoining land. They are prepared with local district fire management committees that take account of all of the options that are available to manage fire. Certainly, as I have indicated to you I think in another forum, the work of the service in recent years has been to much more strategically target the burning that is undertaken. So that, whilst we still

have in fact burnt on a hazard reduction basis something in excess of 26,000 hectares in the last three years cycle, that burning has been undertaken quite strategically at targeting those areas at the interface with property and residential areas so as to minimise the impact on our neighbours rather than simply going for broadacre hazard reduction burn on a more wide scale basis.

Coming back to answer your question, as a component of total fire management regimes, the hazard reduction burning arrangements that we have in place are, I believe, quite adequate. If we look at it, just in the areas that we have been looking at thus far, and the hazard reduction burning period or season only really starts in May as the weather cools off and runs through then until about August, we have in fact burnt some 5,000 hectares already this year, whereas last year we burned a total of nearly 13,000 hectares, for example, in the whole season. So it depends on conditions, how much we can do; it also depends on the local planning to see that in fact it is a sensible part of a comprehensive and integrated plan.

The Hon. J. F. RYAN: Budget Paper No. 3, relating to your portfolio under the heading Conservation of Nature, Aboriginal Heritage and Historic Heritage, refers to the outputs of the feral animal programs and it would appear to indicate that there were 400 programs commenced each year between 1997 and the current. Given that the park area that is controlled by the National Parks and Wildlife Service has been significantly increased during that period, why is it that feral animal control appears to remain static?

Mr DEBUS: I do not believe feral animal control has remained static at all. In the coming budget I believe we have set aside \$5.4 million. The expenditure on a number of programs I think is actually becoming increasingly effective. A lot of the feral animal and weed control programming is now worked out of regional offices, so instead of having a centrally organised program it is worked out of regional offices and it is conducted in collaboration with many other agencies, such as the Rural Lands Protection Board, the Department of Land and Water Conservation, the New South Wales Forestry, as well as local private land owners.

I was fairly recently, for instance, in Narrabri, where the National Parks and Wildlife Service then District Manager had actually been the person responsible for co-ordinating a feral pig program across the entire district so that private owners and other State instrumentalities and, I presume, local government, were all involved in a single program to eliminate feral pigs and were all making their own financial contribution to it. Indeed, it was very clear that the activity of National Parks in this respect was immensely appreciated. I think that it is appropriate to allow the Director-general to give you a little more detail about the finances.

Mr GILLIGAN: Following on from the Minister's comments could I explain that in terms of new parks and reserves being added into the service's management regime, what that usually means is that those additional parks are simply incorporated into the particular regional programs for the relevant region. It does not necessarily mean there has to be a new park-specific program.

Mr DEBUS: So the number of particular plans is not of itself necessarily significant.

Mr GILLIGAN: In terms of the overall allocation, the breakdown for the 1999-2000 year on pest management is that just over \$1.5 million has gone into park operations related to pest management. We then hold some funds corporately of the order of about \$350,000 to allocate to specific problems in a ready response capability. We have certainly used some of those funds, for example, in recent times, to address problems in the Kosciuszko region with wild dogs. We also have substantial works in this case this year, half a million dollars towards capital works related to our pest programs, plant and equipment particularly. There is something of the order of \$100,000 allocated to research that is pest program specific and we also have some funding of the order of about \$300,000 coming through the biodiversity strategy which is focusing on those pest species which are major threats to threatened species. We also have a figure of something of the order of \$114,000 being devoted this year to threat abatement plans involving pest species.

In terms of the management of new lands we do have an amount of some \$500,000 as an estimate of what has been allocated as part of the resourcing packages for the new lands, to get those areas fully covered by the regional programs that we have talked about. But I would just like to stress that a lot of the pest species that we are dealing with do not respect land tenure boundaries or fences, and therefore they must be, to be effective, collaborative programs with adjoining land holders, and that is why they are organised as regional and district programs in collaboration with Rural Land Protection Boards, amongst others.

The Hon. J. F. RYAN: What I am trying to get at, I suppose, is that reading the annual report there is a good description of what each of the programs involve and what animals are involved, but there is no reference

to how much money is spent on each. In the budget papers there is a reference to 400 programs every year, which appears to be a line that stays static.

How does any member of Parliament work out at budget time what the comparative effort of the Parks Service has been over a period of time, and how it interacts with the increasing size of the park? What benchmarks does your department use to measure whether or not an adequate amount of effort is being made in this area, and are you able to supply the Committee at least at this time or some other time with some sort of graduated comparative analysis of what the program for feral animals has been since 1997 onwards, and how that compares with the size of the park?

Mr DEBUS: Again, I will let the director-general give you some more detail, but obviously it is the case that the Parks Service is collaborating, as we have said, with many other organisations in the pursuit of feral animal programs, and so it is clearly the case that for the coming budget we will not know exactly how much money is to be spent until we know what kind of co-operative arrangements are concluded during the course of the year.

So far as the question that you have asked goes, how can you make comparisons year on year, it may be helpful to tell you that the Parks Service has recently announced that it will begin a State of the Parks report, similar to the State of the Environment report but referring only to National Parks. I think that the first text will be available towards the end of next year. It has never existed before, and once the State of the Parks Report begins to be published annually, or routinely, you will be able to make the sort of comparison that you are concerned about, with more precision.

The Hon. J. F. RYAN: In two years time. Well, how do you do it?

Mr DEBUS: We just get to work and set up programs.

The Hon. J. F. RYAN: I am sure that you do, but you must have some benchmark where you judge where enough work has been done.

Mr GILLIGAN: If I could respond on a couple of things. Certainly there is a recognition that the detailed line item outcomes from some of these programs have not been able to be reported as effectively as we would have liked, so we have in recent times invested significantly in new management information systems, and in particular in the implementation of the SAP financial management system. It is anticipated that as we bed down the SAP system, which has now been operational in the service for nearly 12 months, we will have more effective reporting on a year-by-year basis. As recently as last week I was having discussions with the New South Wales farmers about the methods by which we might best focus on outcomes to monitor the effectiveness of some of the programs.

We do have the collaborative arrangements, particularly in those areas where we have seen problems, such as in the south-eastern part of Kosciuszko, where we are looking at defining performance indicators as part of the collaborative process, where maybe stock losses for adjoining land owners, and the level at which bait stations within the parks and the perimeter of the parks are visited, do give us a pretty fair idea of the overall population and the impact of the pest species. So there is a combination of financial systems and management information systems internally, and developing and then reporting against performance indicators in the collaborative program with Rural Land Protection Boards and neighbours. I believe we can improve the system, and a lot of it will also be captured in the State of the Parks system that the Minister has referred to, and we have pilot programs going on on that at the moment, just trialling the indicators, and we would hope to have the first report up before the end of next year.

The Hon. J. F. RYAN: For example, the Minister said that you had allocated \$500,000 for the packages for the new parks. There are 180 new parks or additions; that adds up to something like about \$3,000 a park. That is a very crude comparison, but is that a fair way to do it? How did you know that \$500,000 would be enough for the additions to the parks? I do not quite understand how. I mean, is \$500,000 just a nice round number, or was there some way of working this out?

Mr GILLIGAN: No, the issue is that we have negotiated with New South Wales Treasury the financial impact statement guidelines which identify an array of criteria that add up to the funding arrangements that we put in place with new parks coming on line. In most of these parks we can have a pretty fair idea of what net addition there will need to be to a regional program by adding a particular piece of land into the reserve

system. Often it may be that it is not a significant net addition because we have already been covering, to some extent, that broad area as part of that overall regional program

In some areas, such as in those areas covered by the new parks coming on line as a result of the southern regional assessment, where decisions have been announced just recently, because of the wild dog issue in those areas, for example, we have made that pest management a line item in the resourcing discussions that we have had with Treasury, when it is in fact clearly an issue that does require some resourcing. A lot of the other times it will be able to be much more readily factored into and just incorporated in a slight expansion of our existing regional program.

The Hon. M. I. JONES: Minister, can you please clarify National Parks and Wildlife funding for marine national parks? As the Solitary Islands Marine Park is partially funded by the National Parks and Wildlife Service, where is the budget allocation? In the budget papers for Fisheries mention is made of contributions to the marine park planning process for Solitary Islands. Also in the Regulation Review Report on the Marine Parks Regulation 1999, at page 21, is a table of indicative costs which reveals the National Parks and Wildlife Service to be partly responsible for funding. Can you please clarify this funding position?

Mr DEBUS: Marine parks are dealt with through what is known as the Marine Parks Authority.

The Hon. M. I. JONES: Yes, I appreciate that.

Mr DEBUS: My understanding is that almost all of the funds are actually accounted for in the budget papers in the Fisheries budget.

The Hon. M. I. JONES: So there is no funding from the National Parks and Wildlife Service?

Mr GILLIGAN: There is some limited funding, but the bulk of the funding is in fact accounted for through the New South Wales Fisheries budget.

The Hon. M. I. JONES: Okay. Well, whatever you were responsible for, could you point me towards it, please?

Mr GILLIGAN: I do not think I can, specifically.

Mr DEBUS: It is best if we take it on notice.

The Hon. M. I. JONES: Minister, will you confirm that a full, open and transparent consultation process will be held as is required by the regulatory impact statements under the Subordinate Legislation Act for zoning of the Solitary Islands Marine Park?

Mr DEBUS: Yes.

CHAIR: I have a question for Warren Hicks, who has come here specially tonight from the Environment Protection Authority. My question relates generally, but also to the Scotts Creek exhaust pump facility of the Northside Storage Tunnel. What action would the EPA take if Sydney Water were ever shown to have breached clean air limits under the protection of the Environment Operations Act?

Dr SHEPHERD: I think that is actually a question for me as the Director-General of the Environment Protection Authority. If Sydney Water were found to have breached its licence conditions, then the EPA would follow its standard investigative and prosecution procedures, which are laid out in the prosecution guidelines approved by the Environment Protection Authority Board.

You will recall that the Board of the Environment Protection Authority, an independent body, is in fact the prosecuting authority for significant environmental offences. It would depend on a number of factors in the prosecution guidelines as to the precise action that would be taken, and that could range from a warning letter, to a penalty infringement notice, to a tier-two prosecution in the Land and Environment Court, or to a tier-one prosecution in the Land and Environment court, or in the Supreme Court. So it would depend entirely on the circumstances of the individual licence breach as to exactly what action would be taken.

CHAIR: Dr Shepherd or Mr Hicks, whoever you think is appropriate to answer the question, would you agree that licence conditions that contain hard measurable numbers would be more acceptable to the community than a licence that contained vague unmeasurable objectives that were wide open to interpretation?

Dr SHEPHERD: There will be different kinds of licence conditions in a licence, depending on the precise purpose of the licensing condition itself. For some kinds of pollution you cannot actually measure in numbers the nature of the thing sought to be controlled, and the way you control it is by specifying the management practices or the kinds of activities that must be carried out by the licensed authority. Under those circumstances a more general condition is in fact the appropriate condition to apply, such as "All plant must be kept in serviceable condition and be maintained properly". The courts have interpreted that condition in a number of significant cases to mean exactly what it says. If the plant is not maintained properly then the courts will find that there has been a breach, and will fine appropriately. In the case of Sydney Water, they have been fined substantial amounts of money for breaches of what you might call general conditions of that kind.

CHAIR: Can you give me some information about the EPA's own ambient air quality targets? I am of the understanding that two of the metrics are to be 3 micrograms per cubic metre for hydrogen sulphide, and 2 odour units per cubic metre. Do you think they are a reasonable guide for acceptable odour limits? Should I repeat that?

Mr DEBUS: Yes, I think so.

CHAIR: Mr Hicks may have more information possibly; that is why he is here.

Dr SHEPHERD: Mr Hicks is actually from the Waters and Catchments Branch of the Environment Protection Authority.

CHAIR: I was told he was an expert in this area. I will put the question again. I understand two of the metrics to be 3 micrograms per cubic metre for hydrogen sulphide, and 2 odour units per cubic metre. Do you think these are a reasonable guide for acceptable odour limits?

Mr HICKS: The EPA has already foreshadowed, in the current licence for the construction of the Northside Storage Tunnel, operating conditions for the licence when the system is commissioned in September. What we have indicated is that at the commencement of the regular operation of the tunnel the licensee, Sydney Water, must ensure that under all operating conditions or meteorological conditions, their control equipment is operating in such a way that there is no offensive odour or air quality impact at or beyond the boundary of the premises at any sensitive receptor. A school of course would be considered to be a sensitive receptor. So the terminology that the licence foreshadows is mirrored from the legislation, the protection of the environment legislation, and that relies on the observation of an authorised officer, in this case of the EPA, rather than on numerical limits.

CHAIR: I understand that section E3.1.1 of your operating licence to Sydney Water demands that there be no air quality impacts at the boundary of the pump station facility. Can you explain what it means by "no air quality impacts"?

Mr HICKS: Not precisely. We understood fairly early in the community consultation process for this project that health impacts were potentially of concern, and we then involved the Health Department, who are the experts in health impacts, to provide advice both to the EPA and to Sydney Water and its alliance partners. So we would be dependent on advice from the Health Department, and monitoring that the Health Department deems necessary, to give advice on what air quality impacts, particularly from a health point of view, might eventuate from the operation of the tunnel.

CHAIR: Do you think it might be more appropriate to incorporate hard measurable numbers, such as 50 parts per billion, for hydrogen sulphide, and 50 odour units per cubic metre, as Sydney Water themselves have stated?

Mr HICKS: I am sorry, I am really not qualified. I think that is something for an air expert to answer. But I just repeat that the licence as we have foreshadowed will mirror the wording of the legislation.

The Hon. J. F. RYAN: I want to ask something of the EPA about the new litter legislation and the new program and what that program will entail. I think everybody has noticed the advertising. Could you give the Committee an idea of what the cost of producing that advertising campaign will be and how much it will cost to run and who will run and produce the advertising campaign?

The Hon. J. R. JOHNSON: Not as much as the \$400 million for the GST that your mob has produced.

Mr DEBUS: There is no chains in this ad, no recycled rock singers giving us a rendition of long forgotten songs.

The Hon. J. R. JOHNSON: At a quarter of a million dollars.

Mr DEBUS: These are ads that respond rather precisely to research work done with the universal groups that advertising agencies pay attention to. The campaign will cost \$1.2 million in air time during the coming financial year. We expect, however, that it will run over a three-year period. I cannot tell you, but possibly somebody else from the department can tell you how much it actually cost to put it together. We propose to spend \$150,000 in liaison with community organisations like Clean Up Australia and Keep Australia Beautiful. We will be involved in assisting the EPA in community awareness programs, and there will be an additional amount of money—or perhaps it is included in that \$150,000—spent on training, where the EPA works with various State and local instrumentalities to better instruct inspectors about how they might proceed to enforce the new legislation.

The Hon. J. F. RYAN: You mentioned the issue of training. The Opposition has done a survey of a number of local government organisations and we have not been able to find a single local council which has received any training or instructions from the Environment Protection Authority as to how this particular legislation is to be implemented. Minister, you will recall during the debate that occurred in the House on this bill there were sensitive issues such as the enforcement where an alleged offender was an intellectually disabled person, making an innocent mistake in judgment and understanding and so on. Why has there been no training delivered for this Act to be implemented, given it is only three weeks away from its commencement and the advertising program designed to support it has already started?

Mr DEBUS: The advertising campaign has two phases. The first is an awareness raising phase, and the second is one that is directed towards the actual communication of the sanctions that the legislation will bring into effect. I will again allow the director-general to make further comment. But, if you conduct that survey in a number of weeks of time, you will find that a great many councils have been so trained.

Dr SHEPHERD: The intention is to provide training to those officers who will be required to implement the legislation before the legislation commences, which is on 1 July 2000. It is not believed to be a hugely difficult task to train people to deal with some amendments to an existing set of powers that they already have, in effect, to enforce litter laws. This is a significant refinement of the way those powers should be implemented to make it easier for them to do exactly that, but the training packages will go out in the very near future.

The Hon. J. F. RYAN: Which councils will have been given this training before 1 July, which is only three weeks away?

Dr SHEPHERD: All councils will have been notified and provided with the necessary packages, as I understand it, before 1 July.

The Hon. J. F. RYAN: They will receive that in the mail, something like that.

Dr SHEPHERD: There will be material going out, I presume, over the Internet, or be available on the Internet, as well as in the mail and also probably by direct training methods. But if you want precise details of exactly how the campaign is to be run, then they can be obtained.

Mr DEBUS: It is perhaps relevant just to mention that there was pretty extensive consultation with the Local Government and Shires Association before the bill was introduced, so councils may reasonably have been expected to be anticipating receipt of the material and whatever training is to be provided. After all, there are large numbers of people in councils who are, at least in principle, quite used to enforcing this kind of legislation, even though the legislation we are now introducing is more flexible and likely to be, we believe, very much more effective than that which presently exists.

The Hon. J. F. RYAN: What form will the training take in addition to the delivery of packages?

Dr SHEPHERD: I cannot give you the precise details tonight, but that information can be obtained for you in a very short space of time.

CHAIR: I have a question of the Minister. Can you outline how the increased revenue from the waste levy, collected as a disincentive to use landfill, is being used to find alternatives to the Government's proposed megatip at Woodlawn?

Mr DEBUS: As it happens, Mr Chairman, tomorrow morning I shall be releasing the report of the committee that I had fairly recently commissioned into alternative waste practices and technology, and that report, amongst other things is going to give us a good deal of indication, the EPA, Waste Service New South Wales and the various waste boards, the directions in which we ought from now go about managing the waste stream.

CHAIR: Are you aware that the proposed megatip is situated in the Sydney drinking water catchment area? Would you see that as inconsistent with State environment planning policy 58?

Mr DEBUS: The actual decision concerning the so-called Woodlawn proposal is of course within the dispensation of my colleague, the Minister for Urban Affairs and Planning. I am aware of the circumstance that you mention, and of course a great deal of evidence has been given to the commissioner, who actually has conducted the inquiry into the Woodlawn proposal, but, as you know, the decision about whether that proposal is to be adopted or not actually is one for my colleague.

CHAIR: You and the EPA would be presumably opposing this, Minister? I am not verballing you.

Mr DEBUS: Yes, you are verballing me.

CHAIR: What is your view, Dr Shepherd, would you be opposing it?

Dr SHEPHERD: The Environment Protection Authority made a submission to the commission of inquiry. It outlined its concerns with the proposal and the conditions that it believed ought to be applied to the proposal if the proposal were to be approved. It is not the EPA's decision as to whether the tip is approved or not. What the EPA is required to do is to certify whether there is justifiable demand for a waste facility. It is the EPA's view that there is justifiable demand for a waste facility to take Sydney's waste, and that is the advice that we have provided, as well as specific advice in relation to the Woodlawn proposal.

CHAIR: Do you have any objections in relation to the water catchments?

Dr SHEPHERD: The EPA provided comprehensive advice to the commission of inquiry on the issues that it believed needed to be taken into account in making a decision as to whether Woodlawn would proceed or not proceed, and if it were to proceed, the conditions that should be attached to the consent.

The Hon. J. F. RYAN: Could I ask a question in relation to dividends from the Sydney Catchment Authority, and I guess it might be the Waste Management Service as well. I refer to Budget Paper No. 2, at page 3-21. The Government has continued with its irritating practice of aggregating all of the district financial distributions from government public trading enterprises, and there is a single line which describes water and waste services and, for the financial year 2000-01, \$128 million is apparently to be the dividend delivered from that line, similar to income tax equivalents, and then there is another summary at the bottom. Can you give the Committee, if not now, at least on notice, details of what would be the dividends from the Sydney Catchment Authority, and I imagine the Waste Service would be the other, in regard to distributions and income tax reports?

Mr DEBUS: I can give you some general information on dividends paid by the Catchment Authority. I am advised that the combined returns from Sydney Water and the Sydney Catchment Authority do not exceed the returns that would have been provided if Sydney Water had remained a single agency. During the last five years of the previous Government, that is from 1989-90 to 1994-95, about \$116 million was taken each year from Sydney Water. By contrast, in the period 1995-96 to now, the average annual dividend to the Government has been about \$96 million. In other words, dividends paid by Sydney Water were significantly higher under the previous Government than they have been under this Government. As I say, the combined returns from Sydney Water and the Sydney Catchment Authority do not exceed the returns that would have been provided if Sydney Water had not been broken up. When the legislation establishing the Sydney Catchment Authority was before the Parliament, I should remind you that the Opposition opposed an amendment that would have prevented dividends being paid by the authority. In fact, at that time, an Opposition spokesman said of the dividends that the Opposition accepts that it is necessary for governments to make such decisions and agreed that it is.

The Hon. J. F. RYAN: We do not disagree, but they should be transparent. We just want the details of what they are.

Mr DEBUS: The estimated amounts paid to Treasury: in 1999-2000, a dividend of \$1.4 million and a tax equivalent of \$1.9, adding up to a dividend in the 1998-99 year of \$3.3 million.

The Hon. J. F. RYAN: What is estimated for the next year, because I think this is the first full year of the existence of the Waste Service?

Mr DEBUS: The circumstance of course is that for the coming year it has not been determined. But those dividends are in the statement of financial framework which is tabled annually in the Parliament.

The Hon. J. F. RYAN: An estimate is given, so I imagine there must be some idea as to what the estimate is. Perhaps the figures are not available immediately and you could take the question on notice.

Mr DEBUS: There is a difficulty, in that you mentioned the Waste Service while you were asking the question. There is a degree of confusion about whether we have been talking about the Waste Services or the Sydney Catchment Authority.

Mr GILLIGAN: I thought you were talking about the Sydney Catchment Authority.

The Hon. J. F. RYAN: Both. The line given in this budget aggregates Water, the Sydney Catchment Authority and the Waste Service all on one line. Members would like to know what each of those items is in that line.

Mr DEBUS: I will ask Mr Grimwade to deal with that.

Mr GRIMWADE: I am not able to advise you of specific details in relation to the Sydney Catchment Authority or of the other items. However, in terms of Waste Services' contribution to the dividend, there was \$3.3 million in total for the 1999-2000 financial year, and we are projecting a dividend to the Government in the region of \$8.9 million for the 2000-01 financial year.

The Hon. J. F. RYAN: And that includes tax equivalents?

Mr GRIMWADE: That is the tax payable and the dividend, total.

The Hon. J. F. RYAN: That appears to be a fairly significant increase.

Mr GRIMWADE: Good management.

Mr DEBUS: You will understand that we have a not inconsiderable number of separate instrumentalities in the environment portfolio. The Director of the Sydney Catchment Authority is not here, but we will take these questions with respect to the Sydney Catchment Authority on notice. I do not resile from any of the particular general answers I gave, but the specific figures we will take on notice and provide to you rapidly, from that source.

CHAIR: The National Parks and Wildlife Service for very many years has opposed the use of wildlife as pets, and has been vigorously enforcing that policy. What is your view of the very public statements, and in particular the campaign of the Director of the Australian Museum, who thinks that we can make squillions of dollars by commercialising our wildlife? What effect would that have on the genetics of wildlife and the maintenance and feeding of those individual creatures in people's homes? Do you maintain the position that has been held for many years about not having wildlife as pets?

Mr DEBUS: I am not a fundamentalist on the issue. It is one that can be, if I might say so, a little furry around the edges. I do not resile from the National Parks and Wildlife's formal position on the private keeping of native fauna in New South Wales, which of course is highly restrictive. I know that the shadow spokesman has been rather promoting the idea that we should have pet quolls and bandicoots. The everyday reality is that there are very few Australian indigenous animals that are domesticable. Any proposal to keep species that are not already permitted obviously has to be considered under the National Parks and Wildlife Act in any event. I do not know whether you would like me to recount the exact conditions of existing legislation, and I do not think you would need me to do that.

CHAIR: Perhaps you can put that on notice.

Mr DEBUS: We could put on the record the existing policy with respect to native fauna.

CHAIR: You could seek leave to incorporate that in the record.

Mr DEBUS: I do support the encouragement of wildlife back into our suburbs.

CHAIR: That is a different matter.

Mr DEBUS: We are beginning to develop substantial urban wildlife renewal programs. I believe that we would share an enthusiasm for that enterprise.

CHAIR: Yes, but not native fauna in cages.

The Hon. M. I. JONES: At page 25 of the National Parks and Wildlife Annual Report for 1998-99 it is stated, "Any person, body or organisation may submit a written proposal that an area of land in NSW be identified or declared as wilderness. Assessment of wilderness is the responsibility of the NPWS and the Director-General is required to provide advice to the Minister for the Environment on a proposal within 2 years". How many proposals have been submitted where advice has not been provided to the Minister within this two-year time frame? Because of the nature of the question, I am sure you will have to take it on notice.

Mr DEBUS: I am not sure that we do have to take it on notice. As you say, the Wilderness Act places obligations on the service to assess, manage and educate the public about the benefit of wilderness areas. There have been 32 of them declared since 1987 and 39 nominated. Since March 1995 there have been 11 new wilderness and additions to 10 wilderness areas declared. However, I will allow the Director-General to answer the detail of your question, which concerns how many were still outstanding, I think you asked.

The Hon. M. I. JONES: No. It is within the proposals that have been submitted and advice has not been provided to you within the two-year time frame.

Mr GILLIGAN: The statute provides no particular sanctions for not delivering on that time frame. It is obviously there as an indication of what is considered appropriate. Some wilderness proposals have been caught up in the comprehensive regional assessment process for, particularly, the upper north-east and lower north-east regional assessments. As a result, some of those have slipped just beyond the two-year period. We have had an extensive program in the current financial year to undertake the assessments so that we can deal with that backlog. We expect to have some of those out on public exhibition very shortly. We have another batch in the south of the State. Whilst the budget allocation for assessment work is less in 2000-01 than it was in 1999-2000, that is simply because we have rolled forward into the next phase of the cycle and are working on the principle that within the next 12 months or so we will have caught up all of that backlog.

CHAIR: The Committee will now deal with the proposed expenditure for Corrective Services and Emergency Services.

The Hon. C. J. S. LYNN: Last week there were media reports that David Owens, who headed the Corrective Services intelligence section, had been referred to ICAC for alleged corrupt activity in the allocation of contracts for security services to the company Advanced Security Systems. Can you advise the Committee of the total value of each of the security systems installed in each correctional facility by Advanced Security Systems and how many millions of dollars have been paid to Advanced Security Systems on the advice of David Owens?

The Hon. J. R. JOHNSON: Chair, is this under investigation at the present time?

Mr DEBUS: This matter is in fact the subject of two inquiries, one by the ICAC and another under the Public Sector Management Act. For that reason I feel reluctant to discuss the matter in any detail. There is not one, but there are two substantial inquiries now well advanced.

The Hon. C. J. S. LYNN: Could you advise whether the security systems installed by Advanced Security Systems at the various correctional centres in New South Wales were put out to tender? If not, why not?

Mr DEBUS: I can say that all of the security systems that have been contracted by the department in the last five years have been put out to tender in exactly the formal fashion required by the Public Sector Management Act itself. The circumstance is that a contract over \$100,000 is administered by the Department of Public Works and Services; a contract less than \$100,000 has to be the subject of at least three quotes.

The Hon. J. F. RYAN: Whilst you might have been a bit reluctant to comment on it, we are not asking you to comment on the investigation, but is it possible to tell the Committee how much money has been paid to Advanced Security Systems?

Mr DEBUS: It is not possible for me to tell you now. The contracts to supply security systems are a matter of public record, or a matter of record. We can supply them.

Dr KELIHER: A series of contracts have been entered into with a variety of providers, including Advanced Security Systems. The value of those contracts ranges from quite inconsiderable, or reasonably small, amounts of money—\$5,000, \$10,000 – through to fairly significant amounts of hundreds of thousands of dollars. Sometimes the contracts are split between various providers. One security company may provide a part of the system and another will provide another part. We have a full record of all of those contracts and of the funds that were appropriated to pay for those contracts. We could provide that information to the Committee in due course.

The Hon. J. F. RYAN: Does the Minister recall that in March 2000 a person called Trent Lantry died in Cessnock Correctional Centre? His mother, Mrs Veronica Appleton, requested the Department of Corrective Services to render some assistance for the funeral. An amount of \$1,600 was offered by the department for the burial of her son. This particular amount was based on a quote given to the department by a contractor, and that was the reason. Notwithstanding the fact that the family wanted the son to be buried in a Catholic cemetery, apparently the contract is to provide the service in an unmarked grave on council land in the Anglican section of the Morpeth Cemetery. Could you explain to the Committee the criteria for offering differing amounts when there has been a death in custody and there is some question as to whether or not it is as a result of a failure of a duty of care by Corrective Services?

Mr DEBUS: Well, whether there is or is not a failure of duty of care, of course, no assumption can be made in that respect, especially before a coronial inquiry is complete. It is the policy of the Department of Corrections to pay for the funeral. I am not sure that it is altogether easy to lay down meaningful criteria that will really adequately cover the very small number of individual cases that are involved, but perhaps the commissioner could explain a little more.

Dr KELIHER: In the particular case to which you refer, the officer who was dealing with the bereaved family at the time was following what they believed to be the correct guidelines and we had received a quote from a funeral director in the area to the effect that \$1,600 was a reasonable amount to expect. The family had other requirements beyond the standard burial that they were insistent upon and the department agreed to pay that full amount and, if my memory serves me well, it was something in the order of \$3,200.

The Hon. J. F. RYAN: Correct.

Dr KELIHER: The department is quite flexible when it comes to the payment of these amounts of money. It depends in many cases upon the circumstances of the family. In one case I recall we actually brought the family down from north-western New South Wales; we paid for their accommodation; we even paid for their travel costs around the city; we paid the full costs of the funeral and we flew the family home again and I think in that case the bill came to something over \$5,000, so it may vary between \$1,600 and \$5,000, but there is no line that the department draws, within reason, that says we will not fund to a reasonable amount the cost of the funeral of people who die in custody.

The Hon. J. F. RYAN: There appeared to be some negotiation about this particular matter then, and I accept that that is a sensible thing to do, but I take it the \$1,600 quote was simply what was obtained as a local quote and that would vary. You were saying something about standard. Does the department have some sort of criteria as to what it considers to be standard because I do not think many people would regard, under these circumstances, an unmarked grave in a local cemetery as being necessarily an appropriate standard. Is that the standard?

Dr KELIHER: I think that the industry itself has a concept of what a standard burial is and that is what we are talking about here. If people wish to erect elaborate headstones or to have particular types of caskets that are non-standard, the department really is not in a position to take those sorts of options on, but within reason we are prepared to negotiate at the margins and, as I say, we have to be flexible and if there is an additional cost for a person to be buried in a particular segment of a cemetery and the family is unable to afford that we have certainly come to the party in that regard before.

The Hon. M. I. JONES: Budget figures indicate that assaults on staff have risen from 353 in 1997-98 and 1998-99 to 366, an increase of 4 per cent, in 1999-2000 and serious assaults on inmates have increased from 161 in 1998-99 to 214, up 33 per cent, in 1999-2000. What provisions have you made in the 2000-01 budget to

address the increase in assaults by inmates against corrections officers and against other inmates? Please specify the specific programs and funding which will go to the assault hot spot gaols.

Mr DEBUS: Well, I will happily specify some of the programs, but the figures that you have quoted are, I believe, not accurate. While there has been a modest increase in so-called non-serious assaults over recent years—and I will explain why that is so to you in a moment—there has been very little change actually in the rate of serious assaults and by another measure the numbers of inmates actually requiring hospital treatment in consequence of assaults has fallen by 55 per cent. That is a very important figure. So far as officers are concerned, it really is quite noticeable that the actual rate of assaults on officers has fallen quite dramatically from 6.5 in 1995 to 4.1 in 1999, that is 6.5 per hundred officers a year. Now there is actually a 34 per cent decrease on assaults on officers and that in fact indicates that our gaols are very much under control and properly managed. If a gaol is not well-managed the officers are being biffed. The fact is that assaults on officers have really quite spectacularly fallen. The reason for the increase in the rate of minor assault has a lot to do with the change in the prison population. The department is now responsible for more offenders obviously than at any time in the past.

The Hon. M. I. JONES: The figures I am quoting to you are your figures.

Mr DEBUS: Well, no, that is not so. My figures are right. There are 1,200 more prisoners now, more inmates now than there were two years ago and the largest increases are in the remand population. The offenders who are in remand are, of course, very often uncertain of their future; they are unstable; they are often affected by drugs or alcohol; and they are much more likely to strike out at any source of aggravation they find. Of course, at the same time the Department of Corrections has been taking over police cells and what I have just said about remand prisoners may be said in spades about prisoners who are in police cells. They are the most aggressive and volatile people who are held in custody and the most confused and frightened and therefore those who are most likely to commit some act of at least minor violence. So that is the explanation for the increase in minor offences, minor assaults. All other assaults, all other forms of assault have remained steady or gone down, as is particularly so in the case of assaults on officers.

The department, it needs to be pointed out, employs 823 psychologists and welfare and drug and alcohol staff, that is 22 per cent more than were employed in 1994-95 and a great deal of the work of those people obviously is involved in helping offenders to address violent behaviour. But there are especially highly trained and expert staff working in particular in what we call—unimaginatively perhaps—the Violence Prevention program which is conducted at the Malabar Special Program Centre. That is a highly structured four-stage program for inmates who understand that they have a violence problem. Through a very intense program of therapy and group discussion and what have you large numbers of our most violent prisoners are significantly, I believe, assisted to control their violent behaviour.

There are detoxification units operating at the Metropolitan Remand and Reception Centre and the Mulawa women's correctional centre so that offenders affected by drugs and alcohol can be stabilised more quickly and made calmer and less aggressive when they actually enter the gaol. At Mulawa correctional centre we established, I think it was the year before last, the Mum Shirl Therapeutic Unit, which is particularly important in stabilising and dealing with female inmates who are in crisis or have a chronic mental health problem.

There are programs being introduced for Aboriginal offenders of an innovative nature; the mobile prison camps at Broken Hill and Ivanhoe and the so-called Second Chance program will be opened at Brewarrina and the Young Offenders program, which is for the mainstream population at Oberon. There are things called Mercy Camps, a brilliant innovation in which Aboriginal people take Aboriginal women on a spiritual journey in the bush outside Goodooga and bring them in touch with themselves and their culture. We have had I think 40 women go through the Mercy Camp and so far only one has reoffended. I could go on with perhaps a dozen more individual targeted programs whose major purpose is to deal with the violence that is inherent in the behaviour of not less than half of the people who enter prison.

Dr KELIHER: Could I just make one observation before we finish on what the Minister was talking about: 48 per cent of all inmates are in gaol for crimes related to violence and so it should not come as a surprise that there is a higher level of assaults and a desire to solve problems with fists in a gaol than there is probably out in the general community. But the two figures that really are worth noting are the number of inmates requiring hospitalisation falling from 42 in 1995 to 19 last year and the rate of assaults on correctional officers falling from 6.5 per 100 inmates to 4.3 in 1999. I think that that really does indicate a fairly healthy corrective system and a fairly peaceful one at that.

The Hon. J. F. RYAN: Except when compared with other States, Dr Keliher, New South Wales has a rate of assaults per prison population of 14 by comparison to, say, Victoria where it hovers around 10 and Queensland is about the same, and we have a rate of assault on officers of around four per population, whereas in Victoria it is about two, Queensland is under around one, Western Australia is about two. Only in South Australia does it get anywhere close to us, so given that those areas have similarly violent people contained it would be fair to say that New South Wales lags behind some of the other States in regard to that indicator, would it not?

Mr DEBUS: No, it would not. There are a number of reasons. First of all, the reporting of these kinds of statistics is a rather uncertain quantity in other States, especially those that are dominated by private gaols. Private gaols get no benefit from giving really accurate reports of the level of disturbance that occurs within their walls. In any event, there are different methods of collections of the statistics in different places. There is an attempt, as I understand it, to bring about some degree of national uniformity, but it is an attempt that is beginning, not an attempt that has succeeded. In New South Wales, much to my chagrin, there is a long established habit actually of reporting every cough and spit. Quite literally, if it is recorded that a prisoner has spat at another, they write it down as an assault.

The Hon. J. F. RYAN: Is it not an assault?

Mr DEBUS: This is admirably honest on the part of our prison officers, and I would not mind if the commissioner introduced a more sophisticated system where he arranged a more careful categorisation of these various acts of aggression. But the short version of things is, you cannot tell anything at all precise from those national statistics. In any event, it is not true that other systems have as many dangerous people as we do. We have, because we have the largest, biggest, baddest city, which had the first wave of the drug problem, we actually do have worse problems with gangs and violence between ethnic groups, worse problems with drug gangs. Wherever you look, we have had a much more difficult population to deal with than other States. I think it is fair to say that ours is the only State in the last five years that has not had what you would call a riot. We have had a couple of heavyish disturbances, but we have not had—and in this case we are unlike any other State—we have not had a serious riot in a correctional centre.

CHAIR: Could you tell me whether the Special Care Unit operated fully for the purpose of the last financial year, and if not, why not? Is the Special Care Unit expected to operate for the full 2000-01 financial year?

Mr DEBUS: That is quite complicated, Mr Chairman, as that unit runs a number of programs, and for a period during the last calendar year some of them were suspended while the buildings in which those programs are conducted were renovated. My understanding is—and I will get the commissioner to correct me if this is not so, and Miss Allen might be able to help me here—all of the programs are functioning, and they will continue to do so.

Ms ALLEN: Deborah Allen, Director of Strategy and Policy, Inmate Management. The Special Care Unit was temporarily closed in order for the staff to work on reformulating and redesigning the program. It has been incorporated into the broader Violence Prevention program, and that program reopened in November last year. So the Special Care Unit is part of the broader strategy of those therapeutic units down at Long Bay.

CHAIR: What about the Kevin Waller unit then?

Ms ALLEN: The Kevin Waller unit did not close.

CHAIR: That one did not close?

Mr DEBUS: That one never closed, and it will not.

CHAIR: It will be operating fully this year then?

Mr HOLT: It is operating fully at the moment and will continue to do so.

The Hon. C. J. S. LYNN: Minister, the Auditor-General's report to Parliament for 1999 notes that it costs \$58,892 per inmate for each medium security inmate in New South Wales other than the Junee Correctional Centre. It also notes that the estimated net cost per inmate to the department at Junee for medium

classification inmates was \$38,210. What investigations have you made as to why the Junee Correctional Centre can house inmates \$20,000 cheaper than each of the non-privately managed correctional facilities, and what are the results of those investigations, if any?

Mr DEBUS: It is actually quite hard to compare the costs of accommodating inmates from one correctional centre to another, because conditions are so different in one correctional centre to another. Junee is a relatively new establishment, and new establishments are by and large much more efficient. So it is obviously the case—or it may not be obvious, but it is the case—that a new correctional centre is more efficient. It is cheaper to run than the decreasing number of Victorian establishments that we have left within the system.

It is also relevant to look at the degree of difficulty of management of individuals. The Junee Correctional Centre, by and large, houses protection prisoners, that is almost by definition prisoners who are relatively docile, and some of them are positively gentle at Junee. That means in turn that you do not need to have a number of the programs, you do not need to have the degree of security, that would exist at another centre, even though that other centre may be formally given the same general categorisation of medium security. That being said, I will allow the commissioner to offer some more detail.

Mr KELIHER: As the Minister correctly pointed out, the vast majority of inmates in the Junee Correctional Centre are protection or strict protection inmates. Approximately two-thirds to three-quarters of them in fact fall into these two categories. These people in the main are sex offenders. Many of them are middle aged or older men. They are, as the Minister correctly pointed out, fairly quiet people and very well behaved in general. The other medium security gaols that are comparative to Junee are for example Bathurst and Goulburn, both of which are very old gaols, and there are inherent problems associated with that. The major saving, however, that the Australian Correctional Management running the gaol at Junee has over the Department of Corrective Services is with respect to some of the operating procedures and salary structures that they have been able to put in place. We have an ongoing negotiation with the unions in New South Wales, with the PSA, particularly with the rank and file of the Prison Officers Vocational Branch, to examine ways to enhance and streamline the services that we provide, and thereby minimise our costs.

But the truth of the matter is that the average daily cost per inmate at our biggest gaol, that is the Silverwater Metropolitan Remand and Reception Centre, is only about 8 per cent to 10 per cent higher per day—and that is a maximum security remand centre—than Junee. So there are some comparisons that do stand up, and some that do not stand up. I think just to say across the board "medium security" compared with Junee is probably an unfair comparison. Perhaps it would be more appropriate to pick some other centres to compare it with.

The Hon. C. J. S. LYNN: Minister, if you took that figure and you extended out the saving of \$20,000 per inmate, and it was implemented across all seven and a half thousand inmates, the maximum saving would be in the order of \$150 million. Now, you said there that you are examining streamlining operating procedures, and negotiations with salary structures. Do you have any indication of what is the maximum saving you could make in those areas?

Mr DEBUS: I do not think that is a very meaningful question. What the commissioner has been suggesting is that there is immense variety in the conditions under which inmates are kept from centre to centre, from security classification to security classification, and there are immense differences in the actual needs of inmates, both male and female, across the system. The question of how much money you can save is something that has got to be set against the kind of standard of care that you wish to provide. Every other question tonight has implicitly been going to the issue of the standard of care that is provided. If you put inmates, for instance, through the Violence Prevention program that we have just mentioned, obviously that costs more than if you just keep them cooling their heels in an empty cell somewhere. So I think that, though I can discern a degree of meaning in your question, I do not think it is actually answerable without a great deal more specification.

The Hon. C. J. S. LYNN: Are you suggesting that Junee provides a lesser standard of care?

Mr DEBUS: I thought I was pretty explicit about this. I am suggesting that Junee has certain advantages: the age and design of the correctional centre, and the nature of the inmates that it looks after.

The Hon. C. J. S. LYNN: Minister, is it the case that you directed or permitted the Department of Corrective Services to commence working on a tender proposal which over the last 12 months has cost the Department of Corrective Services in the order of one million dollars, and two weeks ago it was decided that

Corrective Services will now not tender for Junee Correctional Centre management? How do you justify this waste of taxpayer's funds based on little more than an ideological left-wing commitment to removing the private sector from managing New South Wales prisons?

The Hon. J. R. JOHNSON: Come on, you took the red pill and not the green one.

Mr DEBUS: I thank the Hon. John Johnson for that perspicacious intervention. The Government remains committed to public management of existing public sector correctional facilities, and that is a commitment that extends to new correctional facilities that are presently being built. The contract for the State's only privately run prison, Junee, comes up, as you say, for renewal in 2001. In keeping with undertakings that have been made, the department had begun detailed preparations for a public sector tender bid. However, it is true that I recently accepted the advice of the commissioner that the public sector should not proceed with the invitation to tender on this occasion, and the reasons are as follows.

There have been a number of really significant changes to the public sector, which, it is now agreed between the commissioner and myself, indicate that it would be preferable not to proceed with the tender. The correctional system is experiencing a very rapid and significant growth in inmate numbers, and as a result of that there are a number of major projects under way, which will themselves take several years to complete. There are the new publicly run centres to be built at Kempsey and Windsor, there is the expansion of the Parklea Centre, there is the construction of a high security unit at Goulburn, there is the takeover of police cells and court security and escorts from the Police Service. All of those exercises represent a major administrative challenge for the prison service, one that it is discharging with considerable efficiency.

But it has become clear that the demands of submitting a tender for Junee—which is the second largest prison in the system, with over 600 inmates—represent an unreasonable diversion of the efforts of the best qualified and most experienced staff in the system. I should say—and I believe the commissioner did indicate this in an earlier question—that he and I both remain committed to discussing with relevant unions the co-operative approach to a tender by the public sector when the contract for Junee next expires.

The Hon. M. I. JONES: With recent estimates indicating the inmate population may have up to 20 per cent prisoners having an intellectual disability, can you specify what amount of the 2000-01 budget has been allocated to support inmates with intellectual disabilities, and what are the specific programs this allocation will fund?

Mr DEBUS: I will ask some of the officers to add to what I might say here, but spending in the financial year about to finish was about \$1,100,000 on programs for people with intellectual disability. You would be aware that there is a good deal of debate about how many of the inmates within the correctional system actually have an intellectual disability, and obviously it is a matter in the first instance of definition. There has been some evidence given recently to a committee of the upper House by Dr Susan Hayes, suggesting really quite high levels of intellectual disability, up to 20 per cent within the system. On the other hand, using different criteria, and what are now very efficient screening processes, the department itself, using a rather more stringent test, I guess, of disability, has drawn the conclusion that there is more like 2 per cent or 3 per cent of inmates within the system who should be so classified.

It is important to bear in mind, in any event, that a lot of inmates have got reduced intellectual functioning as the result of long-term drug abuse, alcohol abuse, and those people have different needs to people who have suffered an intellectual disability since birth. In any event, this is the important point to be made: it is very strongly recognised by the Department of Corrections that a lot of people with intellectual disability become entangled in the criminal justice system. I perhaps ought to say at least once during these hearings, it is not the Department of Corrections that puts people in prison, it is the courts that make the decision. They generally have pre-sentence assessments by the Probation and Parole Service which will tell them the intellectual capacities of the particular offender. But, as I say, a substantial number of people do become entangled in the system.

The department has set up two sorts of programs in response. It has specialised units at I think three places, at the Malabar Special Program Centre [MSPC] at Long Bay—that is, in the same precinct as the special care centre that we mentioned earlier—at Goulburn and at Kirkconnell correctional centres. On the other hand, it provides, through its welfare and educational staff, programs for inmates with intellectual disability who remain in the mainstream. I think it actually might be useful if Ms Allen would say something.

Ms ALLEN: There are specific dedicated units for inmates with intellectual disability, and they are also managed in the general gaol system, and Kirkconnell remains a significant gaol in that regard. The

construction is under way at the moment for a dedicated unit within the MSPC, which will enable us to transfer inmates from the SPC. As well as those particular dedicated units, there has certainly been an increase in training and an increase in the process of identification of inmates with intellectual disability. We would recognise the fact though that there has never been an adequate relevant study done of inmates with intellectual disabilities within the prison system, and we are still in dialogue with Dr Hayes about her research and about the implications of her research in the correctional system.

I think it is important to note that there is a clinical co-ordinator of intellectual disabilities, and that she is in the process of establishing a disability team, which will consist of a psychologist, welfare officers and drug alcohol workers. These people will provide a consultancy service to the existing services within the gaol system, so that not only the identification can be improved, but the actual way of managing inmates with disabilities can be improved as well.

The Hon. J. F. RYAN: Minister, you mentioned a minute ago a report that gave a considerably different outcome to Susan Hayes' estimate of intellectual disability. I do not want to turn this into the Select Committee on Increase in Prison Population, but that is new information which my committee did not have. Can you supply that report to the Committee?

Mr DEBUS: It is not a report as such. I do not think it is new. I think it is information that your committee has received. I was just really generalising about the department's own figures, rather carefully acknowledging that a very great deal depends upon how you define intellectual disability. Just for a start-off, where you set an intelligence quotient, if you feel obliged to measure such a thing, but it is in fact not new information. It is the stuff that officers of the department have been discussing with your committee.

CHAIR: Minister, I wish to address my question to community access to New South Wales prisons, part of that at least. The Prisoners Support Group received funding from ATSIC to extend its operations to non-metropolitan correction centres. Can you explain why the Prisoners Support Group has not been able to fulfil its responsibilities to non-metropolitan areas, certain centres, using their ability to access Bathurst gaol?

Mr DEBUS: No.

CHAIR: You cannot explain it?

Mr DEBUS: You have obviously been given that question by somebody, Mr Chairman. I need more information.

CHAIR: Perhaps you can take it on notice then.

Mr DEBUS: I can tell you this: that when I came to office, that group was getting \$35,000 a year under the Community Grants program to assist it in its work, and I have put it up to \$211,000. So that will have helped their access in many ways.

The Hon. J. F. RYAN: I think the problem is the change in the way in which passes have been given to these people. They originally had passes which allowed them pretty free access to prisons, but apparently a change has been made to cancel those passes and have them negotiate prison by prison locally.

Mr DEBUS: Obviously. It is something that we are very happy to look at, but I do not actually —

The Hon. J. F. RYAN: Apparently it was a decision by the Assistant Director-general of Corrective Services, Mr Ron Woodham, to withdraw all passes for groups and then require them to reapply to him, as well as to gain specific approval from governors of individual corrective facilities. As a result, there is currently no co-ordinated welfare liaison with Aboriginal inmates from the agencies that service them, and there are complaints from other groups, like CRD, that do not have the access that they used to have either.

Mr DEBUS: None of us have enough information in this matter. There are Aboriginal staff all over the place in the prison system now, welfare officers, alcohol and other drug workers. There are thirteen official visitors who are Aboriginal. There are Aboriginal members of the Parole Board. There are Aboriginal people everywhere, and the RAPPOs, the Regional Aboriginal —

CHAIR: Are there any vacant positions?

Mr DEBUS: No, not many. It is sometimes quite hard to fill very specific positions, but not many vacant positions. There is a most substantial increase in the level of Aboriginal staff and as I say, 13 Aboriginal official visitors—13. There may be some specific instance that you are referring to here which we will get worked out, but it is just not reasonable to suggest that there is a —

The Hon. J. F. RYAN: The question is not that there is not staff. The question is that the community bodies that you fund are complaining that they do not have the access they need to carry out the service that you fund them to carry out because of a change in the issuing of passes into prisons.

Mr DEBUS: We are going around in circles, are we not? I will have a look at it.

The Hon. J. F. RYAN: Has the change occurred and is it having an impact on how these welfare groups provide their services?

Mr DEBUS: I do not know if the system has changed, but it is certainly not the intention of the system that the welfare groups should be deprived of appropriate access to inmates. I would be quite happy to look at the specific issue.

CHAIR: The chairman of the Aboriginal royal commission said that prisoners should have access to visitor groups, and that is not happening.

The Hon. J. R. JOHNSON: Mr Chairman, can I draw your attention, with due respect, to the time. It is four minutes to ten. We are due to rise at ten, and we have not had the Rural Fire Services, the New South Wales Fire Brigade and the State Emergency Services.

The Hon. C. J. S. LYNN: We have got an extension.

The Hon. J. R. JOHNSON: No, we are not having an extension. Last year we went through this same circus, with people just continuing to ask questions and not taking account of the time. When it comes 10 o'clock, that is it. Mr Chairman, with due respect, you have to control this Committee better than you have.

The Hon. J. F. RYAN: I think that is a reflection on the Chair.

The Hon. J. R. JOHNSON: I do not care whether it is a reflection or not. I warned him last year.

The Hon. JAN BURNSWOODS: We did in fact make a decision at our deliberative meeting before we started that we would conclude at ten, have a deliberative meeting from ten until five past ten and then go home, so the point Mr Johnson raises is important. There are a lot of people here from the different sections of the portfolio, and I think we do need to know at this stage whether we are going to switch to them for another two minutes or what exactly we intend to do.

CHAIR: We were going to have both of those together, as we did with the EPA and the National Parks. Members should have asked their questions during the last hour, but there were in fact no questions asked.

The Hon. J. R. JOHNSON: Those officers outside. There was no room.

CHAIR: Members had the opportunity during the last hour and did not ask —

The Hon. JAN BURNSWOODS: My main point, Mr Chair, is that we had a deliberative meeting at which we agreed that we would conclude at 10 and then have a deliberative meeting from 10 o'clock to five past ten.

CHAIR: Any questions that are unanswered, yes, and we may have to put on an additional meeting to ask more groups to ask more questions that are not answered yet. If the Minister needs to come back, then we can have a deliberative meeting after we conclude. Are there any more questions?

The Hon. C. J. S. LYNN: Minister, you spoke about the tender process for your department in terms of the tender for Junee. I understand the information that you gave to this Committee was known to you a year ago. My question to you is: Why did you allow the tender process to proceed? This money has been wasted on the work.

Mr DEBUS: Mr Chairman, not all of the information that I just gave the Committee was known to me at the time when it was agreed that there would be a tender. After all, the department had not attempted this sort of exercise before, and I think over time it became clearer and clearer that the workload was just becoming altogether too difficult.

Dr KELIHER: Can I interpose to clarify a particular point which was raised in an earlier question, regarding the cost. A figure of \$1 million being expended by the department was mentioned. I tell you categorically that the expenditure to date is quite a deal less than \$100,000. We have had one person working full time on this project for the last nine months, eight or nine months; we have had several people working part-time on it and we have had a small consultancy group assisting us to draw up the specifications.

The process falls into two parts. The part that the Minister has answered is with respect to the department preparing a tender bid. What we also had to do first-up—but we would have had to do this whether or not we were going to put in a tender bid—was to put specifications in place so that anyone submitting a bid would know what they were bidding on. That is where the vast majority of the costs – in fact about 95 per cent of all of our costs – were incurred: in the development of specifications. That will continue to be the case. The very small amount that was expended with respect to the preparation of a tender bid that eventually did not go ahead would be quite a deal less than \$5,000 or \$10,000.

The Hon. C. J. S. LYNN: Could you advise who were the consultants and how much they cost in this process?

Dr KELIHER: The consultants are a company by the name of Rengain, and I do not have the exact figure of their costs, but I can provide it.

The Hon. C. J. S. LYNN: What role did the union's reluctance to adopt the current practices at Junee play in making your decision to pull out of the tender process?

Mr DEBUS: Not very much. My concern was that which I have described to you. My concern has essentially been that the department was in danger of spending far too many of its precious intellectual resources on this exercise when it needed to spend them in other places, and it needed in fact to devote its intellectual and administrative resources to the construction and management of a whole series of new centres and new programs.

The Committee proceeded to deliberate.
