

LEGISLATIVE ASSEMBLY

Thursday 22 May 2003

Mr Speaker (The Hon. John Joseph Aquilina) took the chair at 10.00 a.m.

Mr Speaker offered the Prayer.

GOVERNMENT (OPEN MARKET COMPETITION) BILL

Bill introduced and read a first time.

Second Reading

Ms MOORE (Bligh) [10.02 a.m.]: I move:

That this bill be now read a second time.

I took carriage of this bill last year following its introduction by the Hon. Dr Arthur Chesterfield-Evans in the Legislative Council and its successful passage through that House. The need for reform of freedom of information legislation remains urgent and this bill is an important step forward. The community justifiably believes that there is too much secrecy and too little openness and accountability in government. A lack of transparency provides the environment for maladministration and corruption to flourish, with public projects that put corporate bottom lines and deals for mates before public interest.

Last year I told the House that my commitment to strong and effective freedom of information legislation has continued since the principles of open and accountable government formed part of my pre-election commitment in 1988, when I was first elected to represent the seat of Bligh. When the original freedom of information legislation was introduced in 1988, Independent members played an important role in the debate. Independents moved amendments that dealt with many issues, including reducing the maximum amount of time within which an agency could deal with applications, ensuring that the cost of obtaining information was within the reach of the average citizen, removing the five-year limitation on access to information, removing many of the excuses that agencies might put forward for not providing information, and reducing exemptions.

The Independents' charter of reform in the Fiftieth Parliament further addressed guaranteed open and accountable government. Improved freedom of information and increased scrutiny of statutory authorities were important goals of our charter. The aim of the charter's freedom of information reforms was to make all government information available unless there was a compelling case for the information to remain confidential. It was intended that any claim for exemption from the Freedom of Information Act should be required to demonstrate that the release of the document would be contrary to the public interest. I remind the House that in a letter to me dated 1 July 1991, in response to the charter of reform proposals, Premier Carr, who was then Leader of the Opposition, reiterated the Labor Opposition's support "for reforms that promote the openness and accountability of government." I remind the Premier and the Government of the Premier's commitment in 1991.

I commend the Hon. Dr Arthur Chesterfield-Evans for his thorough research when he was preparing the original bill. In November last year he organised a forum on open government and speakers from Canada and New Zealand attended. The transcript of the seminar's proceedings is available on his web site and hard copies are available from his office. New Zealand has led the way in the provision of government information to the public. The New Zealand Freedom of Information Act came into force in 1982. It was widened in 1987 and was reviewed in 1998. The Chief Ombudsman of New Zealand, Sir Brian Elwood, spoke at the open government forum in November and praised the success of the New Zealand legislation. He said that the usual concerns about the sky falling—we heard them also during the Fiftieth Parliament—were expressed when the legislation was introduced. Business claimed it would collapse, the Government was not supposed to survive, and so on. Of course, none of this happened, and the regime works very well in the public interest.

Despite the principles of the Independents' charter of reform, the practice of freedom of information legislation in the past decade has become non-disclosure unless there is a reason to disclose. The onus of proof should be on those wanting to maintain secrecy to prove that there is public benefit in doing so. The New

Zealand legislation does just this—turning the presumption around so that information is made available unless there is a good reason under the Act to withhold it. Claims of commercial-in-confidence or Cabinet-in-confidence are not enough. In 1999 the New South Wales Auditor-General urged similar increased openness, stating that governments had been too willing to hide behind the excuse of commercial-in-confidence when refusing to reveal details of agreements with the private sector.

Since the Fiftieth Parliament it has become apparent that the community is receiving less information on important matters. Requests for information are routinely denied, usually with the claim that information is commercial-in-confidence or is a Cabinet document. Mechanisms such as parliamentary inquiries are often obstructed through an overload of irrelevant witnesses or irrelevant documents. Over recent years information on issues affecting the Bligh electorate, including such important issues as the Eastern Distributor tollway, Fox Studios, Woolloomooloo Wharf, Tennis New South Wales leases at Homebush Bay and, currently, the cross-city tunnel, have been held back. I will refer in more detail to the cross-city tunnel.

In December 2002 the Government approved a massively revised cross-city tunnel project, which was proposed by its preferred tenderer and did not conform to the original tunnel approval from 2001. Although financial details have not been made public, it appears that the scheme was built around reducing government contribution and increasing toll revenues at the request of the preferred tenderer, rather than maximising public benefit. The contractual arrangements were reported to pay \$100 million into government coffers, replacing the previously approved project when the Government contributed \$40 million for a less environmentally damaging scheme. Such financial arrangements give an inappropriate incentive to proceed with the project based on reasons other than public benefit and transport improvements for Sydney. This amended scheme boosts private sector profits through more and faster traffic, with local residents paying the price through traffic impacts and increased pollution.

In December 2002 I called for the release of financial arrangements for the flawed cross-city tunnel scheme from a Government hiding behind the cloak of commercial-in-confidence. Only the release of these contracts can expose the truth and permit the New South Wales public to know whether the contractual arrangements are in their best interests. Without access to the documents the public has to trust that the Government gets it right and does it right. The problem is that the public no longer has that confidence, and we need to re-establish it. The absence of information adds to the appearance that the Government is aiding and abetting private corporations to make money at the cost of New South Wales residents. This bill seeks to ensure that all government contracts and their associated tendering documents are made publicly available by all public authorities. The documents are to be made available free of charge for inspection and on the web site, with the responsibility oversighted by the Ombudsman. The bill also allows the Auditor-General to inspect the accounts of persons or bodies that receive government grants.

One perception of the original bill in the Legislative Council was that it would cost too much to implement. I refer honourable members to the New Zealand experience in order to demonstrate that this is simply not the case. Initial challenges to the operation of the legislation in New Zealand dwindled quickly once the scope of the Act was established and defined. The cost to a public authority of making contracts available for public inspection is negligible. The cost of open government must be balanced against the cost of closed government, when significant time and money is wasted trying to have documents made available. The New South Wales taxpayer has had to pay the legal costs for both parties in two major court cases: *Egan v Willis* and *Egan v Chadwick and anor*. Many contracts released after significant court battles have been revealed as costing taxpayers much more than they should have. The publishing of contracts will encourage better bargains and better alternatives. This bill is good for business, for the taxpayers of New South Wales and for open, accountable government—particularly government in a third term.

I draw the attention of the House to one change to the bill that I introduced in this place last year. In September 2002 I gave notice of a proposed amendment to make the definition of "public authority" consistent with the meaning it is given in the Ombudsman Act 1974. This correction has now been incorporated in the bill before the House. Open, transparent government is a basic democratic right. The worldwide trend towards more open government is strongly supported by public demand for greater accountability. The New South Wales Government must respond. This bill aims to make government contracts open, to show where government money goes—it is public money—and to provide a mechanism for enforcement through the Ombudsman's office. I thank the Hon. Dr Arthur Chesterfield-Evans for his excellent work in preparing this bill for introduction in the Legislative Council. I commend the bill to the House and I urge all honourable members to support it in the interests of good governance in New South Wales.

Debate adjourned on motion by Mr Newell.

BAIL AMENDMENT (REPEAT OFFENDERS) BILL**Second Reading****Debate resumed from 8 May.**

Mr HAZZARD (Wakehurst) [10.13 a.m.]: I support the Bail Amendment (Repeat Offenders) Bill, which is designed to bring a degree of commonsense to the bail issue in New South Wales. A high level of concern has been expressed in the community for some time that the courts often allow repeat offenders—particularly those who are alleged to have committed violent crimes—to go free rather than keep them in custody. This practice has had some horrid consequences. The honourable member for Epping enumerated the various issues when he introduced the bill in his capacity as shadow Attorney General. I am sure we all recollect particular instances that have captured the hearts and minds of the people of New South Wales and highlighted the great concern that the community should, and I believe does, have about the provisions of the current Bail Act.

Honourable members may remember the 1997 case of two young Bega school girls, Lauren Barry and Nichole Collins, who lost their lives to a repeat violent offender who had been released on bail in accordance with bail laws that were no better than those in force today. I recollect the media frenzy that occurred after the girls' disappearance. They were with a family group on a camping holiday on the South Coast when they left the campsite and vanished. There was great concern in the media as the hunt for the two young girls ensued. Their bodies were later found in a creek bed in bushland. It subsequently became apparent that the perpetrator of the crime was an alleged violent offender who had been released on bail.

The Carr Labor Government has been in power since 1995 so we are approaching a decade of Labor government in New South Wales. One would perhaps expect the Premier to have taken steps to address the sorts of issues that must be resolved in order to safeguard our community from repeat violent offenders who have been charged and brought before the courts. That is a basic expectation. The situation is particularly concerning as the Premier has duped the community into believing that he has addressed these fundamental issues. The recent election is fresh in our memories. I recollect seeing brochures and television advertisements in which the Premier basically said that it was a case of gaol not bail. That was the Government's theme. The Premier pretended to the community that he had done the right thing and that serious offenders would get gaol not bail. He lied to the community, which is now realising—because of other recent events—that the current law in New South Wales is not as the Premier presented it in his pre-election material.

Post election it is beginning to become apparent—as are many other things—that the situation is not quite as the Premier claimed. That is a recurring theme in New South Wales across a range of areas but in this case it has grave consequences. After almost a decade of Labor Government the Bail Act remains silent about any presumption against bail—it is neutral, if you like. It is for the courts to decide in all circumstances whether bail should be granted. That is a serious issue because that is not how the Premier has presented the situation to the public of New South Wales. He has claimed that there is a presumption against bail at least in the sorts of cases involving violent crimes about which the community is particularly concerned.

As a lawyer, I represented many people in bail application hearings before I came to this place. Over the years there have been various amendments to the bail provisions. The Bail Act sets out the criteria that the court must take into account in determining whether to grant bail. However, this tends to engender a highly technical and legalistic approach to this process to the extent that violent criminals are treated in exactly the same manner as non-violent offenders. The courts base their decision-making not on the presumption that the community believes violent criminals should not be granted bail but on the concept of neutrality.

Very sound arguments may be raised for and against presumption in the granting of bail—particularly in relation to civil libertarian issues. But in this place we have to make difficult decisions—often daily. A difficult bill passed through this House last night. People from both sides of the Chamber came to conclusions and had a conscience vote. On some issues we have to balance civil libertarian views, the presumption of innocence concept, and how it permeates the rest of our law. There is also a presumption that we are entitled as a community to be protected against violent offenders.

This bill introduced by the Liberal-National Coalition in New South Wales purports to find that balance, and I believe it does find that balance. It reflects the community's concerns about violent criminals. If an offender has apparently been involved in violent offences before, in those limited circumstances we should

shift the balance such that the court starts with the presumption that the community does not want violent offenders released. They will have to bide their time behind the bars of one of the New South Wales correctional facilities until they can be tried. There is a possibility that an individual somewhere along the way may find that somewhat disadvantageous. But, on balance, the community would say that it wants to be protected. We would obviously want the court system to deal quickly with that individual so that his legal rights are protected as far as is humanly possible. We would not want the massive court delays that sometimes occur.

As a lawyer and as someone who, particularly in my capacity as shadow Minister for Community Services, has had something to do with people who have been on the receiving end of violent crime, I have no doubt that the bill does what the community of New South Wales wants to be done. The bill is also truthful, honest and transparent. It is telling the people of New South Wales exactly what will happen. It is not a dupe or a con job in the way that, sadly, the Premier has operated in too many areas. We acknowledge that there are possibly some downsides for particular individuals but, overall, the community needs to be made safer. So the courts should be directed to a presumption against bail for repeat violent serious offenders. That presumption then has to be rebutted by sound and logical argument from the judicial officer who is determining the bail application. I cannot see any reasonable argument against that.

The shadow Attorney General, the honourable member for Epping, said that former police commissioner Ryan repeatedly pointed out flaws in the bail process that left victims without adequate protection from offenders. In the second reading debate, and publicly, the shadow Minister also pointed out that police are frustrated by the constant release on bail of people who can then commit further offences. That is another aspect: we as a Parliament and a community should support police in their endeavours to protect our community. Again, they have to have sensible and appropriately defined powers, and there must be support from this place. If the police do not feel that what they are doing will receive the backing of the mighty institutions that make up this State and provide the cornerstone of our democracy they will not do the work that we as a community expect them to do.

The New South Wales Bureau of Crime Statistics and Research stated in its 2002 report on repeat offenders that "absconding on bail by Local Court defendants was a serious problem, particularly amongst repeat offenders". The judiciary is often criticised by the public and the Parliament for being too soft on criminals. I would like to think that in most instances that criticism is not justified. I have great faith and belief in our judicial system and in our judicial officers. But if we, as elected representatives for the people of New South Wales, fail to give some direction, some insight into what the community is thinking then of course the judicial officers will always give the individual the benefit of the doubt. That is the way the legal system works in New South Wales, and in most instances that is something we would all be happy with—but not when we know that individuals who are released have previously committed violent crime and may repeat the sorts of horrible things that can happen when violent criminals are allowed out on bail. I refer to the sorts of things that happened to teenagers, Lauren Barry and Nichole Collins. They were starting out their lives and being a bit adventurous but a violent offender who was out on bail cut short their lives.

The tragedy of the recent murder of Patricia Van Koeverden is that she should have been protected from her murderer by tough bail laws, but she was not. Government has a role in keeping its citizens safe. Government should be truthful with its citizens. Sadly, the State Labor Government, after a decade, has failed on both accounts. It has failed the citizens of New South Wales and, worse still, it has lied to them. This bill is an opportunity to move away from the Carr five-second-grab approach to substantive policy making. It is an opportunity for members opposite to strike a balance. It does not matter what faction they are in; this is about striking a balance to protect their communities. If they go back to their communities and ask whether they should back this bill they will be told that they should. I ask members opposite to take the bill seriously and to support it.

Mr MERTON (Baulkham Hills) [10.28 a.m.]: This is an important bill. It concerns every person who lives in New South Wales. It concerns people in probably the most serious situations in which they could ever find themselves. The shadow Attorney General, the honourable member for Epping, introduced the bill to rectify the inadequacies, the shortfalls, the lies and deceit of the Carr Government. The Carr government went to the people of New South Wales just a few weeks ago with a solid commitment: gaol not bail. Households throughout New South Wales were given glossy, printed brochures showing that message. There were depictions of phoney arrests and people being taken away in a patrol car. The public believes that those people were going to gaol and that they would remain there until the case was determined. Quite the contrary is occurring—many offenders at this very moment are being released on bail in circumstances in which reasonable thinking members of the community would deplore. Having practised law for some years, I am well aware of

the delicacies of bail situations. I am aware that for many years a fundamental concept of British justice, which we inherited here in New South Wales, was that offenders were entitled to bail in most circumstances.

Of course that was many years ago and since then circumstances and conditions have dramatically changed. It is true to say that there is more violence on the streets in the community now than there was in previous generations. How many people are frightened to go out at night because they might get mugged or assaulted? How many people wake up in the early hours of the morning concerned that a noise outside their house might be an intruder, rather than just their dog or cat? We are living in a climate of people being frightened and apprehensive about maintaining their personal security. This bill simply says to repeat offenders that there is no presumption that they will get bail, indeed that they will find it very difficult to get bail. The object of the bill clearly states:

... the presumption against bail for certain offences where the offender committed the offence concerned while on bail for another offence, while on parole for another offence, while subject to a sentence (but not in custody) or to a good behaviour bond or an intervention program order relating to another offence or while in custody.

The bill also states:

... to provide for a presumption against bail where the offender has previously been convicted of the offence of failing to appear before a court in accordance with a bail undertaking.

In other words, an offender who did not appear in court and forfeited bail and is reapplying for bail. No doubt, they could repeat those circumstances. The bill further states:

... to provide for a presumption against bail in respect of indictable offences where the offender has previously been convicted of one or more indictable offences.

Indictable offences are serious offences for which offenders have to appear before a judge, and often a jury, in the District Court or the Supreme Court. They are not illegal parking or speeding offences for which offenders appear before a magistrate in the Local Court. The bill also states:

... to require a court or authorised officer, when determining whether to grant bail to offender ... and when considering the interests of the person, to take into account the nature of the criminal history of the person ...

Criminals are said to have "form", a term used in a similar manner to how one might refer to the form of a racehorse. I do not know a lot about racehorses but I know that race form is referred to. Criminals have form, and some have a record like Phar Lap that goes back for years. The Opposition says that if a criminal has form—not good form but bad form—and has a chequered career and has been in and out of gaol all their life, they should not be automatically entitled to bail. We say there should be a very strong presumption that they do not get bail in such circumstances because at the end of the day all members of the public are at risk. We have heard of many cases, including Lauren Barry and Nichole Collins, two young innocent girls from Bega who were brutally murdered and cut down in the prime of their life by a repeat violent offender. Patricia van Koeverden was also brutally murdered by a repeat violent offender. Those tragedies arose because an offender was granted bail.

The Opposition does not say that offenders should be denied bail in every circumstance, because obviously there are cases where people are entitled to bail. Rightly or wrongly, our courts operate under a system of a presumption of innocence. I think it is the best system in the world. People are innocent until proven guilty, but any application for bail should be considered very carefully before they are given the licence, privilege and liberty to go back into the community until their case is determined. At the end of the day many parties are acquitted in court, but the Opposition says that repeat offenders—those who have prior form, a history of violence and serious crimes, or have previously failed to appear in court after having been granted bail—should not be given bail. The Opposition says that the presumption for bail for repeat offenders should be withdrawn; they should find it very difficult to obtain bail.

The history of bail in New South Wales goes right back to the beginning of criminal law, and many generations have seen changes to the system. In a very practical, workmanlike and realistic way the shadow Attorney General seeks to amend the Bail Act 1978. That Act provided a right to release on bail for persons accused of certain minor offences, including offences not punishable by imprisonment and other minor summary offences. In relation to other more serious offences, with some exceptions relating to drug-related offences, domestic violence offences and other specified offences, the principal Act provides for an entitlement to bail subject to consideration of the matters set out in section 32. Those matters should be taken into account when determining whether to grant bail. In the beginning of the new millennium, in an age of violence, when

people are apprehensive and frightened for their own personal security, that legislation needs revision. The Government should accept the reasonable requests of the community—we say it should be the demands—and alter the law to make it up to date and relevant to what is happening in 2003, not to what happened in 1958, 1968 or 1978 when there might have been different principles.

The Opposition believes that the present provision in relation to the presumption against bail should be amended to make it difficult for people who have committed an offence whilst they are on bail for another offence, while on parole for another offence, while subject to a sentence but not in custody, or to a good behaviour bond or an intervention program order relating to another offence or while in custody; or where the offender has previously been convicted of failing to appear before a court; or where the person has previously been convicted of failing to appear before a court; or where the person is accused of an indictable offence and has previously been convicted of one or more indictable offences.

It is true that police officers get very frustrated when they arrest a person for a criminal offence and take him or her to court, only to see that person get bail and subsequently do a bolter—to use a great Australian expression—and fail to appear before the court in accordance with the bail undertaking. The police are then back to square one and have to spend considerable time to find and reaprehend the offender. The offender could be in the Northern Territory, Darwin or Cairns and has to be brought back to this State. Not only does this cost an enormous amount of money but the police are diverted from attending to their other duties. The police have to try to recover the ground they have lost by rearresting the offender. The Opposition and most members of the community would say that that offender should never have been released.

Of course, it is very easy in some respects to blame the courts. It is as simple as that. The courts interpret the law that Parliament formulates. Parliament makes the law; the courts interpret it and adjudicate on it. In other words, if the law does not exist, the courts cannot do anything. The Opposition should support this legislation so that the courts will clearly understand what the elected parliamentary representatives say the community wants. The Government has a responsibility to do that. Tragically, the Carr Government, which went to the people of New South Wales but a few weeks ago on the platform of "gaoil not bail", was simply wrong. It was misleading and deceptive. People may well have changed their vote believing that to be the situation. As the Opposition, we are always here to help. That is the shadow Attorney General's attitude. The Opposition is reflecting what the community really wants.

This is an opportunity to amend the law and to make life very difficult for repeat offenders who do not turn up to court. At the end of the day, they are less likely to turn up if they are given bail. The statistics indicate that nearly 15 per cent of people charged by police and granted bail in the Local Court abscond. They also indicate that 17 per cent of offenders with prior convictions granted bail in 2000 absconded while on bail, compared with just 4 per cent of people with no prior convictions. Honourable members know the facts; they have read them in the newspapers and witnessed the tragedies, distress, grief and anger that result when people who are released on bail commit atrocious murders. That must stop, and the only way it will is if we tighten the law relating to bail for repeat offenders.

Mr TINK (Epping) [10.43 a.m.], in reply: I thank all honourable members who have contributed to this debate. However, I am disappointed in the Attorney General's reply on behalf of the Government, for two reasons. First, there has been no endeavour by the Government to pursue the bona fide attempt by the Opposition to do something constructive about reforming the law relating to bail for repeat offenders. Two appalling tragedies have occurred some years apart as a result of repeat offenders being granted bail. The tragedy of the Bega school girls in 1997 and the recent appalling case in the Newcastle area involved murders committed by repeat violent offenders. It is frustrating and disappointing beyond belief that in those circumstances the Government has not pursued the Opposition's strong starting point to reform and tighten the law.

This bill is not out of left field; it does not involve legal concepts which are unknown or dangerous or which may lead to absurd results. It does a very simple thing: it marries the concept of a presumption against bail for serious drug offenders with a definition of repeat offenders that provides for a test that everyone—even the Government—now recognises is appallingly weak in that it provides no presumption either way. This bill is a meaningful, workman-like, reasonable proposal to plug a massive gap in the criminal law, which on at least two occasions has appallingly resulted in the loss of innocent lives. It is a matter of infinite frustration and disappointment to me that the Government will not support it. Second, I am disappointed because the Attorney General continues to deliberately misrepresent and deceive the Parliament about the Government's position on bail law reform. That is strong language, but I will justify it by quoting what he said in this place on 8 May in this debate:

The tragic death of Patricia van Koeverden has certainly prompted the Government to accelerate its program of bail reform...

The Government had no program to reform bail law before that murder, and it is a lie for the Attorney General to say otherwise. That is strong language, but the record is very clear. I have a letter from John Feneley, the Assistant Director General of Policy and Crime Prevention in the Attorney General's Department, addressed to Inspector Kel Clowry, Manager Operational Compliance Unit, Court and Legal Services, NSW Police, and dated 17 January 2003. I will read the letter onto the record because it demonstrates the Attorney General's deceit in saying that the Government had a bail law reform agenda. The letter states:

A Working Party chaired by the Criminal Law Review Division of the Attorney General's Department was established in January 2002 to examine issues relating to bail and repeat offenders. The deliberations of the Working Party resulted in the *Bail Amendment (Repeat Offenders) Act 2002* which commenced on 1 July 2002.

Nevertheless, there has been recent controversy about the operation of the *Bail Act 1978* despite the legislative changes tightening the criteria for those eligible for bail.

Accordingly, it is proposed to reconvene the Working Party to re-examine the operation of the *Bail Act*, particularly the existing review procedures, and ascertain whether any improvements can be made to simplify the operation of the legislation or improve police procedures.

I would like to invite you or your representative to attend a meeting to be held in early February to discuss these matters.

This letter is from an assistant director general in the Attorney General's Department, who one assumes speaks regularly to the Attorney General. Generally speaking, the Attorney General is competent, so he would be across this correspondence. There is no reference to changes to the *Bail Act*. On the contrary, the assumption in this letter is that the *Bail Act* and the amendment bill passed in 2002, which has been found wanting as a result of the dreadful Newcastle murder, are fine and that the problems stem from police procedures and the implementation of the legislation by police.

Nothing in that letter suggests any proposal or plan. Indeed, there is not even a concession that anything was wrong with the *Bail Act*. Those being the central written words of the Attorney General's Department, I am very disappointed that the Attorney General had the hide to tell the House that before van Koeverden's death the Government had a program of bail reform. It absolutely did not. Not only that but, as the Attorney General would well know, his department believed that the *Bail Act* provisions regarding repeat offenders were working well enough and the problem lay with the police department. That is a fair and reasonable reading of that letter.

The police department possibly had a slightly different view. At least it countenanced the possibility of a need for some changes to the *Bail Act*. Mr Moroney signed off on that on 14 January 2003. To be fair to the then police Minister, Mr Costa, I think he probably shared that view and was actually attempting to advocate some change to this aspect of the bail law. I think the *Daily Telegraph* got it right on 7 April this year when it said that, whilst police were trying to make some changes, the working party of the Attorney General's Department was actively attempting to block police proposals for changes to the existing legislation. On that day the *Daily Telegraph*, quoting internal police working party sources, said:

Bail laws in NSW should be rewritten to make hardened criminals prove they are no threat to public safety.

But in the Attorney General's Department a separate working party is concerned that the changes may affect basic rights of justice and is attempting to block the plan. In the eyes of the two departments that may or may not have been a legitimate subject for debate, but in no way could the Attorney General tell this House with a straight face that the Government had a program for bail reform prior to the murder of this woman in Newcastle. In fact, the Government had two departments at loggerheads with each other on whether there was need to reform the bail laws.

I strongly suspect it also had two Ministers who were at loggerheads with each other, namely the Attorney General, who was disposed to not making changes in this area, and the then police Minister, who I think was pushing towards reform. The notion that that amounted to a Government plan is nonsense. It was a fight amongst two senior Cabinet Ministers who had no direction whatever on what the Government's position would be, and as a consequence the Government had no plan whatsoever. Of course, that did not stop the Premier from talking publicly about "no bail for repeat offenders", representing "no bail for repeat offenders" in literature, and saying that the Government had a plan for "no bail for repeat offenders". It did not. Two Ministers were at each other's throats, and two departments were at each other's throats.

I have a strong suspicion, I hope I am wrong, that two departments may still be at each other's throats and two Ministers—although I am not sure about the new Minister for Police—continue to be at each other's

throats on this same issue. One thing is for sure: this Parliament does not have before it any Government legislation that seeks to tighten up bail laws for repeat serious offenders. To demonstrate the appalling misrepresentation of this matter—and it sticks in my craw a bit that it got to this point in the election campaign—a brochure from the new member for Drummoyne, under the heading "Standing Up For Our Community: making our streets safer", stated:

The Carr Government has also—

past tense—

made sure repeat offenders get jail not bail.

That is a lie. The member for Penrith, as a candidate for re-election, made the same statement in what appears to be the same brochure, but with different pictures:

The Carr Government has also made sure repeat offenders get jail not bail.

That was a lie to the electorates of those two members. How could it be otherwise than a lie if the Newcastle woman was murdered after the election by a repeat violent offender? That is very strong language, but how can it be otherwise than a lie? How can it be said that the Government has made sure that repeat offenders get gaol not bail, yet within weeks of the election a woman is murdered by a repeat violent offender? No wonder the public becomes cynical about what politicians say and promise! They are two of the worst examples I have ever seen, with the worst possible consequence. The main duties of members of this House, above all other duties, are to ensure that we have a legal system that protects innocent members of the public, and to always do our best to try to have a legal system, a police force, and other government instrumentalities for which we are all responsible, but for which the Government is particularly responsible for through the Ministry, to protect the public. It is appalling that members should misrepresent the facts in an attempt to gain votes to get a job in this place when what is at stake is ultimately the life of an innocent woman. I hope that they will do a little bit better than that in future.

I continue to be frustrated because, despite that murder, despite the Government having been put on notice after the Bega schoolgirl tragedy, despite the extreme problems with repeat violent offenders, nothing was done. As we debate this bill today, still nothing has been done by the Government. If the Attorney General was right in his second reading speech when he said that the Government had a program that it was accelerating, where is the bill? We are nearing the end of our third sitting week. We have had a week off between the first two sitting weeks and this week, so we are a month into the session. I think I am right in saying that the Newcastle tragedy took place at the beginning of the first sitting week of this Parliament. If the Government had something in train, why does it not have a bill before the Chamber now? How can the Government vote against my bill, knocking out the only piece of legislation before this Parliament trying to deal with repeat violent offenders, when it has no substitute proposal?

How can the member for Drummoyne and the member for Penrith, who made false statements to their electorates during the election campaign in order to get voted into this place vote against a bill that would tighten our bail laws with a measure that they said was already in place? Though Caucus has been meeting for a month now, it and the Government have nothing to offer this Parliament at this point in time. How can they do that? I would be more than happy to postpone debate on my bill to allow the Government to introduce and proceed with an appropriate and alternative bill. The Attorney General ought to be bipartisan on this issue, recognise that the Government has some culpability for what has been going on—I would say it is worse in some respects, but I will leave it at that—and work out something that it can present to this Parliament by next week.

It may be—I hope it is—that when notices are called on this afternoon, the Attorney General will give notice of some legislative amendment of the Bail Act. If he does not do so this afternoon—unless, after stuffing about for years, the Government proposes to ram a bail bill through next week without giving Opposition members the normal five days to look at it—this Chamber will not have a bill on which it can vote, pursuant to the normal procedures of this House, until the middle of next month. According to the program, the House will rise at the end of next week and not sit again until 17 June. The working party of the Attorney General's Department was going round and round in circles in January but doing nothing, not even acknowledging the need to amend the Bail Act, yet the Attorney General has misrepresented that as a plan. Unless this afternoon the Attorney General gives notice of a motion to bring on such a bill, it will be more than six months before something happens—despite a whole lot of misrepresentation in the election campaign that this was already a done deal.

There is one final issue that I believe this terrible mess highlights: the ongoing failure of the Attorney General and the Minister for Police to work more constructively together to introduce necessary reforms in this Parliament to protect the public. It seems that the Attorney General and the police Minister are essentially at loggerheads when it comes to what needs to be done to protect the public. The situation may be different under the new police Minister, but if that is the case I suspect it is only because he is more sympathetic to the Attorney General's views. I had much more respect for the views of the former Minister for Police, Michael Costa, and the action he took to protect the public, especially with regard to this issue, than I ever had for what seemed to come from the Attorney General's Department. It is a fight that goes on to this day and, I suspect, is still going on behind the scenes.

For some time now the police have not been effectively represented in Cabinet to the point where their views on vital legislation to protect them and the public have been heard and acted upon. Minister Costa made some progress in some areas, but in other areas it has simply been a head butting operation. The police must be better heard. I do not know how this works in the present Government, but something must be done, in whatever Cabinet subcommittee is responsible for dealing with this type of legislation. While ever this ridiculous head butting and nonsense goes on, the current arrangements are literally costing innocent people their lives. The police need a better forum, they need to be better heard and they need to have more say at Cabinet meetings on all these issues.

The allocation of Acts shown in the *Government Gazette* includes a listing of about five pages of Acts that come under the Attorney General's control and about a dozen Acts that come under the direct control of the Minister for Police. I do not suggest that that should change, but when one looks at the allocation of Acts to the Attorney General it is clear that at least one-third directly relate to the daily workings of the police department. There must be a separation between legislation that relates to the Attorney General's Department and legislation that relates to the police department. However, it concerns me that there seems to be behind-the-scenes head butting going on, and the real concerns of police are not heard and are not translated into legislation.

The Government has been going on forever about bail and repeat offenders, but no plan has been put in place to deal with the issue. Indeed, it would appear that if a plan has been put in place in the Attorney General's Department it has been to scuttle the proposal by the police for further reforms to the bail law, not to facilitate them in any way. If this bill is to be opposed, I trust that particularly the honourable member for Penrith and the honourable member for Drummoyne will in some way explain themselves to their electorates—having already misrepresented the position—that they still intend to block the only proposal to come before the House for reforms to the law relating to repeat bail offenders. I trust also that the Attorney General will this afternoon, before question time, speak about the introduction of a bail repeat offenders bill.

Question—That this bill be now read a second time—put.

The House divided.

Ayes, 35

Mr Aplin	Ms Hodgkinson	Mr Roberts
Mr Armstrong	Mrs Hopwood	Ms Seaton
Mr Barr	Mr Humpherson	Mrs Skinner
Ms Berejiklian	Mr Kerr	Mr Slack-Smith
Mr Brogden	Mr McGrane	Mr Souris
Mr Cansdell	Mr Merton	Mr Stoner
Mr Constance	Mr Oakeshott	Mr Tink
Mr Debnam	Mr O'Farrell	Mr Torbay
Mr Draper	Mr Page	Mr R. W. Turner
Mrs Hancock	Mr Piccoli	<i>Tellers,</i>
Mr Hartcher	Mr Pringle	Mr George
Mr Hazzard	Mr Richardson	Mr Maguire

Noes, 50

Ms Allan	Mr Greene	Mr Orkopoulos
Mr Amery	Ms Hay	Mrs Paluzzano
Ms Andrews	Mr Hickey	Mr Pearce
Ms Beamer	Mr Hunter	Mrs Perry
Mr Black	Ms Judge	Mr Price
Mr Brown	Ms Keneally	Ms Saliba
Ms Burney	Mr Knowles	Mr Sartor
Miss Burton	Mr Lynch	Mr Scully
Mr Campbell	Mr McBride	Mr Stewart
Mr Collier	Mr McLeay	Mr Tripodi
Mr Corrigan	Ms Meagher	Mr Watkins
Mr Crittenden	Ms Megarrity	Mr West
Ms D'Amore	Mr Mills	Mr Whan
Mr Debus	Ms Moore	Mr Yeadon
Ms Gadiel	Mr Morris	<i>Tellers,</i>
Mr Gaudry	Mr Newell	Mr Ashton
Mr Gibson	Ms Nori	Mr Martin

Pairs

Mr Fraser	Mr Bartlett
Mr J. H. Turner	Mr Iemma

Question resolved in the negative.

Motion negatived.

TRANSPORT ADMINISTRATION AMENDMENT (PARRAMATTA RAIL LINK—PROPERTY GUARANTEE) BILL

Second Reading

Debate resumed from 8 May.

Mr TRIPODI (Fairfield—Parliamentary Secretary) [11.13 a.m.]: I oppose the Transport Administration Amendment (Parramatta Rail Link—Property Guarantee) Bill. A property value guarantee for the Parramatta rail link was considered by this House three years ago during the passage of the project's enabling legislation. The legislation was also considered by the upper House. In both cases, in two separate debates, it was held that such a scheme was an unnecessary diversion of project resources. Much has happened in the past three years. Planning approval has been received for the entire Parramatta rail link, from Parramatta to Chatswood via Epping, and the construction of the Epping to Chatswood section is underway. This private member's bill seeks to amend the Transport Administration Act 1988 to establish a scheme for the State to offer to purchase any residential property located above the Parramatta rail link tunnel at the price the property would attract if there were no tunnel—including reasonable relocation expenses—for four years from commencement of the legislation.

The Government's position in 2000 was based on a number of factors that acknowledged the financial and emotional attachments people have to their houses and their local communities. In developing the project, significant efforts were made to neutralise property impacts. These included placing 75 per cent of the route in tunnel, limiting surface tracks to existing corridors, and applying controls on noise and vibration. The focus in delivering this project is to reduce community impacts in the first place, rather than simply acquire properties. The success of this approach is shown by the fact that not one residence is required for the construction of the approved project. Serious consideration was also given to property value impacts. Studies undertaken for the environmental impact statement indicated that, at the very least, a neutral impact on property values could be expected.

A comparison study of the Eastern Suburbs railway, which looked at sales of comparable properties both over the tunnel and away from the tunnel, found no evidence that a tunnel adversely affects market value.

This supports the basic tenet of the Coalition's Land Acquisition (Just Terms Compensation) Act 1991—that the mere existence of a tunnel is not grounds for compensation. Under this legislation, compensation is paid only if the surface of the overlying property is disturbed or if the support is destroyed. A neutral impact on property values is considered unlikely when increases in property values along other new transport corridors—such as the airport line and M5 East—is taken into account. The Government's position then and now is that the significant funding required for a property value guarantee is best directed at reducing real impacts. The project management focus should be on delivering the project properly rather than becoming immersed in the administration of a residential property portfolio. This approach to property values has been validated by more recent studies. A further study by property valuers Brady Whealing Pty Ltd in 2001 stated:

It is not expected that the value of property above the tunnel will be reduced.

It concluded that overall, the Parramatta rail link is expected to:

... act as a catalyst to increasing values in an already strong market environment ...

In addition, PlanningNSW undertook an independent assessment of property value issues. While noting the complex range of factors involved, the report concluded that while the Parramatta rail link:

... could have a marginal negative impact on property values over the short term construction period, the proposal is not expected to result in a significant adverse long term impact on property values surrounding the alignment. In the long term its construction is expected to have an overall positive effect.

This conclusion was based on the critical assumption that the project would meet stringent environmental controls, particularly in relation to noise and vibration. As a result, requirements to meet these controls were embedded by PlanningNSW in the project's conditions of approval. These included additional noise mitigation measures, including approximately 2.5 kilometres of the most effective and expensive form of track isolation technology. This is the "floating slab" treatment, where the track bed is separated from the tunnel floor by a layer of isolating rubber. A number of points raised in the second reading speech of this bill need to be addressed. In promoting its claims, the Opposition has stated that the tunnel is six metres from the surface. It avoids mentioning that in these locations the tunnel is not under houses, but under open spaces or bushland. Along the current section between Chatswood and Epping there are only two residential properties where there is less than nine metres—the equivalent of a three-storey building—between the surface and the tunnel roof.

The Opposition also cannot understand the cost of a property value guarantee program. In 2000 the costs of a Parramatta rail link guarantee program were forecast at about \$50 million over a seven-year period. While that figure includes administration and compensation costs, the most significant potential expense is with property holding costs. With the value of houses above the tunnel estimated at \$500 million in 2000, the immediate on sale of properties is imperative. The M5 East property value guarantee has been operating through a period of sustained demand for residential property. Properties have been sold immediately, with no holding costs and with limited administration expenses, which are still in the order of \$2 million to \$3 million to date. The critical point is that a value guarantee scheme would expose the State to cyclical movements in the property market irrespective of the impact of the Parramatta rail link on property values.

The Opposition remains fixated with the M5 East property values scheme and ignores a much more comparable project: the airport line. This project also involved a rail tunnel using new underground alignment through a mix of commercial, residential and open-space areas. In this case the top of the tunnel was about 10 metres from the surface in residential areas. The airport line through South Sydney, developed by the Coalition when in government, did not have a property value guarantee. More important, experience with its construction and operation has demonstrated that a value scheme was not required. The construction methods and track isolation technology have ensured that property values have not been negatively affected. In fact, the opposite has occurred. The Parramatta rail link project is drawing from that experience and is being designed and constructed to minimise community impacts.

Property owners above the Parramatta rail link tunnel have been actively engaged in the development process and one-on-one consultations have been under way since 1999. Consultation will continue throughout the construction process to ensure disruptions to households along the route are minimised. The cost of a guarantee scheme is not driving the Government's thinking. The issue is the best application of project funds to meet the understandable community concerns about property impacts. As stringent environmental controls have since been embedded in the project's conditions of approval to manage property impacts, the Government is

directing funds to proven technology to achieve this. All advice to the Government indicates that under this approach State investment in the Parramatta rail link will increase property values. As a result, the Government does not support the bill.

Mr RICHARDSON (The Hills) [11.21 a.m.]: I support the Transport Administration Amendment (Parramatta Rail Link—Property Guarantee) Bill. I am mindful of the fact that the Government has proposed, at some unspecified time in the future, a rail link to be built under my electorate between Epping station and Castle Hill. Therefore, this issue is near and dear to the hearts of my constituents, many of whom may potentially be affected if the rail line goes ahead. The bill is straightforward. It suggests that where the rail line goes underneath a residential property and the home owner wishes to sell, the State will offer to buy that property and then on sell it to another purchaser. In many instances home owners will not notice much difference to their lifestyles or property values. Many residents will choose to remain in their homes because the rail line will be a sufficient distance underground to prevent noise.

However, as the honourable member for Davidson pointed out, in some instances the tunnel will be only six metres below homes, leading to the strong possibility that property values will be significantly affected. The amenity of home owners will be adversely affected by the sound of trains rumbling at all hours of the day and night, forcing them to move. It is axiomatic that because proposals for an underground railway line did not involve the lines being in close proximity to homes the State has an obligation to compensate home owners. The former Coalition Government introduced just terms compensation legislation. It has never been the policy of the Australian Labor Party to compensate anyone for any action it has taken.

I recall when the M2 corridor was being planned and built—another Coalition initiative. Labor was in office by the time the road was opened, yet it could not be bothered sending one member of Parliament to attend that opening—it was opened by the great long-distance swimmer Susie Moroney. I attended the opening because the residents of The Hills are delighted with the M2 and now could almost not live without it. Indeed, many Labor members, including Mr Speaker, have benefited from the construction of that road. However, the road corridor was moved from the Pennant Hills golf course into the backyards of many property owners who, based on the corridor that had been in place in the 1950s, would not otherwise have been affected by the road.

Following the introduction of the just terms compensation legislation, the Coalition introduced a special acquisition program for the M2 to compensate property owners who faced potential threat from its construction. The road did not intrude onto their properties and in those cases the State was required to buy the land at a realistic price. The M2 was built in close proximity to homes and it was clear that it would detrimentally affect the amenity or property values of those owners. Many people chose to take up the option of the former Coalition Government and to sell their homes at a price—a principle that is also enshrined in this bill—that would have pertained had the road not been constructed. Indeed, many people benefited from the program. The cost to government was negligible because the properties were then on sold, in many instances at a profit to the Government.

However, when Labor came to office the then Minister for Roads, Michael Knight, abandoned the program in 1996 and cast to the wolves those who had not accepted the former Government's largesse. As construction of the M2 had not been completed and residents did not know how the noise of cars and trucks travelling along it would affect them, they had not at that time decided to sell. The Carr Labor Government does not care about ordinary people. It cares only about a collective approach to government, big business and the unions, not individuals. However, the Opposition believes that governments have a responsibility to individuals, which is why the honourable member for Davidson introduced the bill.

I strongly support the bill for two reasons. First, I support it on the basis of principle. When the Government interferes with the lives of private citizens and takes action that could affect property values—for most people their home is their single largest asset—it has an obligation to compensate those home owners. Second, the Government has promised that at some time in the future a railway line will be constructed under my electorate—hundreds of my constituents will potentially be affected. It will be interesting to learn the Government's attitude towards those property owners. Nothing the Government has done over the past eight years suggests there will be any change. The Government will be prepared to throw these people to the wolves. It does not care that residents will be kept awake all night by the sound of trains running underneath their houses. The Government will not compensate them, even if they are unable to sell their houses. That is a collectivist approach to government.

Pursuant to sessional orders debate interrupted.

HORNSBY KU-RING-GAI HEALTH SERVICE

Mrs HOPWOOD (Hornsby) [11.30 a.m.]: I move:

That this House:

- (1) notes the hard work of the nursing, medical and other staff at Hornsby Ku-ring-gai Health Service,
- (2) condemns the Government for its decision to downgrade Hornsby Ku-ring-gai Health Service and the resultant lessening of available care,
- (3) notes that high-quality services such as the intensive care unit will only be assured because of the availability of a broad multidisciplinary approach to critical illness and necessary baseline of subspecialty services and hospital infrastructure, and
- (4) calls on the Minister for Health to reinstate thoracic surgery as used to be performed regularly at Hornsby Ku-ring-gai Health Service so that patients are adequately treated in a timely fashion.

I am grateful to the House for reordering business to allow debate to proceed on my motion relating to the reinstatement of thoracic surgery at Hornsby hospital. I moved to give my motion precedence because of the pressing need for speedy consideration of the matter. Hornsby hospital is the epicentre of the community I represent, as well as a number of adjoining electorates. Services available at the hospital need to be maintained and the hardworking staff supported. Hornsby hospital is the second biggest hospital in the area and stands alone in the move to sector management within the Northern Sydney Area Health Service. It draws patients not only from the North Shore area but also from other surrounding areas, such as the Central Coast and environs.

Hornsby hospital is situated between Gosford Hospital and Royal North Shore Hospital. It is located next to a major freeway near industrial facilities and substantial recreation areas, including waterways. In recent weeks a number of clinicians have raised the removal of thoracic surgery with me, and that fact shows the high level of alarm in the medical profession in terms of access to patient care in a significant hospital for which the Northern Sydney Area Health Service is responsible. These people are of the firm view that the removal of thoracic surgery is a retrograde step for the health of both the community and the hospital. Currently, thoracic surgery is no longer routinely performed at Hornsby Ku-ring-gai Health Service, which will be to the detriment not only of patients who often require emergency chest procedures to be performed but also of the hospital's ability to maintain the standard of services available to patients.

The situation is mooted to be on a 12-month trial but, along with plastic surgery and neurosurgery before it, doctors fear that once the lack of thoracic surgery is ingrained it will be the last that Hornsby hospital sees of this specialty. I know that the nursing, medical and other staff at the hospital are hardworking and committed to the provision of excellent care for their patients. I have viewed this fact from within, and receive many anecdotal messages from patients and staff alike. A reduction in services will lead to a decrease in the variety of specialties provided, a decrease in job satisfaction and then a decrease in staff. The Carr Government should be condemned for its decision to downgrade Hornsby Ku-ring-gai Health Service by stealth, with the resultant lessening of available care.

With this recent decision, which has resulted in Hornsby hospital currently performing no routine thoracic surgery, and with all cases going to Royal North Shore Hospital, clinicians and surgeons fear for the future of the hospital, as do I. To remove thoracic surgery from available services at the hospital casts a long shadow over the care provided to people who require this specialty. It is essential to maintain a broad multidisciplinary approach to critical illness and to maintain those subspecialty services. The number of doctors who have brought this issue to my attention did so because they have either not been able to have their concerns heard at the hospital decision-making level or have not been included in that decision-making process at all. The clinicians blame the decision to remove thoracic surgery on the need to meet the dollar requirement rather than good patient care. They say that rationalisation has occurred inappropriately, it impacts on patient care now and the future implications for adequate patient care in a number of specialties are bleak. One letter from a doctor stated:

The rationalisation by the Northern Sydney Area Health Service raises concerns because it is unfounded and not researched but simply motivated by either a perceived financial saving or empire building by the central institution.

More concerning however is the dismantling of efficient safe services for the Hornsby sector without adequate planning or setting up of alternatives in advance.

Some 250,000 people are serviced by Hornsby Ku-ring-gai Health Service. As I said, it stands alone in its sector of the Northern Sydney Area Health Service. Hornsby hospital was designated as the second intensive care unit

[ICU] for northern Sydney because of need and the geographical features of the area, including the presence of significant bushland and the F3. It has fulfilled its role admirably, taking patients from other surrounding centres. Removal of infrastructure services such as thoracic surgery will simply diminish the level of service provided by the ICU. Royal North Shore Hospital does not have the capacity to take on all thoracic surgery cases, and issues associated with a longer journey for ill patients down the highway make the decision to force patients to have their thoracic surgery at Royal North Shore Hospital illogical and often dangerous.

The clinicians felt that the lack of justification and substantiation of the proposed change was unacceptable and was not evidence based. The number of code-red episodes at the Royal North Shore Hospital accident and emergency department will inevitably lead to patients being taken further away for appropriate care, and there is no guarantee that an ambulance going to Royal North Shore Hospital will gain admission for the patient on board. This motion should be passed because Hornsby hospital must be supported and the decision must be reversed. The slow downgrade of the hospital must not be allowed to continue and thoracic surgery should be part of its services. That impact on the ICU will be dramatic. Critically ill ICU patients will be stranded as they require thoracic surgery when they have other co-morbidities placing them in the ICU in the first place. These patients will be placed at additional risk if they are moved.

The lack of patient flow through the ICU will be reduced, leading to a possible loss of intensive care registrar training accreditation by the joint faculty of intensive care medicine. No accredited registrars means no safe services and probably no real intensive care service. In a ward situation a patient developing an empyema could have no drain inserted, a sudden pneumothorax could not be surgically treated, and a lung biopsy could not be performed. There has been an increase in the number of respiratory physicians at Hornsby hospital who will need access to surgical intervention for some of their patients. Management has cut operating lists, yet the same management uses supposedly too few thoracic cases as part of the argument to downgrade the hospital. From what I hear, management does not know how many thoracic surgery cases make up a critical mass anyway.

There used to be three thoracic surgeons; now there is one, who has strict rules associated with access to surgery in the hospital. Recently, management agreed that thoracic surgery may be done on inpatients requiring it, but there needs to be more thoracic surgery performed to maintain quality care. There is no certainty that this will continue, and it is certainly not sufficient to meet the needs of the local community or the longevity of the surgical specialty. One surgeon is not enough, no regular lists is unsatisfactory, and too little surgery will be performed with only one surgeon. Surgical loss will be emergency department loss, and will inevitably lead to an anaesthetic loss. Hornsby hospital will inevitably change, and it will change forever.

Hornsby hospital is seen as one of the integral parts of the provision of health services in that area. The survey I conducted last year pointed this out, and many people in the community mention Hornsby hospital as part of the important aspects of their local community. In 1996 an attempt was made to close the hospital, and a huge rally turned that decision around. However, as I have said on a number of occasions, the hospital has continued with a question mark over its head. Although the \$16.4 million allocated in last year's budget seemed to be a surety that the hospital would stay, that is still not a surety. With the decision to reduce available services such as thoracic surgery, I must wonder about the hospital's future.

My motion should be agreed to so that a serious situation can be averted and an acceptable solution arrived at before it is too late for the hospital and too late for the patients who are affected by the decision. Loss of thoracic surgery will lead to significant staff changes and will ultimately lead to a decrease in morale and an even further loss of nurses and other staff, particularly after hours. The motion should be passed so that at least the status quo can exist with one surgeon doing all Hornsby hospital thoracic surgery while proper decision making can take place. The hospital needs it, the community demands it and, for excellence in health care, thoracic expertise at Hornsby hospital must be maintained. Another letter sent to me reads:

Removal of infrastructure services such as thoracic services will simply diminish the level of service provided by the ICU.

The perception by the Royal North Shore Hospital cardiothoracic surgery department that thoracotomies should only be performed in a tertiary institution because of their complexity is unfounded, and was rejected by doctors recently. Hornsby hospital treats aortic aneurysms, and so far as severity and seriousness of the different types of surgery are concerned, procedures to deal with aortic aneurysms carry by far the greatest risks. I call on the Minister to act immediately and I urge the House to carry the motion.

Mr IEMMA (Lakemba—Minister for Health) [11.40 a.m.]: The speech by the honourable member for Hornsby is like so many I heard over the years when I sat in a different position to the one I occupy at the

moment. Those speeches were in response to my predecessor's plan to improve health services across New South Wales with budget programs as well as improvements in infrastructure. The speech that is uppermost in my mind is the one made by the honourable member for Coffs Harbour following the \$80 million redevelopment of Coffs Harbour hospital. No matter what increases are made to budgets and delivery of services for a particular health service and no matter what redevelopments to infrastructure are made, members opposite will never acknowledge that some effort has been made to tackle some of the problems and to provide some solutions. The speech of the honourable member for Coffs Harbour is probably the best example of that refusal or inability to acknowledge and accept. The speech of the honourable member for Hornsby can now be added to the ever-growing list.

I start with the budget for the Northern Sydney Area Health Service. It is important to start there because, apart from the particular service the honourable member referred to, she had a lot to say about other services in Hornsby and about the Northern Sydney Area Health Service. The current budget for the Northern Sydney Area Health Service is \$541 million, an increase of almost 6 per cent on the previous budget. That figure represents a 52 per cent increase on the budget of the area health service prior to 1995. Rather than give some credit to the plan that commenced in 1995 to rebuild our health infrastructure—our hospitals and community health centres—or to acknowledge it in some way, the honourable member for Hornsby found a lot to criticise. The \$1.5 million of the \$16.4 million set aside to rebuild the hospital and improve the obstetrics, paediatrics and emergency departments received no acknowledgement whatsoever.

The honourable member claimed it is all part of a future downgrade of the hospital. She claimed that the Government is embarking on a redevelopment—and I outlined to the House yesterday when that redevelopment will take place—that will lead to a decrease in services and a downgrading of facilities. That is an extraordinary proposition. As I said, her contribution is similar to the sorts of speeches that have been made in the past, the classic example being the speech of the honourable member for Coffs Harbour when \$80 million was spent redeveloping Coffs Harbour hospital—not in two stages, but one. Under the Coalition Government that project remained on a list of future projects. The redevelopment was brought to fruition by this Government, but we cannot get a single word of acknowledgement or credit for our attempts to deal with the pressures on our health system.

The Hornsby and Ku-ring-gai hospital will undergo a \$16.4 million redevelopment. That has elicited a claim that there is some hidden agenda to downgrade services and facilities. In other words, the \$16.4 million will not result in a redevelopment but a downgrade. That extraordinary proposition is one of a long line of propositions that has been advanced whenever the Government has put forward either a rebuilding program or a budget increase. The process that commenced some years ago included the formation of the Greater Metropolitan Transition Task Force, which has resulted in an enhancement of services for Hornsby and Ku-ring-gai. I should like to outline some of those services. In addition to the \$16.4 million redevelopment that is to take place, a new stroke unit to provide specialised care will be constructed which will employ additional doctors and nurses to manage the service. The intensive care unit will be improved by the employment of additional doctors and nurses. Another initiative is the establishing of an elective surgery specialty, with extra ear, nose and throat, urology, orthopaedics and general surgery practitioners.

The Hornsby and Ku-ring-gai hospital advises that up to 20 elderly patients who should be in nursing homes occupy acute care beds. That figure is typical of many public hospitals across the State. The greatest blockage to access to beds in public hospitals for those who have attended emergency departments—and the honourable member had a bit to say about that—is those elderly people who have been assessed as requiring care at a nursing home level, but who occupy beds in public hospitals. That is because the Commonwealth will not fund enough nursing home beds in New South Wales to properly care for those elderly, aged and infirm people who require nursing home level care, often of the acute kind. In New South Wales there are between 800 and 900 such patients.

As long as the Commonwealth continues to fail to adequately fund enough nursing home beds—not just in New South Wales but right across the country—those people will continue to occupy our public hospital beds. We will continue to provide care for them but they require nursing home level care. The 5.9 per cent increase in the Northern Sydney Area Health Service budget—a 52 per cent increase since 1995—the redevelopment of the hospital, the increase in services and the infrastructure improvements I have just outlined are part of the program for the delivery of additional health services for Hornsby and Ku-ring-gai hospital and the Northern Sydney Area Health Service.

Just two weeks ago I was at Royal North Shore Hospital to open the \$50 million clinical services building and the new emergency department. This was part of an anticipated \$450 million to \$500 million

complete redevelopment of Royal North Shore Hospital. And yet the honourable member for Hornsby tells us that whatever expenditure we undertake to improve the infrastructure and facilities will lead to a downgrade; whatever budget we bring down—in this case an increase of 5.9 per cent—means not an improvement in services but a reduction. Her speech was just another in a long line of speeches in this place that demonstrate that the Opposition cannot bring itself to acknowledge or say a positive word about anything that we are doing to improve health services. [*Time expired.*]

Mr O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [11.50 a.m.]: What the Minister for Health cannot abide in this debate, why he is parading around as though he has a sore head and not a sore foot, is that the honourable member for Hornsby has been talking to her community, the clinicians, the specialists, the nurses and the other staff at Hornsby hospital and today has been able to shed light on the real situation regarding existing services at Hornsby and Ku-ring-gai hospital and the fears that those who work in Hornsby hospital have about the future of the facility. Today the honourable member for Hornsby has simply shed light on what is happening at Hornsby, and the Minister does not like that.

The Minister referred to repeated speeches made in this House by Opposition members doing exactly what the honourable member for Hornsby has done previously. He referred to replies from his predecessors, the honourable member for Marrickville and the honourable member for Macquarie Fields. Replies of successive health Ministers do the same thing: they simply do not reflect reality. What the honourable member for Hornsby did and what I have to do in this debate is to provide some reality. If the Minister thinks that he ought to be applauded for what is going on at Hornsby and Ku-ring-gai hospital he is starting his career on the wrong foot—clearly the broken foot.

I am prepared to give some recognition to the Minister for Health for the upgrading of maternity services at Hornsby and Ku-ring-gai hospital: I will give recognition that the upgrade has been delayed eight years. That upgrade was to occur when the Labor Party was elected to office in March 1995; it is now slated to occur next financial year. That reflects the recognition that I will give to this Government's concern about health services in northern Sydney. That is the acknowledgement I will give to this Minister when he seeks to be covered in glory for what he has allegedly done for health services at Hornsby-Ku-ring-gai. In reference to the Minister's final comments about the upgrade to the emergency department and the clinical building at Royal North Shore Hospital, the Minister should be applauded for providing the building.

But the Minister should be condemned for the fact that North Sydney Leagues Club and local schools are being asked to give over gold coin charity days to provide "lifesaving equipment" to fill up the new building. That demonstrates the approach of this Government. It is smoke and mirrors, the old shell trick. The Government builds the building and expects the community to pay. As we speak schools are giving over their gold coin charity days not for some worthy community service that is not government funded but to provide lifesaving equipment to fill the new clinical building and emergency department at Royal North Shore Hospital, as evidenced by press releases put out by that hospital seeking schools to co-operate in the scheme. That shows the health administration by this Government.

At the heart of the concern of the honourable member for Hornsby and those who work in Hornsby hospital is that services on the periphery of the Northern Sydney Area Health Service are being robbed and starved of resources. Nobody now doubts that an enormous amount of money, capital, goodwill and investment are going to Royal North Shore Hospital, and I say hallelujah to that. I have my concerns about what is being asked from other sectors to put into that hospital. But what has clearly been going on, and what doctors, nurses and administrators are concerned about, is that the periphery is being robbed in order to fund the centre. That is not how the system is meant to work. Where is the logic in more and more ambulances having to bypass Hornsby hospital to access Royal North Shore Hospital? Anyone who knows the transport legacy delivered to us by the Minister for Roads knows that that can involve a life-threatening situation. The number of deaths that have occurred in the back of ambulances on Pymble Hill is legion, and we simply do not want that situation to continue.

The Minister made great play of the Greater Metropolitan Transition Task Force and about the additional money going into the health system in relation to that task force. The former shadow Minister for Health knows the reality: the money is being diverted. All of it is not getting to Hornsby and Ku-ring-gai hospital because when funds are allocated the revenue forecasts are pushed up so that the large amounts of money that are expected to improve services in these hospitals simply are not materialising. I will give the Minister credit—I will stand naked on the Harbour Bridge if necessary—if he commits himself to a full redevelopment and the full funding of a redevelopment of Hornsby and Ku-ring-gai hospital. The piecemeal approach that is going on now is simply unacceptable.

Mrs SKINNER (North Shore) [11.55 a.m.]: It is my great pleasure to support my colleague the honourable member for Hornsby and to endorse the comments made by the shadow Minister for Health, who, may I say, is doing a wonderful job in the shadow portfolio. The withdrawal of services at hospitals such as Hornsby is an ongoing sore. I have read correspondence and I have spoken to doctors and nurses at Hornsby hospital. I have visited the hospital on a number of occasions with the honourable member for Hornsby, who formerly was a nurse at Hornsby hospital. So she has a good understanding of the hospital and the needs of the local community. The honourable member for Hornsby referred earlier to plans by this Government to completely downgrade Hornsby hospital, if not close it altogether. I attended a public meeting with the former member for Hornsby back in 1996 at which the community was up in arms about that proposal. Hornsby is a growth area. The population is growing, and ageing.

Mr Gaudry: There was never a plan to close Hornsby hospital.

Mrs SKINNER: Documentation was released from the department at the time. The Minister at that time was Dr Refshauge, whom I now shadow. It was a sinister move. The shadow Minister referred to the Minister for Health sprouting off about increased funding to the Northern Sydney Area Health Service. That is the whole problem: the money is going to other hospitals in the Northern Sydney Area Health Service region at the expense of district hospitals such as Hornsby. I am afraid that we will find that it is like Mona Vale, Manly, Ryde, Blue Mountains and other district hospitals. Sutherland could be one. The Government's report, which it claims was written by clinicians, talks about the integration of services such as emergency, obstetrics and so on.

I have spoken to doctors and I have seen the correspondence from these doctors about the withdrawal of thoracic surgery or the downgrading of it to such an extent that it can no longer be sustained. That will have an impact on intensive care units. If there are no specialists in the intensive care unit able to do these kinds of procedures the whole future of the ICU is jeopardised. I am afraid that the doctors suspect that the Government intends to downgrade these hospitals to a level where they become geriatric hospitals, local band-aid stations and nothing more.

The Minister talked about capital works. Big deal! The Government has identified that \$16 million worth of work will be done at Hornsby hospital. I think it has allocated \$1 million of that money. Capital works, bricks and mortar, do not provide the service. A building can be upgraded to make it a geriatric hospital but that does not answer the question about the threat to thoracic services. I speak to the honourable member for Hornsby regularly. She is a committed and dedicated member for the local area. There is more to be revealed. This is but the tip of the iceberg. That hospital has much more than thoracic surgery under threat. The doctors there are starting to wake up to the fact that this process does not involve only Hornsby either. As I said, every district hospital will be affected by GMT², as it is known. Downgrading of services jeopardises the whole range of activities that the dedicated nursing, medical and other staff at Hornsby hospital are undertaking.

I commend the honourable member for Hornsby. The first paragraph of the motion asks the House to note the hard work of the staff at Hornsby Ku-ring-gai Health Services. It is true: they are marvellous—especially the nurses and doctors. They have been bold enough to raise this issue knowing full well that they will be in trouble with their administrative masters, who are under the Government's thumb, and that they are under threat of dire consequences if they speak out. The hospital needs not only its buildings and equipment upgraded or replaced but also a guarantee that surgery services will be maintained. The Minister's reference to a percentage increase for the Northern Sydney Area Health Services does not address that issue. Parliamentary Secretary Gaudry is smiling because he knows that what I am saying is true. His electorate is home to a district hospital that is very likely to suffer this fate. If only he had the courage to visit it. The Minister for Health should get out to Hornsby Ku-ring-gai Health Services to see for himself, like the local member does.

Mrs HOPWOOD (Hornsby) [12.00 p.m.], in reply: I thank all honourable members for their contributions, particularly the shadow Minister for Health and the member for North Shore. The budget, nursing homes and elderly patients are irrelevant to this motion, which is about the loss of thoracic surgery services at Hornsby Ku-ring-gai Hospital Health Service, not the myriad problems that beset the hospital. This motion is about the loss of a vital sub-speciality that will have an impact on the functioning of the entire hospital. A leading general surgeon states:

The Area has provided no evidence that the current thoracic service at HKH is lacking clinically or has worse outcomes or represents a deviation from accepted best practice management nor has provided the outcomes of the RNSH Cardiothoracic Surgery Department to allow an equitable comparison but has simply made a sweeping statement that thoracic surgery should not be performed at HKH. On the contrary, the clinical record of the service provided at HKH over the last years would stack up admirably against any criteria used.

The service currently provided at HKH has taken a great deal of work to establish and bring to effective service where it provides equality of access in a timely fashion for patients in the HKH drainage area and its immediate neighbours and this fact is indisputable even by the Area.

I repeat: the loss of thoracic surgery services at the hospital will affect the emergency department. We will build a fantastic new emergency department using the remainder of the \$16.4 million. Hopefully building will commence later this year. However, why should we spend that money if the Government intends to downgrade services in a way that will impact on the department? The emergency department loss will flow through to an anaesthetic loss, and so on. The hospital will inevitably change.

One doctor has suggested that we define the level of intensive care service that Hornsby and Ku-ring-gai Hospital and Community Health Services should provide. It was announced 12 months ago that onsite evening pathology services would be withdrawn. That decision was rescinded only after it became obvious that the intensive care services would need to be downgraded. It is difficult to understand what that was all about even to this day. This doctor also says:

To a lesser extent, I predict that the decision you have taken regarding thoracic surgery will have a similar effect on Intensive Care, out over about 12-18 months. At that point it will take years to reverse it. I estimate that in the absence of other enhanced, genuinely ICU-requiring surgical services, this decision will reduce our admissions to ICU ... by around 10%. This will mean a loss of about 40 true ICU patients a year to just under 340. This represents an automatic withdrawal of intensive care registrar training accreditation by the Joint Faculty of Intensive Care Medicine.

That is a very serious impact. Has the Minister for Health visited Hornsby Ku-ring-gai Hospital? I invite him to visit the facility. Like the member for North Shore, I would like to know what this decision could mean for all district hospitals. This is a drain on our resources, and doctors are very alarmed by the loss of thoracic surgery services. The impact on the hospital is serious and will become even more so in the future. I urge the House to support this important motion.

Question—That the motion be agreed to—put.

The House divided.

[In division]

Mr SPEAKER: During the last division it appeared to me that there was still some confusion about the sitting arrangements in the Chamber. I wish to make it plain that when the Government is voting with the noes, members on the back bench on the left-hand side of the Chair are deemed to be voting with the noes.

Mr Armstrong: Point of order: Since the House has reconvened there has been difficulty in deciding the process of divisions. I put it to you that in this case you are drawing to our attention a difficulty involving two Ministers and one former Minister.

Mr SPEAKER: Order! There is no point of order. There is no difficulty; I am merely pointing out precisely where members should sit. That will avoid any member raising matters similar to that raised by the honourable member for Lachlan.

Ayes, 36

Mr Aplin	Mrs Hopwood	Ms Seaton
Mr Armstrong	Mr Humpherson	Mrs Skinner
Mr Barr	Mr Kerr	Mr Slack-Smith
Ms Berejiklian	Mr McGrane	Mr Souris
Mr Brogden	Mr Merton	Mr Stoner
Mr Cansdell	Ms Moore	Mr Tink
Mr Constance	Mr Oakeshott	Mr Torbay
Mr Debnam	Mr O'Farrell	Mr R. W. Turner
Mr Draper	Mr Page	
Mrs Hancock	Mr Piccoli	
Mr Hartcher	Mr Pringle	<i>Tellers,</i>
Mr Hazzard	Mr Richardson	Mr George
Ms Hodgkinson	Mr Roberts	Mr Maguire

Noes, 48

Ms Allan	Mr Greene	Mrs Paluzzano
Mr Amery	Ms Hay	Mr Pearce
Ms Andrews	Mr Hickey	Mrs Perry
Ms Beamer	Mr Hunter	Mr Price
Mr Black	Ms Judge	Ms Saliba
Mr Brown	Ms Keneally	Mr Sartor
Ms Burney	Mr Knowles	Mr Stewart
Miss Burton	Mr Lynch	Mr Tripodi
Mr Campbell	Mr McBride	Mr Watkins
Mr Collier	Mr McLeay	Mr West
Mr Corrigan	Ms Meagher	Mr Whan
Mr Crittenden	Ms Megarrity	Mr Yeadon
Ms D'Amore	Mr Mills	
Mr Debus	Mr Morris	
Ms Gadiel	Mr Newell	<i>Tellers,</i>
Mr Gaudry	Ms Nori	Mr Ashton
Mr Gibson	Mr Orkopoulos	Mr Martin

Pairs

Mr Fraser	Mr Bartlett
Mr J. H. Turner	Mr Iemma

Question resolved in the negative.

Motion negatived.

SCHOOL MAINTENANCE CONTRACTS

Debate resumed from 8 May.

Mr PICCOLI (Murrumbidgee) [12.16 p.m.]: I raise with some reluctance the changes that the State Government has made to school maintenance since the recent State election. I wholeheartedly support the comments made during this debate a couple of weeks ago by the honourable member for North Shore, the shadow Minister for Education and Training, when she expressed concern about the impact of these changes on the maintenance of schools throughout New South Wales.

This issue was raised with me by the school maintenance contractor in the Riverina, Colin Joss Constructions, which, during its contract term, has done a wonderful job of maintaining the schools in my electorate, as well as those in the electorates of Wagga Wagga, Albury and many other surrounding electorates. I am sure all members would agree that our State's educational facilities are one of the most critical institutions in our communities and that our children are our most important asset. Obviously, a State government suddenly wrenching away those school maintenance contracts will seriously affect the quality of the facilities in which our children learn.

In recent times the poor state of maintenance of several high-profile schools has been highlighted in the newspapers. If our schools are in such a parlous state, withdrawing school maintenance contracts will make the situation even worse. I am particularly sympathetic towards companies such as Colin Joss Constructions, Progroup Pty Ltd at Bathurst, and other companies, which have geared up on the basis of the undertakings and contracts they have signed with the State Government, through the Department of Education and Training, to provide school maintenance services, only to suddenly have their contracts wrenched away—cynically—not long after the State election. It is yet another cynical exercise by the Government after the State election.

The Government can say what it likes about democracy, and about the fact that it has been re-elected by the people. But what real choice do the people of New South Wales have when this Government has been re-elected on a platform of lies and deceit? We have seen plenty of examples of the Government's lies: the Menangle Bridge, the withdrawing of school maintenance contracts, and hospital waiting lists. It has all been classic Labor Party lies, in true Labor Party form. During the four years that I have been a member of this place

I have observed that whenever the Government has told lies and deceived people, it holds an inquiry and sacks a couple of public servants. Recently the Minister for Health referred the hospital waiting list issue to the Independent Commission Against Corruption. When will the Government and the Minister for Education and Training take some responsibility for withdrawing school maintenance contracts just after the election? I simply cannot believe the Government's cynicism, and I am sure that the organisations that have those contracts cannot either.

We have seen Progroup in Bathurst forced to retrench five tradesman already. There are a number of other jobs under threat. Collins Constructions is in the same situation; it has contacted my office, not for any political purpose, not to make any difficulty for the Government, but just to raise concerns about the people it was going to have to lay off. I understand that some interim measures have been put in place to keep those organisations going, but I believe that the greatest problem about this whole maintenance issue is the cynicism of this Government. Perhaps the Government blames the budget prior to the State election for being part of the deception that has led to it being re-elected, but it has spent money, and a couple weeks after the State election it has come clean with the fact that it has run out of money and has now withdrawn the contracts.

Unfortunately, we have to wait another 3½ years before the people of New South Wales can throw this Government out. I am sure that in the next 3½ years we will see plenty more lies and plenty more deception. I just hope that in the meantime our schoolchildren have safe schools. This State Government should be ashamed of what it has done.

Mrs SKINNER (North Shore) [12.21 a.m.], in reply: I thank my colleagues the honourable member for Wakehurst and the honourable member for Murrumbidgee for their contributions. The Minister for Education and Training moved an amendment and, very interestingly, he has referred to the delay in the four-year maintenance contracts that should have been negotiated by the end of last year and signed by April, but which now will not be in place until October this year. The Minister said:

This means that both essential and preventative maintenance in our schools will continue as usual.

The Minister laughed at the suggestion in my motion that work will be delayed for up to 18 months. By making that statement the Minister is saying, "Okay, in October when we renew all of these maintenance contracts, all of the maintenance work will be carried out immediately and nobody will have to wait." Well, pigs might fly!

I referred earlier to correspondence sitting in the filing cabinet in the Minister's department, correspondence which refers to complaints about maintenance work that goes back over three years. I can refer to more correspondence. Many schools have been writing, not just once or twice, but half a dozen times. There have been visits to schools from people in the properties section of the Department of Education and Training. I put on record that I do not believe that those bureaucrats are the cause of the problem. They know what work needs to be done; they have made an assessment of these calls and they know that there are many instances of leaking ceilings, wet, mouldy carpets, cracked walls, termite-infested timbers, and blocked drains that have flooded school grounds so that children and their parents have to wade through mire to get to the classrooms. But there is no money. The Minister ignores the problem. If he believes that by suddenly having these contracts signed in October all the work will be done, he is mistaken; it will not.

I referred earlier to Francis Greenway High School. In a letter to the then Minister, the Hon. John Watkins, the President of the Francis Greenway High School parents and citizens association said, "In July of 2001 I wrote to the Minister." This is May 2003, so there is a two-year time lag. The Secretary of Eden Public School parents and citizens association wrote to the Leader of the Opposition on 13 February 2003. The letter refers to unsafe retaining walls and says, "After many years the soil has washed away," et cetera. This correspondence is all about notifications to the Minister and the department of work that has to be done, and they have just been ignored.

The honourable member for East Hills was the second speaker for the Government. He spoke about public works in schools. I took a point of order that he was out of order because he was not speaking to the motion. He argued that he was not out of order because he was speaking to the amendment. He said that I should read the standing orders. In fact the amendment had nothing to do with maintenance works either. If the honourable member for East Hills reads *Hansard* he will realise that he has not got his facts straight.

The truth is that no Government member has been able to defend the Government's position on the rundown state of our schools. The fact that there are no maintenance contracts in place, and that there will not be any until October, means that children will continue to have to put up with appalling conditions such as those reported in newspapers, and teachers will continue to become so sick that they have to take leave. I was told by somebody that they had seen a woman with a pram, a toddler in tow, and a primary school child who could not

get into a school building because a blocked drain had flooded and prevented access. It is disgraceful. This motion is nothing but a self-serving attempt to congratulate the Government when it should be condemned. The House should pass my original motion. I congratulate my colleagues on taking this matter seriously and defending public schools by trying to make sure we get a better deal for our students.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 48

Ms Allan	Mr Greene	Mrs Paluzzano
Mr Amery	Ms Hay	Mr Pearce
Ms Andrews	Mr Hickey	Mrs Perry
Ms Beamer	Mr Hunter	Mr Price
Mr Black	Ms Judge	Ms Saliba
Mr Brown	Ms Keneally	Mr Sartor
Ms Burney	Mr Knowles	Mr Stewart
Miss Burton	Mr Lynch	Mr Tripodi
Mr Campbell	Mr McBride	Mr Watkins
Mr Collier	Mr McLeay	Mr West
Mr Corrigan	Ms Meagher	Mr Whan
Mr Crittenden	Ms Megarrity	Mr Yeadon
Ms D'Amore	Mr Mills	
Mr Debus	Mr Morris	
Ms Gadiel	Mr Newell	<i>Tellers,</i>
Mr Gaudry	Ms Nori	Mr Ashton
Mr Gibson	Mr Orkopoulos	Mr Martin

Noes, 36

Mr Aplin	Mrs Hopwood	Ms Seaton
Mr Armstrong	Mr Humpherson	Mrs Skinner
Mr Barr	Mr Kerr	Mr Slack-Smith
Ms Berejiklian	Mr McGrane	Mr Souris
Mr Brogden	Mr Merton	Mr Stoner
Mr Cansdell	Ms Moore	Mr Tink
Mr Constance	Mr O'Farrell	Mr Torbay
Mr Debnam	Mr Oakeshott	Mr R. W. Turner
Mr Draper	Mr Page	
Mrs Hancock	Mr Piccoli	
Mr Hartcher	Mr Pringle	<i>Tellers,</i>
Mr Hazzard	Mr Richardson	Mr George
Ms Hodgkinson	Mr Roberts	Mr Maguire

Pairs

Mr Bartlett	Mr Fraser
Mr Iemma	Mr J. H. Turner

Question resolved in the affirmative.

Amendment agreed to.

Motion as amended agreed to.

LIVERPOOL MIGRANT RESOURCE CENTRE

Mr LYNCH (Liverpool) [12.36 p.m.]: I move:

That this House congratulates the Liverpool Migrant Resource Centre on its contribution to south-west Sydney and calls on the Federal Government to commit to its ongoing funding.

For more than 20 years the Liverpool Migrant Resource Centre has played a critical role in the electorate and community of Liverpool. The city of Liverpool comprises 120 separate nationalities or community groups with different cultural traditions. Indeed, 49 per cent of the people within Liverpool city speak a language other than English at home. Within my electorate, which is only part of the city of Liverpool, that percentage is even higher. It follows from those figures that many of the people who live in my area and in the vicinity of Liverpool are new arrivals. The Liverpool region has experienced massive growth over a number of decades. A significant component of that growth has been fuelled by migration from outside of Australia into this country. In fact, it is difficult to think of an area in this country that has a greater need for an institution such as the Liverpool Migrant Resource Centre.

It is essential to have such a centre in Liverpool to deal with the settlement issues that inevitably arise from the process of migration. The core agenda of the Liverpool Migrant Resource Centre deals directly with the acute need that is driven by the fact that the Liverpool area is a place of settlement for so many migrants. Over many years the Liverpool Migrant Resource Centre has provided services to families, young people, refugees, seniors, women—indeed, to the whole gamut of migrant communities. The centre provides English classes, which are essential for new arrivals whose first language is not English, and playgroups. It organises a range of community events and activities, and participates and organises cultural celebrations, arts projects and community visitor schemes. The centre has caseworkers and sessional workers. It also gives advice about the rights of migrants and how to access those rights. When appropriate I have referred constituents to the Liverpool Migrant Resource Centre and they have received excellent advice.

I know that the Liverpool Migrant Resource Centre is involved in community events and activities because it has invited me to attend them. I was invited to events such as those celebrating Refugee Week and International Day of the Elderly. The centre is also actively involved in partnerships with other community groups and organisations such as local family service providers, the refugee centre and refugee health services. It is also in partnership with the Liverpool City Council and involved in the Community 2168 Board, a significant initiative in the Miller area in particular, which was critical in receiving significant extra funding last year. The centre has been funded by Liverpool City Council for a number of the council's functions. Of course, the majority of funding for the migrant resource centre comes from the Federal Government, as it should in terms of the constitutional arrangements in this country.

For about 30 years migrant resource centres have received cross-party support—that is, all the major parties in this country have agreed upon the desirability and positive aspects of establishing and having ongoing funding for migrant resource centres. That seems to be changing. Last year the Federal Government ceased funding for three migrant resource centres. A number of migrant resource centres have had their funding placed in doubt by the current Federal Government. Regrettably, one of the centres whose funding has been placed in doubt includes the Liverpool Migrant Resource Centre. The New South Wales State Director of the Department of Immigration and Multicultural and Indigenous Affairs, Nick Nicholls, wrote to the Liverpool Migrant Resource Centre on 21 March this year. In that letter he placed the centre on notice that its funding may not be extended beyond 30 June this year. It would be disgraceful if the centre's funding were not continued. The failure of the current Federal Government to fund the Liverpool Migrant Resource Centre would be a partisan political decision taken to punish people who have the temerity to vote Labor.

The departmental letter, which I have seen, is a rather curious document. It purports to focus on the performance of the migrant resource centre's management committee and how that impacts on the delivery of the centre's core services and projects. Having read the letter, I must say that the precise details that are alleged in it are quite inadequate to justify the withdrawal of funding. A number of the claims in the letter directed against the centre are either disputed or simply unfounded. The letter does such interesting things as to attack the role of one voluntary office bearer on the management committee who did not attend a number of meetings, but conveniently forgets the fact that she was on maternity leave. Presumably she was expected to run from the birthing chamber to attend a meeting of the migrant resource centre's management committee. Most of the comments in the letter from Mr Nicholls are in fact not attacks upon service delivery, which fundamentally I would have thought was what it was all about. If the services are being provided, then some of the other things are perhaps not as critical as they might otherwise be.

Another disturbing feature of the letter is that the department did not give the migrant resource centre any prior warning that there was a problem at all, which seems to be fundamentally outrageous. If there were problems, presumably they could have been raised in a sensible way prior to simply threatening to cut the centre's funding. In addition, much of the letter from the department that was critical of the resource centre deals with the centre's management committee and makes various comments about that. The fundamental problem with that is that the migrant resource centre's management committee consists entirely of voluntary people; they are all there in a volunteer capacity. None of them is being paid. None of them can be expected to perform as though they are paid employees of either the centre or the department. Most of the committee members have now resigned in outrage at the way they have been treated by the department. I know that one of them in particular, Judith Pack, who is well known in Liverpool and spends a lot of time doing voluntary work in a number of capacities, has sent letters to me and enclosed copies of letters she sent to Philip Ruddock and Mr Nicholls. The letter to Mr Ruddock stated in part:

I have also enclosed my reply to Nick Nicholls, we were all very hurt when we received this letter and I felt it a disgrace that volunteers could be treated so.

We all know the Government has to save money to pay for the War, are the Migrant Resource centres the first to go.

One alleged failure of the migrant resource centre—and, in a sense, this is the most extraordinary aspect of the departmental letter—is that Liverpool council failed to do a number of things and somehow or other that is a sufficient fault on the part of the migrant resource centre to warrant its funding needs to be withdrawn. In particular, the departmental letter from Mr Nicholls states that the migrant resource centre has not been able to get the Liverpool council position on its management committee filled—that is, Liverpool council has not appointed anyone to the management committee and that is somehow a fault of the migrant resource centre's management committee, rather than of Liverpool council. Another thing that is apparently held against the migrant resource centre is that Liverpool council has not developed an ethnic affairs priority statement—what is called an EAPS. Whether that is a good thing or a bad thing on the part of Liverpool council, if it has not developed such a statement it is the council's fault. It is hardly the fault of the Liverpool Migrant Resource Centre.

Another thing that the Liverpool Migrant Resource Centre is apparently being held responsible for is that Liverpool council has not established a full-time multicultural official position, and somehow or other that is meant to justify the extraction of funding from the migrant resource centre. With respect, it is all utterly absurd. There is no way that the migrant resource centre can be blamed for the failure of another body, yet that seems to be a large and significant part of precisely what the department is doing. Granted that the council position seems to be so important to the department, it might be worth drawing to the attention of the House and to anyone interested in this issue what in fact Liverpool council said about all this. On 28 April this year Liverpool council filled the vacancy on the management committee. In addition, a resolution was moved by Councillor Cecilia Anthony and seconded by Councillor Wendy Waller. The first part of the resolution was to fill that vacancy. The resolution further stated:

2. That Liverpool City Council support the migrant resource centre's work in the local community and commends the success the MRC has had working with existing and established migrant communities.
3. That Liverpool City Council refutes the notion that the MRC has not engaged with council and directs staff to write to both the State director of DIMIA and the Federal Minister for Multicultural and Ethnic Affairs to advise them of our views.

If the department claims that the migrant resource centre is not working closely enough with the council, I would have thought that that is probably a fairly eloquent rebuttal of that argument. One could go on about that, because a number of individual councillors have made it clear that they have a very different view of the efficiency and operation of the migrant resource centre. I note that Councillor Ali Karnib—who, frankly, knows a lot more about migrant issues than either the current Federal Minister or the State director—has written a letter dated 14 April in which he points out very strongly his support for the migrant resource centre. He is a migrant in Liverpool. The letter states:

I am appalled at any suggestion that their funding may be withdrawn.

Councillor Cecilia Anthony also sent a letter making similar comments and pointing out just how outrageous it would be for the centre's funding to be withdrawn. In addition, I also indicate that I have made written representations to Mr Nick Nicholls—a copy of that letter was sent to Minister Hardgrave—indicating that I think it is utterly unacceptable to suggest that funding for the centre should not be continued. I commend the motion to the House.

Mr MERTON (Baulkham Hills) [12.46 p.m.]: No doubt Australia as a nation is enriched and strengthened by its cultural diversity. Australia is one of the most successful multicultural countries in the world. We have welcomed more than six million migrants since 1945 to help build the nation. They have made an enormous contribution to the Australian nation as it exists today. They represent more than 200 countries, and more than 200 languages are spoken here. Indeed, one in four of us was born overseas. In this regard, settlement programs to assist migrants and humanitarian entrants are positive investments that contribute to each person's ability to participate fully in our multicultural society, realise their personal aspirations and, in the end, benefit Australia. The Federal Government's migrant resource centre network assists in meeting the settlement needs of overseas-born residents, particularly those who have arrived in Australia recently.

These organisations offer multilingual information, advice and referral services; provide a base for migrant communities' educational, cultural and social activities; develop specific services for migrants to reach local needs; promote awareness of cultural diversity and migrants' needs; and participate in settlement planning networks. While those who come here obviously have a great allegiance to the traditions of their homelands, when they come to Australia we believe and hope that they will become Australians. We do not want them to forget their traditions and cultures, but to look at their new homeland and work together to make Australia great. That is what it is all about. In terms of the matters raised by the honourable member for Liverpool about the Liverpool Migrant Resource Centre, a few things should be put on the record clearly and succinctly. The Liverpool Migrant Resource Centre [MRC] has been offered six-months core funding totalling \$152,855, rather than funding for the usual 12 months. As the honourable member for Liverpool would well know, there are a number of longstanding concerns about the ability of the management committee to strategically guide and effectively manage the MRC.

From information I have in my possession, it is fair to say that the department has been working continuously with the Liverpool Migrant Resource Centre over a long period to try to have these matters resolved. The Federal Minister for Citizenship and Multicultural Affairs, the Hon. Gary Hardgrave, will continue to work closely with the MRC to help it improve its performance over the coming months. The Minister will make a decision on further funding in the latter part of 2003. There is no doubt that the people who have the interests of the Liverpool MRC at heart and the Federal Government are at one when it comes to a desire to promote and assist migrants who have recently arrived in Australia. There are issues to be resolved, and those negotiations and discussions are ongoing. Core funding totalling \$152,855 has been offered for the next six months. As a general rule, being taxpayers' funds, core funding for any MRC is based on high standards of performance, continued settlement needs in the area and value for money. That is what the Howard Government is about: getting good value for the taxpayers' hard-earned dollars.

What is happening at Liverpool is no different from what is happening in relation to a variety of government initiatives throughout the nation. The Liverpool MRC has been fully informed of the aspects of its operations that are of concern to the Federal Government. Its decision to place the Liverpool MRC on notice was made in the context of good program management. Overall funding for migrant community services in 2003-04 will be \$27 million. The Commonwealth Government, through Minister Gary Hardgrave, has a commitment to continue the excellent work that migrant resource centres have carried out over many years. I recall that there was a migrant resource centre at Parramatta in the early days. It conducted an excellent operation for many years as migrants of a different generation and from different countries settled in Parramatta. The services available in the Parramatta MRC were of a high order, and that centre made a valuable contribution in assisting those people settle in and become Australians.

One must never underestimate the challenges and difficulties facing people who come to a strange land, but they come to Australia with the spirit for Australians to welcome them. They come because they have been invited to come to Australia, and that is continuing today. The Federal Government is committed to a multicultural Australia and it wants to ensure the best possible service delivery to clients. In essence, as the honourable member for Liverpool is no doubt aware, the Liverpool Migrant Resource Centre has been offered six months core funding totalling \$152,855, and the Minister will make a decision on further funding in the latter part of 2003. From the information I have been given, the service is still operating and a decision will be made later this year as to its future. The Federal Government has an ongoing commitment to multicultural Australia and it wants to ensure the best possible service delivery to clients. I thank the honourable member for Liverpool for raising the matter.

Mr LYNCH (Liverpool) [12.54 p.m.], in reply: I thank the honourable member for Baulkham Hills for his contribution to this debate. The final comment he made was that the Federal Government has an ongoing commitment to multicultural Australia. An interesting way of showing that is to cut funding to three migrant

resource centres and to put others under threat. To make clear what was said to the Liverpool Migrant Resource Centre I quote part of the penultimate paragraph of a letter from Nick Nicholls dated 21 March:

I am formally placing the management committee on notice that if these concerns are not effectively and sustainably addressed by 30 June 2003 I will not be able to recommend to the Minister that DIMIA continue to fund Liverpool Migrant Resource Centre.

It may be that community reaction to this proposal has been so overwhelming that there has been a stay of execution by the Federal Government. The honourable member for Baulkham Hills referred to that. However, it seems to me that there is a real threat that that is all it is: simply a stay of execution. The honourable member for Baulkham Hills, through no fault of his own, perhaps misled the House in relation to some of the background to this issue. He alleged that there were longstanding concerns with the Liverpool Migrant Resource Centre. If there were, they have not been made known to the resource centre. It is interesting that people talk about these being ongoing and major problems, but no-one has drawn them to the attention of the people to whose attention they ought to have been drawn.

The honourable member for Baulkham Hills also said that the Federal Government is interested in responsible expenditure of money, getting good value for money and doing the right thing—that is the sort of Government it is. I know what sort of Government it is: It is the sort of Government that would cut the migrant resource centre in Liverpool because it happens to be in a Labor area, an area that is not rich and powerful. It is also the sort of Government that wants to introduce Medicare changes that will hurt exactly the same people in exactly the same area; that wants to introduce education changes that will hurt exactly the same people in exactly the same area. The honourable member for Baulkham Hills is quite right: That is precisely the sort of Government the Federal Government is, and ripping money away from the Liverpool Migrant Resource Centre is precisely what one would expect it to do.

The honourable member for Baulkham Hills said that one of the priorities of the Federal Government was to fund settlement services in areas that needed it. I go back to the point I made when I moved the motion—if there is one area in Australia that desperately and absolutely needs settlement services for new migrants it is south-west Sydney. We get more new migrants than any other area. I am quite a supporter of migration programs, but one does not allow migration programs to occur unless one also provide the services and resources needed to deal with the migrants' settlement issues. If the Government is not prepared to fund migrant resource centres on a proper basis in the long term it cannot provide those services. Earlier I mentioned briefly a letter from Councillor Cecilia Anthony, and I refer to it again. Part of what she said in her letter dated 15 April to Mr Nick Nicholls was as follows:

I write to you to advise of my complete support for the MRC and the important role it plays in our local community. I have had involvement with the MRC for a number of years and am always impressed by the capacity of the organisation to interact with, and assess migrant communities in Liverpool.

I am extremely concerned at the suggestion that the MRC might be defunded by your Department. The effect of such a move would be significant to our local community. The programs the MRC runs are of particular importance to recently arrived migrant communities.

Since my election to Council in 1999 I have been aware of the MRC's involvement with Council through a series of joint programs of varied nature. The MRC and Council have also enjoyed a staff sharing arrangement and the MRC were fundamental to the process of developing Council's Social Plan which incorporates NESB policy. Indeed, the impact of the MRC is such that Council's upcoming budget includes a full-time NESB worker.

I cannot stress to you enough my high regard for the MRC and their work. Liverpool is one of the most ethnically diverse areas in the nation. The MRC's role is pivotal for our migrant communities. I would urge you to consider the serious impact of any decision to remove the funding to the MRC.

In the short time left I would also like to place on record some of the comments from Councillor Ali Karnib that I referred to briefly earlier. His letter says in part:

I would like to offer my full support of the MRC and its role in the Liverpool Community. I am appalled at any suggestion that their funding may be withdrawn. I have had involvement with the MRC over many years and have always thought them to be a well-run organisation. I have seen management committee members at functions and program launches and have never thought the members to be as uninvolved as your letter would suggest.

From my own experience with community run organisations, I am well aware how difficult it can be to expect volunteers to be as involved as the charter of an organisation may demand. I am aware, however of the commitment of those who offer their time. I am appalled at some of the suggestions you have made.

I commend the motion to the House.

Motion agreed to.

[Madam Acting-Speaker (Ms Andrews) left the chair at 12.59 p.m. The House resumed at 2.15 p.m.]

CANADA BOVINE SPONGIFORM ENCEPHALOPATHY CASE

Ministerial Statement

Mr CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [2.15 p.m.]: Earlier this week the Canadian Food Inspection Agency announced that it had recorded its first case of bovine spongiform encephalopathy [BSE], or mad cow disease. The outbreak was found in Edmonton, Alberta, which is home to 40 per cent of the Canadian beef industry. Under existing Australian Quarantine and Inspection Service [AQIS] control measures, the importation of all Canadian livestock and associated products was automatically banned from Australia following the outbreak. Processed Canadian beef has now also been banned. The Canadian authorities have indicated that none of the contaminated meat entered the human food chain. AQIS has, however, begun the process of identifying cattle that have been imported from Canada over the last seven years. This is expected to take some weeks. NSW Agriculture authorities will work closely with AQIS on this to ensure all such livestock are traced. Any cattle identified will be put in quarantine, placed under lifetime surveillance and banned from being slaughtered at abattoirs or destroyed. The cattle will also be tagged under the National Livestock Identification Scheme, an initiative the State Government allocated \$5.4 million to establish in September last year. This program ensures that, in the event of any exotic disease outbreak, stock can be traced and their movements can be monitored.

I take this opportunity to assure the House that New South Wales is not at risk of a BSE outbreak. We have rigorous measures in place to protect our \$1.2 billion beef industry and our internationally recognised clean reputation. In 1997 New South Wales banned the feeding of meat or bone meal to ruminant animals such as cattle, sheep, goats and deer. This followed overseas evidence showing that the disease could be spread through meat meal fed to cattle. In 2001 the Government extended this ban to prohibit the use of any animal material in animal feed. The new livestock identification scheme further strengthens these controls. It is unlikely there will be any immediate economic benefits for our industry following the Canadian outbreak. However, the incident is another opportunity to get the message to potential markets that our beef remains amongst the cleanest of any in the world and, if I may say so, definitely the tastiest.

Mr ARMSTRONG (Lachlan) [2.20 p.m.]: I thank the Minister for his ministerial statement. The disease known as mad cow disease has caused dramatic market disruption over the last few years in the Northern Hemisphere, particularly in Britain, where there was a massive slaughter of cattle to contain the disease, and similarly across the Channel in France. Now the disease has been detected in Canada. We do not yet know how it got into Canada, but the bottom line is that it is not good publicity for beef. There is not a scintilla of evidence or report that the Australian industry will be, is or ever has been affected in any way by mad cow disease. Australian has an immaculate reputation for the export of quality red meats. Our capacity to produce package meats—bone in, bone out meats—for world markets is probably the ultimate benchmark for the export of red meats. It is incumbent upon governments—Federal, State and local, which has certain requirements under the Local Government Act—to ensure that our processing plants remain immaculate and that our produce remains totally traceable.

The Minister mentioned the livestock identification scheme. At a major beef conference in Queensland recently that scheme was effectively knocked on the head. The government of the day, irrespective of who it is, will have 100 per cent support from the Opposition in ensuring that we get a national system of traceback for livestock identification. We must be able to tell the consumer where the product comes from. But, most importantly, when there is an outbreak of disease internationally—or if we were ever to have one domestically—we must know where it came from in order to contain the disease. This is a bipartisan issue. Disease control identification or traceback and genetic management are not negotiable. Politics should not be involved. Australia must maintain its clean, green image as the world's best supplier of prime red meats. [*Time expired.*]

PETITIONS

Local Government Planning Control Reform

Petition requesting the reform of planning controls by gazettal as a legal document, oversight by the Department of Planning, public benefit assessment of variations, and a ban on development-related donations to political parties and elected officials, received from **Ms Moore**.

White City Site Rezoning Proposal

Petition praying that any rezoning of the White City site be opposed, received from **Ms Moore**.

National Accident Scheme

Petition praying that a national accident scheme be established to cover all injured patients, received from **Mr Barr**.

Manly Traffic Arrangements

Petition requesting improvements to the design of the Seaforth roundabout in Sydney Road, Manly, received from **Mr Barr**.

Mental Health Services

Petition requesting urgent maintenance and increased funding for mental health services, received from **Ms Moore**.

Surry Hills Bus Services

Petition praying that the State Transit Authority reinstate the old 301 bus route, extend the 352 bus service, provide bus shelters and seats at all stops, reinstate the Market Street bus stop, and provide better information, received from **Ms Moore**.

Bus Service 311

Petition praying that the Government urgently improve bus service 311 to make it more frequent and more reliable, received from **Ms Moore**.

Surry Hills Policing

Petition seeking increased uniformed police foot patrols in the Surry Hills Local Area Command and the installation of a permanent police van or shopfront in the Taylor Square area, received from **Ms Moore**.

Underground Cables

Petition requesting that the House ensure that an achievable plan to put aerial cables underground is urgently implemented, received from **Ms Moore**.

Circus Animals

Petition praying that the House end the unnecessary suffering of wild animals and their use in circuses, received from **Ms Moore**.

BUSINESS OF THE HOUSE**Routine of Business**

[During notices of motions]

Mr SPEAKER: Order! The notice of motion given by the honourable member for Southern Highlands is too lengthy. I suggest that she review the motion with a view to rewording it.

QUESTIONS WITHOUT NOTICE

FARE EVASION INFRINGEMENT NOTICES

Mr BROGDEN: My question without notice is to the Premier. Why did the Government allow the continued illegal issuing of fines for fare evasion for months after the matter was directly brought to the attention of the former Minister for Transport, Carl Scully, by a rail security officer by way of the memorandum I have in my hand, which identifies millions of dollars in revenue being put at risk through incompetence?

Mr CARR: Under the Rail Safety (General) Regulation 2003—night-time reading for all of us—"restricted area" means "the platform and all other parts of the station between the platform and the ticket barrier".

Mr SPEAKER: Order! I call the honourable member for Epping to order.

Mr CARR: Clause 10 of the regulation, which I hope will be familiar to most members of the House, provides:

A person who is on a train or in a restricted area of a station must make his or her ticket available for inspection or processing by an authorised officer on that officer's request.

The effect of that is that, for a person to be guilty of an offence under clause 10 of failing to make his or her ticket available for inspection, he or she must be inside the barrier area or on a train. It must be stressed that the offence is the failure to produce the ticket when requested by an authorised officer, not for travelling without a valid ticket. I am informed that fewer than 3 per cent—the note says "less than 3 per cent", but there is a difference between quantity and number—

Mr SPEAKER: Order! I call the honourable member for Epping to order for the second time.

Mr CARR: I am informed that fewer than 3 per cent of all infringement notices issued by State Rail are for failing to produce a ticket for inspection on trains and stations. The majority of infringement notices issued by State Rail are for travelling without a valid ticket. I am advised that the offence of travelling—

Mr Brogden: Point of order: My point of order relates to relevance. I specifically asked the Premier why this practice continued when his former Minister was directly told of it.

Mr SPEAKER: Order! The Premier is directly answering your question. He has not yet finished his answer.

Mr CARR: I do not know what ministerial accountability the Leader of the Opposition is suggesting. Is he suggesting that the former Minister should have been on the platform at Wynyard at peak hour each morning checking this out for himself? I am advised that the offence of travelling without a valid ticket is not affected by this technicality; nor are other offences, including behavioural offences—for example, feet on seats, smoking, drinking alcohol, etcetera—committed on railway land. I can advise the House that, nonetheless, this technicality is being fixed.

Mr SPEAKER: Order! I call the honourable member for Baulkham Hills to order.

DRUG HOUSE RAIDS

Mr TRIPODI: My question without notice is to the Minister for Police. What is the latest information on the Police Powers (Drug Premises) Act?

Mr WATKINS: On average New South Wales Police are crashing through the fortified doors of six drug houses a month under the tough and targeted powers given to them by this Government. In the most recent raids, in Cabramatta last week, police seized \$1.2 million worth of heroin and a handgun. They also confiscated other drug production materials, including a heat-sealing machine, a grinder, scales and an amount of cash. It was one of 130 drug house raids police have conducted in less than two years, under the powers they asked for and were given by the Government. The Cabramatta raid resulted in a major drugs seizure, but it is very common for the operators of drug houses to attempt to foil police action. They attempt to destroy the drugs or to flush them down the toilet before police can gain entry to the premises. Before the changes to legislation, it was difficult to mount successful prosecutions if police could not confiscate the drugs. That is why the Police Powers (Drug Premises) Act has been such an important reform.

Drug houses are premises used for the unlawful supply and manufacture of prohibited drugs. Fortified steel doors and gates are common features. Sophisticated lookout or alert methods are employed to shield the crooks who run them. But the new laws that came into effect on 1 July 2001 gave police the power to hit back, and hit back hard. Police now have greater powers to obtain a search warrant to enter and search premises believed to be used by drug dealers. Under the Act it is not necessary for police to find drugs for the premises to be classified as a drug house. Premises can be identified as a drug house if scales, plastic bags or other drug

production or packaging material are found on site. If the drugs have been disposed of before police are able to gain entry to the house but the police discover other evidence, they can use that other evidence to secure a conviction.

I am pleased to report that the most recent statistics show that the laws are working. In less than two years 130 drug houses have been closed down, police have arrested 302 people and 361 charges have been laid. The charges include counts of obstructing police entering drug premises; giving alarm to persons inside drug premises; being on, entering or leaving drug premises; allowing premises to be used as drug premises; and organising drug premises. It has been in the Cabramatta area that the laws have bitten. Since July 2001 more than 30 drug houses have been closed in Cabramatta and 89 charges have been laid. A recent snapshot of police activity against drug houses shows that the local area commands covering Campbelltown, Redfern, Fairfield, Lake Illawarra, Penrith, Macquarie Fields, Canobolas and Green Valley lead the State in targeting this activity.

In the first four months of this year drug houses have been hit in the Cabramatta, Wollongong, Parramatta, Marrickville, Fairfield, mid North Coast, Canobolas and Shoalhaven local area commands. Drug dealers go to great lengths to hide their filthy trade from police. But by giving police the powers to adapt to new drug dealing methods we have changed the drug landscape. The legislation has given police sweeping powers to wipe out these illegal drug house operations, and it is clear that police are using those powers to do just that.

ORANGE POLICE STATION

Mr STONER: My question is directed to the Minister for Police. Given Labor's broken election promise to build a new police station at Raymond Terrace, what are the Minister's plans for Orange Police Station, where officers are threatening to stop processing arrests due to archaic and cramped conditions?

Mr WATKINS: We are three weeks into question time, 82 questions have been asked in this Chamber and I have not been asked one question by the shadow Minister for Police! He has asked two questions in this Chamber, and both have been about transport. He is finding it hard to let go. Finally, members opposite ask me a question about policing. It is the first question from the Opposition to the Minister for Police in three weeks.

Mr Stoner: Answer the question.

Mr WATKINS: I am happy to.

Mr Hazzard: Point of order: That is 82 questions to which the Minister did not know the answer. So we had to wait until he got his answer. If this Minister cannot give a relevant answer then he should sit down and say nothing.

Mr SPEAKER: Order! I call the honourable member for Wakehurst to order. If there is a repetition of that behaviour I will direct that he be removed from the Chamber.

Mr WATKINS: Already in my tours of police stations across New South Wales I have concluded that many of our police, who are doing a fantastic job out there defending our communities, need better places to work. That is clear. This Government is committed to improving the accommodation of our police wherever they serve, in metropolitan areas or in country areas. As to Orange, the Government is committed to providing appropriate police facilities in that beautiful part of our State. I understand that conditions at the station at Orange are considered overcrowded. I do not want, and the Government does not want, our serving police working in accommodation that does not suit the important job they do for our community. More than \$270,000 has been spent on internal changes to Orange police station since 1997: a BAS room, an ERISP room, gun cleaning areas, and a new charge dock have been provided. In the past 18 months the station area has been repainted and carpeted as part of the general maintenance program.

Mr R. W. Turner: Point of order: We were not referring to the police officers; we were referring to the building, the condition of which has gone beyond the painting and patching up stage.

Mr WATKINS: I thank the honourable member for Orange for his advice. I know that he, like all members in this Chamber, is committed to supporting local police. I have already had meetings with the previous Minister for Police and I have had discussions with other Ministers. I had a very positive meeting with the former Minister for Police this week. The Government and I are committed to improving the lot of police stations across the State. We will. Now I am awaiting an audit report from police properties about the state of police stations right throughout this State.

KENTHURST ANIMAL ATTACK

Mr LYNCH: My question without notice is to the Minister for Regional Development, representing the Minister for Agriculture. What is the Government's response to community concerns about an alleged animal attack in the Kenthurst area?

Mr CAMPBELL: Over the past three decades there have been some 60 separate reports of a large cat-like animal attacking livestock and people in Sydney's west, north west, the Blue Mountains and Lithgow. The animal has been described as being like a panther. Sightings have been reported to NSW Police, the National Parks and Wildlife Service, the Moss Vale Rural Lands Protection Board and NSW Agriculture. These sightings range from distant glimpses to close encounters. Other claims include large scratches on trees and instances where goat and sheep carcasses were found in trees. Video recordings were made on a few occasions, but they proved inconclusive.

Mr Armstrong: Point of order: The Department of Agriculture spent some hundreds of thousands of dollars investigating reports of large animals in the Blue Mountains. Why not put the effort into getting drought declarations right for farmers, instead of talking about a black panther from somebody's imagination.

Mr SPEAKER: Order! There is no point of order. I call the honourable member for Lachlan to order.

Mr CAMPBELL: If the honourable member for Lachlan's mates in Canberra had approved the applications for the Southern Tablelands, farmers in that area would have been getting that special assistance. In 2001 there was extensive footage broadcast on national television of a large black creature in a Mort Street backyard in Lithgow. A local woman, Gayle Pound, filmed it. Sightings of a monster cat around Lithgow sparked community fear. In response, the NSW Agriculture Protection Unit conducted a low-level inquiry. Officers tested droppings found in the area but could not conclusively identify the samples. The National Parks and Wildlife Service used an expert tracker, but it was also unable to draw conclusive evidence. In January last year the State Government officially announced that NSW Agriculture had decided to wind up its investigation into the so-called Lithgow panther. However, it said it would reopen the matter if new material became known. It seems the panther is back. On 20 March this year a 17-year-old Kenthurst boy came forward with deep lacerations on his right arm from what he said was an encounter with a black panther.

[Interruption]

It is unfortunate that members opposite do not see this as being serious because a 17-year-old from Kenthurst believes that he was injured by a black panther. Following that report, a public meeting was held at Windsor council chambers on 28 April.

Mr SPEAKER: Order! The Chair is pleased that so many members are enjoying question time. However, I am sure other members would find it more enjoyable if they could hear the Minister's answer.

Mr CAMPBELL: A wide range of people including council staff, the mayor Councillor Rex Stubbs, concerned residents and Moss Vale Rural Lands Protection Board staff attended the public meeting. They resolved to ask NSW Agriculture to reopen investigations into the possible presence of a large, cat-like creature. Following the meeting NSW Agriculture decided to reopen investigations, but at a low level, without incurring major cost. The new work will build on earlier work undertaken by NSW Agriculture. Over the next few weeks NSW Agriculture will review any new available evidence and will analyse any hair and paw prints, and will seek help from residents in affected areas.

For the record, it is unlikely that there is an escaped panther or large cat from a circus, as some people have speculated. However, we take this issue seriously because the presence of a large cat or cats has not been disproven. Large areas of the Great Dividing Range represent an ideal habitat for such animals. There are claims of an animal in the Kenthurst area. What we do know is that if these animals exist they represent a real threat to human safety and to the safety of livestock and domestic animals. It is a threat that NSW Agriculture takes seriously, and that is why a new investigation is under way.

DEATH OF MRS SARITA YAKUB

Mr O'FARRELL: My question is directed to the Minister for Health. Will the Minister explain why it took almost four months for Mr Mohammed Yakub to be contacted by the Health Care Complaints Commission

following the completion of a report in January, which found that his wife was never called for treatment despite the claim of New South Wales Health at the time that she was?

Mr IEMMA: Honourable members will be aware that on 3 August last year Mrs Yakub died from meningococcal disease at Blacktown hospital. The issues surrounding Mrs Yakub's death have been the subject of some debate.

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order.

Mr IEMMA: In light of the varying accounts of what happened at Nepean Hospital, the former Minister quite rightly immediately referred this matter for an independent review. I spoke with Mr Yakub on Monday night and, without going into the details of my conversation with him, because I am not going to make any attempt to politicise what happened in this tragic case, I can confirm that during our conversation Mr Yakub agreed to the release of the independent clinical review. I am more than pleased to table that.

Mr SPEAKER: Order! I call the honourable member for North Shore to order.

Mr IEMMA: Professor Malcolm Fisher, Director of Intensive Care at Royal North Shore Hospital, and Jane O'Connor, who is a clinical nurse consultant, undertook the review. The recommendations of the clinical review team report were discussed with Mr Yakub by both the clinical review team and Department of Health officers. I advise that the review found the initial reports that the medical staff at Nepean called Mrs Yakub were incorrect, as the Deputy Leader of the Opposition stated. However, the fact that Mr and Mrs Yakub left the emergency department and ultimately Mrs Yakub was driven home is not in dispute. Nonetheless, even following the review Mr Yakub remained distressed about what had occurred.

The review was sent to the State Coroner on 17 December. While finding no need to further investigate any criminal activity, the Coroner suggested that Mr Yakub be advised of his right to lodge a complaint with the Health Care Complaints Commission [HCCC]. NSW Health briefed Mr Yakub on this matter and Mr Yakub subsequently asked that the matter be referred to the HCCC. In accordance with his wishes the Director-General of NSW Health referred the matter to the HCCC on 31 January 2002.

Mr O'Farrell: He was not contacted.

Mr IEMMA: I will come to that in a second—just calm down. I seek leave to table the report of the clinical review into the presentation of Sarita Yakub to Nepean Hospital on Saturday 3 August 2002.

Leave granted.

Report tabled.

The Director-General of NSW Health wrote to that effect to the HCCC. While appreciating the workload and complexity of many matters and it being referred to the HCCC, I have asked the HCCC to consider proceeding with this matter as a matter of priority, given the level of distress and concern that Mr Yakub has expressed both publicly and to me.

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order for the second time.

Mr IEMMA: I can also confirm that a number of steps have been taken with regard to recommendations outlined in the report on the operation of emergency departments.

STATE ENVIRONMENTAL PLANNING POLICY 71

Mr NEWELL: My question without notice is to the Minister for Infrastructure and Planning. What is the Government's response to community concerns about State environmental planning policy 71?

Mr KNOWLES: As honourable members know, State environmental planning policy 71 was introduced to reinforce the Premier's announcement in June 2001 of an \$11.7 million coastal protection package. The policy then was designed to ensure a consistent and strategic approach to coastal planning and to reinforce the principles of sustainable development. In part, the policy requires certain development applications to be referred to the Department of Urban and Transport Planning for review and comment. The focus of the policy is

to give the State a key role in deciding major and sensitive developments along the precious coastline of New South Wales, making sure that we do not replicate in this State some of the travesties that we see in places like the Gold Coast.

When the former Minister for Planning announced the State plan he made it clear that it would be regularly reviewed and updated. In my view that process needs to be rapidly accelerated. The practical application of SEPP 71 to date has seen the Department of Urban and Transport Planning bogged down in the assessment of relatively minor matters, which in my view are best handled at a local council level. For example, in the Tweed shire alone 105 development applications have been referred to the department from the local council for consideration.

Mr O'Farrell: It is your SEPP.

Mr KNOWLES: And I am changing it. Of that number, 17 were development applications for backyard swimming pools, 41 were alterations and extensions to existing residential dwellings, while 13 were the construction of new homes in residential areas. The list goes on with examples of trivial developments such as pergolas, awnings and barbeques—hardly examples of major developments requiring the intervention of the State and hardly matters to tax the skills of the average town planner. They are hardly matters that should take up the time of a government department, which should be focusing on the strategic end of policy rather than adopting a de facto local government role.

Statewide more than 700 development applications have been referred to the Department of Urban and Transport Planning under the sensitive coastal location provision of SEPP 71. These must all be assessed, which takes time and costs money and labour. However, out of those 700, only three have been called in. That is hardly an impressive strike rate. It is less than half of 1 per cent of all the development applications referred. It is clearly not a good use of the department's time and skills. It frustrates local councils and it loses sight of the State plan.

The commonsense approach is to move the department out of this level of detail and instead provide strategic direction and certainty for councils and local communities. In fact, it was most interesting that on my recent visit to the Tweed with the honourable member and Cabinet the groups that supported SEPP 71—typically environmental and community groups—and also those opposed to SEPP 71 both made it clear that they expected a State policy to deal with controversial and environmentally sensitive developments, not backyard swimming pools and dividing fences. With that in mind I advise that SEPP 71 is now being reviewed to end the process of councils referring hundreds of development applications to the department, only to have the vast majority come back in the next couple of mail runs with absolutely no added value. When reviewed, the SEPP will define the types of development on the coastal strip in which the State should be involved. It will allow councils to carry out their jobs with greater certainty and ensure that the department focuses on the strategic and policy end of the picture.

Mr SPEAKER: Order! I call the honourable member for Davidson to order.

Mr KNOWLES: I have been advised that the revisions to SEPP 71 will be completed and ready for exhibition by the end of the month. In a similar vein, I can foreshadow the same approach to other State plans and instruments. My intention is to make the system simpler and more effective, providing more certainty and commonsense. At present, under the new leadership of Jennifer Westacott and Andrew Cappie-Wood, the department is undertaking a critical review of its role, with the objective of changing from being a de facto local council to an organisation capable of providing clear strategic direction for implementation at the local level.

SYDNEY WATER QUALITY TESTING

Mr HAZZARD: My question without notice is directed to the Minister for Energy and Utilities. Will the Minister explain why, when sewer lines overflowed throughout Sydney last Tuesday week, Sydney Water changed its standard unit of measurement for giardia from a figure of over 100 litres to a figure measured over 105 litres and 106 litres for just that one day?

Mr SARTOR: I am glad that the honourable member for Wakehurst has changed the subject from providing a whole lot of sewer treatment plants on the North Shore, which he advocated on a number of radio stations at the weekend as part of his solution to preventing wet weather high rainfall overflows into Sydney Harbour. I offered to hold, with the shadow Minister, public meetings with the residents of Mosman, Cammeray and other places, to discuss that.

Mr SPEAKER: Order! I call the honourable member for Lane Cove to order.

Mr SARTOR: Sydney Water and the Sydney Catchment Authority have a comprehensive program for monitoring cryptosporidium and giardia. Under the current program, 200 samples are collected and analysed per month. Samples are taken and analysed six days a week from Lake Burragorang and treated water at Prospect, Warragamba and Orchard Hills water filtration plants. The Freshwater Beach water filtration plant has a lower risk of pathogens and, therefore, is sampled weekly. The members opposite are interjecting. I am happy to have any assistance. Sydney's pathogen monitoring program is more comprehensive than any similar program carried out—

[Interruption]

Members opposite are not a patch on Kathryn Greiner.

Mr Brogden: Point of order: I remind the Minister that this is the State Parliament, not the town hall.

Mr SPEAKER: Order! There is no point of order. The Leader of The Opposition will resume his seat.

Mr SARTOR: I was hoping the standard would have improved when I moved from the town hall. I was hoping, but I have nightmares. I see not one face of Kathryn Greiner, I see about 20.

Mr Brogden: You must be having nightmares, Frank!

Mr SARTOR: That is exactly right.

Mr SPEAKER: Order! The Minister will desist from responding to interjections.

Mr SARTOR: Isn't that incredible! Members opposite have ridiculed giving doctors the right to help people with acute, serious suffering. It was a disgusting performance yesterday. Either members opposite have short memories or they do not know any people who are suffering. Sydney's pathogen monitoring program is more comprehensive than any similar program carried out by other water authorities in Australia. The results of Sydney's pathogen monitoring are published on Sydney Water's web site. The pathogen laboratories accredited to NATA requirements have benchmarks.

Mr Hazzard: Point of order: My point of order relates to relevance. Thus far the Minister has not answered my question as to why he allowed Sydney Water to fudge the figures when sewage was getting into Sydney's waterways last Tuesday. We do not want the Minister's prepared script; we want an answer.

Mr SPEAKER: Order! There is no point of order. The Minister is answering the question he was asked. The honourable member for Wakehurst will resume his seat.

Mr SARTOR: I thank the honourable member for Wakehurst for his further assistance. I was about to add that a procedure and standard process are followed. However, I will follow up the specific allegation made to see whether it has any substance.

BALI BOMBING VICTIMS MEMORIAL

Ms KENEALLY: My question without notice is addressed to the Premier. What is the Government's response to Randwick City Council's decision to build a permanent memorial to the New South Wales victims of the Bali bombing?

Mr CARR: It is not yet seven months since the news came from Kuta Beach that touched us all. It seems that every Australian knew someone who was there that night in Bali. Every Australian shared the shock, and then the suspense, as the names of the dead and injured were slowly established, the shattered bodies accorded their identities and their relatives told of their fate. However, no community shared more of that awful night, and the paralysing horror of the days that followed—days of denial, of outraged frustration, of despair and fear—than my own extended community in Coogee, Randwick, Clovelly and Maroubra.

Twenty of my neighbours, acquaintances and friends, people of my home region, the region in which I have lived all my life, more than one-fifth of all the Australians who died on that spot in Kuta or in hospital

wards back home, I speak of today respectfully, nostalgically and sadly: a mother and daughter, a brother and a sister, another mother and a daughter, two team mates from Randwick netball, a young star of Souths Juniors, and, appallingly, five of the Coogee Dolphins. They are linked in death and memory and local history as they never were in life and in happier times. On 12 April I unveiled a plaque commemorating these victims. Now to join it nearby will be erected a memorial to all those killed and injured in Bali—a commitment made unanimously by this Parliament.

The memorial will be in place in time for the first anniversary of the bombing on 12 October, and will be located at the northern end of Coogee Beach at a site to be determined. It is appropriate that the New South Wales Government assist in the commissioning and installation of a work of art in their honour, in partnership, dollar for dollar, with Randwick City Council. It is my great pleasure to announce that the Government will contribute \$50,000 for this project. Randwick council has approached seven people skilled in sculpture and landscape design to submit their concepts for this essential, redemptive act of commemoration of these victims. Together, we will work with the families of victims to select an appropriate design.

The bombing was a hateful act that took these innocents from us while they were on a holiday they had long looked forward to. However, it showed in that awful searing week the best of Australia: the volunteers who searched the rubble, the family members who came to fetch the dead, the courageous young men who helped strangers out of the inferno and themselves did not survive. The memorial should tell of these things, of these enduring stories of irreducible Australian goodness and courage in the teeth of great danger. I commend to this House a project that is appropriate and worthy.

LOCAL GOVERNMENT BOUNDARY CHANGES

Mr FRASER: My question is addressed to the Premier. When the Government proceeds with major boundary adjustments to local government areas, who will bear the costs arising from the boundary change process, including restructuring the management and business systems associated with administering the adjusted areas? Will it be the Government or ratepayers?

Mr CARR: Many councils want to adjust boundaries because they believe they can get a better deal for their ratepayers. The advantages that flow from that will be reflected in better services and lower rates. The matter can be determined at the time by the appropriate authorities.

ILLEGAL NON-CITIZENS SEXUAL EXPLOITATION

Mrs PALUZZANO: My question without notice is directed to the Minister for Women. What is the Government's response to community concerns about the trafficking of illegal non-citizens for the sex industry?

Ms NORI: Many of us are aware of the tragic circumstances surrounding the life and death of Ms Phoungtong Simaplee. However, before I talk about the issue in general and a possible response by State and Federal agencies, particularly Federal agencies, I want us to reflect on this specific case. Ms Simaplee, by her own admission before she died, is believed to have been sold and brought to Australia as a 12-year-old from Thailand. She was enslaved as a prostitute for 15 years. In September 2001 the Department of Immigration and Multicultural and Indigenous Affairs picked her up during a raid on a brothel and detained her as an illegal immigrant, which she was.

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order for the third time.

Ms NORI: She died from pneumonia and heroin withdrawal three days later, weighing a mere 38 kilograms. Her case has come to light recently because the coronial report has just been handed down. But I do not want us to remember this as the tragic death of a woman in her twenties. I want us to cast our minds back to a little 12-year-old girl who first came here and was forced to have sex with men as a prostitute. She was not a piece of meat; she was a person, a child. In fact, she was someone's daughter.

I believe that at least some of the men who paid to have sex with her must have had daughters of their own who at some time in their lives were 12 years of age. But I wonder if those men ever reflected on that. Some of them must have realised what was going on, but apparently not one of them who had used her body thought to notify the authorities to help her and others like her. I say to any man who ever had contact with her and saw how young she was and/or knew of her predicament: You stand condemned as a coward. And I say to men who in future use women in this way and become aware of the involuntary, prisoner-like status of these

women: If you do not act, you will be condemned to suffer in your own conscience. In those great words of T. S. Eliot, "after such knowledge what forgiveness". Of course, there should be no forgiveness.

How hard is it for a man in these circumstances to stop at a public phone on the way home from the brothel and phone the police to inform them of what is going on? I have instructed the Department of Women to immediately establish a New South Wales working party of relevant State government agencies, including the Ministry for Police, Attorney General, Health, and Community Services, to work with representatives of the sex industry to ascertain the extent of the problem in New South Wales and any measures that State authorities can undertake to alleviate the plight of women who may be in this position.

Mr SPEAKER: Order! I remind the Deputy Leader of the Opposition that he is on three calls to order.

Ms NORI: The working party will also report to the Federal Government with recommendations through the Ministerial Council for Women to continue to pressure the Federal Government to act on behalf of all these women. Legislation was introduced a couple of years ago but to date there have been no successful prosecutions. The reason for that is very simple: these women are terrified of their former captors. When they are picked up by Immigration they are most reluctant to talk to the Australian Federal Police because they know that they will be put in a detention centre and deported, and that they will not get the health care and support they ought to get.

I want this working party to convene because I want it to make some recommendations. I hope it will draw on the British experience, because when British authorities introduced proper support services for these women they were much more willing to be witnesses for the Crown. They were 50 per cent more willing to take whatever risk it entailed to talk to the authorities, and that resulted in an increase in prosecutions.

The extent of trafficking to Australia is unknown as there are no statistics and, as I said, as yet no successful prosecutions. When one considers that an estimated four million women and girls are trafficked worldwide for either forced prostitution, slavery, or forced marriage, it is not surprising that some of that activity might touch these shores. I am not suggesting it is on the scale that we hear about in Europe, especially in Eastern Europe or in the south of France, but in the past 10 months the Department of Immigration and Multicultural and Indigenous Affairs has identified more than 149 people without valid visas who have been working in the sex industry.

It is interesting to see how these women are entrapped. Some do come here knowing they might work in the sex industry, but many think they are coming here to work as waitresses or in some other innocuous professions. They incur a debt, not only of the airfare but also of the escort, and the escort could be someone who is in debt to the person organising the whole matter. They then have to work off that debt, which might be an arbitrary figure. Sometimes these women are traded between brothels and as they go from one to another the debt increases, so they are under enormous pressure to see as many clients—if that is the polite way of putting it—as possible in the shortest time. Their awareness of safe sex practices is not as good as that of Australian-born prostitutes and they are often under much greater pressure to provide services that do not involve safe sex practices. A lot of health issues arise.

There seems to be some connection between some unworthy immigration agents and the brothel owners. When the debt is finally paid off it seems to be the brothel owners who do then in to Immigration and, apparently, when they are in the detention centres their passports and return airline tickets suddenly materialise, because the brothel owners do not want them around as witnesses. I am not naive but I have often asked myself what kind of people can traffic in women and young girls. What makes a person so devalue the life of another that they can treat them like that? I do not have the answer and I suppose no-one has. It is probably not worth dwelling on; it happens, and we have to do our best to stop it. I look forward to working with the Federal Government through this working party to make sure that this kind of activity does not occur in Australia.

SYDNEY WATER QUALITY TESTING

Mr SARTOR: I have some additional information regarding the question asked by the honourable member for Wakehurst. I am advised by Sydney Water that for water tests to be valid, the test sample must be a minimum of 100 litres. On the occasion mentioned by the honourable member for Wakehurst a slightly larger sample was taken, but, importantly, the member conveniently failed to say that the test results revealed that the giardia reading in the water was zero.

Questions without notice concluded.

SPECIAL ADJOURNMENT

Motion by Mr Scully agreed to:

That the House at its rising this day do adjourn until Tuesday 27 May 2003 at 2.15 p.m.

PRINTING OF PAPERS

Motion, by leave, by Mr Scully agreed to:

That the following papers be printed:

Half-yearly report of the Superannuation Administration Corporation (trading as Pillar Administration) for the period ended 31 December 2002

Report by the Attorney General on applications made in accordance with section 26 of the Workplace Video Surveillance Act 1998 for 2002

Report of the Independent Pricing and Regulatory Tribunal entitled "Sydney Water Corporation—Operational Audit for the year ended 30 June 2002", dated January 2003

Report on the statutory review of the Status of Children Act 1996, dated May 2003

Report of the Youth Advisory Council

Variations of the Receipts and Payments Estimates and Appropriations for 2002-2003 under section 26 of the Public Finance and Audit Act 1983, arising from the provision by the Commonwealth of specific purpose payments in excess of the amount included in the State's receipts and payments estimates

CONSIDERATION OF URGENT MOTIONS

Federal Government University Funding

Dr REFSHAUGE (Marrickville—Deputy Premier, Minister for Education and Training, and Minister for Aboriginal Affairs) [3.18 p.m.]: My motion condemns the Federal Government's higher education budget, which will put university education beyond the reach of thousands of students and families in New South Wales. The motion is urgent because the Commonwealth changes to higher education will result in thousands of students in New South Wales missing out on their chance to get into university. My motion is urgent because the Commonwealth's decision will devastate our young people. It will take us back to the Menzies era, when higher education was for the rich and privileged. My motion is urgent because the Commonwealth's ideological education agenda will saddle our young people with a huge debt burden for years to come, and ordinary families in New South Wales who want to give their children a chance to go to university will now lose that chance. For these reasons, my motion is urgent and should be given priority.

Demountable Classrooms

Mrs SKINNER (North Shore) [3.20 p.m.]: My motion is urgent because it deals with a matter that affects children in their classrooms even as I speak. They are putting up with damp, leaky demountables and they are unable to learn properly. Teachers cannot instruct them properly because the Government has failed to do anything about their plight. The Government promised to upgrade demountables with permanent buildings, but it will not come clean about how many demountables there are. It will not come clean about how much money it is allocating and which schools will get promised airconditioning. This Government tries to keep all that kind of information shrouded in secrecy because it does not want to be accountable for anything.

The matter is urgent because, as I understand it, schools that entirely comprise demountables have not been notified when those demountables will be replaced. I am a member of a school council at a school that does not have one permanent building: all the classrooms are demountables. The school has heard nothing from the Government about when the buildings will be replaced. The buildings have been there for 50 years, so they could hardly be termed temporary buildings. Caringbah Public School and Killara Public School have had demountable buildings for a very long time.

The honourable member for Burrinjuck said that her father was taught in a demountable classroom at Yass primary school many years ago that is still there. The Government promised to replace demountables. It is urgent that it continue to do so because, as we know from recent media reports, routine maintenance is not being done on those demountables. They are now falling apart and cracking at the seams. They have leaky ceilings, and mouldy and frayed carpet. Children have to be kept home from school because they are sick from asthma. One teacher is on permanent sick leave because of respiratory problems.

Members who vote against the priority of my motion will stand condemned. Parents, teachers and students across the State deserve to have an answer from the Parliament about when conditions will be improved. They want a straight answer to these questions: What will the demountables be replaced with? Will they be replaced with new demountables? The Government also needs to come clean on exactly how many of these demountables there are. The Coalition believes that the figure is well over 2,000. Freedom of information requests to date have failed to discover the number. We will persist but if the figure of 2,000 is correct, more than 50,000 students are suffering in these buildings.

My motion is urgent because it is inappropriate that students should have to try to learn in these conditions. Beauty Point Public School, where I am on the school council, is yet to have even a master plan for the rebuilding of the school. The efforts of the very dedicated school council have finally got the Government to agree to it getting its first permanent building—a toilet block. The House must agree that my motion is urgent so the students can have their grievances heard. The Deputy Premier has proposed that the House debate something to do with the Commonwealth Government, nothing to do with primary and secondary education, for which the State Government is responsible. He is refusing to answer questions that are his primary responsibility. It is a cover-up. He will not even come clean about how many demountables there are, what state they are in, the timeline for replacing them, and what sort of notification parents will be given about when work will be done.

Mr Greene: Point of order: The honourable member is asking questions of the Minister that she is quite entitled to ask on other occasions under the processes of the House. Those questions do not need to be asked as a matter of urgency; they can be asked as questions on notice or as questions without notice.

Mr SPEAKER: Order! The speaking time of the honourable member for North Shore has expired.

Question—That the motion for urgent consideration of the honourable member for Marrickville be proceeded with—put.

The House divided.

Ayes, 49

Ms Allan	Ms Hay	Mr Pearce
Ms Andrews	Mr Hickey	Mrs Perry
Ms Beamer	Mr Hunter	Mr Price
Mr Black	Ms Judge	Dr Refshauge
Mr Brown	Ms Keneally	Ms Saliba
Ms Burney	Mr Knowles	Mr Sartor
Miss Burton	Mr Lynch	Mr Scully
Mr Campbell	Mr McBride	Mr Stewart
Mr Collier	Mr McLeay	Mr Tripodi
Mr Corrigan	Ms Meagher	Mr Watkins
Mr Crittenden	Ms Megarrity	Mr West
Ms D'Amore	Mr Mills	Mr Whan
Mr Debus	Mr Morris	Mr Yeadon
Ms Gadiel	Mr Newell	
Mr Gaudry	Ms Nori	<i>Tellers,</i>
Mr Gibson	Mr Orkopoulos	Mr Ashton
Mr Greene	Mrs Paluzzano	Mr Martin

Noes, 36

Mr Aplin	Mrs Hopwood	Ms Seaton
Mr Armstrong	Mr Humpherson	Mrs Skinner
Mr Barr	Mr Kerr	Mr Slack-Smith
Ms Berejiklian	Mr McGrane	Mr Souris
Mr Cansdell	Mr Merton	Mr Stoner
Mr Constance	Ms Moore	Mr Tink
Mr Debnam	Mr O'Farrell	Mr Torbay
Mr Draper	Mr Oakeshott	Mr R. W. Turner
Mr Fraser	Mr Page	
Mrs Hancock	Mr Piccoli	
Mr Hartcher	Mr Pringle	<i>Tellers,</i>
Mr Hazzard	Mr Richardson	Mr George
Ms Hodgkinson	Mr Roberts	Mr Maguire

Pairs

Mr Bartlett
Mr Iemma

Mr Brogden
Mr J. H. Turner

Question resolved in the affirmative.

FEDERAL GOVERNMENT UNIVERSITY FUNDING**Urgent Motion**

Dr REFSHAUGE (Marrickville—Deputy Premier, Minister for Education and Training, and Minister for Aboriginal Affairs) [3.34 p.m.]: I move:

That this House condemns the Federal Government's higher education budget, which will put university education beyond the reach of thousands of students and families in New South Wales.

The Federal Coalition Government's latest budget has dealt a body blow to students and their families in this State. These aggressive higher education measures have destroyed the aspirations of many young people. They demonstrate that the Commonwealth has chosen to disregard the principle that merit and hard work should be the only way to create opportunities and enjoy rewards. Many bright, hardworking young Australians will be the losers, but so will the nation as a whole. Now, because of the actions of John Howard, we have gone back to the future, that is, back to a time when university education was for the rich and privileged in our society. I am reminded of a time when it was out of the question for people from disadvantaged backgrounds to go to university even though they had the ability to do so. It was a time when average families could not afford to send their children to university.

The approach taken by the Federal Government reflects its determination to pursue a right-wing ideological agenda in higher education. There is no thought of equity or social justice in the Coalition's education policies. This budget completes the shift to privatised higher education that began when the Coalition came to office in 1996. The cuts to university grants since then have been savage—a total of \$5 billion nationally. The Federal Government has decided to meet the challenge of providing higher education in the twenty-first century by abrogating its responsibility to students and their families.

Universities have been pushed into the marketplace offering commodities to be purchased at a high price. This is the market model of higher education that shifts costs from the Commonwealth to individual students and their families. The Commonwealth's so-called reforms to higher education mean that the capacity to pay will displace the capacity to learn as the primary method to access higher education. That agenda favours the well off and treats with indifference ordinary Australians, particularly those living in regional and outer metropolitan areas.

Public investment in Australian universities has fallen to 0.8 per cent of gross domestic product. Within the Organisation for Economic Co-operation and Development [OECD], only Italy, Korea and Japan invest less of their national wealth in their university systems. Australia's public investment in its universities not only is low by international standards but is falling while the rest of the world increases its investment. Between 1995 and 1999 Australia's public investment in its universities declined by 12 per cent—more than the decline in any other nation. Under the Federal Coalition Government, universities are going backwards while virtually every other developed nation has increased its investment by an average of 17 per cent.

University enrolments across the developed world have increased, but in Australia they have stalled. Between 1995 and 2000 Australia had the second lowest increase in enrolment rates among OECD countries. It was twentieth out of twenty-one countries, ahead of only Turkey. Enrolment rates in other OECD countries grew by an average of 27 per cent between 1995 and 2000, but in Australia the increase has been only 6 per cent, almost entirely in 1996-97. In 2002, up to 20,000 students missed out on a place, and this year it has been estimated that 25,700 young people have missed out.

We all know that Australia urgently needs teachers and nurses, but the budget provision for training places in those areas is woefully inadequate. By the end of 2007 this budget will have provided only 2,600 new places for trainee teachers and nurses across the country, and most of those places will not come on line until 2007. In New South Wales this year the number of unsuccessful eligible applicants for trainee nurse places was almost 500, and for trainee teachers it was almost 3,000. That is unmet demand for 3,500 places for potential teachers and nurses in New South Wales alone, yet this budget provides for only 2,600 places for the entire country, and not until 2007.

Thanks to the Federal Coalition Government, Australian students and their families now pay among the highest study costs in the world. Fees paid under the Higher Education Contribution Scheme [HECS] have increased massively under this Federal Government, and student debt now exceeds \$9 billion. That debt burden is set to increase significantly. The Federal Department of Education has estimated that it will be nearly \$12 billion by 2005-06. That is thanks to the Coalition shamefully seeking to absolve itself of the responsibility of adequately funding education—by deregulating HECS, by increasing the number of full-fee paying places in undergraduate courses from 25 per cent to 50 per cent, and by introducing a student loan scheme called the Higher Education Loans Program or HELP—something our students will need plenty of after this measure is implemented. They will need much more help than Dr Nelson is offering.

Universities will now be able to charge up to 30 per cent more than the existing HECS rate if they feel the market will pay. For arts and visual arts courses, HECS fees could increase from the current annual rate of \$3,680 to \$5,010. Fees for law, medicine, dentistry and veterinary science courses could increase from the current \$6,136 to \$8,355. These totally regressive changes are being brought in by a Minister who got his degree for free—thanks to the vision and foresight of the ALP, a party he once belonged to. The number of full-fee paying places that can be offered to domestic undergraduate students will be doubled. Loans up to \$50,000 will be available for full-fee paying students. Using the 2003 consumer price index on rate of 3.1 per cent, the interest rate would be 6.6 per cent this year. This is a tough commercial rate when one considers it is higher than the Aussie Home Loan interest rate.

I ask members to consider what a full-fee paying student might pay. An arts degree could cost a student \$36,900, a law degree could cost \$85,000 and a medical degree could cost up to \$100,000. The clear message of the so-called HELP loans initiative is that if a student is not from a well-off background this loan will not help the student get into law, or medicine or any other high-cost degree. With a cut-off at \$50,000, loans for these kinds of degrees will go only to those who have the capacity to pay the rest. I would suggest that not many families on low to middle incomes would be able to afford such costs. I draw the attention of the House to the comments of Bob Gotterson, QC, the incoming President of the Law Council of Australia, reported in last Saturday's *Sydney Morning Herald*. He said:

Studying law at university runs the risk of becoming an elitist option available only to the wealthy as a result of these changes to higher education funding.

This will hold true for high-demand degrees in general, as those from wealthy backgrounds avail themselves of easier access via greater capacity to pay. As if the imposition of such huge fees is not enough, a further inequity in the Commonwealth's vision allows students to buy their way into courses where they have not made the grade required. Students who can pay full fees up front can obtain entry with university admission index scores up to five points below the cut-off required for other students. In other words, if students have the money they do not need the marks: they can jump the queue at the expense of other students who do not have the capacity to pay and who would otherwise obtain entry purely on merit. For students from more modest backgrounds, these changes will result in the accumulation of large levels of debt well into their adult lives, keeping them out of the housing market and delaying their opportunity to have families. Unless honourable members are part of this current Federal Government, they cannot ignore the strong disincentive to go to university that is built into these new funding arrangements for the less well off in our community.

Today university vice-chancellors have condemned the Federal Government's package. Today's *Sydney Morning Herald* reports that the most serious of the university chiefs' concerns are the lack of help for low-income students and the burgeoning levels of student debt. They are in agreement with me when they say that the scholarships being made available to low-income students are a "drop in the ocean". In 2001 there were more than 21,000 low-income students in New South Wales universities. Next year Dr Nelson proposes to provide 2,500 scholarships of \$2,000 Australia-wide. These will not provide meaningful assistance to lower income students in New South Wales whose degrees will cost them \$50,000. I challenge members of the Opposition to think about their constituents, their families and their children who might be thinking about a university degree—and to join with us in condemning the Commonwealth's policies. The tax cuts were not worth it. The people of Australia say: Put it back into Medicare and higher education.

Mrs SKINNER (North Shore) [3.43 p.m.]: How could the Minister for Education and Training get it so wrong? The initiatives introduced by the Federal Government through the recent budget will put university education within the reach of many more thousands of students than the number of students currently able to attend university. This is clearly an attempt by the leader of the left faction of the Labor Party to create a class struggle, an elitist warfare image of universities. The truth of the matter is that more students will now be able to attend university. Under the initiatives recently announced by Brendan Nelson, more money will now be

invested in universities than has occurred for a very long time. The Minister spoke about disadvantaged students. I will outline some of the initiatives in the Federal Government's package that will benefit students, particularly those from disadvantaged backgrounds. Additional funding will be provided to institutions to support students from designated equity groups—for example, students from low-income backgrounds and indigenous students.

New Commonwealth learning scholarships will be provided to students from financially disadvantaged backgrounds, to further assist them with educational and accommodation costs. Under the Higher Education Contribution Scheme [HECS], students will not be required to pay their debts until their income reaches the minimum threshold of \$30,000 from 2005. Eligible students wanting to attend a private institution who do not have the means to pay up front will be assisted to undertake study. Eligible students will have the opportunity to access an income-contingent loan to assist them to undertake a semester or two of their course overseas. The Commonwealth will provide greater support to indigenous students through an increased contribution to the Indigenous Support Fund. The reforms will encourage and enable institutions to support their own institutional scholarship scheme, to assist students from poor backgrounds. The Minister quoted a number of academics, and I will do so as well. A media release issued by Deakin University on 13 May read:

Deakin welcomes higher education reforms

The Federal Government reforms to higher education—*Our Universities: Backing Australia's Future*—were welcomed by Deakin University tonight.

Vice-Chancellor Professor Sally Walker said: "There are a number of measures that will help Deakin advance its distinctive mission, particularly in relation to rural and regional support, teaching and learning excellence and partnerships.

"The University is pleased that the reforms will allow it to maintain its commitment to continuing to develop its research.

"Deakin's strategic plan commits the University to engaging with rural and regional communities and to achieving excellence in teaching and learning."

A media release issued by Southern Cross University on 13 May headed "Southern Cross University Welcomes University Budget Measures" read:

Higher Education initiatives announced in the Budget have been welcomed by one of Australia's youngest and most innovative regional institutions, Southern Cross University.

Vice-Chancellor, Professor John Rickard, said tonight that the government should be congratulated for a package that supports high quality education in regional Australia, encourages university collaboration with industry and community, backs our innovation and research skills, and addresses the challenges facing rural, regional and indigenous students.

A media release issued by the Council of Australia's University Presidents on 13 May headed "Government Adopts Broad Thrust of AVCC Reform Package" read:

The Australian Vice-Chancellors' committee (AVCC) has commended the Federal Government for reforms which will change the direction of Commonwealth funding of the higher education sector.

"Our universities have increasingly strained against inadequate resources and inflexible policies", said the AVCC President, Professor Schreuder. "This package goes a long way in tackling both of those problems by the outcomes of the Nelson Review. That is most welcome."

A media release issued on 13 May and entitled "Higher education package deserves support" read:

The Chair of the Group of Eight universities Professor Alan Gilbert has congratulated the Minister for Education Dr Brendan Nelson on a higher education reform package that, on preliminary analysis, provides Australia with a once in a generation opportunity to create an internationally competitive higher education sector.

I refer to an article by Professor Alan Gilbert, the Vice-Chancellor of the University of Melbourne, which appeared in the *Australian* on 15 May. It stated:

The reforms mean the higher education sector can now become internationally competitive ...

He then talked about the ambitious higher education reform package. He said:

Getting to this point is a significant political achievement ...

It will be a tragedy for Australia's universities and, indirectly, for Australia's prospects of remaining at the forefront of knowledge-creation, innovation and technological development in an emerging global knowledge economy, if we fritter away this once-in-a-generation opportunity to create an internationally competitive higher education sector ...

Recent work by the Melbourne Institute of Applied Economic and Social Research demonstrates that there is a high private rate of return from even a generalist degree. If the lifetime learning capacity of the average university graduate greatly exceeds that of a non-graduate from an otherwise comparable background, it is reasonable for the beneficiary to bear some of the cost, rather than simply expecting all taxpayers, including non-graduates, to foot the entire bill.

The key test of good policy, then, is whether appropriate provision is made to ensure that qualified Australians unable to meet the up-front costs of a higher education can still gain access to a place in an Australian university. The Nelson reform package goes a long way towards passing this test.

The principle of deferred liability that has operated in relation to HECS will be extended to Federal government loans of up to \$50,000, the repayment threshold for all education loans will be set at an annual income of \$30,000, and a range of access scholarships will be created to assist students from lower socioeconomic status backgrounds meet accommodation and other indirect costs associated with university enrolments.

Those are the initiatives that I outlined earlier. In conclusion, Professor Gilbert stated:

This package has the potential to inject perhaps \$10 billion into the funding of Australia's universities over the next decade; its critics need to face up to the political and fiscal implications of securing comparable funding from public outlays over the same period.

Professor Gilbert has got it right. This is an innovative, bold initiative by the Federal Government—and the State Government should be applauding it. The Coalition certainly applauds it. I move:

That the motion be amended by leaving out the words "condemns" and "beyond" with a view to inserting instead the words "welcomes" and "within".

The House will now have the opportunity to send a message to the Federal Government that it supports higher education, that it supports the notion that more students should have access to higher education, that it supports the notion that we need to take measures to make ourselves competitive in an international scene and that we need to be a smarter country. We need to encourage students to undertake higher education to become smarter so our country can take its rightful place on the international stage. [*Time expired.*]

Mr MARTIN (Bathurst) [3.53 p.m.]: I support the motion moved by the Minister for Education and Training. The Government will not be taking the lazy option of reading from press releases and selectively quoting from them. The Commonwealth Government's higher education budget contains very little for rural and regional universities. Despite the Commonwealth Government's lofty claims of a funding boost for regional universities, the package is more notable for what is left out. First, more than a dozen universities have to share the \$123 million set aside from this budget over a four-year period. I have grave doubts that this funding will be enough to compensate universities for the new market-driven reforms being pushed by the Commonwealth Government.

Even more appalling is the fact that three of the regional universities in New South Wales are excluded from the regional university funding loan: the universities of Western Sydney, Newcastle and Wollongong. The Government supported those universities through the Commonwealth Government's review but, despite a strong case put forward by each of them, their claims have been dismissed. I know that many in the sector have been forced to take a pragmatic view that it is better than nothing. However, let us consider the implications of this against the Commonwealth's other reforms. The regional funding will not be enough for rural and regional universities to keep pace with their big city counterparts. Only the sandstone universities will be able to afford to charge 30 per cent more for their Higher Education Contribution Scheme [HECS] fees or full fees for these courses.

Mr SPEAKER: Order! Members of the Opposition will have the opportunity to contribute to the debate at the appropriate time.

Mr MARTIN: Rural and regional universities such as the University of New England, Southern Cross University and Charles Sturt University—whose board I sit on—have higher operating costs. They face the barriers of geographic distance, dispersed campuses and fewer economies of scale than city-based institutions. I notice she did not quote the Vice-Chancellor of Charles Sturt University's press release. She took the lazy way out. A high proportion of their students are from poorer backgrounds.

Mr Roberts: Point of order: Could the honourable member for Bathurst be directed to refer to my colleague the honourable member for North Shore by her correct title, not as "she" or "her". The honourable member for Bathurst has been in this House long enough to know the forms of the House. I am a new member, but I know the rules.

Mr SPEAKER: Order! There is no point of order. I did not hear the honourable member for Bathurst refer to the honourable member for North Shore by name.

Mr MARTIN: One of the critical missions of these universities is to attract students to higher education, and to provide them with support and encouragement to enable them to complete their degrees. Dr Nelson claims that higher HECS or full fees will give universities greater flexibility to raise revenue. It is hard to see how many rural and regional universities can avail themselves of this option and maintain their crucial role in raising equity in higher education. That has been forgotten by the Coalition. The average enrolment of students from low socioeconomic backgrounds across Australian universities is just under 15 per cent, at 14.8 per cent. Rural and regional universities consistently exceed this figure. At the University of New England, for instance, the figure is 18.5 per cent. More than 60 per cent of all domestic students at Southern Cross University are from rural or isolated areas, as against a national average of just over 19 per cent.

It is an invidious choice for these institutions: make students pay more and effectively kill the educational aspirations of rural and regional communities, or not raise charges and risk losing ground with city-based universities. The Opposition has ignored that issue. We are staring down the barrel of a two-tiered higher education system, giving an advantage to inner metropolitan universities over rural and regional universities. This strikes at the heart of equitable access to tertiary education, which is supported by this Government. The Commonwealth Government's package will have a devastating impact on local economies. National Party members of this House—ever decreasing as they are—claim to represent rural and regional communities. They should be ashamed of what these changes will do to rural and regional communities.

The New South Wales Government estimates that regional universities and their students inject a total of \$817 million of direct expenditure into their rural economies each year. When the flow-on of economic impacts are taken into account, this expenditure results in value adding of \$1.1 billion in regional New South Wales each year. That is what is at risk. It generates more than \$28,000 full-time equivalent jobs in regional New South Wales. We have just heard excuses from the Opposition for what is coming out of Canberra. The Federal Government is not addressing the problems in rural and regional New South Wales. We need leadership in relation to health and education, but we will not get it from the Coalition. [*Time expired.*]

Mr APLIN (Albury) [3.58 p.m.]: I support the amendment moved by the honourable member for North Shore. The honourable member for Bathurst referred to universities in my electorate and in my neighbouring electorate. I inform him that those universities are particularly happy with the procedures of the Federal budget. In fact, the education reforms the Federal Government announced last week drew a response from the Vice-Chancellor of Charles Sturt University [CSU]. Charles Sturt University has a campus in Albury and in Wagga Wagga. Professor Ian Goulter was reasonably pleased with the reforms. He said:

It gives us the capacity to go forward and grow. It is a very complex package and needs very careful analysis...

I'd say on balance it is good for CSU.

I endorse that. The Vice-Chancellor of Southern Cross University, Professor John Rickard, said:

... the government should be congratulated for a package that supports high-quality education in regional Australia, encourages university collaboration with industry and community, (and) backs our innovation and research skills...

That is the theme that comes through. I spoke about this issue last night during my inaugural speech. I shall now turn to some of the views that have been expressed. Since 1974, when the Commonwealth assumed responsibility for funding higher education, universities have received only a very small portion of their income from State governments. In 2000 this amounted to 1.5 per cent of the total operating revenue of universities. However, a number of State government submissions note that they contribute in other ways. For example, the Queensland Government provides land for new campuses and has established learning centres that universities can access in regional communities. The Queensland Government recently announced a \$100 million Smart State Research Facilities Fund over a period of five years. The purpose of the fund is to stimulate innovation in Queensland.

The Western Australian Government has provided funding in the form of direct grants and loans to improve university access in regional areas. In Victoria, across the border from my electorate, in 1993 the Government introduced its Making Places initiative to reduce the level of unmet demand for higher education. Under this initiative the Victorian Government funded an additional 4,475 new higher education places during 1993 and 1994, and provided pipeline funding until the end of 1997 at an estimated cost of \$126.8 million.

Under an agreement with the Commonwealth Government, Victorian universities also received a Higher Education Contribution Scheme [HECS] reimbursement for all students holding a State-funded place, in addition to the funds provided by the State for those places.

Where is New South Wales? New South Wales did not receive a mention because of its insignificant contribution compared with other States. That is shameful. Only last month the Victorian Government snaffled one of the institutions in my electorate, the Murray-Darling Freshwater Research Centre. That centre, based on the campus at Charles Sturt University at Albury, will shift across the border. It is no big deal for the researchers; we retain in our region that centre of excellence. The major reason for this move is that the Victorian Government allocated funding to Latrobe University. The community is concerned that New South Wales lost the bid. The community in Albury was hoping that Charles Sturt University would become a centre for environmental excellence and I pray that has not been jeopardised.

Regional universities are significant beneficiaries under these new measures. Universities, such as Charles Sturt University, are major employers in regional areas and create flow-on effects in the form of development, research and funding. Research funding acts as a catalyst in the development of the region. It raises regional educational aspirations and participation in higher education. More important, it plays a role in regional economic planning. This is where State government funding can become important. It is not a case of blaming the Federal Government but of looking introspectively into what we are failing to do to develop our own educational facilities and supporting our own regional areas. Regional universities do receive a significant boost; it is the way the funding is applied. The honourable member for North Shore quoted extensively from the Vice-Chancellor of the University of Melbourne, Alan Gilbert. I add:

Nelson is to be commended for facing up to the reality that existing public policy settings are leading slowly but inexorably towards mediocrity. The long-term competitiveness of the Australian economy is likely to depend—

[Time expired.]

Mr LYNCH (Liverpool) [4.03 p.m.]: I speak with pleasure in support of the motion moved by the Minister for Education and Training. Therefore, it is logical that I reject the rather absurd amendment moved by the honourable member for North Shore. I have spoken previously in this place about the extraordinary class-based agenda of the lunatics currently in power in Canberra. I note that the Minister for Education and Training suggested that Canberra was trying to take education back to the time of Menzies. When I spoke about Medicare I suggested it was trying to take it back to the time of Stanley Bruce, and I think that was probably more accurate. The one consistent thread in the Federal Government's policy is that it seeks to punish the poor, not the rich. The Federal Government will punish people who have the temerity to live in a Labor electorate. It is certainly true that honourable members opposite defend the beneficiaries of current Federal Government policy on education—that is, the idiot sons and daughters of the ruling class.

The two primary characteristics of the current Federal Government policy are to increase the number of fee-paying positions and to deregulate the Higher Education Contribution Scheme [HECS]. This will lead to increased HECS fees for sandstone universities. An increase in fee-paying students cannot be justified in a democratic or egalitarian society. An increase will mean that those who are not clever enough to get into university on their own merits will be able to buy their way in. Those who live on the North Shore of Sydney could do that, but certainly not those living in Western Sydney. It is a simple, geographic and class equation, and those who make the decisions in Canberra have decided which class they will support. The cacophony by those representing the idiot sons and daughters of the ruling class continues. Let me examine the effect of the Federal Government's proposal in real terms upon people from Western Sydney who want to attend university.

Mrs Skinner: The Greiner Government can claim credit for the University of Western Sydney.

Mr LYNCH: Although I normally ignore inane interjections, I point out that the attitude of the honourable member for North Shore in suggesting that the Greiner Government could claim credit for the University of Western Sydney is nonsense. Nick Greiner can claim credit only for refusing to call it the Chifley university. When I was first elected I knew many people in Western Sydney whose children were going to university. For the most part, they were the first member of the family to have attended university, so it was a great social achievement. That is no longer happening. The number of people from Western Sydney able to go to university under Federal Government policies is decreasing significantly and the new proposals will exacerbate the problem. One does not need to be an expert to work this out because it is patently obvious. Those with little financial resources or backing will find it much harder to attend university if there is a fee-paying structure. Professor Richard Jones from Melbourne University concluded that higher fees are a significant deterrent to poorer people attending university.

Increasing the level of fees will inevitably make it harder for people from poorer areas to get into university. The Federal Government has consistently adopted a course that reinforces that. The Productivity Commission report released in 2002 found that in 2000 the University of Queensland—one of the well-established sandstone universities—received 120 per cent more in total revenue, public and private, than the University of Western Sydney. More funding has been provided to universities such as the University of Queensland than to the University of Western Sydney. Already there is an in-built structural imbalance in the way the system is structured that advantages universities other than the University of Western Sydney. I am being sarcastic when I say that the Federal Government has been very clever. It has screwed down the amount of money going to universities and made it much harder for them to survive. Then, lo and behold, the Federal Government discovered that numerous vice-chancellors, having had their heads kicked in by the Federal Government, have now decided that they should support the Federal Government in order to get more money. It might rip money from students but at least more funding will be allocated. [*Time expired.*]

Dr REFSHAUGE (Marrickville—Deputy Premier, Minister for Education and Training, and Minister for Aboriginal Affairs) [4.08 p.m.], in reply: New South Wales families place a high value on education. Most aspire to have their children study at university or go to TAFE. Sadly, particularly with regard to universities, these hopes are being dashed by the Commonwealth Government's higher education budget. Not only does this budget place higher education beyond the reach of many ordinary families in New South Wales, there is a risk that it will shrink the number of places available to New South Wales students. To meet its burgeoning levels of unmet demand for higher education, New South Wales needs more growth places. According to the Australian Vice-Chancellor's Committee, the current shortfall for New South Wales and the Australian Capital Territory combined is in the range of 5,900 to 7,900 student places. The upper limit of that range is higher than in any other State. This represents an increase in the number of unsuccessful applicants as a percentage of eligible applicants from around 9.5 per cent in 2002 to 11.1 per cent in 2003.

That is a worrying trend as the New South Wales share of the higher education student load is consistently lower than its population share by about two percentage points. The picture looks even graver for New South Wales when we consider over-enrolled or marginally funded places. In 2002 New South Wales had a staggering 14,000 of the 32,000 over-enrolled places nationally, amounting to 43 per cent of the national total. These places are funded by the Commonwealth at about only \$2,700 instead of the average \$11,500 for a fully funded place. Universities must make up the difference. Universities have been using these places to help soak up demand, including in areas like teaching where the States have a shortfall.

Combining these marginally funded places with the current level of unmet demand, New South Wales has a need for about 20,000 fully funded additional places—by far the highest level of unmet demand of any State or Territory. The Commonwealth Minister has indicated that he will replace marginally funded places with fully funded places. At first glance, that seems to be a positive step. However, the Commonwealth's commitment relates to the phasing out of only 25,000 over-enrolled places nationally, whereas the current total amounts to 32,000 places. Reading between the lines, the net effect of the Commonwealth's much-heralded growth in the sector and the termination of over-enrolment is that there could be a reduction of nearly 3,000 places nationally by 2008.

What does that mean for New South Wales? Certainly, it is unclear fully but there are warning signs. The Commonwealth needs to redistribute the 25,000 places nationally but has not indicated the criteria for redistribution. At the Ministerial Council on Education, Employment, Training and Youth Affairs last October the Commonwealth made an unsuccessful attempt to bully the States and Territories into accepting a simplistic and flawed model for the redistribution of university places. Be assured that when negotiations with the Commonwealth recommence, the State Government will not allow New South Wales to lose any university places. We will be fighting hard for our places.

In further discussions with the Commonwealth Minister, the State Government will ensure that the residents of New South Wales have as much access to higher education as the needs of our citizens, and the development of our economy, demand. The Commonwealth Minister continues to boast that his higher education budget is fairer than previous arrangements. He points to measures such as giving more students the opportunity to pay full fees for their degrees while charging them higher rates of interest than the average interest rate on current home loans. That is certainly not fair.

Few families would view a \$100,000 debt for their child's university education, or the 6.5 per cent interest rate that accompanies that debt, as an opportunity. Just as the higher education contribution scheme [HECS] has increased since its inception, I expect that it is only a matter of time before the Commonwealth

declares that its student loan arrangement should be rationalised so that all students, including those on HECS, pay the 6.5 per cent interest rate on their university debt, on the grounds of fairness. This would certainly be the death knell for HECS and for the hopes of countless New South Wales families whose aspirations include their children gaining a university degree.

Similarly, the Commonwealth has trumpeted the new learning entitlement—more aptly dubbed a learning limit. There is no doubt that the Federal budget is bad for higher education. It is surprising that despite what I would have thought were high hopes for Dr Nelson to put an effort into higher education and do it better, either he has walked away from that or he is being run by Treasury. Whatever the case, John Howard is destroying the education system that we know. He is undermining our future by reducing the capacity for the best people in New South Wales to achieve on merit, not on ability to pay. [*Time expired.*]

Question—That the words stand—put.

The House divided.

Ayes, 52

Ms Allan	Ms Hay	Mr Pearce
Ms Andrews	Mr Hickey	Mrs Perry
Mr Barr	Mr Hunter	Mr Price
Ms Beamer	Ms Judge	Dr Refshauge
Mr Black	Ms Keneally	Ms Saliba
Mr Brown	Mr Lynch	Mr Sartor
Ms Burney	Mr McBride	Mr Scully
Miss Burton	Mr McGrane	Mr Stewart
Mr Campbell	Mr McLeay	Mr Torbay
Mr Collier	Ms Meagher	Mr Tripodi
Mr Corrigan	Ms Megarrity	Mr Watkins
Mr Crittenden	Mr Mills	Mr West
Ms D'Amore	Ms Moore	Mr Whan
Mr Debus	Mr Morris	Mr Yeadon
Mr Draper	Mr Newell	
Ms Gadiel	Ms Nori	<i>Tellers,</i>
Mr Gaudry	Mr Orkopoulos	Mr Ashton
Mr Greene	Mrs Paluzzano	Mr Martin

Noes, 30

Mr Aplin	Mrs Hopwood	Mrs Skinner
Ms Berejikian	Mr Humpherson	Mr Slack-Smith
Mr Brogden	Mr Kerr	Mr Souris
Mr Cansdell	Mr Merton	Mr Stoner
Mr Constance	Mr O'Farrell	Mr Tink
Mr Debnam	Mr Page	Mr R. W. Turner
Mr Fraser	Mr Piccoli	
Mrs Hancock	Mr Pringle	
Mr Hartcher	Mr Richardson	<i>Tellers,</i>
Mr Hazzard	Mr Roberts	Mr George
Ms Hodgkinson	Ms Seaton	Mr Maguire

Pairs

Mr Bartlett	Mr Armstrong
Mr Iemma	Mr J. H. Turner

Question resolved in the affirmative.

Amendment negatived.

Motion agreed to.

Mr SPEAKER: Order! It being after 4.15 p.m., business is interrupted for the taking of private members' statements.

PRIVATE MEMBERS' STATEMENTS

PUBLIC EDUCATION

Mr WHAN (Monaro) [4.25 p.m.]: Today is Public Education Day in New South Wales. I take this opportunity to highlight the fact that Public Education Day is about celebrating the quality of education that New South Wales children get in the State school system. I particularly mention the quality education Monaro children are getting in our local schools and congratulate the teachers and school communities who make it possible. Public Education Day was an initiative of the Teachers Federation but it is a valid day to have and it is important for us to note the sort of foundation that our public schools provide in our society. They are the foundation stone on which we can build an equitable society. I am proud to be one of the people who tries as much as possible to talk about the achievements of our local public schools. Our schools do a great job. Naturally, we should always be looking to improve, but overall we are doing well, and I want parents and communities to know that they can have confidence in the quality education that their kids get in our local schools.

I will highlight a few of the great schools in Monaro and some of their achievements. We have six public secondary schools in Monaro. Soon, because of the Carr Government's commitment to build a central school in Jindabyne, we will have seven. In my home town of Queanbeyan, Queanbeyan and Karabar high schools are getting good Higher School Certificate [HSC] results in what for them is a difficult environment. Queanbeyan high schools have to compete directly, particularly in years 11 and 12, with the Australian Capital Territory college system, and it puts them in a unique position. We still see great achievements in our schools, good results in the HSC and terrific achievements, like Karabar's distance education unit, which has been going for 10 years, and its highly regarded music program, which has produced an internationally known marching band that has travelled to the United States of America to perform on a couple of occasions.

Down the coast in Eden, the Marine Technology High School offers courses tailored to fishing and marine industries. It does a particularly good job of servicing that area and the industries in that area. In Cooma, the Monaro High School receives great HSC results and, through the efforts of a creative and dedicated staff, has achieved great results in rock eisteddfods. Bombala High School is lucky enough to have a supportive parent group and an enthusiastic school community. That school has benefited over the past few years from a number of improvements the Carr Government has funded in the school. At Braidwood the Central School continues to get very good academic results and its students are looking forward to being able to use the multipurpose indoor sports hall that the Carr Government has more than half funded.

Our top-quality public primary schools also deserve mention. The highlights include Queanbeyan South Public School, which is led by principal Paul Britton. It has more than 700 kids and revels in one of the attributes that make public education so good: a wide and rich diversity of cultures. Queanbeyan South is getting great academic results, led by the very successful OC classes. Nearby we have the brand-new Jerrabomberra school. It was built because of a great community push and campaign led by Anne Bills, who is now president of its parents and citizens association. The second stage of that school is just being built but it is already producing terrific results. It has an amazing level of parent input and support from the school community. That is showing the kids just how much parents care about their education, and it is one of the keys to producing good results in our schools.

Other schools, like Queanbeyan Public School and Queanbeyan West, have great reputations. Queanbeyan East has a proud academic record and has a way of dealing with behaviourally challenged kids. Sutton Public School is small but last year its year 4 class provided six kids who qualified for the region's OC class. That is a great credit to the teachers in that school. Bungendore Public School is enjoying new facilities funded by the Carr Government—the hall, library and new classrooms—and through its principal, Ray Gentles, has been producing great academic results. For a small country school it seems regularly to win the zone swimming carnival, a great testament to the commitment to sport in that school. Great things are being achieved in the area. On a previous occasion I mentioned Cooma North school, where the local community fought for and won an extension for the school. They are great achievements to celebrate. Our public schools in Monaro offer parents great opportunities to educate their kids and, on Public Education Day, I am pleased to congratulate them on their efforts. [*Time expired.*]

Miss BURTON (Kogarah—Parliamentary Secretary) [4.30 p.m.]: I thank the honourable member for Monaro for his contribution on the education successes in his electorate. I also congratulate the Government once again on its dedication to public education. In the past eight years all schools have been supplied with computers and hooked up to the Internet with broadbanding. Reading recovery teachers have been appointed and a massive capital works program is currently being undertaken. Last year proof of the success of the public education system became even more evident when New South Wales students scored the highest results for literacy among 15-year-olds within the Organisation for Economic Co-operation and Development. I also pay tribute to the fantastic teachers for their dedication. Public education is a partnership. I pay special tribute to parents for all their support. The honourable member for Monaro outlined some of the achievements by and support from parents. I have enjoyed similar support in my electorate of Kogarah, as other members have in their electorates. I congratulate teachers on their dedication and parents on their ongoing support for public education.

TERMITE CONTROL

Mr RICHARDSON (The Hills) [4.32 p.m.]: Termites are a problem right across Australia. These tiny insects with a voracious appetite are no respecter of status, place or age. They attack homes of every size and shape, from the Tweed to Tumbarumba, from Bourke to Bermagui, often with devastating results. Some years ago I had to deal with the despair felt by a family, newly arrived from Germany, that had bought a house at Castle Hill. They had had their new home inspected and given the all clear by a pest exterminator. Two weeks after moving in, when they had occasion to pull a power point off the wall, they found the timber frame of the house riddled with white ants—virtually to the point of collapse. Their anger and bewilderment were understandable. Coming from Europe, they had no knowledge of the damage termites can wreak. They had done the right thing by having the house inspected, yet the home on which they had spent hundreds of thousands of dollars was fit only for demolition.

During my 12 months as shadow Minister for Housing I visited a significant number of public housing homes in Eastwood, Erskineville and Lilyfield that had been infested by termites. And who could forget the 97 townhouses at Booragul near Newcastle that the Government knocked down because of termite damage? The real issue was the Government's failure to conduct regular pest inspections of Department of Housing properties, an issue also for private home owners. But even when inspections are carried out regularly termites can strike, as my constituent Mr Anthony Littlewood of Castle Hill has found to his cost. Mr Littlewood has lived off Tuckwell Road since 1980, but it is only in the last two or three years that termite infestation has become a problem. He believes this has been caused by a large number of trees being felled in the area, depriving the insects of their natural homes. He believes that as a result his home, along with several others nearby, has been attacked by termites.

When the Littlewood's home was built in 1980 it was common to treat the surrounding land with organochlorines such as dieldrin, but dieldrin—along with many other organochlorines including aldrin, chlordane, DDT and heptachlor—is now banned, and for good reason. These organic pollutants are toxic, persist in the environment and accumulate in the food chain. Organochlorines are absorbed through the skin and are stored in body fat, from whence they attack the nervous system. Organochlorines accumulated in the body can cause vomiting, dizziness, paralysis, convulsions and even death. Dieldrin has also been implicated in breast cancer. New, safer pesticides such as bifenthrin and fipronil have been developed to replace the organochlorines, but they may not be as effective—hence the dilemma facing not just the Littlewoods but every New South Wales property owner.

Most houses today are constructed on concrete slabs. In the 1950s houses were built on brick piers capped with termite shields that prevented the termites from crawling up the pile and into the floor of the house. Slabs can provide a freeway for termites if they are not at least 75 millimetres above the ground. An Australian Standard, AS 3660, governs termite management. But Mr Littlewood points out that even new houses have been affected, suggesting that either the standard was not applied or that it is not stringent enough. He is also critical of some pest exterminators. After his neighbours discovered termites in their home Mr Littlewood arranged for inspection from a major pest extermination company, which declared the home to be termite free. He breathed a sigh of relief. Three months later termites chomped through the plasterboard. Mr Littlewood says that the claims for various termite protection systems appear to be highly exaggerated and that many treatments simply do not work.

I have raised this matter tonight in the hope that the Minister for Fair Trading will instruct her department to investigate the issue of termite protection for home owners, including the effectiveness of various

types of treatment, the optimum frequency of inspection, and whether inspections are always carried out properly. I am sure that all home owners would welcome information about the relative merits of the various pesticides, as well as advice on how homes should be constructed and maintained to provide maximum protection against termites. For most of us, our home is our biggest investment and largest asset. Yet termites can destroy a house almost as effectively as a bushfire—and most people do not carry insurance against their depredations.

The Government has a chance to be proactive on this issue, to provide the sort of objective advice we can all benefit from, and to reduce the high incidence of property damage being caused by termites. More dollars are being destroyed each year by the jaws of termites than in all our storms and fires combined. Advice from the department will benefit not just property owners; it will also benefit the Government, as the largest landlord in New South Wales. Termites are a major problem in public housing—and the advice and recommendations provided by the Department of Fair Trading could be a significant use to the Department of Housing as well.

Miss BURTON (Kogarah—Parliamentary Secretary) [4.36 p.m.]: I thank the honourable member for The Hills for his contribution in relation to termites. People in my area have had a few problems in this regard. I will pass on the honourable member's comments to the Minister for Fair Trading.

CHITTAWAY BAY PUBLIC SCHOOL ENROLMENTS

Mr CRITTENDEN (Wyong) [4.36 p.m.]: On 13 May the school community of Chittaway Bay Public School and I had a productive meeting at the school. The chairperson of the School Council, Wendy Condon, parents and citizens association president, Vanessa Hessel, Teachers Federation representative Di Cluer and several teachers from the school attended. Chittaway Bay is one of the great little schools in my electorate, although it is not too little any more, with an enrolment of 543 students. One of the re-emerging issues the meeting discussed first arose in February this year. Although the student population was in excess of 515 students, under an education department rule, unless a certain number of students are in the catered-to section of the enrolment the school does not qualify to have a non-teaching deputy principal.

Chittaway Bay does not qualify. Fortunately, the director-general, Ms Jan McClelland, stepped in. We were under the impression that, given the growth in enrolments at Chittaway Bay generally, we would pick up the additional seven enrolments in the infants school, notwithstanding that the school had well in excess of the overall requirement of 515 students. Unfortunately, to date only an additional two enrolments have been received in the infants school, leaving a deficit of five. The review period is at the end of this term. The director-general is looking not just at the specific case of Chittaway Bay but also at the policy implications that any change may have in relation to enrolments generally. That does not solve the problem of Chittaway Bay, although the community understands the need for a consistent approach across the entire State.

The problem is highlighted because of the changing nature of my electorate. Although there is high-growth it may not be uniform and might not fit the department's categories in relation to the cater-to area. The present enrolment is 543 students, well above the 515 required. It is important that there be flexibility in funding programs at schools such as Chittaway Bay Public School, which has an increasing Aboriginal population. We must ensure that we cater for the needs of the special classes. One highlight for me during the last Parliament was to accompany the former Minister for Education and Training, John Watkins, to the opening of the four new special needs classrooms at the school.

In a school community of 543 students, including special needs students, it is very important that there be a non-teaching deputy. I suggested to the school council president, Ms Condon, that she take up the issue with the district superintendent, Bill Low. She arranged a meeting with him and the parents and teachers to work through the issue, not in a political hothouse environment but in a positive and realistic way, and to address the needs of the students, teachers, parents and the wider community at Chittaway Bay. This is not a pressing issue, but I am sure Jan McClelland has it under active consideration. That is certainly the impression given to the Chittaway Bay Public School. Hopefully a satisfactory resolution can be achieved. Chittaway Bay is adjacent to a very rapidly growing area in my electorate at Mardi and Tuggerah. Therefore, enrolments could change suddenly, especially if people seek out-of-zone placements.

Miss BURTON (Kogarah—Parliamentary Secretary) [4.41 p.m.]: I thank the honourable member for Wyong for his contribution. As honourable members know, many issues arise in a range of areas. It is great to see his commitment not only to his electorate but also to public education. I commend him for the way in which he has pursued this issue and look forward to a resolution in the near future.

BALLINA BYPASS

Mr PAGE (Ballina—Deputy Leader of the National Party) [4.43 p.m.]: Yesterday morning a fatal accident involving a semitrailer occurred on the Pacific Highway at the bottom of Tintinbar Hill, north of Ballina. The semitrailer rolled over on a notorious bend where numerous similar accidents have occurred in the past. In this case, the driver was killed. The semitrailer was travelling north when it rolled across the highway and overturned down an embankment on the other side of the road. Fortunately, no vehicle was coming the other way, otherwise we would have had a multiple fatality.

This accident highlights the urgent need for the Ballina bypass. Its construction would allow this dangerous stretch of road—Tintinbar Hill and the Cumberland bends—to be avoided and thereby improve safety for all Pacific Highway motorists. That is particularly important because, since the opening of the Chinderah to Yelgun motorway the number of heavy vehicles using the Pacific Highway has increased by at least 40 per cent. B-doubles have been using the highway since August last year and a great deal of traffic has come across from the New England Highway.

The Ballina bypass project was listed for completion under the \$12.2 billion Pacific Highway agreement between the Federal and State governments that runs from 1996 to 2006. Under that agreement the bypass is to be funded by the State Government. The initial cost estimate of \$118 million has now blown out to \$245 million. The delays to the project are also of great concern. The Roads and Traffic Authority's [RTA] annual report for 1997-98 stated that the expected completion date was December 2004. Its 2000-01 annual report revealed that the expected completion date was to be determined. The 2001-02 annual report stated that the estimated completion date was 2010. That is still seven years away.

Some technical problems relating to subsidence have emerged on this project. However, this long delay, from 2004 to 2010, reflects very poorly on the Carr Government's ability—or I should say more accurately, its inability—to manage major road infrastructure projects. Similar time and cost blow-outs have occurred on many other Pacific Highway projects and they have seriously impaired this Government's ability to keep to its construction schedule. No doubt that has contributed to this six-year delay.

In March 2002, following yet another letter from me to Minister Scully about the lack of progress on the Ballina bypass project, I was advised that the representations report was scheduled to be submitted to PlanningNSW for approval in the near future. After 14 months we still have not seen any approval from the Minister for Infrastructure and Planning. These delays are totally unacceptable to my constituents. They must continue to share the road with 40 per cent more heavy vehicles than were on the road this time last year. Noise is also a problem because the Pacific Highway traverses Ballina. The bypass would relieve that problem for the town and would considerably improve the local amenity. The residents would be able to get a good night's sleep. Until the bypass is completed they will continue to suffer noise pollution, traffic congestion—especially during holiday periods—diesel fumes, and antisocial behaviour near the big prawn as a result of vehicles using a wide section of the road there as a parking bay.

I raised this issue with Minister Scully in February and expressed my concerns about the delay and the need to accelerate progress. Still there has been no announcement by the Minister for Roads or the Minister for Infrastructure and Planning about planning approval being granted. The State budget is imminent and it is vital that this approval is granted immediately and that a large amount of money is allocated to finalise the design and to allow construction to commence. I call on the Carr Government to fast-track this project before more people are killed and to provide relief to the residents of Ballina, who are badly affected by traffic along this busy highway through the centre of town.

Miss BURTON (Kogarah—Parliamentary Secretary) [4.48 p.m.]: I will pass on the honourable member's comments to the Minister. Prior to the Carr Government's election in 1995, the Pacific Highway was notorious for accidents. The previous Government allowed it to deteriorate. This Government has spent millions of dollars to upgrade it and make it safer. This project is partly funded by the Federal Government.

Mr Page: No, it is not. Under the agreement it is funded entirely by the State Government.

Miss BURTON: The Federal Government should contribute its fair share to help fix the Pacific Highway. It should help to fund these initiatives, because they are very expensive. The Carr Government's achievements on this highway over the past eight years have been excellent and significant.

LAKE ILLAWARRA

Ms SALIBA (Illawarra) [4.49 p.m.]: I have previously spoken about Lake Illawarra in this place and I will now give the House an update on its condition. In 1999 the State Government made a commitment to fund a permanent entrance to the lake. At that stage, the project was estimated to cost \$4 million and work began on a permanent rock wall on the southern side of the lake. That work was completed almost two years ago at a final cost of \$4.5 million. It was a terrific project and everything was working well. However, as honourable members know, New South Wales has been hit by the worst drought in 100 years.

As a result, the entrance of the lake closed up and no water could flow in from the sea. More than 22 other coastal waterways have experienced the same problem as a result of the drought. My community was very concerned about the state of the lake and formed the Save the Lake Illawarra Action Group. I worked very hard with the group and the Lake Illawarra Authority to ensure that the lake was always a priority of the State Government. Many people were distressed about the deterioration of the lake caused by the drought, the resultant blockage of the lake, water evaporation, and no water flowing into the lake from either the mountains or the sea. The lake was basically drying up.

It has been fantastic to see that the rainfall we have had over the past couple of weeks has filled the lake to capacity once again. The community has played little jokes, like erecting a "for sale" sign out on a small island that arose in the middle of the lake, suggesting that you could buy your own deserted island. It was great to see the rainfall and the sand flats become covered again. Last Friday at low tide the Lake Illawarra Authority dug out the lake's entrance, and since then the flow has been fantastic and the lake is looking very healthy.

I wish to place on record my thanks to the Lake Illawarra Authority. David Prosser, the chairman, Brian Dooley, the executive officer, and all the committee members of the authority have worked hard to ensure that Lake Illawarra is always protected. For example, during the recent sale of the Tallawarra power station, the Lake Illawarra Authority, through Doug Prosser, lobbied me to urge the State Government to ensure that the foreshore land at Tallawarra was returned to public ownership. Thanks to intense lobbying by the Lake Illawarra Authority, 10 hectares of land was returned to public ownership. I know that the authority has a strong commitment to the lake, and it is great to see that everything is going so well.

Unfortunately, some members of the community did not believe that the drought was the cause of the blockage of the lake; they believed it was caused by the work that had been carried out by the authority. Professor Bruce Thom, the Chairman of the Coastal Council of New South Wales, said at a public meeting that the blockage was caused by the drought. He explained that as the water dries up, it pushes the sand forward, and that this causes blockage at the lake's entrance. Another expert in coastal waters also said the problem was caused by the drought. However, it was very difficult for people to accept that, because emotionally they saw our lake deteriorating and they believed it was because of the work carried out by the Lake Illawarra Authority. I will continue to work with the Lake Illawarra Authority to ensure that whatever work is needed to be done at the lake's entrance is carried out, so that we have the best lake in New South Wales. We call it the jewel in our crown—and it is the jewel in the crown of the Illawarra.

Miss BURTON (Kogarah—Parliamentary Secretary) [4.53 p.m.]: Over the years I have made many trips to the Illawarra, and I am aware of the community's strong attachment to Lake Illawarra. I take this opportunity to congratulate the honourable member for Illawarra on her hard work and dedication to environmental issues in her local area and her close association with local environmental groups. I am confident that the honourable member will ensure that the lake continues to flow.

PAMBULA RIVER BRIDGE AND BEGA BYPASS

Mr CONSTANCE (Bega) [4.53 p.m.]: Last night in my inaugural speech I referred to the state of repair of the Princes Highway, particularly in the southern part of my electorate. I referred in particular to the poor state of repair of the Pambula River Bridge, but a number of other projects of significance are also in poor condition due to lack of funding. I wish to clearly place on record that the Princes Highway is a State highway. This means that the highway, the funding of improvements to it and its upkeep are all the responsibility of the State Government.

There are major issues with regard to the Pambula River Bridge, which is a 110-year-old, rotting wooden structure on the border between the electorates of Bega and Monaro. The bridge is now in such a poor state of repair that the next flood will wash it away—with a bit of luck, maybe it will be washed away. An

NRMA route performance report identified the bridge as an accident black spot, and its poor condition has caused ongoing angst amongst the communities throughout the Bega Valley and the Sapphire Coast. Bega Valley Shire Council, and various chambers of commerce and transport action groups have lobbied hard to have the problem addressed. It is imperative that the bridge be replaced, and work needs to take place before there are worse tragedies than those that have occurred to date.

During times of flood the townships of Pambula, South Pambula, Eden and Merimbula are cut off. This poses serious access problems for schoolchildren and major transport providers, and it impacts badly on tourism. Where is the Labor Government on the issue? It is nowhere to be found. It constantly attempts to shift responsibility back to the Federal Government but that is a flawed argument because, as I said, it is a State responsibility.

Another project that needs to be looked at closely is the Bega bypass, the route used by heavy trucks. The land for a road corridor was purchased by the Roads and Traffic Authority—it was called the Department of Main Roads then—some 30 years ago, but construction has never commenced. It has now got to the point where the main street of Bega is like Pitt Street. The main trouble spot is at the corner of Gipps and Carp streets. North-bound b-doubles cannot negotiate the 90-degree angle of the turn and are forced to decouple at the south end of the town. Anyone who stands at that corner can see first-hand the problems that truck drivers have in trying to negotiate that corner.

The Bega Chamber of Commerce, under the leadership of Robert Hayson, and local government have lobbied hard for these issues to be addressed. I call on the Government to commit the necessary funding for both of these projects. During the election campaign the Coalition made a commitment to upgrade Pambula River Bridge at a cost of \$10 million, based on assessments by the NRMA and the Roads and Traffic Authority. Such funding, together with a levy bank, would be enough to construct a brand new bridge and provide flood-free access to the region. The Coalition also made a commitment to upgrade the Bega bypass at a cost of \$15 million. The benefits of these projects for local industry and the community are significant. Companies such as Bega Cheese would benefit enormously. The Government cannot sidestep these projects forever, and I call on it to urgently address them.

Miss BURTON (Kogarah—Parliamentary Secretary) [4.58 p.m.]: I will be happy to pass on to the Minister for Roads the comments of the honourable member for Bega. However, as the honourable member has been a member of this place for only a short period, I point out to him that over the past eight years the Government has spent billions of dollars upgrading major roads and highways throughout New South Wales. I point out also that while members opposite do not like to accept that the Federal Government has severely let down the people of New South Wales, it is a fact that the Federal Government continues to shirk its road funding responsibilities. This continues to be a problem for the State Government, which has to make up for the shortfall in Federal Government funding. The Federal Government continues to subsidise other States for their highways and roads but shirks its responsibility for funding projects in New South Wales. Until that state of affairs changes, some projects will just have to wait.

LAKE MACQUARIE CITY COUNCIL DRAFT LOCAL ENVIRONMENTAL PLAN

Mr MORRIS (Charlestown) [4.59 p.m.]: In 1998 Lake Macquarie City Council set about the development of a document entitled Lifestyle 2020, a strategic planning document to guide the development of the draft local environmental plan [DLEP] which is currently under review by PlanningNSW. Preparation of Lifestyle 2020 involved numerous public workshops and resulted in the development of a broad range of potential planning outcomes for the city of Lake Macquarie. Council then set about the preparation and completion of the DLEP, which included an extensive program of community workshops during its exhibition period.

These workshops were held in various parts of the local government area and featured widely through various media outlets with full page articles and advertising. Specific workshops were also held with the development sector as part of the consultation process. Early in the consultation process a group called Fair Go In Planning evolved, purportedly because the DLEP was not conducive to the longer-term needs of the community, but I suggest it was because the DLEP was not going to provide significant financial returns to their bank accounts.

It is disappointing to advise that this group then set about a sinister campaign to undermine the DLEP through the dispersal of a variety of lies and misleading advice to the community. These lies included advising

residents that their homes could not be replaced if burnt down; that garages could not be constructed; and additional rooms could not be added to the family home. Statements like these did little to ensure fair consideration of the DLEP, but, rather, encouraged a climate of mistrust and hidden agendas, which is exactly what Fair Go In Planning wanted. One resident who contacted me explained that a key representative of Fair Go In Planning had advised him that he could not place a ramp on the rear of his home for his disabled wife. I stress that this is absolute garbage.

I condemn Fair Go In Planning for their pathetic behaviour and attempts to mislead the community on a wide range of issues. Fair Go In Planning, which comprises pro-developers including real estate agents, and representatives of large development firms like Boydah Pty Ltd, demonstrated that they have one desire only: to further line their hip pockets at the expense of the community. This group offered little value to the process of developing the DLEP and ensured only that the development sector grabbed media attention and further degraded its own reputation in the community.

The group still exists and, although quiet at this stage, continues to pursue opportunities to abuse the development assessment process for personal gain. It seeks to gain large financial returns with little regard for the environmental and social outcomes for the community. Fair Go In Planning should be ashamed of its actions and apologise to those who were victims of its misleading advice. The DLEP, now with PlanningNSW, is being assessed and will be referred to the Minister for Infrastructure and Planning later this year.

It is important that this process be undertaken without the influence of the pro-development lobby, to ensure that the DLEP can be assessed and determined with minimal delay. I congratulate the council and its staff on their exhaustive efforts to get the DLEP to the department despite the attempt by self-interest groups to derail the process by manipulating the truth. Lake Macquarie City Council went to unheard lengths to consult with its community. It had two exhibition periods, extensions of those exhibition periods, numerous community meetings, and site inspections to look at specific issues across the city. Currently council is bound to consider both the existing 1984 local environmental plan [LEP] and the DLEP. This requirement has resulted in delays in the determination of development applications, and caused frustration for applicants.

Local environmental plans are complex in nature and set the long-term agenda for cities, in how, where, and what types of development will take place over the course of the next 15 to 20 years. The DLEP is a planning instrument that will guide development by controlling urban sprawl and preserving natural settings for current and future residents of Lake Macquarie and the Charlestown electorate. I acknowledge the efforts of the community and thank them for their active participation in the consultation process, and for their time and commitment to assisting the future for Lake Macquarie.

The DLEP offers long term benefits for the community and has established a new standard in the industry, including planning principles and objectives not common in this State, with a merit based approach for development assessment. I call on PlanningNSW to complete its assessment in a fair and just manner. I also seek the support of the Minister for Infrastructure and Planning to ensure the DLEP is not subject to delay through the pro-development lobby. [*Time expired.*]

Miss BURTON (Kogarah—Parliamentary Secretary) [5.04 p.m.]: I thank the honourable member for Charlestown for his contribution. There is a firm belief in the community that all development should be appropriate and sustainable. Unfortunately, there are those in our community who are driven by self-interest at the expense of the community. I commend the honourable member for Charlestown for his commitment to his local community. I support his comment that people want certainty and appropriateness in development and long-term plans that take into account future community needs.

ORANGE POLICE STATION

Mr R. W. TURNER (Orange) [5.05 p.m.]: I again bring to the attention of this House the lack of facilities at the Orange police station. During question time this afternoon the Minister for Police was asked a question about the Orange police station and when we might expect a new one. The best he come up with was that sections of it were, once again, to get a paint job and some other renovations. I think he might have mentioned an allocation of about \$200,000.

If the Minister took the time to address the officers at the police station they would tell him that they do not want any more money spent on the building, that any paint job or any other renovations would be a waste of time and that it would only be painting over the paint that was previously put there to relieve the angst of all the

officers at the station. All they want is a new police station. The present building was built in the 1950s and was designed for 14 officers. I believe that at the moment there are currently 45 to 50 officers on duty at Orange police station. There is a conglomeration of buildings: there is the existing station, a quite substantial brick building opposite which houses detectives and other police officers, and two demountables behind that building; and in Anson Street, though accessible to the other buildings, there is a cottage that has been taken over by the area commander, and members of the highway patrol are located on the verandah of that cottage. The result is total inefficiency.

I recently spoke to a duty sergeant who is stationed in the main building, and eight or nine times a day he has to go across to one of the other buildings or around to the area commander. This takes him up to five minutes each way. He said that at the end of the day he starts to think, "How can I get out of this? I might do the next trip tomorrow," because he is just sick and tired of having to walk across the road and waste his and other officers' time. Especially keeping in mind that winter is approaching in Orange, in rain, hail or shine the officers have to waste all this time walking between buildings. It has even got to the stage where a couple of weeks ago the police association in Orange came very close to basically refusing to charge people in the charge room because of the huge breach of occupational health and safety guidelines involved.

There are not only problems with the charge room. Officers have to have their lunch and morning tea in shifts in the lunchroom because there is not enough room if all the officers go there at the one time. It has even got to the stage where to create a little bit more room the doors of at least 10 rooms have been taken off because there was not enough room to open the doors right into the room because various boxes and other items were behind the door. It is absolutely disgraceful to have a situation like that. The officers at Orange police station have low morale, but they are doing the very best job they can. I acknowledge that to some extent they have reduced the crime rate in the Orange patrol, but they are doing it under very difficult conditions.

I call on the Minister to accelerate any plans for a new police station. The preferred option is for the existing police station to be demolished and for a new police station to be built on the same site, with its architecture and design sympathetic to the new courthouse that was constructed a couple of years ago. This would provide an efficient justice centre. If that option were not architecturally viable or cost-effective, the community would settle for a new police station on another site because of the urgent need for this facility. The old police station is way past its use-by date. I acknowledge that police officers at Orange are doing a wonderful job under very difficult conditions that are inappropriate for a modern police station.

Miss BURTON (Kogarah—Parliamentary Secretary) [5.10 p.m.]: The Minister for Police addressed this issue in the House today. The Government has undertaken a massive rebuilding program of many police stations across New South Wales. Since it came to office in 1995 it has put in place other initiatives, including front-line policing, mobile data terminals, DNA legislation, Livescan electronic fingerprinting, new equipment and technologies, the fine system and a working party that is presently considering ways to cut police red tape to enable more police to be on the beat. The Government has recruited a record number of beat police and has provided the technology and equipment to help police catch more criminals. However, I will pass the comments of the honourable member for Orange onto the Minister.

BOORAGUL PUBLIC SCHOOL

Mr HUNTER (Lake Macquarie) [5.11 p.m.]: Today I bring to the attention of the House the needs of Booragul Public School. On a number of occasions over the past two years I have raised in the House issues concerning Booragul Public School and I have called on the Government to assist in upgrades at the school. Last year I extended an invitation to the then Minister for Education and Training, the Hon. John Watkins, to visit Lake Macquarie and subsequently on 28 August he visited a number of schools in the electorate. On that day he visited Booragul Public School and he was able to meet the school community and hear their concerns about facilities at the school. On the day the Minister was told that the school desperately needed a new library and a staff car park.

Following the Minister's visit other minor issues that had been raised were addressed by the Department of Education and Training, one being the installation of a concrete pathway, which certainly improved safety within the school playground. I also note that back in 2000-01 some \$28,000 was spent on upgrading the school's Internet cabling. The principal of the school has advised me that work is about to commence on an upgrade of the telephone system, with a few thousand dollars being spent on the project. However, just after the State election I received a letter from Kathy Gall, president of the school council. She commenced by congratulating me on being re-elected and said that the community looked forward to working with me in my continued association with the school. She reminded me that last year the parents and friends of

Booragul Public School had brought to my attention the condition of the school library, which is a leaky demountable located some distance from the rest of the school buildings. She also stated:

As you are aware, this school continues to serve a community which is regarded as one of the most disadvantaged in the State. This has been recognised by the Premier's Department, which has employed a Community Worker to assist the people who live here address some of the day-to-day problems that need to be faced. A facility such as a quality school library is a valuable resource to a community where children are surrounded by social problems and look forward to a bleak employment future.

Booragul Public School employs wonderful staff who work hard to give the children of this community the skills they need to address many of life's difficulties. It is imperative that these teachers are provided with the resources they need, such as a quality library to ensure that these children are given an optimum level of support and assistance.

The school council would appreciate it if you could continue to assist our community by raising this issue as soon as possible with the new Minister. We would also be very grateful for any other assistance you could provide us with in relation to this matter.

Immediately upon receiving this letter I wrote to the new Minister for Education and Training, the Hon. Andrew Refshauge. I highlighted the issues of concern for the school and asked him to seriously consider allocating funds for a new library at the school. I raise this issue today because it is prior to the State budget being delivered. Again I call on the Minister for Education and Training to look closely at the issues that have been raised by the Booragul school council. I am also aware that the school would like a new car park, which would greatly assist to improve safety at the entrance of the school, particularly when children are arriving and leaving. In addition, the school would like the installation of common wet areas in some of the older classrooms at the school. As the school council stated in its letter, Booragul Public School has wonderful teachers and staff, led by an excellent community-minded principal, Wendy Cheek. The school also has a great group of students, who deserve all the assistance that can be given. Today I ask the Minister to give favourable consideration to the needs of Booragul Public School as I have outlined. I look forward to provision being made to address the concerns of the Booragul school community.

BOWRAL RUGBY UNION CLUB

Ms SEATON (Southern Highlands) [5.16 p.m.]: I bring to the attention of the House the aims and hopes of Bowral Rugby Union Club, fondly known as the Bowral Blacks, and highlight the wonderful support the club receives from the community. The club seeks funding from the State Government, through the Community Assistance Grants Program, to build a much-needed grandstand. Late last year I had the pleasure of attending the club's presentation night. I congratulate the club, particularly the President, Val Tyson, on its excellent work. The coach, Paul Mulready, does a fantastic job. They are an enthusiastic, lovely bunch of people who enjoy getting together. It is very much a family affair in that many fathers and sons play for the club. It is an important social institution in the Southern Highlands.

Many players from the club also play with the Illawarra seniors and under-twenties squad. The club produces high-quality rugby players, including former Wallaby Jim Hindmarsh. The club receives wonderful community support and considerable sponsorship from local businesses. During the off-season the club spent almost \$18,000 on its fields, which now look fantastic. The club seeks funding to build a grandstand because it is interested in offering its facilities to other rugby union clubs to attract wider usage and a higher calibre of play. In April 2001 I assisted the club in its application for a funding grant. However, on 30 April 2001 we were disappointed to be informed that the application had been unsuccessful. On 10 May 2001 Colin Miles, the regional club-ordinator for the South Coast regional office, wrote to me as follows:

The application from Bowral Rugby Union met all of the essential criteria but was not ranked highly enough to be successful this year in comparison to the successful applicants.

I ask Government members to be careful about the way they have, in my view, played a game of some political expediency in what happened next. It is something that is greatly disappointing to members of the club, who are not active at any particular end of the political spectrum. While I am aware that some successful grants under the scheme for a range of communities—no doubt very deserving communities around the State—were announced during the election campaign, I was curious that it was not until the day after the election that Bowral Rugby Union Club received a letter advising the club that its application had been unsuccessful.

Importantly, if the allocation of funding grants for sports clubs around the State is treated in a political fashion, I do not think that does the Government any credit and it does not help send a message about the importance of sport in our community. I certainly do not think it sends a message that is supportive of community groups that put in so much volunteer effort and attract so much community sponsorship. I put it on

the record that the rugby club will be making another application for a grant to help fund construction of a grandstand. I know that the application has support on its merits at officer level in the Department of Sport and Recreation. I simply ask that this time when the club makes an application—I think it will be the club's third consecutive application—that it be considered on its merits and that it be rewarded and made successful, because the club deserves that support and will put the facilities to good use.

BURWOOD GIRLS HIGH SCHOOL INTERNATIONAL DAY

Ms JUDGE (Strathfield) [5.21 p.m.]: I draw the attention of honourable members to a wonderful event held recently at Burwood Girls High School in the seat of Strathfield, which I had the pleasure of attending on Wednesday 14 May. It was the Burwood Girls High School international day. International day is a celebration of the many cultures within the school and the community, working together to foster friendship, education and understanding. According to the 2001 census, some 60 per cent of the residents in the seat of Strathfield have both parents who were born overseas, and 49.14 per cent of the population of the seat speak a language other than English at home. So it is most appropriate that Burwood Girls High School would have such a day. Curricular activities such as this are vital to ensure that students get a well-rounded, comprehensive education.

Although issues such as multiculturalism are addressed in the school curriculum, events such as these help students to gain a greater understanding of the issues. It is critical that we acknowledge and reflect the multicultural nature of our communities in our school celebrations and encourage our youth to be proud of their cultural heritage. For children who were born here, it is also very important that they have an opportunity to learn about the culture and background of their parents. This event is held annually, and has now been running for more than seven years. It is organised by the students representative council [SRC], with supervision from teachers. It is great to see students organising school events such as this, which promote community harmony. It is a whole-of-community event, with people coming together at a school level to celebrate the diversity of the area, which brings so much to the social, cultural and economic life of the community.

Some of the festivities included food stalls—indeed, food was donated by the parents and sold cheaply—many competitions and raffles, and novelty stalls. The drama students at the school organised a fortune telling stall. They held concerts. The morning concert involved international songs and dances performed in culturally specific costumes. The students choreographed their own dances, inspired by traditional dance styles. The groups were not necessarily from the same backgrounds. I was pleased to see students performing with their peers and learning about other cultures. Some of the dances included Pacific Islander and Greek. Students Kate Lawrence and Mona Abdi sang a duet in Hebrew and Arabic. It was fantastic, and everyone enjoyed it. Flags representing the backgrounds of the students were hung around the school hall, and that added to the festive ambience of the event. All the performances were watched by an audience of about 1,000 students, who enthusiastically cheered for their peers and generally enjoyed the show. Indeed, when I arrived it was almost standing room only in the hall.

This event would not have been possible without the hard work of the teachers: Wendy Gray, the head of languages; Patrice Simpson, the head of social sciences; Janice Raynor, who teaches English as a second language; Michelle Kals, the head of creative arts; and Catriona Montgomery, the year adviser for year 10. I spoke with several students who participated in the concert, including Anne Leota, Mona Abdi, Heidi Brummart, Kate Lawrence, Ruchi Sharma, Shaudi Marais-Piper, Sarah Dharamdas, Monica Diahak and Theresa Tong, the school captain, who was the president of the SRC last year. There was a wonderful atmosphere on the day, with students very excited and happy to be taking part. Simply being there was a thrill, and the attitude of students and teachers was incredibly inclusive and open. This event is one of the many initiatives in our public school system that enrich and enhance the education of our children. It shows the wealth of talent in the teaching system and the commitment of teachers in New South Wales to finding new and innovative ways to educate our young people. Congratulations to Burwood Girls High School principal, Mia Kumar, on facilitating such a wonderful event; to all the students, teachers and ancillary staff; and to all the parents and the whole community. It was a most worthwhile event, and I wish the school well in the future.

BATLOW FRUIT CO-OPERATIVE LTD

Ms HODGKINSON (Burrinjuck) [5.26 p.m.]: Honourable members will be well aware of the magnificent apple-growing region in the south of my electorate in the Batlow area. Batlow first received mention as a great stone fruit, apple and pear growing area when a teacher at the nearby Adelong school, Mr Oliver Courtland-Barberie, had articles published in Sydney and Melbourne newspapers extolling the excellence of the fruit grown in Batlow. This was during the gold rush period in the late 1800s. Indeed, Mr Courtland-

Barberie was so impressed with the ability of this area to produce quality fruit that he ended his teaching job and became an orchardist full time. In 1907 there were seven orchards with some 5,000 trees.

By 1918 this had grown to 80 orchards containing some 150,000 trees. To assist with the sorting, storing and marketing of this produce, the first fruit co-operative in Batlow was formed in 1923. The Batlow Fruit Co-operative has faced hard and lean times. It survived the Great Depression, had to meet new challenges in the provision of food stocks during the Second World War and survived devastating fires in 1962 which destroyed much of its infrastructure. It has met the challenges of stiff competition, low commodity prices and severe weather. Despite all these challenges, it has continued to set industry benchmarks in promoting, growing, packaging and marketing fruit.

Today the Batlow Fruit Co-operative is continuing to explore the bounds of what can be done to grow, package and promote fruit and vegetables, and has set the benchmarks for the industry. Today Batlow Fruit Co-operative Ltd is the largest computer-controlled fruit grading, packing and storage complex in Australia. It is also one of the few packing operations in Australia to have achieved certification both to the very stringent international hazard analysis and critical point standard and to the international quality management ISO 9000 standard. However, today the Batlow Fruit Co-operative faces another problem—not from fire, disease or the vagaries of the marketplace but from this rapacious high-taxing Government. Recently the general manager of the Batlow Fruit Co-operative, Mr Chris Box, wrote to me saying:

The cost of insurance is having an enormous impact on the viability of our Co-operative. We would very much appreciate your bringing our plight to the attention of Government and obtaining advice as to any steps it is taking firstly to increase competition in the insurance market by adopting policies that encourage overseas insurance companies to participate in the Australian market, and secondly steps that could be taken to address the iniquitous increase in state taxes and with respect to the fire service levy and stamp duty.

In 1998-99 the Batlow Fruit Co-operative paid an insurance premium of \$53,656.17. To this was added \$17,706.53 in fire service levies and \$8,206.71 in State stamp duty. In 2002-03 the cost of the fire service levy had increased more than sevenfold to an astounding \$131,597 and stamp duty cost the co-operative \$53,069! Mr Rick Jackson, the group executive for personal insurance with the Insurance Australia Group—which includes NRMA Insurance, SGIO and CGU—said recently:

I think most people will find it strange that in Victoria, New South Wales and Tasmania only people who take out insurance are paying for fire services, and to boot pay stamp duty on top of that as well.

Mr Jackson further said that New South Wales holds the dubious distinction of paying the third-highest taxes and charges in the world on insurance premiums. We pay higher taxes on insurance premiums than South Africa, the United Kingdom, France, Germany and Singapore. What a record this Government has achieved! Such high taxes might just be acceptable if they produced a tangible benefit to those who have to pay the taxes, but Mr Box's letter further stated:

To our knowledge there has been no increase over the last five years in fire protection facilities being provided to Batlow Township's voluntary fire brigade. It would appear our increased fire service levy is completely unjustifiable and is being used to subsidise those businesses and individuals residing in cities and major centres. We believe that approximately 40% of rate payers in NSW do not insure their properties and therefore do not bear any of the costs relating to the fire service levy, and yet receive all the benefits of the fire protection services.

A month ago I faxed Mr Box's letter to the Minister for Commerce with the word "urgent" affixed to my covering letter. The Minister has shown his continuing disdain for rural industries by not even acknowledging my letter. The apple growers of Batlow are good corporate citizens. Just last year they, along with other apple growers in the State, donated 50,000 apples as part of an innovative program to help children in Sydney schools to fight obesity and to promote healthy eating habits. I was pleased to be able to support such a worthy program. What do they get in return from this Government—ever-increasing levels of tax and no increase in services. I call on the Minister to explain what action he is going to take to enable rural companies such as the Batlow Fruit Co-operative to survive in the face of these ever-increasing charges.

PETER CORRIGAN INTERNATIONAL EXCHANGE AWARD

Mr CORRIGAN (Camden) [5.31 p.m.]: I advise the House of a function I attended last Tuesday evening in honour of my late brother Peter, where an international scholarship was announced by the insurance industry. I take this opportunity to put on public record my and my family's appreciation of this significant award honouring Peter's contribution to the insurance industry. Peter died unexpectedly 14 months ago of sarcoidosis after a long career in insurance. Like me, he was a product of Wyong Primary School and Wyong

High School. He then gained a Bachelor of Commerce at the University of New South Wales. During his career he worked at CML, NRMA, Aquila Steel and then again with the NRMA, where he was acting chief executive officer [CEO] for 14 months. He was very proud of the HELP campaign, which continues today. He acted as CEO following the first failed demutualisation attempt. He subsequently worked for Zurich, AMP, GIO, where he was also acting CEO, and Trowbridge, where he was the managing director. The Peter Corrigan International Exchange Award was announced last Tuesday evening. The award brochure, which I will leave for the Parliamentary Library, states:

Former CEO of the NRMA Group, John Lamble, described him as "a born leader ... a great communicator. Peter had an ability to put ideas simply, using words that could be understood from junior clerks to boards of directors. He displayed great leadership skills during the period he was CEO of NRMA, AMP General Insurance and then GIO. His straightforwardness helped him deal with some very difficult public situations."

That is putting it mildly. The brochure went on:

The Peter Corrigan International Exchange Award recognises and supports talented young insurance professionals in developing leadership abilities and international business links in Australia, Asia, Japan, New Zealand and the South West Pacific.

The Award has been established by Trowbridge Deloitte and the Australian and New Zealand Institute of Insurance and Finance, to honour the significant contribution Peter made to the insurance industry.

This prestigious annual award of \$10,000 will be shared between two professionals from the insurance industry to support an international program of up to four weeks work, study, research and cultural exchange.

The brochure then goes on to outline the rest of the award: the eligibility criteria, the selection criteria, reporting requirements, how to apply, the guidelines for addressing the selection criteria and the award panel, which includes John Lamble, AO, former CEO of NRMA Insurance and former chairman of Suncorp/Metway; John Cloney, chairman of QBE; Dr Beverley Jackling, from the School of Accounting and Finance at Deakin University; Joan Fitzpatrick, the Australian and New Zealand Institute of Insurance and Finance CEO; Joan Skilbeck of the Australian and New Zealand Institute of Insurance and Finance; David Sandoe of Trowbridge Deloitte; and Anna Brown of Trowbridge Deloitte.

The previous speaker, the honourable member for Burrinjuck, mentioned some problems with the insurance industry. However, I want to thank the insurance industry, particularly the Australian and New Zealand Institute of Insurance and Finance and Trowbridge Deloitte, who are funding the award. In particular, on behalf of my family I thank David Sandoe and his team at Trowbridge Deloitte, who have put in a great effort to develop the award. I encourage people in the insurance industry, young professionals, to take advantage of the award to study overseas, particularly in Asia, to further their skills. It is with great pride that I thank the insurance industry for this tribute to Peter.

ROTARY INTERNATIONAL DEBUTANTES BALL

Mr ROBERTS (Lane Cove) [5.35 p.m.]: I speak tonight about that wonderful community organisation, Rotary International. As honourable members will realise, this organisation does tremendous work around the world fostering goodwill and harmony. This was displayed on 17 May, when I had the privilege to attend the tenth international debutantes ball in my electorate. I acknowledge the official guests: Councillor Edna Wilde, OAM, mayor of the city of Ryde; the president of the Rotary Club of Gladesville, Lorraine Weymouth; district governor of Rotary district 9680, Harold Sharp, and his wife, Gina; Greg Muldoon, youth adviser of district 9860; Laurie Facer, the chairman of youth exchange 9860, and his wife, Sandy; Danny Low, district governor elect of district 9860, and his wife, Angeline; Dr Helen Nugent, a member of the Council of Multicultural Australia, and her husband, Michael; Lindsay May, an assistant district governor for the Riverside Group; Councillor Bruce Lucas, mayor of Hunters Hill, and his wife, Jennifer; Paul Nolan, local area commander for Gladesville police; Mrs Robyn McKinnon, who was the preparation consultant, and her husband, Colin; Brother Paul Hough, principal of St Joseph's College; Mr John Booth, AM, from the *Weekly Times*, and his partner, Ulrike; and Councillor Sue Hoopman from Hunters Hill council.

There were representatives from the following consuls: Canada, Finland, France, Japan and the United States of America. I particularly make mention of Mrs Judy Berger, who was the matron of honour; Ms Beth Poseny, one of the flower girls; Sarah Fitzgerald, another flower girl; the Rotarian master of ceremonies, Victor Berger; and the debutantes ball committee. On the evening the following people presented as debutantes to Her Worship Councillor Edna Wilde, OAM, mayor of Ryde: Livia Pratali from Brazil, guest of the Rotary Club of Carlingford; Myriam Quimet from Canada, sponsored by the Rotary Club of Epping; Ayako Sekiguchi from Japan, sponsored by the Rotary Club of St Ives; Apinya Ausuwan from Thailand, sponsored by the Rotary Club

of Carlingford; Yoshie Yamabe from Japan, sponsored by the Rotary Club of Ryde; Ebba Martin from Sweden, sponsored by the Rotary Club of North Ryde; Pascaline De Dore from France, sponsored by the Rotary Club of Turramurra; Philippa Erskine from Sydney, sponsored by Cheltenham Girls High School; Laetitia Toussaint from Belgium, sponsored by the Rotary Club of Beecroft; Anne Ilmonen from Finland, sponsored by the Rotary Club of Terrigal/Erina; Anja Hoefelmeier from Germany, sponsored by the Rotary Club of West Pennant Hills; Maja Rasmussen from Denmark, sponsored by the Rotary Club of Gosford North; Kris Miller from South Africa, sponsored by the Rotary Club of Galston; Maria Bjorholt from Sweden, sponsored by the Rotary Club of Glenhaven; and Sina Herrmann from Germany, sponsored by the Rotary Club of Belrose.

Their partners were: Danil Chesnokov from Russia, sponsored by the Rotary Club of Terrey Hills; Teemu Piipponen from Finland, sponsored by the Rotary Club of North Sydney; Magnus Olsen from Denmark, sponsored by the Rotary Club of Waitara; Henrik Andersson from Norway, sponsored by the Rotary Club of Pennant Hills; Lukas Stojanov from Sydney, sponsored by Ryde Secondary College; Vladimir Strijakov from Sydney, sponsored by Carlingford High School; Christian Jacobsen from Denmark, sponsored by the Rotary Club of Eastwood; Terry Thompson from the United States of America, sponsored by the Rotary Club of Roseville Chase; Tom Hinton from Sydney, sponsored by Turramurra High School; Andrew Knibb from Sydney, sponsored by Macquarie University; Jason Netos from Switzerland, sponsored by the Rotary Club of Mosman; Santiago Mateos, a Rotex student from Japan, sponsored by the University of New South Wales; Rafael Zapata from Brazil, sponsored by the Rotary Club of Thornleigh; Tore Bruce from Batemans Bay, exchange student to Sweden in 2002; and Didier Toussaint from Belgium, sponsored by the Rotary Club of Manly.

All these people have done a magnificent job representing their countries. They are a credit not only to Rotary but also to their countries of origin. I wish them all the best while they are here. The organising committee did a magnificent job on the day. I particularly thank Rotary, which sponsors these fine young men and women from around the world to come and visit here on these exchange programs.

KINGS CROSS AND SURRY HILLS REDEVELOPMENT

Ms MOORE (Bligh) [5.39 p.m.]: The New South Wales public is growing increasingly angry about decisions made without reference to the affected communities and with meaningless consultations designed to support predetermined outcomes. South Sydney City Council and Sydney City Council are disregarding community concern about plans for community services and facilities, an issue about which local government needs to be particularly responsive to the community. Residents newly transferred to the Sydney City Council from South Sydney City Council fear that the Kings Cross Community and Information Centre is at risk, that the Early Childhood Centre will be permanently lost, and that Sydney City Council is determined to transfer the library to Darlinghurst Road without consultation.

The Surry Hills community supports retaining its library, childcare and neighbourhood centre services together, in the increasingly active Crown Street precinct, but South Sydney City Council plans to exclude from public exhibition a viable option prepared by its consultants to achieve this outcome. Residents in the densely populated Kings Cross area believe that Darlinghurst Road—where strip clubs, drug dealing and street sex workers dominate—is not an appropriate site for services for residents in need, including the frail aged and children.

Although community facilities have been temporarily moved out of the Rex Hotel during its conversion to apartments, South Sydney City Council's development conditions require provision of community facilities in the redeveloped complex. However, Sydney City Council now appears to be secretly selling this space back to the developers. Residents are angry that their new council is trading away the limited benefits it fought hard for in this overdevelopment that exceeds development controls and further overshadows Fitzroy Gardens. This fiasco adds to a long history of betrayal over community facilities on the site.

The purpose-built Florence Bartley Community Centre, which won a Sulman Award, was demolished in the 1990s to make way for the previous redevelopment, with the facilities shoe-horned into inadequate space. The Kings Cross community confronts an ageing population and tough problems of alcohol abuse, illicit drugs, sex industry impacts, youth crime and homelessness. Massive overdevelopment is dramatically increasing the population in Australia's most densely populated area. It is vital that the Kings Cross Community and Information Centre, the library, and Early Childhood Centre be maintained in the best available location adjacent to Fitzroy Gardens.

The co-location of these services help co-ordination and prevents gaps in services. I call on the new Sydney Lord Mayor, Lucy Turnbull, to provide an assurance to the community that the facilities will return to their home in the Rex after the redevelopment. While current Surry Hills community facilities are ageing and limited by inadequate space, the community supports retaining the central location in the growing community hub around Crown Street cafes and shops, Shannon Reserve, monthly markets and the annual festival. Local residents and representatives on council's Community Reference Group have supported that central location, as have elderly and disadvantaged tenants at the adjacent Northcott public housing estate.

The council's own consultants report that the library and community services are best located together, with main street frontage to increase visibility and access. But the council's Community Services Committee this week recommended excluding that option from public exhibition and consultation. Rather than planning for centrally located facilities, council is pursuing options based on finding uses for a basement in the St Margaret's redevelopment and the desire not to spend money on improving public infrastructure. If the council proposal proceeds, the Surry Hills community will only be given a choice of options that separate the library, neighbourhood centre and child care facilities at opposite ends of the suburb and away from public visibility and activity.

The proposed St Margaret's site, obtained through a deal with the developer for increased height and density, has no street frontage, is located in a basement, and is on the council border. The council also proposes to locate community services in the back streets, with the high profile Crown Street frontage, now used by the library, redeveloped for retail and commercial use. The council should provide for community needs from its rates and section 94 contributions, not through the alienation of public assets, particularly in light of the dramatic population increases and massive continuing residential development in Surry Hills in recent years. I call upon the council to provide the community with real choice by putting on public exhibition the full range of options for Surry Hills community facilities, including a proposal that maintains accessible, co-located, high-profile, main street facilities on the Crown Street site without intrusive commercial development—and to include the consultant's assessment of the options, benefits and drawbacks to help the community make an informed decision.

COLLEEN MONTGOMERY COTTAGE

Mr McGRANE (Dubbo) [5.44 p.m.]: On 17 May a function was held in Dubbo to dedicate Colleen Montgomery Cottage, which will house social workers in Victoria Park, Dubbo. Colleen Montgomery was employed as the first social workers in the area by Dubbo City Council in 1972, and she retired on 6 July 1992. Colleen came from a teaching background, arriving in Dubbo in 1971 as a teacher at the Dubbo Central School. Not long after, she applied for the position of social worker at Dubbo City Council and commenced duties with the council. During Colleen's tenure of the position it was retitled community worker. In the last 18 months that Colleen worked in that position I was Mayor of the City of Dubbo, so I had firsthand experience of the 20 years of input Colleen had in her community work. During this time Dubbo had unprecedented population growth, which continues today. Colleen helped to establish a number of welfare services, which at the time of her appointment were non-existent.

In the initial years of her employment Colleen researched the needs of the community and proceeded to establish community committees to manage these needs. She continued to work with these services until they were self-functioning. I do not have time this evening to list in *Hansard* all the services she established but they include the Family Life Movement, the Community Services and Information Centre, the Community Aged Program, the Emergency Accommodation Scheme, the Community Tenancy Scheme, the Community Transport Scheme, the Home Maintenance and Modification Scheme, the Outreach Youth Worker Service, Dubbo Youth Refuge, the Youth Medium Term Accommodation Scheme, family day care, and the Social Welfare and Rehabilitation Committee, which is now the Dubbo Welfare Interagency, the Toy Library, the Family Support Scheme, the Baby Capsule Rental Scheme, and the adolescent family counselling and support activities.

Self-help groups and welfare groups which Colleen aided in the establishment of include the Dubbo Epilepsy Group, the Dubbo Nursing Mothers Association, the Combined Pensioners Association, the Orana bereavement support group, child play groups, Parents without Partners, the Probus Club and the University of the Third Age. That by no means is an exhaustive list of organisations that Colleen helped to establish. She also gave unstinting service in her private time to service many community organisations. She was involved with Bracken House, the Keith Logan Centre, Ozanam Villa, Lourdes Hospital Hydrotherapy Pool, the Alzheimer's Support Group, the RSL Retirement Village Committee, the Walter T. Grant Senior Citizens Centre Committee, the Dubbo Stroke Club, the Home Care Service, Meals on Wheels and the women's refuge program.

As that list shows, Colleen Montgomery is a unique lady. She was the mother of community services in the city of Dubbo. Dubbo was fortunate that in 1972 it employed a person of Colleen's character, dedication and vision with regard to welfare services in regional areas. Many of the groups she set up have developed not only in Dubbo but also in surrounding areas. As I said, Colleen was a quiet achiever. She never looked for kudos. She retired on the coast at Ballina. We were fortunate to have Colleen back in the city of Dubbo last Saturday to pay her due honour. She gave her life to the community for the betterment of the people of Dubbo. She is one of those people that communities cannot do without. Dubbo is a richer and better place to live in because of Colleen's involvement.

LISMORE ELECTORATE CENTENARY MEDAL RECIPIENTS

Mr GEORGE (Lismore) [5.50 p.m.]: Tonight I pay tribute to those in my electorate who recently received Centenary of Federation medals. I was honoured to co-host with the Federal member for Page, Ian Causley, a function held at the Lismore City Council chambers to honour recipients. The distinctive commemorative Australian medal marks the achievements at the start of a new century of a broad cross-section of the Australian community. The Northern Rivers community can be proud that it has so many outstanding people who have helped to make Australia and the wider world a better place. The award of the medal enables Australians to honour the lives of some extraordinary individuals, particularly those who have lived through changing times and who can reflect on 100 years of life. The Centenary of Federation medal process did not follow the tradition of honouring the great and wise. The recipients in my electorate include not only prominent Australians but also many grassroots members of the community whose only motivation has been to make life better for their family, our community and our country.

The recipients in my electorate are Norman Seccombe, Helen Trustum, Iris Cruickshank, James Dargaville, Helen Wynd, Judith Light, Bob Barnes, Barry Chapman, Menie Compton, Tom Fitzgerald, Bridie Gregory, OAM, Lois Keep, Habib Habib, Ollie Heathwood, Ron Heron, Michell McKenzie, Ella Murphy, Beverley Rawson, John Rickard, Jean Rose, Barry Davidson, Arthur Elledge, Harold Fredericks, Harry Freeman, Ian Gaillard, Vincent Gannon, Darcy Goodwin, Annie Rowan, John Seed, Valerie Smith, Ann Spillane, Margo Sten, Beth Trevan, John Brooker, the Hon. Dr Brian Pezzutti, Rose Walker, John Mace, Jennifer London, Colin Sullivan, Mark Arnold, Lucy Sullivan, Raymond Reid, the late Martin Buckley, the late Donald Fletcher, the late Elsie Dawson and Frances Sweet. Those people were either centenarians or have spent their life working for the community. The recognition was well and truly deserved in each case. More than 100 people attended the morning tea to pay tribute to those who received the medals, those who have dedicated their lives to the community. It was good to acknowledge their efforts, which have not only made their lives better but have also improved the community. We sincerely thank them and, on behalf of the electorate of Lismore, I pay tribute to them.

Private members' statements noted.

The House adjourned at 5.53 p.m. until Tuesday 27 May 2003 at 10.00 a.m.
