

# LEGISLATIVE ASSEMBLY

Wednesday 3 September 2003

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

**Mr Speaker** offered the Prayer.

## BUDGET ESTIMATES AND RELATED PAPERS

### Financial Year 2003-04

**Debate resumed from 2 September.**

**Mr LYNCH** (Liverpool) [10.00 a.m.]: I wish to make a contribution to the debate on this year's budget. Over the term of this Government, since 1995, the electorate of Liverpool has been the recipient of record amounts of capital expenditure. This year's budget is no exception. These capital allocations are designed to deal with two general problems. Historically, the electorate of Liverpool has not received its fair share of capital funding. Accordingly, the last eight years have been an effort to catch up on the provision of facilities. In addition, south-west Sydney has experienced dramatic and substantial growth in recent years. Obviously, it is necessary to have substantial expenditure to meet the needs generated by that growth. These are the two major challenges to be met by government in Liverpool.

The challenges are rendered more serious by the fact that Liverpool traditionally has been regarded in broad terms as a materially poor or working-class community. Whatever label is applied, it is undoubtedly the case that simply relying on the marketplace is not an acceptable option for many who live in my area. Relying on the marketplace for the allocation of resources and facilities is fine if you are rich and powerful, but it does not offer a lot of assistance to many of the people I represent, who need publicly owned institutions and structures to meet their needs—public hospitals, public education and public transport.

The allocations I first mention are \$6.8 million for the Liverpool-Parramatta transitway in my electorate and \$18 million for Hoxton Park Road. These amounts follow on from previous allocations and are aimed at completing these related projects. The transitway is important public transport infrastructure. It has been in operation for some time, although not all the work associated with it has been completed. In my experience the reception of the transitway and its operation has been generally positive. If nothing else, the sight of government-owned buses in Liverpool has been widely welcomed. It has been the fulfilment of a longstanding demand from the residents of Liverpool to have government bus services west of Auburn. I look forward to the further extension of government buses in Liverpool and south-west Sydney.

The service provided by the transitway is significant. Apart from being a regular and high quality bus service, it provides important cross-country connections between different suburbs that run contrary to the traditional radial connections in Sydney's transport system. Associated with the development of the transitway is a widening of Hoxton Park Road, which is one of the major roadways in Liverpool. It services, in particular, many of the new release areas both in the electorate of Liverpool and the adjoining electorate of Macquarie Fields. In recent times negotiating that road has become something of a nightmare, especially in peak periods. Together with the construction of the transitway, Hoxton Park Road was to be widened between Hill Road and Banks Road.

What had been a road with one lane of traffic either way has been developed into a six-lane road, with two lanes reserved for the transitway and four lanes for general traffic. In particular, this removes the biggest single bottleneck on the road, which was the bridge over Maxwells Creek near to the intersection with Hill Road. In addition to the road being widened a number of new traffic lights have been installed in situations where they were desperately needed. This applies in particular to the intersection of Hoxton Park Road with Joadja Road. Also involved with this work is a widening of Hoxton Park Road between the Liverpool City Council chambers and Hill Road. This is currently a four-lane road with two lanes of general traffic in either direction. It must be widened to provide two extra lanes for the transitway.

The real issue was that as things were, physically there was not enough room for this to happen. Therefore, the Roads and Traffic Authority [RTA] compulsorily acquired about 40 houses along the northern side of Hoxton Park Road. This was certainly necessary for the transitway to proceed. However, it was devastating for the residents who lived there, especially the longer-term residents. I know a number of the residents and some of them are friends of mine. One could only have great sympathy for their situation. No project as large as this can ever be developed without some complicating issues arising. For example, I note that one of the contractors retained by the RTA was in breach of its occupational health and safety, and industrial obligations. A constituent who was an organiser with the Construction, Forestry, Mining and Energy Union raised those issues with me. I note that the issues were satisfactorily resolved, and the contractor was brought back to its obligations through the intervention of the office of Minister Scully.

Another issue that has arisen that has not been resolved involves the land adjacent to Hoxton Park Road that adjoins the rear of the properties in Dale Avenue, Liverpool. This land was part of that acquired by the RTA, but which the RTA does not need to widen Hoxton Park Road. It is often referred to as the residue land. This residue land has been the subject of considerable concern and controversy, which stems from the quite unacceptable proposal by the RTA to develop the land for medium-density housing. The essential problem is that this land is quite unsuitable for that purpose. It is very long and narrow—its width is about half a residential block. The RTA seems driven by an insatiable desire to make money and it is treating some of the residents of Liverpool with contempt. The proposal they make is the ultimate in gun-barrel, medium-density development.

I have previously reported to the House on this development. One of the justifications trotted out was that the Auditor-General would criticise the RTA if it did not develop this land, but that is nonsense. In a letter to me dated 11 February 2003 the Auditor-General made it clear that this was not the case. There is not only considerable residential opposition to the proposal, but also considerable concern by Liverpool City Council. A number of councillors have said to me that they cannot see how the RTA could prepare plans for that site that they, the councillors, would be comfortable supporting, given the shape and location of the land. I urge the councillors to reject any application for medium-density development lodged for that land. If the RTA sells this land to a developer before development approval is granted I would urge the relevant Minister to alert any such developer to both the extent of residential opposition and my comments in this place on that topic.

Another issue associated with the Liverpool to Parramatta transitway is damage to properties caused by the construction of the transitway. I have spoken on that topic in May this year. A number of residents living near to the construction work for the transitway noticed damage to their houses after the construction work was carried out. These residents include Mr and Mrs Lyons in Rundle Road, Mr and Mrs Hay in Banks Road and Mr and Mrs Fitzpatrick of Sanderling Street. All of these residents submitted plans to the contractor, Barclay Mowlem, who in turn in each case referred the claims to their consultants, Abacheck. Not surprisingly, Barclay Mowlem's consultants found that nothing that had been done by Barclay Mowlem was in any way responsible for any damage that had occurred and nothing that had occurred was caused by the construction work. That is a quite unsatisfactory position. It forces my constituents to make repairs at their own cost or institute legal proceedings—once again, if they are financially able.

Since I raised this issue in the House there has been a deafening silence from the Minister for Transport Services, Mr Costa. Perhaps he might respond on that issue. The time involved in the construction of the transitway in Liverpool has been significant. It has certainly taken much longer than anticipated. One constituent of mine who served in Vietnam noted that airports are built in a fraction of the time that it has taken so far to build this road. However, the work is continuing and I look forward to its completion. There are other substantial roadworks within my electorate. In particular, there is a substantial allocation of \$6.5 million towards a portion of Elizabeth Drive and Cowpasture Road—a project that I know is dear to the heart of the Minister as well as to me. This will allow the continuation of the widening of Cowpasture Road to two lanes in each direction from Elizabeth Drive to Frederick Road and the north Liverpool Road intersection. That intersection now has traffic lights installed in place of the roundabout as part of this work.

Elizabeth Drive has also been widened to two lanes each way from Cowpasture Road to Windsor Road, which is one of the entrances to the suburb of Cecil Hills. These are very welcome improvements to this area. They will in particular be of great assistance in accessing Cecil Hills. They will also be of benefit to general users of these two roads. Indeed I know anecdotally that the journey times for those travelling to Liverpool in the morning on Elizabeth Drive have improved recently because of this work. There is however one problem that I should highlight with this work and it relates to the cavalier and arrogant attitude of the Roads and Traffic Authority [RTA] in relation to Gabriella Avenue and Frederick Road. Gabriella Avenue intersects at a T intersection with Frederick Road. The next nearest intersection with Frederick Road is with Cowpasture Road and north Liverpool Road. The RTA unilaterally, without either warning or consultation, closed off this intersection for right-hand turns into Gabriella Road from Frederick Road.

This was unacceptable for two reasons. First, the process was appalling. The residents, the bus company, the local council, and even the local member were not advised that this was going to happen. Additionally, the closure is unnecessary and will cause great difficulties for many residents. I conducted my own survey of the area and 96 per cent of respondents to the survey opposed the RTA proposal to prohibit right-hand turns. Essentially, everyone, apart from some RTA boffins, opposed the closure. The RTA agreed to reopen it temporarily, which it did. In fact, it was the least it could do, bearing in mind it was a council road and not an RTA Road. However, the RTA has now returned to the attack. Once again it has done so without advising the local member of the substance of what it was going to do. I think the RTA has made a clear decision that I am not its toady, so it will therefore ignore me. The RTA prepared another report, which was presented to the Liverpool traffic committee. Once again it seeks prohibition of right-hand turns into Gabriella Road from Frederick Road. Other members of the traffic committee have not supported this. The council opposes it. It is an unnecessary bureaucratic and obnoxious proposal. The RTA should desist from pursuing that option.

The budget papers also contain amounts in relation to the Western Sydney Orbital or, as it is now known, the M7. When constructed, this will be a valuable addition to transport infrastructure in south-western and western Sydney. It will allow quicker movement of large vehicles, or vehicles generally, and vehicles that use it will avoid a plethora of currently existing intersections and traffic lights. That will have a number of environmental advantages, to say nothing of efficiency gains and a reduction in frustration levels. It also has the advantage for residents of vehicles, especially heavy vehicles, not occupying roads that are used by residents. However, there are two issues of concern in particular about the M7. The first is that the toll is to be imposed on users of the road. This stems directly from the Federal Government, which has the financial responsibility to fund the road.

The Howard Government is happy for new roads to be built in country areas, from which so many of its members of Parliament originate, without tolls, but when it comes to western Sydney, we have to cop a toll. The second issue relates to the location of the roadway. It is far too close to the western edge of the suburb of Cecil Hills. While the funding of the road is a Federal responsibility, the construction of the road is actually carried out by the RTA. The RTA is behaving in an appalling fashion in relation to the positioning of the road. Many people who purchased properties at Cecil Hills, which is a new suburb, did so with all due diligence. They noticed a line on various maps that showed the proposed route of what was then called the orbital. It seemed to be well away from houses and did not cause any concerns, so they proceeded to buy their houses, having conducted very sensible and responsible searches. Then, after many had bought houses, the RTA changed the plans for where the road would be. It was then much closer to houses, much further to the east. In some cases it would be within 100 metres of houses. That was disgraceful, of course.

A significant community campaign and, can I say, energetic and enthusiastic representations from the State member of Parliament, led to an improvement in this proposal, with the route being moved somewhat to the west. However, it is still too close to houses and well to the east of where it had been marked upon maps, which maps were the basis for residents purchasing houses. For some people, this alteration to the revised RTA plans made no difference at all. These cases—residue land at Dale Avenue, damage to houses during transitway construction, prohibition of right-hand turns into Gabriella Avenue and the location of the M7, go toward explaining why it is that the RTA has earned the reputation in some places of being the enemy of Liverpool and of being a blight upon the residents of my area.

The budget also makes an allowance for education. There is capital expenditure to complete some developments at Liverpool Technical and Further Education [TAFE]. This follows substantial capital investment in both Liverpool TAFE and Miller TAFE in very recent years. There has also been substantial capital investment in my electorate in new schools at Cecil Hills and new buildings at Green Valley Public School and substantial changes at Busby West Public School. Much money has been spent on improved fencing to increase the level of security. However, there are still some needs in some of the schools. It is appropriate and useful to itemise some of these here. Liverpool Boys High School has a long and proud tradition in Sydney's south-west. Among other luminaries, one person who attended the school as a student is the present Minister for Infrastructure and Planning, and Minister for Natural Resources. However there are some issues with some of the structures at the school, in particular, classrooms that were already old when the Minister attended the school.

The rooms that are a particular problem are adjacent to Lachlan Street. They are timber buildings which are movable, although they seem to be intended, and have at all relevant times been intended, to be permanent. The concern is that the rooms in these buildings often become just too hot in which to teach or study. The rooms

are of a weatherboard and timber construction with a tin roof, without insulation. They are set on asphalt. There is precious little, if any, shade from trees. At the request of staff, I inspected the rooms late last year. Teachers had records of temperatures in the room. On 25 November last year, for example, the temperature in room 43 reached 45 degrees Celsius by 2.15 p.m. The response I have received to my representations to date has not been particularly helpful.

The newest high school within my electorate is Cecil Hills High School. While its facilities are, by definition, newer than those in other schools in my electorate, there are still needs to be addressed. In particular, there is a need for a security fence to be erected around the school to protect it. Many schools in my electorate over recent times have been provided with security fences. This partly results from representations and private member's statements that I have been making. However, no good deed, it is said, goes unpunished. The erection of security fences around one particular school will sometimes displace the problem from that school to another school that is without a fence, and to some extent that may have happened at Cecil Hills High School. The President of the Parents and Citizens Committee of Cecil Hills High School wrote to me in June this year, stating in part:

During the first half of 2003, the school has been subject to a number of graffiti attacks and a security breach resulting in the loss of thirteen computers. The P & C would be most grateful if you could make representations on their behalf for security fencing.

Another school with a similar problem is the Hinchinbrook Public School. The parents and citizens association has also requested a security fence. Penny Dow is secretary of the parents and citizens association. She wrote to me at the end of last year, and part of her letter states:

It appears that the school is one of the most targeted schools at present for break, enter, steal and malicious damage offences.

After the last school holidays ten classrooms were vandalised and since then doors have been set fire to and numerous other instances have occurred.

The letter enclosed a written report from the crime prevention officer at the Green Valley local area police command which recorded that in October 2002, Hinchinbrook Public School accounted for a full quarter of all break, enter, and steal offences and over a quarter of malicious damage offences at educational facilities within the patrol area. I have been advised that the school has been included in the safer schools plan to receive security fencing. However, this still seems to be several years off and is cold comfort to the school community. Another school with an urgent need is the James Busby High School, which has a pressing and real need for a new school hall. The school council has been conducting a campaign for a hall for some time. The school council president, Margaret Carroll, most recently sent me a letter dated 10 June this year. Part of that letter states:

In the last correspondence I pointed out that James Busby High School is classified as a disadvantaged school under the Federal Government's disadvantaged schools program. I feel a lack of a hall is adding to our students' disadvantage. It is very difficult to enhance the culture of the school when there is no opportunity to have whole school formal assemblies. It is not possible to hold a school musical, to have a presentation day, to have indoor sports or to accommodate all of our students for the school certificate and higher school certificate examinations. Trial formal exams are very difficult to conduct. There is no space for students during wet weather. The school staff, students and parents all feel that a school hall is necessary if we are to lift standards in our growing school.

There is a problem also with Busby West Public School. Part of a letter to me dated 30 May 2003 states:

Last week I was informed by officers of the Department of Education and Training (Properties) that there was a shortfall of some \$600,000 in available funds which would force the postponement of the construction of the library. Properties officers suggested that this delay may be until the 2004-05 budget, but as this is only guesswork I am concerned that this delay will go on and on. The new library is to be part of a demountable replacement program (the current demountable library has been on site for 8 years).

There was considerable coverage given to the announcement in 2002 prior to the election that Busby West P.S. was to get a new administration block, library and car park and I know that the community, children and staff will be disappointed with the latest decision to defer the construction of a library to some time in the future. My greatest concern is that the construction of the library cannot be guaranteed for a particular year.

*[Extension of time agreed to.]*

I would ask the Treasurer, the Minister and the department to address all those real concerns at Liverpool Boys High School, Cecil Hills High School, Hinchinbrook Public School, James Busby High School and Busby West Public School. I prefaced my comments about education expenditure by saying that there has been considerable expenditure in the Liverpool electorate, and it is certainly appropriate that I note that. However, as I also said, some ongoing needs ought to be addressed. Another substantial expenditure in the

budget for my electorate is for Sydney Water, that is, for the Georges River program. It is a \$100 million upgrade of sewerage systems in south-western Sydney. It is important, given the substantial urban development in the region. We have to be able to provide the facilities to cope with the massive growth, and that includes sewerage facilities. On that basis this program is obviously very necessary.

Any program of such a size inevitably involves a degree of inconvenience for local residents. This inconvenience has been taken way beyond anything reasonable by the pompous and arrogant behaviour of Sydney Water and its contractors. They have exhibited absolute bastardry in their attitude to the constituents whom I represent. The relevant Minister, Frank Sartor, has been of no assistance. Sydney Water says that it needs to upgrade sewerage facilities. Largely, this means that it needs to lay new pipes. Sydney Water has concluded that in one of the most densely populated portions of my electorate it needs to work 24 hours a day, seven days a week, involving construction, excavation and tunnelling. Sydney Water would not try that on in any other part of Sydney!

I have spoken about this issue before, so I will not labour the point now but simply note that in my view people responsible for deciding that work should be undertaken for 24 hours a day, seven days a week, in the most densely populated part of my electorate, and over a lengthy period, are not fit to fulfil any function involving contact with or impact upon the public. In relation to this project there is another equally serious act of misbehaviour by Sydney Water. It constructed one large pit for its project in Balmain Street, Cartwright. The residents at 2 Balmain Street, the Dela Cruz family, believe that their house was damaged by that work. On the face of what the Dela Cruz family told me I thought they had a case that demanded a reasonably serious response. As that did not happen, on 25 June I spoke in this House about the problem, about the damage to their house, which they believed was caused by Sydney Water. That at least elicited some activity.

Subsequently I was handed an engineer's report on behalf of Sydney Water that purported to relieve Sydney Water and its contractors of any liability. I find it quite offensive, but only too predictable, to be the subject of such a misleading and inadequate process. Once I discussed the report with Mr Dela Cruz it became clear that the authors of the report had not gone inside the house to inspect the damage and had not looked underneath the house to inspect the possible origin of the damage. About six weeks ago I drew those matters to Minister Sartor's attention, but I am still to receive a substantial reply. It takes a particular type of monumental stupidity on the part of employees and contractors of bodies such as Sydney Water to think they can continually treat residents with contempt and enthusiastically ignore representations on behalf of such residents by democratically elected parliamentarians. It is absurd to give people such as me copies of reports that have been prepared by people who have not bothered to inspect the problem. I note that this arises from a background of a generally unpleasant and inconvenient experience in the way that the work was carried out. One resident described to me the impact of the work, and wrote:

Noise, machinery/drilling sublimations. Dust over washing and cars. Exit and access inconvenience, causing longer route to area schools, shopping.

That is the background to the work of organisations such as Sydney Water and their contractors in dealing, as they have in the Dela Cruz case and with hours of work. One can only imagine that there will be a fairly adverse response from both residents and people elected to represent them. Other significant expenditure is included in the budget. I note that for Liverpool Hospital \$9.1 million has been allocated to update the emergency unit and \$6.7 million of that is to be spent this year. One characteristic of Western Sydney is that the hospitals are further from each other than they are in other parts of Sydney; that is, the drawing area that hospitals have to deal with are larger in Western Sydney than in other parts of the city.

In addition, the public transport structures are less adequate than in other parts of Sydney. That means a greater reliance on private motor vehicles and, statistically, that leads to a much higher rate of motor vehicle accidents. Therefore, emergency wards in Western Sydney hospitals become the busiest in the country. I have heard it said that the Liverpool Hospital emergency ward is the busiest in Australia, and that is probably right. While the Government has spent a large amount on that hospital and its facilities, it is equally important to keep expanding those facilities. In that context the continued allocation of money for the expansion of emergency services is very welcome.

Another significant expenditure in the Health portfolio is equally important, although it goes nowhere near attracting as many headlines as do the emergency sections of various hospitals. I refer particularly to the money spent on the mental health unit at Liverpool Hospital. A \$26.9 million program has been established to build a new facility at Liverpool Hospital; \$10.7 million of that is allocated in this year's budget. One of the untold stories of Western Sydney and Liverpool generally is the very high level of unmet mental health need. It

is a real and significant issue, which gets nothing like the public attention it should get. That is not anyone's particular fault but simply the way our society operates—people who do not have a voice tend to get less attention.

We cannot possibly deal with the unmet mental health needs unless the facilities are provided. As with the rest of the health system, most mental health facilities that have been developed over the years have tended to be in the inner city, on the North Shore or in the eastern suburbs; they have not been where the populations have expanded, in Western Sydney. This is an attempt to deal with that historic underfunding, and I am particularly happy that this amount has been allocated.

The Department of Housing has been allocated almost \$10 million for capital works, which is certainly welcome but of itself will not go a long way to relieving the waiting lists or the current crisis in private rental accommodation. Of course, the inadequacy of meeting that stems directly from decisions taken by the current Federal Government, which has absolutely no interest in people who are likely to qualify for public housing. However, the New South Wales Government is doing what it can within its financial constraints to deal with that problem. Certainly while the Federal Government continues its class-based policy of punishing anyone who is poor, significant inroads will not be made.

**Mr CONSTANCE** (Bega) [10.27 a.m.]: What a day to be standing up in the Legislative Assembly to reply to the Budget Speech, a day on which a \$1.6 billion plank is in tatters, and with a 34-all vote in caucus yesterday, which I believe has destroyed the confidence in the budget, and also in the Premier and the Treasurer.

**Ms Judge:** Rubbish! That is healthy debate.

**Mr CONSTANCE:** I thank the honourable member for Strathfield for her interjection; we know her role in delivering that blow to the Premier. If anything can be said of the 2003-04 New South Wales State budget, it is about its inability to provide a renewed focus on the delivery of better Government services and infrastructure throughout regional New South Wales. It is not a budget that encourages innovative approach to service delivery by government departments; or a budget that delivers a stronger fiscal position to ensure future investment in schools, hospitals, roads and community services. We need holistic reform of Government and we need to support our communities with the necessary funding so that local economies in regional New South Wales can flourish.

As outlined in the budget, capital expenditure in the electorate of Bega will total \$36.3 million, yet I do not believe that this level of funding is anywhere near that required to achieve better outcomes and it is certainly nowhere near the level of taxation that was collected by the Government from the people of the Bega electorate. It is what one might call a poor return on investment. We need investment that harnesses the true intellectual capital of regional New South Wales, we need investment that brings greater efficiencies for our local industries and we need investment in our local infrastructure that meets the growing needs of our growing coastal populations.

If this budget has demonstrated anything to the people of New South Wales it is that the Government's books depend entirely upon the success of the State's property market. Our budget surplus is courtesy of the Federal Government's monetary policy and new home buyers scheme. The massive unexpected collection of stamp duty from home buyers ranging from young families to retirees by a Government addicted to tax demonstrates clearly that the economic credentials that the Premier and the Treasurer tout to the people of New South Wales are simply not there.

The Carr Government has demonstrated characteristics of deceit, laziness and greed. These traits are clearly identifiable in budget documents, which confirm that the Government overspent its own budget in 2002-03 by more than \$1.4 billion and took an extra \$830 million in stamp duty from home buyers. Many in my community are questioning the impact of this budget on their lives and trying to decipher where the truth lies. After all, they were not told before the State election that taxes would be increased. In hindsight, I am sure that TAFE students, trainees and clubs would have had a lot to say during the election campaign had they known of the Government's plans. My job as their State representative is not simply to agree and nod my head but to provide viable solutions, options and strategies, to lobby the Government and to instil faith that a Liberal government will always be open and transparent through the budgetary process.

The Government has ignored the opportunity to rectify the sorry state of rural New South Wales. The drought has caused significant damage to the economic wellbeing of many small businesses and farms, adding

to the already high levels of unemployment. There is nothing in this budget to address unemployment in the Bega electorate. If anything, this budget will contribute to the unemployment rate, which currently stands at about 11 per cent. The industries of the south east have been greatly impacted by microeconomic and structural reform, so any incentive for small businesses to employ people is critical. So why is it that the State Government has provided no payroll tax relief and has removed the incentive for employers to take on trainees by now requiring them to pay the workers compensation premiums of those trainees?

There is no integrated approach from the State Government to local or Federal Government initiatives designed to tackle unemployment problems. The last time we saw anything from the Carr Government about this issue it was in the form of a Premier's Department report on the Eurobodalla in 2001. Nothing has come of that report. When I gave my inaugural speech in this place I said that if the people of Bega have one flaw it is that they are willing to endure so much without too much complaint. Their claims for better roads, hospitals and schools are legitimate, and should be heard in this place. The community should be recognised for the role it has played in applying pressure on the Government and in successfully securing some expenditure on essential services in this year's budget.

Funding has been allocated on the back of community and political pressure for the following key initiatives. Some \$5 million has been allocated to stage two of the Bega High School upgrade, Merimbula Public School will receive \$1.4 million, and \$4 million of the \$7 million allocated to the Milton-Ulladulla Hospital redevelopment is also included in this year's budget. There is a 9.5 per cent increase in funding for the Southern Area Health Service together with funding for community transport and for the widening of the Princes Highway between Mogo and Moruya. Although that funding has been made available, the people of the Bega community also face increases in stamp duty on home purchases, increases in workers compensation levies for trainees, rising fee structures for TAFE students and courses, and tax increases on clubs that will directly affect local sporting and community groups.

I turn now to the increase in stamp duty and the effect that this has had, and will continue to have, on my constituents. The Government has offered no tax cuts in this regard. Since 1995 the Bega electorate has seen significant increases in stamp duty on homes, with rises of 177 per cent in Batemans Bay, 96 per cent in Moruya, 130 per cent in Narooma, 200 per cent in Merimbula and 95 per cent in Bega. Yet we have seen no matching funding from the State Government in any of our local areas. Property on the far South Coast has become increasingly popular and attractive to city holidaymakers and weekend visitors. This has caused a considerable rise in the value of property, which is great news for existing home owners but not such good news for those trying to buy their first home.

The proposed Coalition plan for stamp duty cuts would deliver significant advantages and more affordable options for first home buyers. Under our plan, the Coalition would cut \$880 million from the \$2 billion in projected budget surpluses over the next four years. Stamp duty rates on property transfers would be cut by 5 per cent on 1 July 2004. The stamp duty cut would increase to 7.5 per cent from 1 July 2005 and then rise to 10 per cent on 1 July 2006. The city and country thresholds of the First Home Plus Scheme would be equalised. The plan would produce significant results in the Bega electorate. At present the average cost of a house in Bega is \$157, 500 and average stamp duty costs \$4,003 in addition to the purchase price.

Under the Coalition's plan for stamp duty cuts, in the first year alone we would see a saving of \$200 and incremental savings of \$300 and \$400 in following years. In the Moruya area, where an average home costs \$188,000, stamp duty adds \$5,088 to the purchase price. In that region the Coalition's planned stamp duty cuts would deliver a saving of \$254 in the first year and savings of \$382 and \$509 in following years. The Labor Government obviously considers these sums trivial and unworthy of saving—it is just pocket change in Sydney. The Government should take on board the Opposition's plan to provide more affordable housing to the people of New South Wales and adopt our approach.

I spoke earlier about job creation and the fact that there are no new job creation incentives in this budget. The Bega electorate already struggles with high unemployment and now it bears the burden of being part of the State that has not recorded the creation of any new full-time jobs since July 2000. In fact, since July 2000, 30,200 full-time jobs have been lost from New South Wales. This compares with Queensland, where 46,000 full-time jobs have been created. We obviously need to drive up the skills level of our population, and this can be best achieved in part through the TAFE system and traineeships. However, TAFE students and trainees in the Bega electorate are the big losers in this year's budget.

The affordability of TAFE courses and the incentives offered to small businesses to take on trainees have been diminished. The financial incentive for employers to give young people traineeships will also disappear. But the Government does not stop there: it continues to reduce opportunities for people to access TAFE courses. This is very disappointing for young people in regional New South Wales and demonstrates the Carr's Government lack of commitment to job creation. Our local schools also face many difficulties. Ulladulla High School has been mentioned constantly in this House but there is nothing in this budget for the students, teachers and parents of that school community.

Many problems are confronting our local public schools. Bega West Public School comprises mostly demountable classrooms and requires new school buildings. Tilba Public School also needs an additional classroom, and the list goes on. Another important aspect of education that does not receive the air time it deserves is the plight of special needs students. We need more funding on the ground for those students in our classrooms because at present many teachers are struggling to meet their needs, and therefore those of the broader school population. I think it is time for the Minister for Roads to take a drive south to Kiama. In short, once again no funds have been allocated for upgrading the Princes Highway below Kiama. It is a disgrace that more than \$310 million of the \$380 million to be allocated over 10 years will be spent north of Kiama.

The Minister stands condemned for refusing to fund the Princes Highway in this budget when he knows that there have been 6,531 serious accidents on the highway in the past 10 years that have injured and killed more than 4,000 people. The Princes Highway requires additional expenditure of \$200 million over the next five years to upgrade it to an acceptable standard. There are several key projects in the Bega electorate. Pambula Bridge needs \$10 million in funding, the Bega bypass needs \$15 million, strengthening the Brogo River Bridge will cost \$1 million, work on Dignams Creek will cost \$10 million and work on Victoria Creek will cost \$20 million. Wagonga Inlet needs \$4 million dollars, the Clyde River Bridge needs \$1 million, and the Ulladulla bypass needs \$20 million. That makes a total of \$81 million that should be spent in my electorate over the next five years. All of those projects are already part of the development plan of the Roads and Traffic Authority, and that plan must be made public.

The alarming car accidents statistics open the door to a discussion of the state of our hospitals and hospital emergency departments—particularly those in Batemans Bay and Bega. Both hospitals have emergency departments that are in need of drastic refurbishment and reconfiguration. The Health budget handed down by the Government for rural and regional New South Wales does nothing to improve these emergency departments. The Southern Area Health Service, in particular, received funding in the order of \$158 million, an increase of 9 per cent from last year's budget.

Yet again the people of Bega continue to endure inadequate and failing emergency departments because the Carr Government did not consider it important enough to outline it in this year's budget. There is nothing in this year's budget to provide more infrastructure to the orthopaedic services in Bega hospital. These regional-based services provide orthopaedic cover from Batemans Bay to the Snowy Mountains to northern Victoria, yet we run the risk of losing one orthopaedic surgeon in the next six months, and both orthopaedic surgeons in the next 18 months. They need infrastructure to support the services they provide, in terms of more assistance within the hospital from junior staff, more nurses and a new operating theatre in order to meet the current demands of the community.

Another disgraceful Health issue relates to Peppertree Lodge, based in Queanbeyan, which has a profound impact on residents throughout the Bega electorate. Peppertree Lodge meets the needs of dementia patients with behavioural difficulties and mental health issues, but the Government is closing it down. Last week during the Alcohol Summit we heard a lot about programs that are required to counteract the problems of alcohol abuse in the community. It is outrageous that in the Southern Area Health Service \$1.6 million is spent on drug and alcohol rehabilitation for 200,000 people. That means that our community is not offered the same level of funding as other communities throughout this State.

I am also disappointed that this budget does not contain the full gamut of budget documents. Many government departments and agencies that impact on regional New South Wales are not included, such as the Department of Lands, the Department of Infrastructure, Planning and Natural Resources, the National Parks and Wildlife Service and the Department of State and Regional Development. They are simply not there. They account for more than \$4.5 billion in expenditure and their exclusion raises doubts about the budget's fulfilment of the Public Finance and Audit Act. What does the Government say about the development proposals for the Ulladulla harbour and foreshore? I am also particularly interested in the budgetary considerations of State Forests and National Parks.



The green agenda of the Government will result in further structural adjustment for the timber industries in the south-east region during the next 12 months. There is much speculation that 25,000 hectares of State forest reserved for production forest under the South East Regional Forest Agreement will be transferred into the national park estate which will, in effect, impact greatly on the mills and timber contractors in the area, not to mention the need for more resources for the National Parks and Wildlife Service. Those businesses are now in jeopardy due to the actions of the Carr Government. Surely the taxpayers of New South Wales should be provided with a degree of accountability on the use of taxpayer funds under the Forest Industry Structural Adjustment Package, which dedicates taxpayers' dollars to timber contractors.

It is critical that the diverse industries in the Bega electorate are sustained, but under this budget they have been greatly impacted upon by microeconomics and structural reform. Overregulation by government is strangling many of these industries and makes it increasingly difficult to maintain and sustain the environment upon which they rely, rendering our local industries uncompetitive. Already numbers are decreasing, with only 1,422 people now working in agriculture, fishing or timber industries compared with 1,600 only five years ago. With our local industries suffering overregulation, our education and health services are in urgent need of upgrading. The Labor Government deemed it fit to pull the strings tighter on our local clubs and impose an increase on gaming machine taxation.

I think the Labor Government has forgotten that clubs are the third largest employer in the State, employing 39,600 people. The increase in taxes will affect not only members of these clubs but the broader community. They are often generous supporters of local community groups and sporting clubs, and tightening their pockets will inevitably have an effect on other industries in the area. Forty per cent of Australia's clubs are located in New South Wales and, of those, 43 per cent are located in rural and regional areas. This is something we cannot ignore. These clubs are great local employers and often the soul and meeting place for many groups and individuals in regional and rural areas. [*Extension of time agreed to.*]

In my electorate some of the 25 clubs will close because of this greedy grab for cash. In fact, this process shows that the economic boffin, Michael Egan, has shown up the commercial inexperience of the Premier. In fact, the Premier does not have an economic or commercial bone in his body, and his reliance on the Treasurer is his greatest weakness—just ask caucus! Clubs are great supporters of the community and provide services back to their members. With a large retiree population in my electorate, clubs are important to the social fabric of our community. Club organisations support things such as sporting facilities, health and gym facilities, event facilities, food and beverage outlets, local schools and playgrounds, local hospitals and nursing homes, surf-lifesaving groups, volunteer rescue organisations, and, as I have said, more broadly, emergency services. Much of this is now in jeopardy, thanks to the Premier and the Treasurer.

Building investment by clubs in our local area has been slashed and amalgamations have been put on hold. I am aware that in some instances staff are now being restructured out of their positions. To put it all into perspective, the additional tax per voter that will result from these changes is \$238 per voter in the Bega electorate, that is, \$11,558,232 taken out of local economies in my electorate. That means jobs, both direct and indirect, and lost social capital. Unfortunately, the delivery of the Carr budget has been a reflection on everything that should not be in politics—arrogance and elitism. The Government has forgotten to stand alongside, support and work with communities that it has pledged to support. It has forgotten that government departments should partner with the community and industry, not create conflict and doubt, as they are doing. In the history of New South Wales no government has raised more money through taxes than this Government. How can we make more for our people when our infrastructure is run down yet the money to fix it all has never been more plentiful?

**Mrs PERRY** (Auburn) [10.48 a.m.]: Nine years ago the Premier told this Parliament what would drive the Australian Labor Party's policy framework in the State in the coming years. He told us how financial policy, economic development policies and social policies are all interrelated with a common goal: to deliver better services, a better economy, a better State and a better government. As the member for Auburn, I am proud that the 2003-04 State budget has built up on those very principles—principles that are desired for the economy of New South Wales that could only have been achieved through the leadership of this Government, principles that have delivered better services, a better economy and a better government to the very people who put us here.

First and foremost, I commend the Treasurer, Michael Egan, for delivering yet another balanced budget. This State is all the better for his fiscal management and guidance. The Treasurer is right in pointing out that when he first delivered a balanced budget it was a big news story. After delivering his eighth successive balanced budget it now hardly rates a mention. In fact, it has almost become like a given for this Treasurer and this Government. It is important not to lose sight of this unparalleled achievement.

Most importantly, this is a prudent budget, which still manages to provide even more services to the people of New South Wales. It is prudent because it allows for any unforeseeable events that the State might have to contend with. It puts New South Wales in a secure position for the future, something the Carr Government has been committed to since it came to office. For instance, since 1995 the Carr Government has reduced general government debt by 20 per cent. More importantly, the Government has increased spending in priority areas because it understands the needs of the people of New South Wales and how and where they want those services delivered.

I was pleased to note that overall spending increased to \$7.138 billion—\$7 billion for our State's schools, hospitals, roads, railways, public housing and public utilities. I shall now outline the core areas facilitated by the budget. Funding for Education and Training has increased by \$542 million on last year's budget; Health by \$920 million; Community Services by \$162 million; Ageing, Disability and Home Care by \$109 million; and Police by \$193 million. These are not small numbers, yet against this backdrop the Government has forecast a surplus. Although I always enjoy reflecting on the successes of the Government on a statewide basis, without further ado I would like to reflect upon the budget and what it means to the men and women of the Auburn electorate.

These men and women have placed their faith in the Government, a faith that has been reciprocated with the delivery of this budget. The budget will deliver to the people of Auburn increased investment to improve government services, which, in turn, will help families and small businesses. The key areas of local expenditure will be \$7.6 million on local education and training, \$13.5 million on corrective services and \$23.8 million on local transport. I am happy that so many major infrastructure programs will be funded by this budget. In highlighting where Auburn is set to benefit from budget funding allocations, I will also briefly mention the underlying logic for these allocations. This is not simply an arbitrary exercise in dividing up the pieces of a pie; it is about ensuring that the right size pieces are given to all the people of New South Wales.

In the 2003-04 State budget, capital funding totalling \$107 million has been allocated for reducing class size numbers for kindergarten, year 1 and year 2 with additional recurrent funding of \$222 million. This is because the Carr Government understands the importance of the earlier years of schooling for our children. It wants to make a difference when students are young so as to maximise their education later in their academic lives. Several improvements and upgrades will also take place to learning centres in my electorate. Upgrades will include the further development of such important educational assets as classrooms, toilets, libraries and enhanced administration facilities.

Berala Public School will receive \$3.3 million as part of the \$5.3 million upgrade of accommodation at that school, with \$1.4 million to be allocated for the completion of stage two of the \$5.4 million upgrade of Auburn West Public School. Demountable classrooms will be replaced by new, roomier and more comfortable classrooms. The funds will be used to construct eight new classrooms, a new library, an administration block and a school hall. The first stages of the upgrade have been completed already. Sefton High School will also receive an upgrade to administration and library facilities at a cost of \$2.8 million. These improvements again demonstrate the firm commitment by the Carr Government to ensure that each and every student has access to the best facilities that we, as a government, can provide.

The Government has once again shown a robust commitment to ensuring that the best medical facilities and services are provided to the people of this State. That is evidenced by the allocation of \$689 million for the Western Sydney Area Health Service. This represents an increase of 11.3 per cent on the last State budget. Some of this funding will go towards upgrading ambulatory care facilities at Auburn Hospital. Auburn Hospital will also receive \$1.17 million over the next four years to set up the Diversity Health Institute at that hospital. This is no small feat. We will be leading the world in this area. This highly advanced institute will ensure that people from migrant backgrounds have access to high-quality, effective health care services.

Housing in the Auburn electorate continues to be an area of major need and one that requires a significant degree of attention and assistance. Auburn is part of the greater Western Sydney division of the Department of Housing, which is planing redevelopment work in suburbs including Lidcombe, Auburn and Sefton. Auburn especially will benefit from an allocation of \$1.6 million for capital works to assist those in need. This is part of the \$396 million budget allocation for upgrading and maintaining public, community and Aboriginal housing. Also, \$1 million will be spent on 13 units of public housing at Auburn. The Government has reaffirmed its commitment to enhancing public transport systems in the electorate of Auburn through this budget. It is good news that \$400,000 has been allocated for planning the Parramatta to Strathfield bus-only transitway. This transitway will improve travel time and access for residents, businesses and employees in the newer developments at Homebush Bay, Newington and Silverwater.

Although the Government continues to invest in public transport, it also recognises that areas not serviced by public transport need good roads. That is why a total of \$1.9 million has been allocated to the Auburn area in 2003-04 to upgrade and enhance roads, safety and travelling conditions. Local residents and businesses have welcomed this allocation. It will help improve and maintain roads in the area. The funding will allow for many beneficial projects. An allocation of \$647,000 has been made for road safety initiatives. The logic behind this is that driver education goes a long way towards the prevention of accidents; it is about avoiding accidents before the driver even gets in the car. I believe that is a commendable and commonsense approach.

Also, \$85,000 will be spent on the construction of a right-hand turning lane from Auburn Road to the Hume Highway. Another highlight is the funding allocation of \$50,000 to continue work on the Homebush Bay to Fairfield cycleway. This cycleway is utilised by many people in the electorate, especially families, and it encourages people to look at alternative forms of transport to the car. Environmental funding will allow for many projects to be undertaken in my electorate, all of which I am very excited about. A total of \$125 million is to be spent on new environmental projects and resource management.

The Millennium Parklands at Homebush Bay will become one of the world's great urban parks, and one of the largest. The site will cover a massive 440 hectares. I have already seen the results of the earlier stages of development and they speak for themselves. The Auburn electorate has received funding of \$6 million for the further development of the Millennium Parklands. In close proximity to the parklands is the intended site for a boat ramp that can be utilised by the whole community. An allocation of \$200,000 will be made for the construction of a boat ramp at Homebush Bay in accordance with the Government's the Sharing Sydney Harbour—Regional Action Plan. It will allow people not only from the electorate of Auburn but also from all over Sydney to come and use Sydney's beautiful waterways for recreational purposes.

The head office of the Rural Fire Service will receive an allocation of \$5 million to relocate. This state-of-the-art centre will then be in a more central location and will be able to more effectively respond to emergencies that may occur in any or all directions. Given that Auburn is one of the most multicultural electorates in New South Wales, I am pleased that communities from culturally diverse backgrounds will receive more than \$160 million in funding from this year's State budget. I have spoken in this House about the many successes of programs the Government has initiated. The Youth Partnership with Arabic Speaking Communities Program has had such positive results that it has now been extended to address the needs of Pacific Islander communities. Under the budget this program will receive \$1.4 million and the same program for Pacific Islander communities will receive \$1.1 million over three years.

In an acknowledgement of the importance of intelligent, aware and proactive policing in protecting the safety of the public, I commend the Government for its emphasis in the budget on visible, high-impact street policing, in collaboration with the deployment of new crime technology designed to save valuable police time. The people of Auburn can expect to see more police in the streets, given this Government's funding of more than \$20 million for the high-visibility Vikings operations. The State's biggest ever police force will continue to grow. In the past 12 months the New South Wales Government has trained and deployed more than 2,270 more police. Just recently two local area commands in my electorate of Auburn—Flemington and Bankstown—received a total of 26 new local police officers.

Through all of these measures the people of Auburn can expect to be in a better position. The Government has shown itself to possess an unyielding commitment to pursuing to the highest degree measures to ensure that citizens of the Auburn electorate and the wider community have access to the best education, health care, public utilities and employment opportunities that we as a Government can provide. If we get it right now, this will naturally have flow-on effects into the future. And, looking at this budget, I think the future can only be a bright one for the people of New South Wales. I commend the budget to the House. In doing so I congratulate the Premier, the Treasurer, Ministers and my Labor caucus members who contributed to the formation of this fiscally and socially responsible budget.

**Mr R. W. TURNER** (Orange) [11.01 a.m.]: It is a pleasure this morning to have the opportunity to reply to the Carr-Egan budget for this financial year. For the more than 44,000 voters and their families living in the Orange electorate, the ninth Carr-Egan budget holds very little promise. I searched through the budget papers hoping to see reference to a new police station for Orange, or a funding allocation for the upgrading of the twin bridges at Copper Hill, north of Molong, but to no avail. This is a horror budget, with very little vision, for people in rural communities. We are still suffering the effects of one of the worst droughts in living memory. Some dams in the southern part of the electorate are still carrying only a small amount of water. Our major dam

storages of Wyangala and Burrendong currently hold only 11 per cent and 28 per cent respectively, with no promise of future allocations for irrigators on either of those river systems. The main water storage for Orange—at Suma Park—fortunately has lifted quite recently, but as of this morning it still holds only 53.5 per cent of capacity. Spring Creek, the other water storage area, is up to its capacity, but that capacity is limited because the Orange City Council is still awaiting the release of funds from the State Government to help the council with an upgrading of that storage.

Recent rain within the Central West region will hopefully ensure that the canola and wheat crops that have been dry-sown will now start to show some promise of a harvest. There is hope also that some lucerne will be cut. Some farmers are quite surprised at the health of some of their crops despite the low levels of rain they have received so far. Many farmers will now hang onto their stock in the hope that follow-up rains will come through to justify their decision. Many have had to sell off stud breeding stock because they have neither grass nor fodder. Currently, many areas are experiencing a "green" drought. The Government has not recognised these problems, and the long-term effects on our communities, with little in reserve, will be devastating. It will also be devastating to the small businesses that depend on rural communities. They were hoping for some relief in this budget, but it just was not there. The same comment applies for small businesses in towns that are feeling the effects of the drought. Even some infrastructure or capital works projects, which could have offered employment for some rural workers whilst they wait for the recovery that must happen, would have been better than nothing.

I now refer to health issues within the Orange electorate. The Cudal Hospital has become the latest victim of the Carr Government's total neglect of rural areas. Last February the Hon. Tony Kelly—the current Minister for Local Government—masquerading then as the Leader of Country Labor, promised that "work on the \$4.5 million redevelopment of the Cudal Hospital would begin in November". I ask the Minister: Which November? The 2003-04 budget papers make no mention of the Cudal Hospital in the new major works within the Department of Health budget. Some money is allocated to program planning for rural hospitals, but Cudal Hospital is not specifically named, as we would expect it should be after Mr Kelly's announcement. If it is to begin in November 2003, it certainly would by now be past the planning stages and should have been the subject of an allocation in this budget. The hospital plays an important part in the economy of Cudal. Prior to its closure in December 2001, it employed a number of local people, and the new hospital as announced was to include a 24-hour emergency care area, a general practitioners' service area and a 10-bed unit for sub-acute and non-acute services and care for elderly residents. It is fairly evident that this was just another ploy by the Government to hoodwink country voters into voting the Carr Labor Government back into power.

We are assured plans for a new base hospital in Orange are proceeding, as is a new mental health unit at Bloomfield, but again nothing specific is set out in the budget. I seek an assurance that the announced start-up date for the new hospital of 2004-05 and a completion date of 2008-09 remain a commitment of this Government. These services cannot come quickly enough. The present base hospital, especially the original hospital area off Sale Street, is dilapidated and in need of urgent maintenance. Patient care by staff and doctors is exemplary. However, a number of areas, especially the bathrooms, leave a lot to be desired. Even in the new section in Dalton Street there is not disabled wheelchair access to the bathrooms. I am aware that maintenance on these areas has commenced, but it is being carried out by Orange Base Hospital maintenance staff and this work is done only when nothing else in the hospital needs attending to. In the meantime, nurses and patients must put up with prolonged disruptions in the bathroom areas. It does not take eight months to renovate four bathrooms.

Orange offers a health service to patients from all over western New South Wales, covering a population base of more than 200,000 people. We have some of the best doctors and specialists in their fields in this State, and it is absolutely essential that funding for a new hospital is provided as a matter of urgency and that these works be completed on schedule. Currently, huge amounts of funding are being wasted in the transportation of patients to Sydney because the local hospital is not able to cope with the demand on its services. I might point out that whilst Orange Base Hospital is officially, or unofficially, however one likes to term it, a campus of the Dubbo clinical school and also takes students from John Hunter Hospital in Newcastle—and we are very pleased with that co-operation with John Hunter Hospital—the Orange hospital does not receive funding appropriate for a training hospital. It has been estimated by specialists working within the hospital that Orange is missing out on at least \$2 million per annum in appropriate funding to provide those services.

Funding for the hospital, which is currently \$11 million behind budget, and the employment of additional staff need to be undertaken as a matter of urgency. Currently, Orange Base Hospital has only 2½

ventilators in its intensive care ward, with the promise of another one. Patients being brought in by helicopter who could stay in Orange have to be deferred to metropolitan hospitals because they have to be ventilated and no ventilator is available. However, I congratulate the Minister for Health on his recent announcement that this situation is about to change, as he announced that the hospital is to get the appropriate equipment and the additional staff. They cannot come quickly enough. Cowra Hospital should be assured that it will maintain all of the services it currently provides to the people of the area. People from Cowra do not want to have to travel 100 kilometres to Orange to have their babies or to have simple operations. Other hospitals, such as at Molong, Canowindra and Eugowra, also need to receive assurances that their facilities are secure.

Orange enjoys the services of Dudley Private Hospital, part of the Mayne group, which provides health services for people throughout the region. We are very fortunate to have facilities such as the Orange Radiology, the Orange Eye Hospital, and new medical centres in Kite Street and McNamara Street that offer day surgery facilities to people throughout the region. I congratulate all those who are upgrading our private medical facilities, and I call on the State Government to recognise that Orange is providing increasing and excellent medical facilities. I encourage the Government to match the private sector with equal enthusiasm.

Police officers stationed within the Orange police station, part of the Canobolas area command, are expected to work in unreasonable conditions. Obviously, the Carr Government has no intention of improving the situation. Doors within the station have been taken off their hinges to make more room. Quite often officers have to come into the station to write reports because they cannot access a computer to write up their reports while they are on duty. The current budget has no funding at all for a new station, despite the Minister acknowledging the shortfall at that station. Officers coming into Orange are expected to work in unrealistic conditions, yet the Government has refused time and again to do anything about it. It certainly is not a work environment that is conducive to influencing new officers to stay, nor is the conglomeration of five buildings on three sites an efficient working environment.

The Government has seen fit to allocate \$188.3 million to the relocation of police headquarters from College Street, Darlinghurst, to Parramatta but it has not allocated one cent to planning an urgently needed new station for Orange. I also call on the Government to recognise the need for 24-hour policing in Cowra and the enormous value of our one-man and two-man police stations situated in Canowindra, Millthorpe, Mandurama, Woodstock, Koorawatha, Gooloogong, Eugowra, Cudal, Manildra, Stuart Town, Molong and Cumnock. This week I will present a petition to the Parliament from residents of Woodstock calling for their police officer to remain stationed at Woodstock and not at other stations. The young people of Woodstock who are inclined to petty vandalism and general misbehaviour are aware of when the officers is or is not on duty. I also have reports from other areas, such as Koorawatha, of young people running amok when they know that their local constable is on duty elsewhere.

I turn now to funding that has been allocated for roads within my electorate. I note that \$45 million has been allocated to the Great Western Highway, but many of those projects have simply been regurgitated. Only \$50,000 has been allocated this financial year to the twin bridges at Copper Hill north of Molong. For many years these bridges have been the cause of many accidents, some of which, sadly, have been fatal. Recently a car driven by a young girl drove off the bridge over the Molong Creek and landed in a very deep waterhole. Luckily, she was able to get out but the car was not so lucky by the time it was recovered. Another recent accident involved a vehicle going through the side of the bridge that runs over the disused railway line. It landed in the middle of the front yard of a house that is close by, taking out a 60-year-old pine tree.

It is common for truckies travelling along the Mitchell Highway near these bridges to call each other on channel 40 to alert other truckies that they are nearing the bridge. One truck slows down to allow the other truck to go through. If the trucks were to meet on or near the two narrow bridges unannounced, the bad camber of the road and the narrowness of the bridge could contribute to a fatal accident. Truckies recognise the danger, yet the Government does not. I believe the Roads and Traffic Authority [RTA] has done some soil and noise testing. However, I am reliably informed that the Railways are holding up any future alignment and upgrade of the bridges on this section of the Mitchell Highway.

As the Government has not seen fit to allocate a large amount of money to this project within the budget, I ask that a whole new about-face on this project be adopted. No train has travelled on the Molong to Cumnock line since 1999. Farmers with properties along the line have, in many instances, covered the crossings with gravel. Stock graze along the line, and sleepers and kilometres of railway track have been redeployed to shore up other areas of track throughout the State. Millions of dollars of funding would be needed to open up the line, but that money should be used to completely realign the road. Instead of the new bridge over the railway line we could have a completely new alignment built to 100-kilometre-per-hour standards instead of the current 80 kilometres per hour.

I call on the Government to legislate to officially close the track and totally realign the future roadworks that are needed at Copper Hill and build a new bridge across the Molong Creek. If a train has not travelled on the line for 12 years it is unlikely another one will ever go down that line. It is now a total white elephant. The State Government should have the courage to officially close the line and allow the rerouting of this section of the Mitchell Highway, as well as straightening out a number of road crossings between Molong and Yeoval. However, the Government needs to rethink its commitment to close existing branch lines that are viable and able to carry the huge amounts of grain produced in a good season.

The proposed closure of the Koorawatha-Greenthorpe line and a number of others within the southern area of the Orange electorate must be reconsidered. I note with some concern the \$12.219 million allocated to signal box rationalisation and fear that it is part of another broken promise by the Government to transfer State Rail employees from Orange to Newcastle as part of that rationalisation. The Carr-Egan budget has had a hugely negative effect on the future of clubs in country New South Wales. Within my electorate clubs such as the Orange Ex-Services Club, which injects \$120,000 into the community through donations to charity groups and schools, will be forced to cut services to the community.

The Orange Ex-Services Club regularly donates the use of its halls to many charities, which enables those charities to raise more money. The Orange Evening and Orange Day View clubs, which raise money for the Smith Family, are two such clubs. If these and other charities are forced to pay for the hire of halls it will mean that charitable organisations, such as the Smith Family, will receive much less funding. Ultimately, the shortfall will have to be taken up by government agencies. The recent Send it Down Hughie concert in Orange, which featured Grant Richardson, Melinda Schneider and Adam Brand, raised \$80,000 for rural counselling services in the region. The concert, which was held at the Ex-Services Club, was a sell-out. More than 600 attended.

The club donated all of the staff required, the hall and other services to the benefit of the community, which then meant that funding going to the rural counselling services was the total profit from the evening. The club provides facilities to their members that are unavailable elsewhere. Additional facilities, such as the Ex-Services Country Club, the Bowling Club and Tennis Centre, may have to close because they will now have to pay \$170,000 extra this year on top of the \$1.3 million they already pay per annum in gaming tax to the State Government. It is envisaged that over the next seven years the additional tax placed on this one club will add a further \$3.5 million, which will go to this tax greedy Government. The Premier and the Treasurer must listen to their backbenchers. As a result of a caucus meeting yesterday they must take on board the concerns of their backbenchers, as well as the concerns of my electorate and the concerns of the Opposition. [*Extension of time agreed to.*]

At present the \$120,000 paid out by the club to community organisations stays in the local community and economy. As a result of poker machines in hotels in small towns and villages, many of our small clubs are operating with voluntary labour. In many cases they have no paid labour at all. If the Government removes the GST exemption, small clubs that are virtually in negative revenue already will lose another \$10,000 to \$15,000 a year. Some of those clubs will decide to close down. Clubs that incur heavy maintenance costs and find they have to pay another \$10,000 or \$15,000 to the Government will decide to close down, and small towns will lose those facilities. The impact will be seen in the number of employees who lose their jobs. The budget has placed an enormous strain on future regional development, and the clubs industry is just one regional industry that will feel the strain.

Further strain will be felt when employers are forced to pay workers compensation premiums for trainees for the first time from next January. Where does the Government think this ill-conceived idea will get it? All that will do is ensure that apprentices and trainees will be non-existent in the trades in the future. As it is, many trades are short of experienced people. This budget will ensure that the shortages continue. Young people in rural communities are finding it hard enough to find work as a result of the drought and other factors. This budget will be the final straw that breaks the camel's back. Insurance issues have caused enormous problems within the building industry and many builders are choosing not to employ anyone. This budget will ensure that they do not commit themselves to training apprentices.

An article in today's *Sydney Morning Herald* reports that many builders are not renewing their licences. They are getting out of the industry. Currently there is a shortage of skilled people within the building industry. What will it be like in four years time when the next lot of trained apprentices graduate? They will not be graduating. The Government's impost, plus the additional cost to those attending technical and further education [TAFE] courses, will have a devastating impact on the availability of skilled trades persons for years to come. All in all, I believe this budget has delivered little, if any, good news for New South Wales, and in particular for the Orange electorate.

Orange received \$600,000 for the northern bypass, but that amount has to be matched by the ratepayers—which I am totally opposed to—so it is debatable whether it is a benefit. The northern distributor, which will basically become a State highway and a de facto Mitchell Highway, should be funded fully by the State Government as a State highway. In addition, \$500,000 was allocated to sealing the Gooloogong road, but that amount will not go very far. The Government promised to complete the sealing of that very important road but has allocated only enough funding for less than half the distance, if the road is built to appropriate main road standards. Darbys Falls received \$700,000 to upgrade its water supply, and \$1.6 million was allocated to Lachlan Valley Way pavement reconstruction.

During the lead-up to the recent State election, the Orange electorate received a number of visits from Ministers and six visits from the Premier. All sang the praises of the area and its potential to become an important region within New South Wales. Unfortunately, the continued success of the development of the region relies on the Government recognising the importance of infrastructure and adopting a futuristic capital works program to take the Orange electorate well into this century.

The Government must not rely on private enterprise. It must lead by example and provide capital works programs and other support to attract private enterprise development to the region. The Orange electorate has a burgeoning wine industry, a highly recognised and respected health industry including mental health teams and our Careflight medical retrieval team, the Cadia Mine complex, which continues to commit to further exploration and mining within the area, and the Electrolux plant, which is a major employer within Orange. I congratulate Jeff Hort Engineering on its continuing expansion in Orange and on becoming a major contractor to the Electrolux plant.

To ensure future growth in the entire region, the Government must commit funding to improvement of services. We have to have a new police station in Orange. We have to have improved water supplies and sewerage throughout the electorate. The recent drought proved that the electorate's major water supplies need to be upgraded. These include Lake Rowlands near Carcoar, which supplies water to small towns in the region through the Central Tablelands Water Authority. We have to have improved public transport facilities and rail infrastructure. We have a right to expect improved road infrastructure to enable the increased population of the area to move freely and safely.

New South Wales is the highest taxed State in Australia. It would have been a welcome relief if the State Government had recognised the plight of many regional towns and had given more thought to giving, rather than taking. The Government should have provided a visionary budget for regional New South Wales—a budget that would have provided for positive growth rather than the inevitability of losing yet another country seat to Sydney, Newcastle and Wollongong in the upcoming boundary redistribution.

**Mr WHAN** (Monaro) [11.24 a.m.]: I am very pleased to be speaking on the Carr Government's eighth balanced budget in a row. As a Country Labor member this budget is particularly pleasing to me because it demonstrates once again that this Labor Government understands that our job is to provide services for our communities. This nearly \$35 billion budget focuses on the things that matter to people in Monaro. More than \$8 billion has been allocated for education and training—an increase of \$542 million statewide. Included in that is the full funding for total implementation of our key election commitment to reduce class sizes in years K-2. As well, a continuation of the record capital works program in schools has seen Monaro finally start to get ahead of the backlog left by years of National Party disinterest.

For 2003-04, \$9.2 billion has been allocated for health, which is an increase of \$920 million. Importantly we also see an increase of \$803 million for the Department of Community Services, which the Opposition's own election costings showed it would not have delivered. The Carr Government is getting on with the job by approving the largest capital works program ever undertaken by a State government. This record program totals nearly \$29 billion over four years, which is an increase of nearly \$5.3 billion, or 22 per cent on the previous four years. This year's record \$7 billion capital works program is \$788 million higher than last year's program—an increase of more than 12 per cent. The Carr Government's eight budget surpluses mean that since 1995 the Carr Government has cut general government net debt by \$8 billion. That means savings of around \$1 billion in interest payments compared to 1995—vital funds that can now be spent on local hospitals, schools and police.

The Monaro electorate was a big winner in the budget. Key areas of local expenditure this year are \$23.5 million on roads, \$15.11 million in national parks, \$2.17 million for new works in State forests, and \$1.53 million for public housing capital works. Roads funding alone in Monaro has increased by more than

\$5.6 million. Once again the Carr Government is spending more than 60 per cent of the State roads budget on regional roads. Contrast that to the efforts of the Federal Liberal-National Coalition, which continues to refuse to make Highway 1, the Princes Highway, a national road, and which will not even properly fund its national highway responsibilities. The Barton Highway, an important link to Canberra and Queanbeyan and from Yass to Canberra, remains neglected, and the Federal Coalition Government still has not finished duplicating the Hume Highway to Albury.

The Carr Government's 2003 budget has produced good news for Monaro. They include \$2 million as part of a \$5.8 million upgrade to the Queanbeyan heavy vehicle route, \$1.16 million to complete stage two of the new Jerrabomberra Public School—a school that was built by Labor after hard lobbying by local community members, and which already is a welcome addition to the four top quality public schools in Queanbeyan. We have seen \$644,000 allocated toward the relocation of the Queanbeyan ambulance station. I am very pleased to state that building work began on that station last month. In addition, \$598,000 has been allocated for upgrades to fire brigade equipment, including a fire engine for Braidwood station, and \$500,000 has been provided for an additional overtaking lane on the Kings Highway.

The Government has allocated \$300,000 for stage one of new noise walls on Canberra Avenue in response to residents and community concerns that existed for many years. In addition \$500,000 has been allocated as part of a \$1 million overall grant for duplication of Tompsitt Drive, which is a vital road link for Jerrabomberra residents. Jerrabomberra is a very fast-growing area which needs improved access to ensure that traffic congestion is reduced. I am very pleased to note that that commitment was made during the recent election campaign. I thank Carl Scully for being such a responsive Minister. The budget also provides \$1.31 million to complete improvements to the Cooma North Public School and \$500,000 has been allocated as part of the \$1.5 million accommodation upgrade at the Jindabyne Sport and Recreation Centre. This budget represents the start of the \$5 million project to build the new Jindabyne Central School—again a great credit to strong community lobbying, led by Councillor Leanne Atkinson, and to Premier Bob Carr for listening to a growing town.

An amount of \$500,000 has been allocated for reconstruction and widening works on the Cooma to Jindabyne Road, \$75,000 for guardrails on the Snowy Mountains Highway, \$150,000 for rehabilitation work on the tailings dam near Bredbo, \$110,000 for national parks near Eden and \$10,000 for new navigation aids at Eden. I welcome also the allocation in the budget of \$200,000 for rehabilitation of the Lake George Mine at Captains Flat. Lake George Mine closed many years ago but it continues to need work. Captains Flat is a small community that was sometimes forgotten in the past. However, in recent years the Carr Government has given the community confidence by providing a new water supply and has now provided funding for the rehabilitation of the mine.

I acknowledge the role of the Captains Flat Community Association and Councillor Claudia Nye in lobbying for those projects. That effort was backed up by previous State Labor candidate, John Durst, myself and, on the mine works, a local man named Terry Kiernan. The mine funding will be spent on an assessment of the mine processing area and initial clean-up and safety works. Remedial works are expected to include removal of waste ore and structures from the processing area, removal and disposal of soil and the fencing and closure of potentially hazardous openings.

I was pleased that the 2003 budget delivered the first component of \$6.7 million in new funding through the National Parks and Wildlife Service for feral pest control. Over the next four years the Government will deliver 16 times more funding for feral pest control than the last Coalition Government in its last four years in office. Most of this year's funding to the Monaro electorate is for important dog control programs. The programs that have already been implemented are producing results but we urgently need to get the programs up and running in the remaining areas, including the Adaminaby area in particular. One of the interesting parts of the commentary on the budget came from a National Party member of the Legislative Council who apparently represents the Monaro area. That member of the upper House obviously could find nothing locally to criticise so she ran a story claiming that the Government had failed to fund the new Queanbeyan hospital. I note that the Leader of the National Party parroted that claim in a poorly researched budget reply speech.

Premier Carr made a commitment, following my urging and the community's hard work, to fund a \$30 million redevelopment of the Queanbeyan hospital campus: a complete rebuild of the hospital and community and mental health facilities. According to the National Party, the money should have been in the 2003-04 budget. It is a pity its members did not bother to read the election commitment, which specifically stated that the first \$5 million in funding would be allocated in 2005-06, with further capital funding in 2006-07



and 2007-08. Most local residents who care about their hospital would be pleased to know that the planning and consultation process is under way. It takes more than a few months to properly plan a hospital and take into account complicated needs and factors such as the cross-border links. In the Monaro electorate the links with the Australian Capital Territory health system become very important. Obviously, they need to be properly integrated.

The locals need to know that the Queanbeyan hospital campus redevelopment is right on track, and I have assured them of that. In fact, under this Government health funding overall in Monaro is well up on the levels provided by previous coalition governments. During the election campaign I pointed out to residents that funding for the Southern Area Health Service had increased by more than 60 per cent since the election of the Carr Government. In this budget that funding increased by another 9.5 per cent to \$158 million for 2003-04. Of course, health costs continue to increase and in our area the failings of the Howard Government continue to place massive strain on our health system.

We have done well by increasing State funding despite the Howard Government's heartless funding cuts. The evidence of the Commonwealth's failure is in its own Budget Paper No. 2, issued earlier this year, which lists over \$900 million as a saving from health care agreements. That is saving Peter Costello and John Howard money, but it is not saving any lives. In my area we are doing well to provide services, where one in five beds at Cooma hospital are taken up by people needing aged care. And we are doing well when Queanbeyan's emergency department has to cope with the burden of those who could consult a general practitioner but cannot access bulk billing in that city. In the Monaro only 38 per cent of services are bulk billed, the second lowest figure in Australia. Delivering health services is tough in these times but at least the people of Monaro know that the New South Wales Government cares about their health services.

As I said earlier, a government's job is to efficiently deliver services for the people. To do that we have to raise enough tax to deliver the services people demand. Opposition members have told us over and over that they think there should be less tax but more spending. As was said during the election campaign this year, everyone knows we cannot have both. Our hospitals and schools are important and that is why I will not shy away from the need to raise enough tax to fund them. Since the budget was delivered I have listened carefully to the concerns of local clubs, TAFE teachers and students. I have listened and done my job as the local member to balance their concerns against the need to fund services. Everyone would rather pay less but most people do not begrudge paying tax when they can know that important services that are being funded.

New South Wales, with the third-lowest revenue per person of any of the States and Territories, does well to fund the services for the tax it receives. It is easy for the Opposition to run around saying it would fund everything and also cut taxes. However, a good Opposition would let the community know its alternative and how it would fund that alternative. It is a sign of the weakness of this Opposition that it has gone for the former option. As a former Federal Australian Labor Party candidate I have listened to some good budget replies in which the Leader of the Opposition set out an agenda and policy. Earlier this year I watched Simon Crean present in detail how he would fund a program to save Medicare and really help our State-run hospitals. And, of course, I listened with interest to the New South Wales Leader of the Opposition's budget reply. *Hansard* records 21 paragraphs of speech, of which 19 paragraphs are just unconstructive whingeing.

The Leader of the Opposition included just one initiative: spending \$880 million—which could be used to fund hospitals and schools—on stamp duty cuts that would do nothing to help first home buyers. He, along with John Howard, prefers to completely ignore the massive GST slug on home builders, which pushes up the prices significantly. The Leader of the Opposition made no mention of what he would do for schools or hospitals and, interestingly, his speech made not a single mention of poker machine taxes. However, in the fashion typical of this Coalition his backbenchers followed up by putting up their grab bag of projects that they thought should have been funded. They wandered around their electorates trying to get away with letting community groups think they would fund their wish lists and also reduced taxes.

In Monaro we saw the Leader of the Opposition trailing around, agreeing with everybody but committing to nothing. He was accompanied in Monaro by the honourable member for Bega, who may still be trying to work out where his electorate is. This morning he spoke about a lack of assistance on job promotion in the Bega electorate. If he had been around in the past few years he would have known that the Bega Cheese factory has undertaken a major expansion, with the assistance of \$40 million of State Government loans—two loans of \$20 million. The Bega Cheese factory now employs a couple of hundred more people as a result of those loans and a small Federal Government grant.

I saw a picture of the Leader of the Opposition in Bombala, although most Bombala residents would not have known him. During the election campaign the National Party was so proud of the bloke they wanted as Premier that they did not even mention his name or have a single poster with his photograph on it. I was disappointed by that. But I got a good idea of what the local conservatives thought of him when I asked one National Party volunteer whether they had forgotten their John Brogden posters. His laughter told me that he thought that that was a very funny joke. Of course, I am into truth in advertising, so when I was standing next to one National Party volunteer and a person took the how-to-vote paper, I suggested to her that she was taking advice on how to vote for John Brogden. The National Party volunteer looked at me and said "That was a very low trick".

I return to the budget. I listened carefully to the budget response by the leader of the National Party, which was again a big whinge but contained no constructive ideas for regional New South Wales. What a contrast to the Carr Government's list of achievements and initiatives in the Monaro electorate! I have been interested to hear some of the contributions from other Opposition backbenchers. As a new member, I was surprised by the way their speeches highlighted the massive policy differences between some of the John Howard acolytes and some of the National Party members. I am amazed to hear some city Liberals lecturing us about how we should not collect so much tax in New South Wales but, a couple of breaths later, speaking rapturously about how much they admire the Howard Government's goods and services tax [GST]. They are expressing admiration for a Federal Government that has broken all records for the amount of tax collected from Australians. This year the Federal Government will collect more than \$210 billion in tax from Australians.

I do not begrudge the Federal Government's collecting \$210 billion in tax so long as it is spent on the right things. The provision of more university places for nurses and doctors would help us to cope with staff shortages in our hospitals. I think most Australians would support that expenditure well ahead of expenditure on George Bush's war. Better funding for public hospitals should have come a long way ahead of the failed private health rebate. The Federal Government will collect more than \$210 billion in tax and New South Wales will receive just \$15.5 billion of that funding. This year New South Wales will receive only a 1.7 per cent increase in Commonwealth grants. During the last election campaign National Party officials ran around Monaro claiming that the State Government should be funding anything and everything because they claimed we were rolling in GST revenue. The truth is—and the budget papers confirm it—that this year we will need \$608 million in budget-balancing assistance simply to maintain the levels of revenue we would have received had the GST not been introduced.

The New South Wales Government collects total revenue of \$14.198 billion and, as the Treasurer pointed out on budget day, for every dollar New South Wales taxpayers pay to the State Treasury we pay \$5 to the Commonwealth Treasury. Yet good Labor management has delivered eight budget surpluses and our State's net worth will grow to more than \$100 billion this year. Meanwhile, the Federal Government presides over a net worth of negative \$101 billion—and it continues to attempt to flog Telstra, an asset of the Australian people. The reality is that the people of New South Wales voted Labor back into government in March and elected me to represent the electorate of Monaro because they know that Labor's sound economic management will deliver more for them than a grab bag of unfunded and unrealistic Opposition promises.

The people of Monaro are smart enough to know that those Opposition members who stand in this place and tell us that they want taxes to be cut by billions of dollars while at the same time demanding new railways, tunnels and hospitals are not being fair dinkum. The people of Monaro have seen in the 2003-04 budget the down payment on their decision to elect a Country Labor member. We have seen important projects get under way. As I said before, funding has been allocated for Jindabyne Central School, a great achievement for a town that has never had public secondary education. Construction of the Queanbeyan ambulance station has begun after a wait of 16 years and funding has been delivered for Tomsitt Drive. The Government has delivered on its election promises in Monaro. This is a solid Labor budget that delivers for Monaro and gets on with the job for regional New South Wales.

**Mr CANSDELL** (Clarence) [11.42 a.m.]: The Clarence electorate welcomes all funding that it received in the recent State budget but I must record my disappointment at the omission of funding provisions for the ongoing maintenance dredging of the Clarence River. I draw the attention of the House to the significance of the port of the Yamba to the regional economy of the Northern Rivers area of New South Wales. At present Yamba is referred to as a clayton's port as the navigation channel is choked with silt because it has not been dredged or maintained for 40 years. The Clarence River is silting up and impacting on all marine industries. The last maintenance dredging work was undertaken in the 1960s. Some 1,200 families in my electorate derive their income either directly or indirectly from the river.

The river dredging issue can be divided into two categories: the requirements of big ships and the requirements of small ships. Other areas in addition to the main channel need to be dredged to a uniform depth. The outer bar should be dredged and Hickey Island and Whiting Beach channel should be deepened to allow 24-hour access to the marina. The Dart Island area also requires dredging as the risk of collision is extremely high and presents a danger to all vessels, including the ferry. The current state of the river is cause for concern on safety, trading, fishing, commercial and recreational and local economic—including tourism—grounds. The potential of the Clarence is enormous. With deeper boating channels, Yamba would be a viable port, dealing with commercial freight and tuna fishing boats, each of which could contribute an estimated \$1 million to their base port, and offering increased tourism opportunities and an increased number of visiting pleasure craft and large boats based at the marina. Dredging the river port is the single most effective activity that could be undertaken to turn around the economy of the region.

Businesses, organisations and river users are adversely affected by the silting of navigation channels in the Clarence River. The Clarence River Fishermen's Co-operative Ltd [CRFC] is the largest fishermen's co-operative in New South Wales, turning over some \$25 million to \$30 million and supplying 21 per cent of fresh seafood sold through the Sydney fish markets. The CRFC is a significant exporter, earning valuable export dollars and reducing imports. It has more than 200 shareholders, who in turn employ their own deckhands and crew. In addition to more than 80 full-time staff, it is estimated that more than 600 individuals and their families rely on the CRFC as their main source of income. The future viability of this industry depends on safe access to the ocean and reliable navigation channels.

A representative of the Yamba Boatharbour Marina said only last week that because no maintenance dredging works had been carried out on the lower river's boating channels most boating channels in the area had suffered considerable siltation to the point where many are now un-navigable, or at best navigable only during reasonably high tides. Recreational boating has been severely affected by the silting of boating channels. This is having a significant impact on the Yamba Boatharbour Marina and those businesses that rely upon it for their livelihood. Built in 1994, the marina was an employment base for some 40 people in 1998-99. Today there are three vacant workshops and a vacant office and the cruise boat, offshore fishing charter business and the Bare Boat charter operator have been lost to the area. The marina now provides employment for only 21 people plus two part-time workers.

The Yamba Boatharbour Marina is severely affected by the constant grounding of cruising vessels attempting to access Yamba. This difficulty of access, together with the fact that the water depth is not adequate to allow vessels to cruise the lower river's boating channels, is the major reason that many customers do not spend more time in the area. Yamba is fast gaining the reputation of being not an easy port of call for anyone other than the very experienced. Hence an increasing number of vessels, and their dollars, bypass Yamba and push on to other ports, namely Southport and Moreton Bay in Queensland. Where the existing navigation channel rounds Dart Island it is considered by many, due to its narrowness and lack of visibility, to be an area where an accident is waiting to happen. The lack of a suitable, safe access channel into Yamba is the reason the area is bypassed by most of the larger vessels plying our coast, many of which, once docked, are often opened for inspection by schoolchildren and the general public. A reopening of the channel between Hickey and Dart islands would eliminate the current dangers and, as a consequence, Yamba would be viewed as a much more desirable port of call.

The Clarence River ferry, which carries up to 180 passengers, is experiencing problems with navigation and at low tide must idle over shallow sections. The limited navigation channel is also increasing the risk of collision with other vessels, particularly travelling yachts and cruisers that do not know the area. This service is recognised by the Roads and Traffic Authority as being a public transport necessity. The increased navigation problems result in increased travelling time and increased fuel costs, which are significant over a year. The *Island Trader*, which ships to Lord Howe Island, is experiencing difficulties in several areas—on the main bar, in Whiting Beach Channel leads, the Yamba marina approaches and in the Dart Island channel. The water is not as deep as it was and this could lead to increased transit time and increased costs and could increase the risks of grounding and collision. The economic value of the *Island Trader* to the Clarence Valley is estimated to be more than \$4 million annually. If the *Island Trader* were to move to a safer port the impact would be felt by a wide range of businesses that supply Lord Howe Island. It would also impact on local jobs and staffing.

Yamba Shipping has experienced many problems moving freight in and out of the port. Waiting for high tides causes delays and incurs time and dollar penalties. This has a negative impact on the port's ability to procure and sustain business. For example, delays caused by lack of depth for ships to move incurred a loss of \$50,000 by Koppers Timber Preservation Pty Ltd for one shipment. The port has lost the ability to attract new

business because of the dangerous shallow bar and the silted river. Koppers is the biggest single exporter remaining in the region and 50 per cent of its business in Grafton depends on being able to export out of Yamba. If Koppers were forced to use another port—for example, Brisbane—it would be put out of the export markets, with the consequent loss of both direct and indirect jobs. The viability of the Grafton plant would be put at severe risk.

The Coastguard records an increase in the number of vessels—20 in the 12 months to December 2002—running aground in the boating channels leading to the marina and the tavern. Safety is of concern. On one occasion a woman was injured and required medical assistance. Vessels approaching at night experience great difficulty. The port of Yamba has now become significant for the refuelling of petrol-driven vessels. Iluka is the first refuelling point south of Southport. In the past few days three vessels approached the moderately breaking bar. The crew felt it was unsafe to come into the port and opted to carry on to the next port. The Coastguard is concerned about the increased safety risks to boating users and to the lives of volunteer coastguards. Another major concern is the increased cost burden to this voluntary organisation in fuel, boat maintenance, et cetera. Recreational fishers and recreational boating users are also affected. These river users are experiencing many problems.

The Clarence River is becoming known as a difficult area to navigate, and recreational users are looking elsewhere. Recreational users have a large input into the local economy in terms of their expenditure on fuel, bait, boat maintenance, accommodation, food, restaurants, et cetera. Potential mishaps are inevitable, with collisions, groundings and the danger of loss of life a reality. Unfortunately, Yamba is not well regarded as a port to visit. Shipping companies cannot afford delays. Koppers' vessels cost in the region of \$US5,000 per day to run. In relation to contributions to the local economy, the Clarence River Fishing Co-operative currently turns over \$25-30 million and supports 600 individuals and their families; Yamba shipping, \$300,000; Island Trader, \$4 million plus; Norfolk Island and New Zealand Trade, \$5 million to 10 million; and Koppers turned over \$5 million to 10 million last year.

Potential economic growth after dredging of the river would include the attraction of timber boats, with each boat contributing approximately \$1 million to the community. The marina could attract larger travelling cruise boats and other larger boats may use the marina as their base if access is easy and safe. Berth fees, maintenance, repair work, accessories, fuel, food, et cetera, would benefit. That would have a flow-on effect of creating more jobs at the marina. Easy and safe access on the river would increase boat-building activities and repairs for larger vessels, which, I am told, would provide a flow-on effect of providing more than 100 jobs. Tourism is becoming a significant industry in the Clarence Valley. The Clarence River is currently underutilised as a tourist attraction. Again, easy and safe access on the river would enable the area to promote this industry. This would result in increased visitations and employment for local operators starting business ventures based on the river system. Local trade would benefit from all of the industries to which I have referred. Realistically, Goodwood Island operations would double its present usage.

Dredging of the shipping channels and the development of the port of Yamba is about turning a lifestyle region which has become a welfare sinkhole into a region which can contribute to the State's economy. In the past requests to the State Government to maintain the navigation channel and improve port facilities have gone unnoticed. Losing industry and jobs in any regional community is devastating. Losing industry and jobs on the North Coast has become a regular fact of life; it is par for the course. After all, we live in a lifestyle region in a country with a generous welfare program.

**Madam ACTING-SPEAKER (Ms Andrews):** Order! Members who want to conduct private conversations should do so outside the Chamber.

**Mr BARR (Manly)** [11.54 a.m.]: I will speak about the good, the bad and the ugly in this State budget. The good is the value of capital works in the pipeline for Manly, which is unprecedented for the area. The first is the widening by two lanes of the Spit Bridge. In March 2002 I put forward a proposal to the State Government. The development application is currently before the Minister for Infrastructure, Planning and Natural Resources and I look forward to that \$35 million project being expedited. As the local member, what can I do quickly to facilitate an improvement in the transport system in our area? An alternative proposal that was a feature of the recent State election campaign was for a tunnel that would cost more than \$1 billion. In my view, that would not solve the problems. The public recognised that it is better to have a tangible proposal that can be achieved than to be presented with back-of-the-envelope, pie-in-the-sky scenarios. I am pleased that this proposal has reached its present stage so quickly, and I call on the Minister to assent to the application so that the project can be commenced.

Not long ago the former Minister for Transport announced that over the next three years Sydney Buses would purchase 400 new buses, of which 155 would go to the northern beaches area. That important commitment to public transport represents \$67.5 million for the northern beaches area. Manly Wharf will be upgraded at a cost of \$9.6 million, of which \$2 million has been allocated this financial year to improve facilities for passengers, who are presently herded like cattle behind ugly gates. Improvements are currently taking place in the retail part of the wharf and work on improving the facilities for commuters will commence next year. A bus shelter will be built on West Esplanade. That does not sound like a big deal, but it is of enormous importance for those who catch buses to Fairlight and Balgowlah in all elements, including wind and rain. Fortunately, this winter was not as arduous as previous winters. The development application has been approved and work should commence shortly.

In relation to education, the final \$600,000 from a project costing more than \$17 million has been allocated to the senior Freshwater High School. That is an important gesture to public education on the northern beaches, which faced the possibility not long ago of the closure of one or two high schools. However, this innovative and imaginative project will create a senior high school and a multi-campus college with feeders from various high schools in my area. This morning I attended the 102nd anniversary ceremony of the raising of the Australian flag at that school, at which time the new school flag was also flown. The students are proud of their school and facilities, which augers well for public education in my area. We must have strong, viable high school and primary school sectors, and this initiative is one of the best ways of ensuring that. Since nationhood our system of education has been geared towards allowing everyone equal access to education so they can realise their full potential. To do that we must have a well-funded public education system.

Manly West Public School has received an allocation of \$180,000 on a dollar-for-dollar basis for a library, and the school community has made an enormous effort to match that funding. The new \$3 million classroom block at Harbord Public School has been completed and this budget contains funding for commencement of the \$2.5 million upgrade of existing classrooms. The Harbord school community is very pleased with the new wing and is now looking forward to further refurbishment. However, not all schools have fared so well. North Balgowlah Public School is in dire need of an upgrade. Problems at the school have been reported in both the metropolitan and local media.

Funding of \$300,000 has been available for capital works that were to be determined by the school community, that is, the administration block. However, the department, in its wisdom, did not regard that project as the highest priority and a master plan is to be devised and capital funding made available to ensure better facilities at the school. I will canvass that matter over the next year or so. I regard it as downright ugly that TAFE fees will increase by 300 per cent. Those fees used to be called administration charges, and they differed depending on whether people undertook an advanced certificate course or a diploma course. It is a misnomer to call this fee an administration charge because the fee was the same irrespective of the course. However, despite the lack of justification, there were significant discrepancies between associate diploma courses and certificate courses.

TAFE plays a vital role in all communities. It is a wonderful institution but it has been battered by repeated structural changes over the years. The most significant change was the so-called Metherell reforms in 1988, from which TAFE has not fully recovered. Successive governments have tried to improve the efficiency of TAFE and I suggest that TAFE is now paying the price for the Government's present education reforms, such as reduced class sizes. TAFE is being unfairly targeted, and I have suggested on more than one occasion in this Chamber that if the Government is serious about reform and achieving savings, it should consider the number of TAFE institutes.

The introduction of institutes was the result of the Metherell structural changes. Initially networks were set up to make colleges more autonomous but with a loose backup network. As was predicted at the time, those networks became large bureaucracies which required significant funding. The networks have been reduced from 24 to 11 institutes instead of a single head office located in Castlereagh Street. Each institute has human resources, quality control and information technology personnel and involves significant replication. That is not cost-effective and is inefficient. For example, originally TAFE industrial relations was under the control of the director of personnel and industrial relations, who looked after the entire State, perhaps with the assistance of a head teacher, who sought a bureaucratic career path. Today we have a multiplicity of bureaucracies right across the State, and that needs to be addressed.

Morale amongst TAFE staff is low, so it is incumbent upon the Government to make the system more responsive and more efficient. Jacking up fees to this degree runs contrary to the whole notion of TAFE, that is,

to provide people with an opportunity to repeat the Higher School Certificate [HSC], to allow mature-age people to complete the HSC or to enable students to undertake vocational courses so they have a career path. TAFE is a venerable institution that has served the community well over many years, and I am disappointed with the increase in TAFE fees.

I am pleased that the Government has reaffirmed its commitment to build a new Manly hospital. Recently in Parliament I asked the Minister whether the Government would honour its commitment. The Minister replied, in short, "Yes. The Government made a commitment to build a new Manly hospital at a more accessible and suitable site in the Manly-Warringah area. I am happy to reaffirm that commitment for the honourable member for Manly." That is terrific, but now we want a site determined and funding allocated. Consultation and planning has continued for more than four years but my constituents have yet to see any tangible results. I call on the Government to expedite the process. Almost \$2 million has been spent upgrading facilities at the existing Manly hospital. That is necessary because, in the interim, people on the northern beaches are entitled to have appropriate services.

I have spoken about the good, the bad and the ugly. The bad is that bus and ferry fares are to rise again. It is a narrow accounting approach to suggest fare increases so that buses can pay their own way. We need to consider the externalities. The more people who use public transport the less need there is for more roads, and there is less maintenance. Therefore, in the long term, all steps must be taken to keep public transport fares as low as possible because other savings can be made, admittedly in other departments—those savings will not appear in the State Transit Authority budget. However, everyone benefits when more people travel on public transport. Realistically, we should look at other ways to compute the costs of public transport so that exhaust emissions from motor vehicles, which account for 80 per cent of Sydney's air pollution, are factored into the equation. We should focus much more on reducing air pollution levels.

The Alcohol Summit, which was held in Parliament House last week, involved issues similar to those canvassed in the Drug Summit held in May 1999. It is apparent that the level of funding needs to be increased. The Northern Area Health Service has only one detoxification unit and many areas do not have access to any detoxification units. Additional funding is needed for rehabilitation and training nursing staff so that they are better equipped to deal with problems. When patients present at hospitals or clinics they are often treated for their immediate condition, not for underlying problems that may be drug or alcohol related. The core curriculum for nurses should include more training for alcohol-related issues.

Several clinics in my area are functioning and dealing with training and rehabilitation. For all of these, the story is much the same: they need a government commitment to more funding so that they can do their work. We had the Alcohol Summit, just as we had the Drug Summit, because we recognised there are serious issues facing all of New South Wales and each and every one of our electorates. The Alcohol Summit recognised those serious problems. We have to find ways of educating, rehabilitating and detoxing people who are in need of those services, so that New South Wales can properly come to grips with this sort of issue.

I will conclude on an issue that has been around for the 4½ years that I have been a member of this Parliament, and that is Seaforth TAFE. It was closed 3½ years ago, and remains closed. Its interior is still the same as it was when its doors closed. Down the road is Brookvale TAFE, which is straining at the seams. The battle that was fought to try to save Seaforth TAFE resulted in compromises being made by those fighting for its retention, in the sense that initially both the Higher School Certificate programs and much of the art area were to be moved off the peninsula. That means there would not be access to the Higher School Certificate on the peninsula. The compromise made at the time—under pressure—was to move those programs to the Brookvale campus.

The problem is that, in the indecent rush to close Seaforth TAFE, proper planning was not carried out. There are no laboratories at the Brookvale site, whereas there are three laboratories at the Seaforth site. Art students work in very cramped conditions; accommodation is at a premium at Brookvale. I have suggested to the Minister for Police and the Minister for Education and Training that the Seaforth campus be reopened as a site co-located with Pioneer Clubhouse. Pioneer Clubhouse is an organisation that operates out of an old bowling club on Quirk Street in Balgowlah for the benefit of people with mental problems. It is a unique model. The clubhouse is a place where people can go to talk with one another. It is not a clinic. It is more about these people gaining confidence and being able to go out and find employment. If a person who is employed at the clubhouse is ill someone else from the clubhouse will replace that person for the day.

Therefore the employers know that workers will be present every day. This is a very valuable local community resource. The clubhouse faces eviction from its current council depot site, which is to be redeveloped. I have suggested that Pioneer Clubhouse be co-located as an annex of Brookvale TAFE or, alternatively, as a community college. I have also put proposals to the Ministers concerning the possibility of a language school. My first priority, though, would be that it remain in public education hands. Certainly, it should remain as an educational facility. That is what the community wants. Given the demographics of the area, that is how it should remain. The latest census, that for 2002, shows a significant increase in the number of children aged zero to 15 years. These children and young adults will need school and TAFE facilities. In no circumstance should Seaforth TAFE be sold off for a quick money gain when it should become part of a vital TAFE or other education system.

**Debate adjourned on motion by Mr Gaudry.**

## **CONTAMINATED LAND MANAGEMENT AMENDMENT BILL**

### **Second Reading**

**Debate resumed from 2 July.**

**Mr RICHARDSON** (The Hills) [12.14 p.m.]: I indicate that the Opposition will not oppose the Contaminated Land Management Amendment Bill, although we have some issues that we will raise. I would appreciate it if the Government, in replying to the debate, could respond to those issues. The bill effectively is the first tranche in the Government's reforms of the Contaminated Land Management Act. The bill covers primarily the accreditation of auditors, but also makes some minor changes to other sections of the Act.

I am delighted to say that the bill has followed a discussion paper that was released earlier this year on the appointment and accreditation of site auditors. On this occasion there has been real consultation with affected parties. Members would be aware that the Opposition has frequently criticised this Government for failing to consult with interested parties. But in this reform of the Contaminated Land Management Act, all the way down the line the Government has been willing to consult. In fact, there is currently a second discussion paper which deals with a more substantive review of the Act. I guess the most contentious issue to be considered in that second tranche will be the definition of "significant risk of harm".

It was estimated in 1997 that there were some 60,000 contaminated sites in New South Wales. Other estimates suggest that only 7,000 of those require remediation. I do not think anybody knows exactly how many sites in New South Wales are so contaminated that they require remediation. But whether it is 60,000 or 7,000, the number of site auditors—which I understand is only 23, 15 of whom are based in New South Wales—seems to be inadequate. The Victorian Environment Protection Authority, which has more site auditors than are based in New South Wales, once a year calls for applications from qualified people wishing to become site auditors. I understand that that is done once every two years in New South Wales. Often, that is not frequently enough, with the result that the number of accredited site auditors has not built up to an appropriate level.

One criticism of the accreditation process is the lack of communication between the EPA and the applicants. Apparently they are never told how long the process will take. I presume they can ask some of their colleagues who have been accredited, but the process can take up to eight months. This is an extremely protracted process, and that is another reason for the insufficient number of site auditors. The process of accrediting site auditors is too cumbersome and too lengthy. The discussion paper dealing with the accreditation of site auditors points to a range of issues associated with the current site auditor accreditation process, and states in part:

... no detailed requirements are articulated in the Contaminated Land Management Act, Contaminated Land Management Regulation or Auditor Guidelines relating to the high standard of work and professional conduct that is expected from auditors ... This creates difficulties for auditors because there is no clear benchmark to meet, as well as for the EPA in assessing their performance.

... the EPA has a limited range of tools to deal with performance issues. The EPA's power to revoke a site auditor's accreditation on the basis that the standard of their work is unsatisfactory is difficult to enforce in practice. For example, the EPA may revoke an auditor's accreditation if they no longer meet particular criteria of the Auditor Guidelines. However, the Auditor Guidelines contain a mixture of mandatory requirements and recommended practices, often making it difficult to establish if a breach has occurred.

My discussions with the industry indicate that is a reasonable summation of the current situation. The bill provides other options that the EPA might take—other than deregistration—in disciplining an auditor who is not performing. At the moment it is all or nothing: the EPA can deregister the site auditor or allow him to continue practising. Proposed section 56, which is very comprehensive, sets out the conditions for revoking, suspending or refusing to renew accreditation. Proposed section 56 (1) states:

- (1) The EPA may ... revoke or refuse to renew the site auditor's accreditation if it is of the opinion that one or more of the following grounds exist:
  - (a) the site auditor no longer satisfies the requirements of the guidelines in relation to eligibility for accreditation as a site auditor,
  - (b) the site order has contravened:
    - (i) any of the provisions of this Part, or
    - (ii) any of the provisions of the regulations, or
    - (iii) a condition to which the accreditation is subject, or
    - (iv) a direction given to the site auditor by the EPA under this Part,
  - (c) the site auditor is not carrying out sufficient bona fide site audits to justify continued accreditation ...

If the site auditor is not doing the job or not getting enough work he may end up losing his accreditation. If his accreditation has been changed in another jurisdiction or State for conduct that would result in revocation or suspension of his accreditation in this State, that change can apply in this State. If a site auditor provides false or misleading information in connection with an application for accreditation or renewal of accreditation, or does not pay the appropriate fee, he may lose his accreditation. Proposed section 56 (1) (g) contains the catch-all, "any other ground prescribed by the regulations". I point out that the proposed section will be used to discipline non-performing site auditors, not accredit an appropriate number to deal with the huge number of contaminated sites in New South Wales.

Proposed section 105 sets out what should be included in the guidelines accompanying the legislation, including relevant experience and expertise in contaminated site work, understanding the methods for assessing and managing contaminated sites and knowledge of relevant scientific literature. It is clear that one does not become a contaminated lands auditor unless one has a broad depth of experience in the industry—seeing and remediating many contaminated sites—going back many years. Criticism from the industry of the current Act and the amending bill deals with the relationship between industry and the EPA. The industry feels that the EPA wants to be very prescriptive: it wants everything compartmentalised, everything in a box. If you do not measure up you can be disciplined, but if you do measure up then everything is hunky-dory.

But we are talking about people who have been accredited because of their depth of knowledge and experience in these areas. Sometimes auditors want to use their professional judgment in the remediation of a particular site or in determining whether a particular site has been remediated to an appropriate standard. Representatives of the industry have said to me, and I have no doubt they have said the same thing to the EPA, "They accredit us because of our knowledge and abilities, but they do not let us use that knowledge and personal experience." The legislation does not deal with that concern. Once again, it tends to be very prescriptive. The cry from the industry to give its members credit for their knowledge and abilities gleaned over a substantial period of time is still in its embryonic stages.

I understand that a couple of auditors who have been unable to change the way in which they operate have been in protracted discussions with the EPA. I assume that the EPA might discipline those auditors in some way that falls short of deregistering them. Under the old Act a site auditor who was deregistered had no appeal mechanism. If you were deregistered, that was it; everything was in house. The EPA decided whether you continued as a site auditor. The only avenue of appeal was to go through the courts, which, as we know, is an extremely expensive process. The industry feels that it is a denial of natural justice. Some auditors who have been threatened with having their accreditation removed have sought legal advice.

Enormous damage would be done to the reputation of the site auditor and the company for which he worked within the industry if his accreditation were taken away. Significant financial issues are involved. Nobody is suggesting that someone who is not performing, someone who is incompetent, someone who does not do the job properly, should continue to be accredited as a site auditor. Clearly, we do not want those people, nor do we need them. Contaminated land is a major issue for this State. We have seen examples of the problems that can be created by contaminated land. However, we must ensure that the deregistration process allows for natural justice.



The bill also makes minor changes to section 36 (2) of the Act by deleting the word "principal". Under the current legislation section 36 (2) is entitled "Investigator or remediator is principal contaminator", and states, in part:

If a person who ... carries out the requirements of an investigation or remediation order had principal responsibility for the contamination, the person may recover ... a portion of the first person's costs in carrying out those requirements.

An unintended consequence of the legislation is that it tends to restrict the ability to recover costs for previous contamination to those who are the principal contaminators, and they can recover costs only from those who are minor contaminators.

I would have thought that section 36 (4), "Recovery by owner", would have dealt with that issue. Section 36 (4) states that if an owner pays any costs and expenses specified under sections 34 and 35 and the owner or notional owner did not have any or sole responsibility for the contamination concerned, the owner may recover a portion of the amount paid as a debt in a court of competent jurisdiction from each person who had responsibility for the contamination. It is a point of clarification, and we do not oppose it. We understand and appreciate that it was an unintended consequence of the original legislation. However, cost recovery is something that many members on this side of the House and, I suspect, the Government side of the House, also feel strongly about.

Property owners, and perhaps other landowners who, under instructions from the Department of Agriculture and the Government, have dipped their livestock for ticks, have contaminated a portion of their property. Many members in this place who represent country electorates feel very strongly that the Government should contribute to the cost of remediating that contaminated land, but so far as I understand the Government has steadfastly refused to provide any money to assist the affected landowners. I also refer to an issue brought to my attention by the honourable member for Bega.

This is probably a unique set of circumstances; there may be no other case like this in the whole of New South Wales. A Mr Albert Veith of Nelligen and his partner, Ms McCauley, allowed the Batemans Bay Clay Target Shooting Club to use their property for clay target shooting for a period of some 15 years. As a consequence, there is a significant amount of lead pellet contamination where the club had been carrying out its activities. I understand that the lead pellets can be found to a depth of approximately 13 centimetres. The Environment Protection Authority [EPA] has declared the site a remediation site and has identified the Batemans Bay Clay Target Shooting Club as the body principally responsible for the contamination. In normal circumstances, the club would be instructed to carry out the remediation. Unfortunately, the Batemans Bay Clay Target Shooting Club is, to all intents and purposes, defunct. It has no assets and therefore no ability to carry out what could be a very expensive remediation process.

A letter from Mark Andrews, a policy adviser to the Minister for the Environment, to the honourable member for Bega states that the EPA has formed the initial view that the club is unlikely to pay for the remediation. What the EPA is saying is that somebody has to pay and somebody has to carry out the clean-up, and it will end up being Mr Veith and Ms McCauley. They are understandably concerned about this. They had not realised that the contamination was occurring. They profited very little, as I understand it, from the activities of the club on their land. It was more or less as good neighbours that they allowed this to happen. I cannot begin to imagine where they would find the money to remediate that particular section of their land. Mr Andrews stated in his letter to the honourable member for Bega that "the owner may be eligible for funding under the Environmental Trusts Contaminated Land Management Program (or 'Innocent Owners' scheme)".

I put it to this House that that is the appropriate course of action. As in the case of cattle dips, this is a case in which an innocent landowner should receive some assistance from the Government to restore his property to a pristine state. There is one other major issue that is not covered by this review but which will need to be addressed in the second review. I raise the issue now because I want the Government to think about it. A contaminated land order provides only a sign-off on the site and most of the problems associated with contaminated land relate to ground water moving off the site. An auditor may sign off on a site only to find, years down the track, that a problem has arisen because ground water has moved some distance away from that site. The question is: Who is liable? Is the auditor guilty of an offence which might result in his deregistration or some disciplinary procedure being taken against him, or in a successful action being brought against him under professional indemnity insurance? That is a question that will need to be addressed.

An example of this situation is pollution that we recently heard about at the Orica site at Botany by the chemical 1,2-dichloroethane [EDC]. I say "we recently heard" because it has been known for many years that

there are problems associated with that site at Botany, but it was not until August that the EPA notified affected residents who were using the bore water in the area that a highly toxic chemical plume of EDC had moved to the ground water and was in their bores. The Opposition raised this issue with the Minister and the Director-General of the Environment Protection Authority, Lisa Corbyn, last night at the budget estimates committee hearings. The Minister handed overall responsibility for the issue to his director-general. Naturally he said that Botany residents had been warned of the dangers of EDC pollution of the bore water in 1996. But Ms Corbyn contradicted him.

That was interesting in its own right because it suggests that the Minister is not taking a sufficient personal interest in his portfolio—certainly this part of his portfolio. The Opposition has said on a number of occasions that this Minister has been given too much to do. We sympathise with him, but it is clearly important that he should be able to do his job properly. If he cannot cope, if there are too many elements to being both the Attorney General and the Minister for the Environment, perhaps he should have one of those portfolio responsibilities taken from him and given to somebody else who can cope. So far as Orica is concerned, the director-general said:

We have no secrets associated with the Botany aquifer. There has been ongoing community consultation from very early days, even before the EPA, about the potential contamination.

If that is the case, one would imagine that the affected residents in that area would be very comfortable with what the Government is doing. They would have been consulted, and the risks would have been spelled out to them, but that is not the situation at all. Indeed, on 10 September a community meeting will be held at the Botany RSL to discuss this very issue. A letter sent out by the Save Botany Beach group is very instructive. For the benefit of honourable members, I will quote from that letter. It was addressed to the Director-General of the Environment Protection Authority, who knew about the concerns of the residents when she said in the estimates committee hearing last night that there had been ongoing community consultation and that there should be no problem associated with ground water contamination. The letter states:

Many of our members joined our group because of concern about the groundwater from Botany aquifer rising into the yard at the time of the last reclamation by Port Botany. Those members, plus hundreds of other members and supporters are now angry, frightened and confused by information and **lack** of information, from authorities about the current groundwater pollution problem in Botany.

We have members with children who have used the groundwater in swimming pools and spas for years—ingesting, inhaling and absorbing the water through skin. During the summer, members' children have played under the sprinklers on the Botany Golf Club, which uses Council's Hereford Street bore. This water has 14.6 mg/l EDC—**3000 times higher** than drinking water standard! Now we are told this chemical causes nervous system disorders, liver and kidney disease, lung effects and cancer!

You can understand that our members are frightened and angry. We need full and frank information. The Government has not provided it ...

A. We are asking the following questions about failure to keep residents informed over the past 6, or more, years ...

That directly contradicts what the director-general was saying last night on behalf of her Minister.

**Ms Keneally:** Point of order: The honourable member for The Hills is suggesting that the community in Botany has not been aware of the contamination. That is not the case. There has been community consultation.

**Mr ACTING-SPEAKER (Mr Lynch):** Order! There is no point of order.

**Mr RICHARDSON:** The letter states:

A. We are asking the following questions about failure to keep residents informed over the past 6, or more, years that the Government has known about the EDC polluted groundwater:

1. Why were residents not told the requirements and implications of Botany Basin Groundwater Management Map dated October 2002, ... which excludes further bores in Zone 2 and prohibits extraction from Zone 1?
2. Is it true that such zones have been established since 1997 and why have residents within them not been told of their existence?
3. What steps have been taken since 1997, to advise residents not to drill do-it-yourself bores in Zones 1 and 2?
4. Since 1997, how have new residents moving into homes in the area been informed of the groundwater problem?
5. Why was information not provided to residents using groundwater that they should not eat vegetables and fruit watered with it?

The letter goes on to state:

- B. We are asking the following questions about the situation since the recent movement of the third plume of EDC pollution:
1. Why has the only official communication been general letterboxed statements "To the resident/occupier", the second of which has not been received by some residents?
  2. If EDC is showing up in Penhryn Estuary and Herford Street, why was testing not done in the Dent and Fremlin Street area, which is between Herford Street and Penhryn Estuary? Dent and Fremlin are also lower than Trevelyan Street where testing was done, so that domestic bores in Dent and Fremlin would reach closer to the deeper aquifer than in Trevelyan.
  3. What steps have been taken to communicate with individual factories and businesses within the two Groundwater Protection Zones in order to protect workers who might be exposed?
  4. What is the EPA/DIPNR community information strategy in relation to this issue?

We would like all individual bores where people have been heavily exposed ... plus anybody who requests it, to have their water individually tested and to be provided with the results. Some members tell us they cannot sleep with worry, others are extremely angry. We strongly recommend that individual testing is necessary to cope with the serious public relations problems the Government faces.

As a group, we would also like to receive the full technical information of results of testing done to date.

We are appalled that appropriate information has not been provided to Botany residents over the past 6 or more years that the EDC pollution has been known to the Government. We are amazed that such a sensitive issue has not been appropriately handled by close liaison with Botany residents. Failure to do so has caused great alarm and has deprived you of information as to the real extent of the problem.

That letter fully and comprehensively contradicts the statement made last night by the director-general that the Government has no secrets associated with Botany—that there has been ongoing community consultation and the Government has been open, frank and honest about the contamination problems relating to the site. Why would the Save Botany Beach group put out that information and seek that sort of advice from the Director-General of the Environment Protection Authority [EPA], were that not the case? At last night's estimates committee hearing that Opposition asked why the EPA had not tested every bore in the affected area. The director-general said, "We didn't really need to because the pollution plume is moving anyway and we have tested to a particular depth. We did not find EDC pollution at that particular depth in a bore. So there will not be pollution at an equivalent depth or down to that depth in another bore."

That is reprehensible. The Government should test every bore in the affected area and should continue to do so until this issue is put to rest, until the contamination has been removed. The suggestion that all the water may have to be extracted and replenished with fresh water is a pretty serious issue in its own right. The Government has been less than full and frank with affected Botany residents about this issue. One can understand why the residents are so concerned, why they cannot sleep at night, why they fear that they may end up with nervous system disorders, liver and kidney disease, or even cancer.

If the honourable member for Liverpool, who is in the Chair, were in that situation and his family had been swimming in water contaminated by that chemical, he would probably feel exactly the same. If an auditor had signed off on this site and this problem appeared six years later, who would be liable? Would it be the current owner of the site? Is the EPA liable because it has not adequately carried out its responsibility and notified affected households of the dangers of the pollution? Or is the site auditor who signed off on it, in good faith, believing that the site had been remediated, to blame? The legislation really does not address that situation, even though last night the director-general tried to suggest that it does. Perhaps the next tranche of amendments to the contaminated land legislation should address that. In conclusion, I thank Jenny McAllister from the Minister's office and the officers from the EPA who are present in the gallery for their assistance in briefing me on what should be fairly non-controversial legislation.

**Ms KENEALLY** (Heffron) [12.44 p.m.]: I will respond to a couple of issues raised by the honourable member for The Hills, who suggested that the Botany community is not aware of the ground water contamination in Botany. That is not the case. A community consultation committee has been in existence for the past 13 years; and the honourable member for The Hills might want to stay in the House to hear this since he spoke so eloquently about it. Botany Bay council ran a campaign for a number of years encouraging people to register their bores. In some areas the use of bore water would not be safe. Further, testing by the EPA indicates that shallow domestic ground water bores are free of EDC contamination. That means that no-one is swimming in EDC-contaminated swimming pools, no-one is watering vegetables with EDC-contaminated water.

I will state a few things I have done as the local member, and since it has become clear that the contamination has spread from the Orica site. I will also correct some statements made by the honourable

member for The Hills. On 16 July Botany Bay City Council detected the EDC in a bore it uses to water Botany golf course, and notified the EPA within two weeks. That shows that Orica had not detected the spreading of the contaminated ground water. The EPA understands that Orica has undertaken no monitoring of the bore, or any other bores in the vicinity, since 1995-96. Let us be clear about who is at fault here. Orica has failed to live up to its requirement to be a good community citizen; Orica has put people's ground water at risk; and Orica has allowed this contamination to spread. Had it not been for the proactive actions of the council and the quick response by the EPA, residents would not be aware of the spreading contaminated ground water.

Since the council notified the EPA several things have happened. First, the EPA, the DIPNR, and New South Wales Health have been quite proactive in distributing information to local residents, and that includes a number of letterbox drops and media coverage. I daresay every person in Botany would be aware of the problem and would understand it. As the local member, I have written to every resident in the contaminated area giving further advice following regular briefings from the EPA. I have asked the residents to contact my office if they have concerns. I have also door-knocked the local area and I found that the residents of the area, including Herford Street, tell me that they feel that they are getting clear, comprehensive and adequate information from the EPA, from New South Wales Health and from the DIPNR.

I went to Banksmeadow Public School and offered to organise testing of the soil and ground water at the school. That testing has taken place and no contamination was detected. I daresay that the suggestion of the honourable member for The Hills that the residents have not been informed and that they do not understand the problem is not the case. I suggest that the next time he would like to speak about Botany that maybe he should visit the area first and speak to the residents, before purporting to represent them.

**Mr Richardson:** I am quoting from the residents.

**Ms KENEALLY:** You are quoting from one. The amendments to the Contaminated Land Management Act are necessary and they ensure a continued, smooth running of what has been a successful auditing scheme to protect both the environment and human health. A site audit is an independent review of reports on investigation of remediation of actual or possible contamination of land. Site auditors provide certainty for the public and for planning authorities by certifying whether, in light of investigation or remediation, land is suitable for its current or proposed use. Since its introduction in 1998 the site audit scheme has received widespread support from local councils, the land development industry and the community at large. The proposed amendments take account of feedback on the scheme from auditors, the community and from other stakeholders.

Last year the Environment Protection Authority [EPA] released a public discussion paper on the proposed changes. A draft of the amending bill was also provided to auditors. No substantive objections from either the community or the auditing industry were received, implying broad support for the new measures. The amendments in this bill will improve the EPA's power to regulate the site auditors scheme to ensure that it continues to be robust and effective. The amendments will ensure a stronger basis for trust in the site auditors scheme and in the processes used to evaluate and manage contaminated land. Those who use the services of site auditors can remain confident that their reliance on those auditors has a firm foundation.

The amendments will give the EPA greater flexibility in refusing to grant or renew an auditor's accreditation. They will allow the EPA to grant or renew an auditor's accreditation subject to conditions, and will expand the grounds for suspension and revocation. The EPA will also be able to issue binding directions to auditors and to refuse to accredit a person whose accreditation was revoked within the past two years. These changes are designed to strengthen the regulatory supervision of auditors and to underpin community confidence in their work. If disciplinary action is contemplated the EPA will be required to provide clear, written notice to the auditor affected, allowing that person an opportunity to respond to the EPA. The role of the auditor panel will also be brought into line with the Victorian scheme. The panel will focus on providing advice to the EPA about the suitability of new applicants.

The field of contaminated land management encompasses many disciplines from grassroots science to land use planning. Decisions made as a consequence of site auditor assessments are sometimes worth many hundreds of millions of dollars but there is also the potential for adverse consequences for human health and the environment. These are the areas where losses cannot be quantified in dollar terms. That is certainly the case in my electorate. As I said earlier, Botany Bay council found very high levels of chlorinated hydrocarbon, or EDC, in bores in the Botany area. It detected concentrations more than 1,000 times greater than the level specified for drinking water.

An unknown number of nearby residents use the domestic ground water bore where the contamination was found. This result proved that ground water contamination from Orica had migrated further west than previously thought. The EPA has advised me that it understands that Orica has not monitored this bore or others in the vicinity since 1995 or 1996. Since 30 July the EPA has required further testing of Orica bores in the area—including the licensed domestic bores located nearest to the council bore where the original contamination was discovered—to determine the extent of contamination. The testing of domestic bores has revealed no trace of EDC. However, DIPNR has advised local residents not to use their bores until more is understood about how the contaminated ground water is moving.

During the weekend of 9 and 10 August the EPA delivered letters to residents in the contaminated area, advising them that an investigation was under way and asking them not to use their bores. Since then I have spoken publicly about the matter and written to residents urging them to register their bore with DIPNR, to contact my office or NSW Health about any health-related concerns and to contact the EPA about any concerns regarding their bores or the contamination. I can say with confidence that the residents to whom I have spoken believe the information they are receiving is adequate, clear and comprehensible. They do not feel a great deal of concern about how the contamination is spreading and believe the Government is on top of the problem. They are confident that the council and the State Government and its agencies, such as the EPA, can manage the contamination.

However, we have no confidence in companies such as Orica, which has abdicated its responsibilities to the local community and allowed the contaminated ground water to spread. The community has known about the contamination in this area for several years but we did not know that Orica had stopped testing and allowed the contamination to spread to residential areas. The contamination is significant in ground water to a depth of 30 metres. For that reason it is advisable that residents do not use their bore water until we are certain how the contamination is spreading. The EPA has issued a clean-up order to Orica, requiring it to treat the contaminated ground water. This will involve pumping it from the ground and raising it to drinking water standard on residential sites.

The ground water that enters Penhryn Estuary and Botany Bay will have to meet marine and freshwater criteria, and ground water in industrial areas will have to be raised to meet the industrial standard. That is fantastic news but it will take several years to clean up the site and site auditors will play an important part in that process. My community must have confidence that those site auditors will oversee the process properly and ensure that we are left with usable land. A sizeable block of land in my electorate is affected. We would like to see the ground water and the land surrounding it made usable and safe for all local residents.

My electorate of Heffron comprises both residents and industry, including Port Botany, the airport and the Botany Industrial Park, where Orica is based and where the contamination originated. I said in my maiden speech that it was incumbent upon industrial and commercial entities in my electorate to be good neighbours and to treat local residents with respect. I believe Orica has failed to meet that requirement and, in so doing, has failed our local community. I am pleased that the EPA has taken a strong stand in requiring Orica to clean up the contamination and I am pleased that Botany council has been proactive in detecting the contamination. I am pleased to be able to work with local residents and my local community to tackle this problem. I am also pleased that the Government intends to strengthen its authority over site auditors and that the EPA will have improved powers to regulate the site auditors scheme and greater flexibility in refusing or granting auditors accreditation. The EPA will be able to strengthen the regulatory supervision of auditors and underpin community confidence in their work. Local communities, like that at Botany, want to be able to trust that the site auditors can vouch for what is occurring in their areas.

**Mr GAUDRY** (Newcastle—Parliamentary Secretary), on behalf of Mr Debus [12.57 p.m.], in reply: I thank the honourable member for The Hills and the honourable member for Heffron for their contributions to the debate. I particularly commend the honourable member for The Hills for thanking the Government for announcing a series of amendments following a period of strong consultation involving a discussion paper. The honourable member emphasised the fact that across New South Wales—and particularly in older industrial areas of which Botany is a classic example—land use is changing. This often involves the remediation of contaminated land to commercial or residential standards.

The community must be confident that the Contaminated Land Management Act and the auditors who operate under that legislation are efficient, effective, well accredited and capable of carrying out their responsibilities under the Act. The Act has been in place for some years and, with the benefit of experience, the Government has recognised the need to make the scheme more flexible. The bill will help the EPA to take

action that is tailored to particular cases. Rather than simply have a blunt instrument of revocation or suspension of an auditor's accreditation, the EPA can issue directions and impose conditions. It is important to give the community confidence that a fully accredited site auditor carries out his or her responsibility under the Act.

The amendments to the Contaminated Land Management Act 1997 will improve the contaminated site auditor accreditation scheme. They will clarify the existing powers of the EPA and improve its capacity to ensure that the site auditor scheme continues to be robust and effective. The changes have not been made in isolation; they represent only part of the Government's continuous improvement of the contaminated land laws in New South Wales. The Government introduced this legislation to ensure a proper cradle-to-grave follow-up on the issue of contamination, that responsibility remained with the principal contaminator and that accredited auditors carry out accreditation on sites that are to be decontaminated. It is likely that amendments to other parts of the Act will be introduced after the current review of the Act and associated consultation processes have been completed. Likewise, State environmental planning policy 55, which deals with remediation of land and the accompanying guidelines, will be reviewed and amended where necessary to keep it relevant as land management issues evolve.

The somewhat contaminated view of the situation in Botany given by the honourable member for The Hills has been blown away by the input of the honourable member for Heffron. The role of the honourable member for Heffron in council and her links through the Minister and the EPA clearly indicate that from the 1980s there has been ongoing communication with the people of Botany and forums held to deal with the issue. Groundwater pollution at Botany is a legacy of poor past practices by industry. The plume of contaminated groundwater from the Orica site has started moving more quickly, possibly as a result of the more intense use of groundwater during the drought conditions we have been facing. Recent tests of the deep groundwater showed that contamination in groundwater has spread further than previously known.

The EPA is forcing a faster clean-up of the contamination by Orica. Specifically, the EPA is taking additional regulatory steps to make Orica prevent further spreading of the affected groundwater and the removal of chemicals of concern. It is important to highlight that test results from backyard bores, both 6 metres and 15 metres deep, showed that no traces of the chemical EDC have been detected. It is unlikely that anyone has been exposed to the contaminants from using shallow bore water. However, further testing of Botany council's 30-metre deep bore showed significant levels of EDC and, as a precautionary measure, the Department of Infrastructure, Planning and Natural Resources has told residents and council not to use their bores. As pointed out clearly by the honourable member for Heffron, there are no secrets in relation to this matter. There has been ongoing community scrutiny of the scientific information and the clean-up plans as far back as 1989, when a community liaison committee was set up. That committee currently meets quarterly.

As far back as 1991 the State Pollution Control Commission wrote to the community about the groundwater contamination. Again in 1996 the Department of Land and Water Conservation wrote to bore users telling them not to use groundwater for drinking or preparing food. The fact that an auditor has been involved at the site to sign off on an investigation of the clean-up does not in any way affect the powers of the EPA to have the contamination dealt with if it later emerges as a problem, as has happened at Botany. The EPA can still order the polluter to clean up the contamination and declare the site a remediation site. The auditor's involvement does not affect that and the liability of the polluter is not affected. The Contaminated Land Management Act allows the emerging contamination to be dealt with appropriately. It is clear that in this case Orica is the responsible company; it cannot move away from its responsibility. At the moment it is important that auditors continue to deal with the issue.

In relation to accreditation, the EPA calls for applications at least once every two years. But in New South Wales that is not the only way to get accreditation. Appropriately, qualified auditors from other jurisdictions, such as the Victorian Environment Protection Authority can apply to become New South Wales site auditors under the Mutual Recognition Act. To the extent that the number of auditors poses a problem, that is largely because they are too popular. Councils are involving auditors more and more in the planning process because their staff do not feel confident to deal with contaminated sites issues. There are guidelines to help councils decide when auditors should be involved. The EPA will work with the planning authorities to ensure that auditors are drawn in only when necessary.

In relation to the Batemans Bay Clay Target Shooting Club, the EPA expects the polluter to pay for the cost of remediation in the first instance. When the polluter cannot be found, the owner of the land shall be responsible for clean-up. It is the responsibility of all land-holders to take care to ensure that their land remains healthy for future generations. There is, of course, a need to account for a situation in which an innocent owner

may be not be responsible for the contaminated land. When that occurs and the contamination is so serious as to constitute a significant risk of harm, funding may be available through the environmental trust's innocent owners scheme.

The amendments in the bill do not in any way impact on the management of cattle tick dip sites. Those sites are managed outside the scheme of the Act and continue to be dealt with in an appropriate way via a decommissioning program run by the Government. The bill does not in any way impact on that program. In particular, it does not impose any liability on the landowners. As with so much legislation, the Government continues to review the efficacy of its Acts by appropriate amendments. In this case the amendments have been brought forward to ensure that the community can have confidence in those auditors who are undertaking the important role of accrediting land that has been contaminated so that it can be reused to serve a better purpose, whether that be industrial, commercial or, more importantly, residential. I commend the bill to the House.

**Motion agreed to.**

**Bill read a second time and passed through remaining stages.**

*[Mr Acting-Speaker (Mr Lynch) left the chair at 1.09 p.m. The House resumed at 2.15 p.m.]*

### **ST IVES HIGH SCHOOL FIRE**

#### **Ministerial Statement**

**Dr REFSHAUGE** (Marrickville—Deputy Premier, Minister for Education and Training, and Minister for Aboriginal Affairs) [2.17 p.m.]: I inform the House that the Government will give Higher School Certificate [HSC] design and technology students at St Ives High School special consideration after a fire destroyed their major works in the early hours of this morning. It is a great disappointment that students have lost their major works that they had spent months creating. I want to reassure students who have lost their major works that they will not be disadvantaged. I have spoken also to the Board of Studies and the principal of St Ives High School, who will work together to assess the needs of every student on an individual basis to ensure that they will not be disadvantaged. I am advised that many of the HSC major works lost in the fire had already been marked and that local firefighters helped save other major works that had not been marked.

The fire badly damaged a major building at the school that contains the library, science laboratories, classrooms and staffrooms. The cost of the damage is estimated to be around \$2 million. Police are investigating, but I am advised that there are no suspicious circumstances. I am happy with the response of the Department of Education and Training and other agencies. Representatives of the department were on the ground early this morning to assess damage and to put in place emergency arrangements for students. Demountable buildings will replace classrooms, staff study rooms and science laboratories. Library facilities at Killara High School will be made available from 3.00 p.m. to 6.00 p.m. for all St Ives students. Buses will also be provided free of charge to transport students to the library at Killara High School. During this difficult time I ask students to do their best. I urge all students to stay focused on their HSC studies while we do everything we can to ensure that they are not disadvantaged.

**Mr HUMPHERSON** (Davidson) [2.19 p.m.]: At about 4.00 a.m. today units from approximately six stations across the North Shore attended the fire at St Ives High School. I thank them for their prompt response, which minimised what would otherwise have been more extensive damage. Unfortunately, substantial damage was occasioned not only to the building but also to computers, books and HSC artworks. Fortunately, some damage was minimal, but there was a degree of damage in all cases. I was briefed this morning at the site and I am pleased that the school community is resilient and will get through this difficult time.

The principal, Mrs Yeomans, and the school community are coping well and students will overcome this hurdle. I am pleased with the assurances of the Minister that students whose work has been damaged or lost will not be disadvantaged. Local community members will be pleased to learn that at this stage it does not appear the fire was deliberately lit. I seek an assurance from the Minister that he will take all steps necessary to back up the personnel who attended the site so promptly. I ask him to ensure that repairs to the building are carried out as quickly as possible and that the necessary resources are made available so that the school can return to normal life at the earliest possible opportunity.

## RED CROSS BLOOD BANK DONATIONS

### Ministerial Statement

**Mr IEMMA** (Lakemba—Minister for Health) [2.21 p.m.]: The Australian Red Cross Blood Service has advised me that its supply of blood has reached a critically low point. At this point it anticipates that its suppliers of types "O" and "A" will last less than one day. The Australian Red Cross Blood Service normally needs around 1,300 donations of blood every day to maintain its supplies. With the current depletion it will need at least 1,500 donations every day of this week just to keep pace with demand. Approximately 3 per cent of the population donate blood regularly, yet around 80 per cent of the population will receive blood or blood products at some stage of their life. If anyone has ever considered becoming a blood donor, this is the ideal time to start. Our hospitals and emergency services need blood desperately to provide routine care to burns victims, those requiring organ transplants, children with leukaemia and for unexpected demands, such as car accident victims.

Blood donation saves lives. Even members in this Chamber, including the honourable member for Miranda, have survived as a result of access to donated blood. NSW Health assists the Blood Service by allowing, and in fact encouraging, its staff to take the time to donate blood wherever possible. The department also allows the Blood Service access to some hospitals, either permanently or on a visiting basis, as collection points. This includes a visiting service to the department's head office in North Sydney. I urge all members of Parliament to encourage their constituents to donate blood, and to donate it urgently.

## UNPROCLAIMED LEGISLATION

**Mr SPEAKER:** Pursuant to standing orders, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 3 September 2003.

### PETITIONS

#### Autism Spectrum Disorder

Petition requesting additional support for children affected by Autism Spectrum Disorder in all educational settings in New South Wales government schools, received from **Mr Maguire**.

#### Mount Austin High School

Petition requesting funding for the installation of airconditioning in all learning spaces at Mount Austin High School, received from **Mr Maguire**.

#### Grafton TAFE Carpentry and Joinery Course

Petition opposing the closure of the carpentry and joinery course at Grafton TAFE, received from **Mr Cansdell**.

#### Gaming Machine Tax

Petitions opposing the decision to increase poker machine tax, received from **Mr Pringle**, **Ms Saliba**, **Ms Seaton** and **Mr Tink**.

#### White City Site Rezoning Proposal

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

#### Jaspers Brush Traffic Arrangements

Petition requesting construction of a safe turning lane on the south bound section of the Princes Highway where it intersects with Strong's Road, Jaspers Brush, received from **Mrs Hancock**.

#### Jingellic to Holbrook Road Upgrading

Petition requesting funding for the upgrading of the Jingellic to Holbrook road, received from **Mr Maguire**.



**Redfern and Surry Hills Bus Services**

Petition requesting improved bus services in Redfern and Surry Hills, received from **Ms Moore**.

**Wagga Wagga Electorate Fruit Fly Control**

Petition requesting funding for fruit fly control/eradication in Wagga Wagga, Lockhart, Holbrook and Tumbarumba, received from **Mr Maguire**.

**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****Reordering of General Business**

**Mr BROGDEN** (Pittwater—Leader of the Opposition) [2.31 p.m.]: I move:

That the General Business Notice of Motion (General Notice) given by me today [Gaming Machine Tax] have precedence on Thursday 4 September 2003

Yesterday we saw the Labor Party divided between those who backed the club movement in New South Wales and those who wish to see the club movement in New South Wales destroyed by a Government that will take them to their death. We saw those, such as the honourable member for Strathfield, who were willing to take on their Premier but we also saw those, such as the honourable member for Drummoyne, the honourable member for Heffron and the Minister for Police, who were too scared to take on their Premier, those who sold out to head office rather than defend their clubs. We understand that there was an attempt to have this go through on the voices, but they took it to a vote and a show of hands, and the Premier leaned on the honourable member for Auburn to get her across the aisle to make it 34 all.

[*Interruption*]

The Premier interjects. The front page of the *Sunday Telegraph* has a photograph of five Premiers and six mugs. I do not know which one was the Premier.

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

**Mr BROGDEN:** If the Government proceeds with its plans, as it has indicated, it will destroy the club movement in New South Wales. This Premier does not care about clubs. He does not care about kids who rely on the donations of clubs for their sport every Saturday. He does not care about community organisations that rely on their clubs to provide services.

[*Interruption*]

The honourable member for Heffron dares to interject! Her predecessor would have done the right thing and backed the local clubs. Despite her close friendship with the Premier she would have done the right thing and backed her local clubs. We have a Labor Party split, a Labor Party divided and a Labor Party that, after 8½ years of arrogant rule and Bob Carr, is no longer willing to put up with it. But whatever the outcome of yesterday, one thing remains: the New South Wales Labor Government will go ahead regardless with their plans to destroy the club movement in New South Wales, to restrict their capacity to employ tens of thousands of people and, in doing so, send one of the great institutions of this State tax into extinction.

**Mr SCULLY** (Smithfield—Minister for Roads, and Minister for Housing) [2.33 p.m.]: Normally, when the Opposition puts a cogent and succinct case for reordering business the Government absorbs it, considers it and listens to it, and on a number of occasions we have agreed with it. Anyone who looks at the record will see that on a number of occasions Ministers across the frontbench have allowed the reordering of business. But the Opposition must put a cogent case as to why everyone else's business is less important than theirs. Today we have had a nonsensical, emotive, irrational presentation. In the face of a very poor performance from the Leader of the Opposition, rambling and irrational, my position is that it should be rejected.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 36**

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

**Noes, 53**

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

**Pair**

Mr Hartcher

Ms Saliba

**Question resolved in the negative.**

**Motion negatived.**

**PUBLIC ACCOUNTS COMMITTEE**

**Report**

**Mr Brown**, as Chairman, tabled the report entitled "History of the Committee 1902-2002", dated September 2003.

**Ordered to be printed.**

**LEGISLATION REVIEW COMMITTEE****Report**

**Mr Collier**, as Chairman, tabled the report entitled "Legislation Review Digest No. 1 of 2003", dated 3 September 2003.

**Ordered to be printed.**

**QUESTIONS WITHOUT NOTICE**

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**GAMING MACHINE TAX**

**Mr BROGDEN:** My question without notice is directed to the Minister for Police. Given that police are officially required to "place integrity above all", why did he deceive the people of New South Wales when he said in the *Northern District Times* on 16 July that he had "asked the Treasurer to reconsider [the clubs tax] proposal", but then voted against the motion in caucus yesterday to review the tax?

**Mr Scully:** Point of order: I am sure that the Minister is more than comfortable in answering the question, but it is clearly outside the rules of the House.

**Mr Tink:** To the point of order: There is a clear linkage between the issue of integrity of police and the Minister setting an example. It goes to the question of whether he has misled his own voters, whether he can be believed, and whether he can set an example as a Minister to the people he leads.

**Mr SPEAKER:** Order! The question asked by the Leader of the Opposition clearly is not related to the Minister's portfolio. I uphold the point of order.

**DOUBLE JEOPARDY AND DIRECTED ACQUITTAL LAW REFORMS**

**Ms GADIEL:** My question without notice is addressed to the Premier. What is the latest information on the proposed reforms to double jeopardy in New South Wales?

**Mr CARR:** Members may recall the case of Raymond Carroll whose conviction for the murder of a 17-month-old baby was overturned by the Queensland Court of Appeal in 1985. Members may further recall that the court ordered his acquittal on the grounds of insufficient evidence. Forensic evidence later determined that bite marks on the victim belonged to Carroll. Further evidence came to light that he had lied in the dock. Last year the High Court ruled that the double jeopardy rule meant that Carroll could not be retried, even for perjury. That is why I announced in February this year that the Government would overturn the double jeopardy rule in cases—and the qualifications are important—where compelling new evidence, such as DNA, comes to light after acquittal.

I also announced that we would provide for appeals against so-called directed acquittals. Currently a judge can direct the jury to acquit when of the opinion that the Crown has not established a prima facie case. The prosecution cannot appeal, even if the judge has made an error of law. We will change this. New legislation will be based on the Blair Government's Criminal Justice Bill 2002. It will be retrospective, but it will apply only to very serious crimes, namely, murder, manslaughter and other offences carrying a maximum of life in prison. A number of important safeguards will be contained in the bill. They include the requirement of fresh or compelling evidence that strongly suggests guilt. There is a qualification that only one retrial should be allowed. There will be oversight of the process by the Director of Public Prosecutions [DPP]. In other words, it will not be the police, nor the Attorney General on behalf of the Government, pursuing someone who has been found not guilty. The process will be oversighted by the DPP.

Only one retrial will be allowed, and there must be fresh or compelling evidence that strongly suggests guilt. The bill will apply only to crimes that carry a maximum of life in prison. Two distinguished former chief justices of Australia, Sir Harry Gibbs and Sir Anthony Mason, have publicly supported reforming the rule against double jeopardy, and so has the DPP. Victims of crime advocates, such as Martha Jabour, Ken Marslew and Howard Brown, have also welcomed the proposals. Our challenge now is to draw all this support together and put it into law. That is not without difficulty. We are blending 800 years of common law tradition with new forensic possibilities, such as DNA technology. In fact it is the arrival on the scene of DNA more than any other factor that has driven this process.

The United Kingdom bill has attracted significant public debate. It was amended in the Commons and is yet to pass the House of Lords. Changes to the law of this magnitude merit such extensive comment and debate. That approach will be adopted in New South Wales. Today I present to the House and to the community a draft consultation bill. Tabling of the bill will open up six weeks of public consultation, leading, we hope, to its passage this session. The Attorney General asked Acting Justice Jane Mathews of the New South Wales Court of Appeal to advise on the bill and make appropriate submissions at the conclusion of the six weeks of consultation. The final draft bill will also be referred to the Model Criminal Code Officers Committee. The committee will examine our bill and will report back to the State and Commonwealth Attorneys-General. I look forward to bringing a robust, final bill to the Parliament that reflects the intense care of the proposed deliberations and our serious determination to get these historic reforms right.

#### COMMANDER CLIVE SMALL MISCONDUCT ALLEGATIONS

**Mr BROGDEN:** My question without notice is addressed to the Premier. Given that in June 2002 Deputy Commissioner Madden received allegations of criminal conduct and serious professional misconduct about the Government's special adviser on crime, Clive Small, why was the Bodor investigation delayed until after the March State election?

**Mr CARR:** I will seek advice on the Bodor investigation.

**Mr Tink:** It's your department!

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

**Mr CARR:** Those opposite are always loudest when their case is weakest. When their case is weak, their substitute is zoo noises. Currently Commander Clive Small is on secondment from NSW Police to the Premier's Department. He is a member of the police senior executive service and his contract of employment expires on 30 September this year. Police Commissioner Ken Moroney is responsible for matters relating to the employment of members of the police senior executive. I am not aware of any current investigation; I will seek a report from the Commissioner of Police and the Police Integrity Commission. For my part, having observed Clive Small working in communities in western New South Wales—the so-called river towns—where there are entrenched social problems, I have been very impressed by his capacity. I think I am correct in saying that he has gone into Redfern—

**Mr Tink:** Will you back Moroney?

**Mr CARR:** As I have said, zoo noises. I understand that Clive Small has gone to Redfern, where there are acute social problems and challenges of community building, to work on practical crime prevention. Clive Small has been used in other troubled communities, including Cabramatta. He has worked hard at those tasks and has brought a new dimension to the great challenge of strengthening communities and fixing up troubled or dysfunctional families, and therefore bearing down on the underlying causes of crime. It was a good use of his extensive policing experience to use him in this role. On the second day we are back in Parliament, if this is the Opposition members' number two indictment of the Government, they have spent a pretty lazy time off.

#### GAMING MACHINE TAX

**Mr STONER:** My question without notice is directed to the Minister for Gaming and Racing. As the Minister responsible for clubs, how can he justify his vote in caucus yesterday against a review of the Treasurer's club tax grab when that tax will result in 45 per cent of the State's clubs becoming unviable by 2010?

**Mr McBRIDE:** I welcome that question and point out to the Leader of the National Party, as I have pointed out previously, that taxation matters are directly the responsibility of the Treasurer. If the Leader of the National Party gives me the details of his question I am happy to take them to the Treasurer and obtain a reply for him.

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

**Mr McBRIDE:** However, I inform him that gaming and machine tax is only one aspect of the clubs issue that is of serious concern to the club industry in New South Wales. If the honourable member thinks there are no other important issues, it shows his ignorance of the club industry. Debate on this issue is not complete

unless we look at the responsibilities of our clubs. In 1997 I said that there needed to be clear guidelines for the club industry. I raised that issue when I was a member of the consultative committee that looked at the club industry and instituted the community development and support expenditure [CDSE] scheme. That was before his time. I appreciate that the Leader of the National Party would not know that fact. I was the Premier's representative on the committee that decided on the CDSE. At that time I pointed out that there was a need to develop a code of practice. Everyone in this Chamber who knows anything about the club industry would know that there needs to be a code of practice to protect the clubs and their members. As Minister, that was one of the first matters I raised in April in meetings with Clubs NSW. Since then I have consulted widely with the industry, including the chief executive officers, accountants, auditors, legal representatives, directors, staff, suppliers and members.

On the morning of 20 August this year I indicated to David Costello, the Chief Executive Officer of Clubs NSW, the Government's intention to advance a proposal for a task force to look at setting new guidelines for clubs. On the afternoon of 20 August I invited the Clubs NSW President, Pat Rogan, to chair that new group. The club industry recognises the need for those guidelines, and the Government has had discussions with the clubs since last April. The clubs regard the guidelines as important to the long-term survival of their industry, although the Leader of the National Party may not see them as important. However, I advise him that currently, in this same week, Clubs NSW representatives are talking with my staff and officers of the Department of Gaming and Racing on this very issue. They agreed that this matter is vitally important to the future of their industry.

I have looked after the future of Clubs NSW. That task force will comprise nine members, of whom five will be from the club industry. Importantly, my view on establishing a task force was supported by the clubs' representatives. I understand that last Thursday at a Clubs NSW council meeting that resolution was adopted. The council adopted the resolution that we have been negotiating since April. The club industry task force will look at a broad range of issues including code of conduct for clubs, a statement of objectives, reporting procedures, governments, probity for club directors, contract arrangements, and management agreements.

**Mr Stoner:** Point of order: My point of order is relevance. The Minister is waffling on with irrelevancies. Clearly, the question was about club tax and the Minister's vote in the Labor caucus yesterday against clubs.

**Mr SPEAKER:** Order! There is no point of order.

**Mr McBRIDE:** If the Leader of the National Party were genuinely interested in the club industry he would support this important initiative. Clubs NSW is talking with my advisers to put this in place. If they were not concerned about it, they would not be meeting with us. This is about working together with clubs and the community to ensure appropriate services and facilities are provided for local communities. The task force will report back to me on the most effective means of establishing a club charter, or code of practice. This will ensure that clubs are fully accountable to their communities. That is something everyone in this House would want. The clubs are fully accountable to their community.

**Mr SPEAKER:** Order! I call the honourable member for Coffs Harbour to order.

**Mr McBRIDE:** The report will form the basis of legislation that I will bring to this House for debate. The Government is serious about reform of the club industry. It will be done co-operatively and constructively and it will be led by the industry itself. The winners from this process will be the clubs, their members and the broader community.

**Mr Stoner:** Half of them will be gone.

**Mr SPEAKER:** Order! I call the Leader of the National Party to order.

**Mr McBRIDE:** Clubs NSW believes this is an important initiative in the context of the long-term future of clubs in our State.

#### CENTRAL COAST DOCTORS BULK-BILLING

**Ms ANDREWS:** My question is directed—

**Mr SPEAKER:** Order! I cannot hear the question. Members will remain silent.

**Ms ANDREWS:** My question is directed to the Minister for Health. What is the Government's response to the decline in the number of doctors bulk-billing on the Central Coast?

**Mr IEMMA:** I thank the honourable member for Peats for that question, for her contribution to this debate and for her efforts in her community to stop John Howard killing Medicare. The honourable member collected 1,000 signatures for a petition on this topic that has been presented to the House. It is interesting to note that the latest national data on general practitioner [GP] bulk-billing rates for the month of June was presented at the end of last week's meeting in Canberra between the Prime Minister and the Premiers. It is no wonder the Commonwealth sat on that data for a considerable time because it shows how much John Howard and Peter Costello are killing Medicare. The latest data reveals that bulk-billing rates have plunged from 74 per cent in June 2002 to just over 68.5 per cent in June 2003. That is a fall of 5.5 per cent, which is equivalent to a reduction of about five million bulk-billed services. This morning's edition of the *Sydney Morning Herald* highlights this issue in an article which states:

Patients in electorates with low incomes are significantly more likely to have to pay their doctors extra than those on average incomes ...

The new Health Insurance Commission figures released last Friday reveal what Australian families across the country already know: The average payment to see a non-bulk-billing GP has risen to an all-time high of \$13.24 per consultation. We have all seen the recent reports about out-of-pocket payments of up to \$100, which are not uncommon. This is John Howard's version of a fairer Medicare. Every time John Howard talks about throwing Medicare a lifeline he throws it an anchor. These figures illustrate clearly the slow, inevitable death of bulk-billing and Medicare. Peter Costello and John Howard simply do not care. They are not interested in having a fairer health care system and they are certainly not interested in enshrining the principles of Medicare—universal and fair access to basic medical treatment—in our health care system.

Dr Bill Glasson, President of the Australian Medical Association, said recently that we need an extra 3,000 GPs to try to arrest the crisis in Medicare, bulk-billing and GP medical care. However, we saw nothing on Friday that will reform our health care system. Those opposite should not come to this place and cry crocodile tears about health. They had their chance in the past few months, and certainly last Friday, to call John Howard and tell him to do the right thing for public hospitals in New South Wales. Instead we got from the Leader of the Opposition the two responses that we always get from him. First, he never tells us where he will get the dollars to boost hospital resources in this State; and, secondly, he never uses his influence with John Howard to help New South Wales families and our hospital system.

We have only to look to the Central Coast to see the crisis that John Howard and Peter Costello have caused in Medicare and our health care system. In the past decade the population on the Central Coast has increased by 19 per cent but the number of general practitioners has declined by 17 per cent. In fact, general practitioner numbers on the Central Coast have declined to 253 from 310. In places such as San Remo, Blue Haven and Charmhaven—which are home to more than 6,000 people—there are no GP practices at all. We have heard about the public meetings at places such as San Remo at which members of the public tell how people on the Central Coast looking for a bulk-billing family doctor are travelling to Sydney to find one because there are not too many left in their local area.

A survey of 69 practices found that only 7 per cent of them fully bulk-bill. Let us consider the bulk-billing rates in the Federal electorate of Robertson: In 2001 bulk-billing was at 77 per cent but the latest available figures reveal that bulk-billing has dropped to 59.8 per cent. That is only one electorate; it is worse elsewhere. In Dobell—the Federal member for Dobell has had a few things to say about health in the past couple of weeks—bulk-billing stood at 86 per cent in 2001 but the latest figures show that it has declined 56 per cent. But how did the member for Dobell respond?

**Mr McBride:** What's his name?

**Mr IEMMA:** His name is Ken Ticehurst—he signs his letters "Ken". He has also been crying crocodile tears about health. Ken sent a letter to his constituents crying crocodile tears about the Commonwealth, State and Territory health agreement and hospitals. He urged his constituents to sign on the back of the letter another letter addressed to the Premier, attempting to deflect criticism about the Commonwealth-State and Territory health agreement onto the State Government. Ken generously told his constituents that the Commonwealth was offering such a good deal that New South Wales stood to lose \$1.1 billion. You got that one absolutely right, Ken! He urged his constituents to send the letters to the New South Wales Premier, expressing their concerns about how the New South Wales Government was delaying

signing that generous agreement that will cost us \$1.1 billion. Good letter, Ken! Ken got some responses, and I will read out just one. The letter states:

We are both pensioners and the doctors across the road have stopped bulk billing. It now costs an extra \$10 per visit. Can anything be done about it?

That letter is from Ken's constituents Mr and Mrs Hackenberg of Bateau Bay. Something certainly can be done. John Howard told us on Friday why we could not have a 12-month rollover of the existing health agreement. He said, "There's no way we'll have a one-year extension and an examination of the health care agreement and get on with the reform agenda because we're going to have an election in 12 months." So I have an answer for Ken's constituents who have asked whether anything can be done. Something certainly can be done, and Ken's constituents in Dobell should remember that when they go to the ballot box in 12 months.

John Howard and Peter Costello will begin to understand and care only when Ken Ticehurst's constituents begin to make him care about the fact that bulk-billing in Dobell has dropped from 86 per cent to 56 per cent. That is the kind of message that Kay Patterson, accompanied by Ken and no doubt the member for Robertson, is getting today on the Central Coast. If they do not believe their own figures, today they will hear first-hand from doctors such as Tim Armitage, a general practitioner who shares a practice at Point Clare. In a Central Coast newspaper this morning Dr Armitage said:

I think there is an overall shortage of general practitioners on the Central Coast, and the problem has to be addressed—

Absolutely. He continues—

The financial returns are not good. There are no financial incentives.

That is interesting because in April John Howard announced \$918 million worth of financial incentives. The details showed that between \$1 and \$3 would supposedly rescue Medicare. Dr Armitage is right, because John Howard and Peter Costello will not give doctors financial incentives to keep. Dr Armitage correctly said in that article:

The future is looking pretty bleak for GPs.

The future is also looking pretty bleak for Ken Ticehurst in Dobell.

**Mr Orkopoulos:** A oncer!

**Mr IEMMA:** That is right, a oncer when they get the chance in 12 months time. Dr Armitage and all his colleagues on the Central Coast and in the Central Coast Division of General Practice are giving Kay Patterson and, no doubt, Ken Ticehurst and his constituents the message today. It is the collapse of bulk-billing and Medicare that is driving some of the pressures on our public hospitals. During the past three months we attempted to convince John Howard, Peter Costello and Kay Patterson that our hospitals deserve more support. We tried to convince them that it was worth extending a good model just to the north of Dobell where the State, along with the general divisions of practice in the Hunter, is establishing the kind of reform that our health care system badly needs. But on Friday John Howard and Peter Costello turned their backs.

#### **PORT KEMBLA CHAMBER OF COMMERCE AND INDUSTRY**

**Ms SEATON:** My question is directed to the Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business. Will the Minister revoke all funding of any form paid to Australian Labor Party power broker Gino Mandarino from his department, given his comments that disgraced brothel owner Neville Hilton should be given a fair go and that it was too early to judge him?

**Mr CAMPBELL:** Mr Gino Mandarino is employed as an economic development co-ordinator by the Port Kembla Chamber of Commerce and Industry. The Port Kembla Chamber of Commerce and Industry is one of many non-government organisations that receive funding from the Department of State and Regional Development, through the Main Street Program. Mr Mandarino's employment is a matter for the Port Kembla Chamber of Commerce and Industry.

## UNLICENSED DRIVERS

**Mr CORRIGAN:** My question is directed to the Minister for Roads. What is the latest information on the Government's efforts to get unlicensed drivers off our roads?

**Mr SCULLY:** We all want our roads to be safer. We need drivers to be educated, focused and, most importantly, licensed. I am disappointed that a number of people who drive on our roads are not licensed. People who drive and have their licence revoked show contempt of the law and, worse, are dangerous on the roads. Last year 8,000 unlicensed drivers were caught on our roads—an increase of 400 over the previous year. It is most disturbing that last year more than 2,000 accidents involved unlicensed drivers, and 50 per cent of those accidents involved injuries or fatalities. These unlicensed drivers cause very significant costs to the community, with loss of life, property damage and rehabilitation.

Today I am releasing an options paper to address this very serious issue. The discussion paper proposes an innovative set of proposals to deal with people who drive after their licence has been revoked, either by disqualification or other administrative process. I want to get community feedback in relation to the options papers before I put a proposal to Cabinet to change the legislation. Under the plan I am releasing today a new onus will be placed on car owners to ensure that they hand control of their vehicle only to a person who is licensed to drive it. There will be three steps involved for those who are caught driving with a revoked licence. First, the number plates of the offender's vehicle will be confiscated for 30 days, irrespective of whether the driver of the car is the owner of the car.

Second, after 30 days the owner of the vehicle can apply for new specially coded and marked plates that will have to be displayed for up to three years. Finally, if people continue to drive even after these penalties have been imposed, the vehicle they drive will be immobilised at the expense of the owner. As a community we need to start thinking about whether persons to whom we lend our vehicles are properly authorised to drive them on the State roads network. Motorists who will be targeted are those who have lost 12 or more points under the demerit system, have a court-imposed disqualification period, have never held a licence and are aged 16 years or over, or have been suspended for excessive speeding and continue to drive.

The Government wants to change community attitudes. I am concerned that research shows that of those 8,000 people who drove a car without being properly licensed, 90 per cent were driving vehicles they did not own. It is not enough to say to disqualified drivers and revoked licence holders on the road that we will immobilise their car and take their plates away. In this options paper we deliberately suggest that a new way to lower the road toll and the amount of injury and property damage is to tell owners of vehicles to be very cautious when lending their car. They should make sure that the person they allow to drive their vehicle is appropriately qualified and licensed to use it on the roads network.

The ideas in the discussion paper are an Australian first. I asked the Roads and Traffic Authority [RTA] to send an officer to the United States of America to study how states such as Michigan, Minnesota and California are tackling the problem. We have adopted some of the better parts of the schemes in those states of America and have applied them to circumstances in New South Wales. I think this is an appropriate balance between coming down on people who are doing the wrong thing and making sure that people's vehicles are not unnecessarily taken out of circulation. The RTA has consulted with NSW Police and Attorneys-General to come up with reasonable and practical guidelines.

There have been calls from some stakeholders for automatic impoundment of a vehicle. That would be difficult to administer and would put onerous resources onto NSW Police. It would also create storage problems. My colleague the Minister for Police shares those concerns with me. Confiscating the plates, and putting the onus on owners of vehicles to store their own vehicle, is an appropriate way to effectively achieve the same outcome. These specially coded plates will make it obvious to the police and the whole community that the vehicle has, in the past, been used by a person who was not properly licensed to be on the roads network. After the 30-day confiscation period, the owner of the vehicle can apply for specially marked plates.

The RTA will determine what those specially marked plates should be. For example, in Minnesota, a "w" is used on the front of the plates to mark that the vehicle has been used by a disqualified licence holder or a person otherwise not qualified to be on the road. Those special plates and immobilisation for continual offenders shows our commitment to getting those drivers and vehicles off the road. This places greater onus on car owners. The message is simple; it is a very blunt message that motorists and car owners should not lend their vehicles unless they have checked that the person borrowing them is properly qualified to drive the car.



It is proposed that a hotline or Internet facility will be set up subject to discussions between the Roads and Traffic Authority [RTA], police and the Privacy Commissioner. It is important to protect people's privacy but car owners must have access to relevant information so that an informed decision can be made on whether it is appropriate for them to lend their car to someone. Members of the community can call 1300 137 162 to have the option papers mailed to them or downloaded from the RTA's web site. This is an appropriate forum for people to put their concerns to the RTA and I will consider them in the package that I put to Cabinet. I am not saying that this will happen tomorrow.

**Mrs Skinner:** What is your view?

**Mr SCULLY:** I have in-principle support for it and it should be done. I make that absolutely clear: It should be done. When the Opposition was in government it was not consultative. This Government is.

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

**Mr SCULLY:** I am putting this proposal on the table. I want to consult with the community and hear from organisations such as the NRMA. I would like to hear the views of the Opposition and the communities they represent about the proposal not to allow people to lend their cars unless a check is made that the borrower is properly qualified to be on the road network. That is a great idea and I would like to hear from the community about it.

*[Interruption]*

**Mr SPEAKER:** Order! The Chair needs no assistance on the standing orders from the Leader of the National Party.

#### **NARDELL COAL CORPORATION PTY LTD LIQUIDATION UNSECURED CREDITORS**

**Mr PRICE:** My question without notice is to the Minister for Mineral Resources. What is the latest information on Nardell Coal Corporation?

**Mr HICKEY:** All members of this House would be aware of the sad plight faced by small businesses that undertook work at the Nardell mine. A receiver was appointed by the mine operator on 20 February as a result of ongoing losses at the mine.

*[Interruption]*

It is good to hear that the Leader of the National Party really cares about the unsecured creditors of this mine! The mine employed about 50 full-time workers and 40 contractors. Nardell undertook to meet employee entitlements but not payments owed to unsecured creditors, including a number of small local subcontractors, who are owed about \$8 million. The mine has since continued production at a low level so that it complies with the Mining Act.

On 8 April Nardell made an offer of \$1.6 million, equivalent to 17¢ in the dollar, as an ex-gratia payment to the unsecured creditors. Creditors rejected this offer on 30 April. All honourable members would be well aware that I have been fighting for a better deal for these small businesses since I became Minister. The honourable member for Upper Hunter is fully aware of the position and should listen intently to my answer. Although an application has been made, I have not yet approved suspension of mining and Nardell has recommenced mining, albeit at a much reduced level so that it does not contravene the Mining Act.

Nardell is currently in liquidation. Mr Scott Turner, the Nardell liquidator, has today advised my department that he will shortly make an application to the Supreme Court to have the company placed into voluntary administration. This would allow a formal creditors meeting to consider the deed of company arrangement put forward by Nardell. Subsequent to this, I was advised that Nardell has offered to pay in full those creditors who are owed less than \$5,000. Those owed between \$5,000 and \$14,000 have been offered 50¢ in the dollar and the remainder have been offered 35¢ in the dollar. Creditors met informally on 8 August and rejected this offer.

I inform the House that at the meeting on 8 August Nardell's liquidator, Mr Scott Turner, advised the unsecured creditors that the latest offer was worked out with me and my office. I assure the unsecured creditors and this House that that is not the case. Although I have been working with Nardell and its representatives to secure a better offer, at no stage have I or my staff been involved in drafting strategies or details of any offer with Nardell. The Carr Labor Government remains concerned about the situation facing the unsecured creditors of Nardell Coal Corporation.

I have had many meetings with both the unsecured creditors and representatives from Nardell. Following significant pressure from the Government we have succeeded in having the offer upgraded from the original 17¢ in the dollar. I would still like Nardell to pay 100¢ in the dollar to all creditors. In fact, based on Nardell's own figures at keeping the mine operating on such a small scale, Nardell would have had an extra \$2 million for the unsecured creditors if it had made a decent and honourable offer in the first instance.

In addition, I have approached the Commonwealth requesting that it take action to amend the Corporations Act to better protect the rights of all workers and small businesses. That request has been ignored. I am sure that if they tried, the Leader of the Opposition and the Leader of the National Party could put in their two bob's worth and get a response. The current offer, if accepted by creditors, will assist some small creditors but it is still unsatisfactory for many other creditors, some of whom are owed hundreds of thousands of dollars but are still waiting.

#### **PORT KEMBLA CHAMBER OF COMMERCE AND INDUSTRY**

**Ms SEATON:** My question is to the Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business. Given the Minister's answer to my previous question that Mr Gino Mandarino is employed by the Port Kembla Chamber of Commerce under a project grant from his department, will he confirm whether disgraced brothel owner Neville Hilton is an office-holder in the Port Kembla Chamber of Commerce?

**Mr CAMPBELL:** I do not know all the office-holders of the Port Kembla Chamber of Commerce and Industry, but I will find out and advise the House.

#### **FORMER MINISTER FOR GAMING AND RACING DEPARTMENTAL ACCESS**

**Mr SOURIS:** My question without notice is directed to the Minister for Gaming and Racing. Will the Minister give an assurance that the former Minister for Gaming and Racing, Richard Face, and those working for his consultancy business have been denied access, since his resignation as Minister, to public servants in the Gaming and Racing portfolio, especially now while he is under investigation by the ICAC?

**Mr McBRIDE:** To the best of my knowledge the Department of Gaming and Racing has not had any dealings with the former Minister, Richard Face.

**Mr O'Farrell:** Or his staff.

**Mr McBRIDE:** The question was in relation to the Department of Gaming and Racing. In terms of the question as it was asked, I have answered the question.

#### **SPORT RAGE**

**Mr CRITTENDEN:** My question without notice is to the Minister for Tourism and Sport and Recreation. What is the latest information on so-called sport rage?

**Ms NORI:** Before I answer the question—

**Mr SPEAKER:** Order! The time for questions has not expired. The Minister will be heard in silence. I call the Deputy Leader of the Opposition to order. I call the Deputy Leader of the Opposition to order for the second time.

**Ms NORI:** I am sure honourable members will not mind if I take this opportunity to congratulate both Louise Sauvage and Jana Pittman on their magnificent wins last week. We wish them well in the lead-up to the Paralympics and the Olympics next year. I point out with some pride that they were both trained at the New

South Wales Institute of Sport. I turn now to a matter that is not so pleasant. Unfortunately, there is mounting and incontrovertible evidence that sport rage is a contributing factor to fewer volunteers becoming involved in organised sport.

**Mr SPEAKER:** Order! There is too much audible conversation in the Chamber.

**Ms NORI:** The Australian Bureau of Statistics released data indicating a 26 per cent decline in the number of officials participating in sport between 1997 and 2001. Also, national research shows that things like a lack of respect for, and abuse of, officials have contributed to that decline. Many media reports highlight physical and verbal abuse of referees and umpires and the drop in the number of people willing to participate as referees and so on. Adding to the mix are the role models children see on television: their favourite sporting stars spitting the dummy, abusing referees and umpires, with parents sometimes getting ugly on the sidelines and spectators joining the fray.

I will take a moment to talk about the ugly parent syndrome. I want to deliver this message. Parents are a child's first and most important role model. Parents have a huge responsibility in this area. Kids who play sport need encouragement and support from the sidelines, not anger or abuse, or parents who act like fools. That does not help kids. Next week the Department of Sport and Recreation will conduct on the Central Coast a one-day seminar entitled "Sport Rage—Managing Behaviour and Conflict in Sport". It will bring together sports administrators to focus on topics like abuse of officials and bad behaviour of parents, spectators and participants. The delegates will explore a range of strategies which hopefully will address those issues. The seminar complements a recently held free workshop for more than 100 chief executives of State sporting organisations and sports administrators. The workshop, held in conjunction with the Australian Institute of Sport, addressed strategies to recruit and retain volunteers as officials in sport, and provided tools and resources to help sports administrators change the behaviour of participants and improve the competencies of officials.

To address the ugly parent syndrome the department has developed guidelines entitled " Kids Sport, a Very Real Guide for Grownups". The guidelines obviously are designed to combat unhelpful behaviour by parents. It makes very clear that abusive or embarrassing behaviour on the sidelines is the wrong example for children. Over 30,000 copies of the guidelines have been distributed to various sporting organisations and child-care centres. The guidelines talk about getting parents to help their kids enjoy sport. We want our kids to have a favourable memory of their early sporting careers and to take those good habits into adulthood. I am happy to make copies of that document and other resources available to members for distribution in their communities.

The department has also been working with a number of the State sporting organisations to promote the use of the "Play by the Rules" web site. It is an online training site. The department runs a number of programs to support and attract volunteers. It also provides nationally recognised coach accreditation courses to maintain and improve competencies. We hope that with these kinds of programs we will be able to recruit more volunteers, because if sport and recreation programs and services throughout the State are to blossom we need the support of volunteers. I urge members to make these resources available to their community groups so that we can combat this very unhelpful behaviour on the sporting field.

**Questions without notice concluded.**

## **CONSIDERATION OF URGENT MOTIONS**

### **Health Care Reform**

**Mr IEMMA** (Lakemba—Minister for Health) [3.34 p.m.]: My motion calls on the Commonwealth to work with New South Wales to pursue the reform agenda unanimously endorsed by clinicians at the Health Care Summit in order to improve the health care of people in New South Wales. The motion should be considered as a matter of urgency because bulk-billing is in free-fall. The figures to which I referred in question time today starkly illustrate what is happening with bulk-billing and Medicare. It is urgent that the House debate this issue because what happens with bulk-billing and Medicare is linked to what happens in our public hospitals, nursing homes and health care generally. It is not just a question of bulk-billing and Medicare, which are one leg of the table.

It is urgent that the House debate national reform of our health care system, the reform agenda adopted by the Health Care Alliance at the summit held a short fortnight ago. The motion is urgent because our public hospitals and emergency departments are under more pressure than ever, yet the health care agreement meant to

sustain us for the next five years asserts that those hospitals and emergency departments are not as busy as we all know them to be and as the official statistics show them to be. There could be no issue more worthy of urgent address by governments, State and Federal, than health care—that is, the state of our public hospitals, the pressure that they are under, the inadequacy of the funding arrangement being forced on the States for the next five years and the freefall of bulk-billing and Medicare.

No national issue is more important than health care, reform of the health care system, saving Medicare, easing the pressure on our public hospitals and providing our nurses and doctors with more support, not less. This nation has no more urgent issue than reforming our health care system and achieving greater integration of the four levels of care: tertiary and secondary care, the responsibility of the States; residential nursing home care, the responsibility of the Commonwealth; and general practitioner care, the responsibility of the Commonwealth. No issue facing this State and this nation is more urgent than moving on the reform agenda outlined by all of the health care experts across this nation. These are the clinicians, health care administrators and economists who gathered just a fortnight ago in Canberra and outlined the blueprint for national reform, which the Commonwealth failed to take up in the health care agreement, but which the States wish to move on. New South Wales will be moving on it. There is no more urgent and important issue at a State and national level than the state of our health care system.

### **Gaming Machine Tax**

**Mr SOURIS** (Upper Hunter) [3.36 p.m.]: My motion is that this House condemns the Premier for failing to support the clubs movement in New South Wales. Debate of this motion is demonstrably urgent because the Australian Labor Party [ALP] itself is in turmoil right now over the issue. This matter strikes at the very heart and integrity—if it has any—of the Australian Labor Party. My motion seeks debate of the issue. It is about time this debate was open to the scrutiny of the New South Wales public—not a debate which purportedly occurred yesterday behind closed doors, at which purportedly heroic statements were made by 34 members of the Australian Labor Party.

My motion will either expose yesterday's caucus debate as a stunt, or it will prove that there is some substance to it and establish that at least 34 members of the Australian Labor Party are prepared now to put their names behind my motion to have a debate on the future of the clubs industry. Those brave 34 have turned into jelly-backed wimps. A moment ago this House voted on a motion put by the Leader of the Opposition to reorder this motion. The 34 strode directly into the valley of death, betraying the ideals that they purportedly held so strongly yesterday. Twenty-four hours later, like lame ducks, like sheep even, across the floor they went and betrayed the clubs movement—the very movement that they supposedly went in to bat for yesterday in the caucus meeting.

This motion for urgent consideration is about the future of clubs in our community. It is about whether members on the other side support the offensive remarks attacking the club movement in New South Wales made in the past 24 hours by both the Premier and the Treasurer. Each and every member of the Australian Labor Party who has clubs in their community is now being asked to show their bona fides. It is time to stand up for clubs in their communities. It is certainly time for me to stand up for clubs in my electorate, such as the Merriwa RSL, the Muswellbrook Workers Club, the Muswellbrook RSL, the Mudgee Soldiers Club, the Coonabarabran RSL and the Quirindi RSL. What about some Labor members standing up for clubs in their electorates and their communities, the clubs that give so much to the communities they represent?

This motion is urgent. In the vote a moment ago the ALP, particularly the 34, failed the test. They have demonstrated their insincerity. This is a second opportunity for members of the ALP to make good on all the things they said in caucus yesterday in strong support of their clubs. Do not vote down the clubs a second time in one day. I remind members of the ALP that the cock is crowing. Where do they stand? The scoffing and hilarity emanating from members sitting opposite only reinforce their phoney act in yesterday's caucus. The only conclusion from the previous vote and the imminent vote is that caucus staged a phoney and unworthy piece of fluff.

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

**The House divided.**

**Ayes, 50**

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

**Noes, 35**

Mr Aplin	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	Ms Moore	Mr Tink
Mr Debnam	Mr O'Farrell	Mr Torbay
Mr Draper	Mr Page	Mr J. H. Turner
Mr Fraser	Mr Piccoli	Mr R. W. Turner
Mrs Hancock	Mr Pringle	<i>Tellers,</i>
Mr Hazzard	Mr Richardson	Mr George
Ms Hodgkinson	Mr Roberts	Mr Maguire

**Pairs**

Ms Saliba	Mr Armstrong
Mr West	Mr Hartcher

**Question resolved in the affirmative.**

**BUSINESS OF THE HOUSE****Urgent Motion: Suspension of Standing and Sessional Orders****Motion by Mr Scully agreed to:**

That standing and sessional orders be suspended to allow six additional speakers on the motion for urgent consideration, three of whom shall be Opposition members.

**HEALTH CARE REFORM****Urgent Motion**

**Mr IEMMA** (Lakemba—Minister for Health) [3.50 p.m.]: I move:

That this House calls on the Commonwealth to work with New South Wales to pursue the reform agenda unanimously endorsed by clinicians at the recent Health Care Summit to improve health care for the people of New South Wales.

In April this year, the Prime Minister wrote to all States detailing a take-it-or-leave-it Australian Health Care Agreement offer. The deal was grossly inadequate on two fronts. First, it failed to recognise the need for reform of the health care system in Australia. Second, the funding formula used the underlying assumption that our hospitals are becoming less busy whereas nothing could be further from the truth. Last year the State Ministers gained agreement from the Federal Minister for Health and Ageing, Kay Patterson, to develop a blueprint for health sector reform. All parties recognised the urgent need to reform the health system and to engage expert health care professionals in forming reference groups to develop a blueprint for reform. The groups worked hard over a long period developing proposals aimed at positioning the Australian health care system to deal with current and projected demands and pressures. Their proposals charted sensible, considered and essential policy directions for this country.

These directions were ignored by the Federal Government in the development of the Australian Health Care Agreement. Despite initially supporting the development of the blueprints, Minister Patterson's enthusiasm waned, presumably at the direction of the Federal Treasurer, Peter Costello. It is impossible to understate the disappointment that this missed opportunity has created in the clinical community. In addition to the work done by the reference groups, clinicians from across the country recently convened in Canberra for a national health summit. Their communiqué makes it clear that reform of our health care system is essential. It is not just health Ministers and Premiers who are saying that we need to change the way in which we deliver health care. Importantly, it is also the clinical community—the doctors, nurses and allied health professionals—and consumers who are saying so. Everybody except the Federal Government agrees that the current system is under strain and in need of urgent reform. Despite all this and despite the fact that the States were blackmailed into signing the agreement, the New South Wales Government is committed to pushing ahead with health system reform that everyone acknowledges is needed.

During question time I outlined some of the issues that are in need of reform following the release of the latest statistics on bulk-billing. More patients are being forced to pay for general practitioner [GP] services, and that adds to the pressures on our public hospitals. That is highlighted in research by the Australian National University which is reported in today's media. It is a chilling read. The drop in bulk-billing rates affects those areas of Australia with the lowest incomes. It is clear that the Prime Minister, John Howard, and the Federal Treasurer, Peter Costello, are Americanising our health system. There will be one system if a person is rich, and another if a person is not so rich. As a result, patients are turning up for the free services offered by our public hospitals, in particular our emergency departments. In New South Wales we now have more than 2 million emergency department attendances each year—and the busiest emergency departments in Australia.

It is not just the total number of patients that is significant: The conditions with which patients are presenting are also more complex. For example, the number of patients who are aged 80 years and over and who attend emergency departments is increasing by about 8 per cent a year. More often than not, patients in this group have conditions that are complicated and for which diagnosis and treatment are not simple. Our emergency departments are under enormous pressure. With only three private hospital emergency departments in New South Wales, the private sector is not helping. This makes a mockery of the Commonwealth Government's claim that the private health sector is relieving public sector health pressures. The Australian Health Care Agreement does not acknowledge the pressure on our emergency departments. The reform agenda will include the establishment of after-hours GP clinics at, or near, public hospitals. This is not something that is untrials. Such a proposal will allow straightforward conditions to be treated quickly, reducing the pressure on emergency departments and their hard-pressed staff.

As I mentioned, this is not something that has not been trialled. On 1 July this year, in the Hunter, our major public hospitals established an after-hours GP service inside the emergency department, in the case of the Belmont District Hospital, or nearby in the case of other hospitals. The results are encouraging and the proposal is certainly worthy of extension. This is a key priority of reform and it was one of the key elements of the agenda that was presented at the summit by the Premier. Compounding these pressures, across Australia we have unresolved issues relating to medical indemnity insurance for medical practitioners and allied health workers. Today one of the last orthopaedic surgeons in Orange received a bill of \$166,000 for medical indemnity insurance from United Medical Protection. He has had enough, and who can blame him? If he leaves Orange and takes with him the town's orthopaedic services, it will not be the fault either of the orthopaedic surgeon or the area health service.

The Federal Minister for Revenue and Assistant Federal Treasurer, Senator Helen Coonan, and the Federal Minister for Health and Ageing, Kay Patterson, simply have failed to deliver a sustainable package that allows medical specialists to continue to practice. It is a ridiculous situation that, as the nation, we spend

hundreds of thousands of dollars training medical specialists but do not adequately support them to ensure that the community gets its return on the investment. That is all because the Commonwealth Government cannot come up with a solution to a straightforward issue. Tort law has been reformed in New South Wales and we have capped payments. The Federal Government has to come to the party and deliver a sustainable solution.

Work force shortages are plaguing the health system now and will only get worse. The Commonwealth has failed to deliver a composite plan to deal with the immediate and projected needs of our medical work force. We are prepared to work with the Commonwealth on developing more effective and efficient training programs for all areas of medical practice. The impact of the shortage of nursing home beds on our hospital system is immense. In New South Wales there are approximately 800 senior citizens in public hospital acute care beds who are waiting for nursing home beds. These elderly citizens stay an average of 27 days in hospital compared to the average length of stay of patients in acute care hospital beds of just 3.3 days. The economics of reform are compelling. It costs the Commonwealth about \$80 a day to subsidise a nursing home bed. In contrast to that, a stay in an acute care public hospital bed costs approximately \$427 a day.

We need to be able to use Commonwealth funds more flexibly. The artificial division between health and aged care program funding is nonsense: It does not make financial policy sense. Critically, it adversely impacts on elderly patients and the care that they receive. Put simply, the Commonwealth Pathways Home Program does not go far enough. This program provides one-off funding and it does not offer any scope for the expansion of services in the medium and long term. The Commonwealth knows that the ageing of the population is likely to have an enormous impact on our health service demands. The Commonwealth's own intergenerational report details the growing need to provide into the future increased age-related care and services. What we need to do is create a system with a seamless interface between acute care and supported care, and we need to remove the narrow definitions of aged care that are currently being used. We want to work with all the relevant stakeholders in New South Wales to bring this about. Together we can make recommendations to the Commonwealth for a patient-focused system that allows unimpeded movement between acute care and supported care.

It was on this basis that we sought changes from the Commonwealth in the health care agreement. Sadly, the Commonwealth declined the opportunity to make this happen. The New South Wales Government is serious about its commitment to health system reform. The New South Wales Government is already pursuing opportunities for reform. I take this opportunity to inform the House of one promising initiative that is already under way. A pilot program that is known as community care packages is helping our senior citizens leave hospital and return to the comfortable and familiar environment of home, with the right support. We have committed \$4 million this year to this initiative to identify the home support needs of these patients and we will be arranging for that support to be provided in the patient's home by expert community care providers. In doing so we are ensuring best practice in the delivery of modern health care. It will be health care, provided not in the hospitals, but in the community and in people's homes. Under this program, a case manager who is experienced in assessing and organising community support services will meet with the patient and the patient's family to identify the type of help that is needed to enable the patient to return home. Services include home nursing, personal care, domestic assistance, meals and transport. Those services are provided for up to six weeks after the patient goes home.

We are piloting community care packages at nine of this State's major teaching hospitals—Prince of Wales Hospital, St George Hospital, Nepean Hospital, Liverpool Hospital, Westmead Hospital, Royal North Shore Hospital, Royal Prince Alfred Hospital, Gosford Hospital and John Hunter Hospital. While it is early days yet, in just two weeks 34 people have moved from those nine hospitals and have been able to go home with the support of community packages. Another 58 are currently being assessed for their suitability for the program. This is not about rushing people out of hospital prematurely. Once a patient is assessed as being suitable for the program, it takes up to four days for appropriate home support to be organised.

For example, take the case of an 84-year-old gentleman from Western Sydney, who was a bit unsteady on his feet and prone to falls. His family feared that he would be unable to go home from Nepean Hospital. He was assessed as being suitable to go home with the support of a community package. Some simple home modifications, including rails at the entrances to his home and in the bathroom, and repairs to unsafe steps, have made his return home possible. He and his family are much happier. This is a positive partnership between the New South Wales public health system and community care groups with appropriate skills.

**Mr O'FARRELL** (Ku-ring-gai—Deputy Leader of the Opposition) [4.00 p.m.]: I do not believe that any member of this Parliament or the Federal Parliament does not believe that there should be reform of health

care in this country. I know of no member in this place—and the Minister is certainly not putting himself forward—or any person in the other place who has the prescription that would deliver that reform in a meaningful way overnight. I will not parade myself in this place as someone who does not support reform of the health care system, because I do. It is important that we have reform, and it is important in arguing for reform that we understand what that reform is all about. It is about people who are ill and who seek treatment on a daily basis.

What gets in the way of genuine discussions about reform in this State, in Canberra and in this nation are the sorts of political stunts that State Premiers engaged in last Friday. Listening to the Minister for Health, one would get the impression that last Friday's meeting of the Council of Australian Governments, at which the Australian Health Care Agreement was finally agreed to and signed, did not discuss health reform. In reality, the Prime Minister commenced Friday morning's meeting by offering firstly to talk about health. When the meeting commenced the Prime Minister accepted what the State Premiers had been saying all week: they should start off by talking about health. And guess what? At the start of the meeting the Premiers said that they were not ready to talk about health at that stage. That should have given the Prime Minister the first inkling of the stunt that was then to come.

Other matters were dealt with, including water reform. The Premiers then began to discuss health matters and the Prime Minister repeated what had been his position for three months: The agreement offered by the Federal Government that provides an additional \$3.4 billion to New South Wales over five years was on the table to be signed. The Prime Minister then indicated that he was happy to discuss subsequently each of the seven reform issues that had been raised with him the day before by the Queensland Premier on behalf of all the Labor Premiers. But when that issue arose at Friday's meeting did the New South Wales Premier say, "Let's talk about that, Prime Minister, let's talk about that reform agenda"? No. Premier Carr, along with his Labor colleagues, simply rose as one and walked out of the room and down the corridor towards the TV cameras, as prearranged—a stunt first and foremost, a stunt from start to finish, a stunt that paid no regard to the interests of people who turn up at our hospitals and seek medical service on a daily basis. That stunt was designed to try to bolster Simon Crean's prospects at the next Federal campaign.

My argument is that that sort of approach has to end if we are to get anywhere in reforming health care. There are health care reforms that I wish this Government would get on with. First and foremost, I wish the Government would start reforming our health system so that most resources are directed to the front line—to those health professionals who work in our emergency departments and other services that provide treatment to patients—rather than to administration. The biggest disease affecting New South Wales Health is administrative obesity. The Government has fattened up the health bureaucracy over eight years at the expense of front-line services. One only needs to visit hospitals such as Grafton hospital or Hornsby hospital and hear from doctors who work in the emergency departments about the screwing down of resources and services available to them and then talk to other professionals in those hospitals to learn what is happening in the health bureaucracy.

Since Labor came to power, administrative staff numbers in the Hunter Area Health Service have increased by 30 per cent. At the same time bed numbers are down 20 per cent, and the number of nurses has fallen. In the Northern Sydney Area Health Service—the honourable member for Hornsby would be fascinated to know this, given her concerns about Hornsby hospital and the way it is being starved of resources within that area health service—administrative staff numbers are up by 200 per cent since the Government was elected, but nursing numbers are down 13 per cent and beds have reduced by almost 24 per cent.

I stand here as a shadow Minister who would like reform in the State's health service. First and foremost amongst that reform should be a slashing of the administrative staff in the Department of Health to free up resources to go to front-line medical services. That will do two things. First, it will better fund those State health services and, second, it will do an enormous amount to boost morale at the front line, where nurses, doctors and other health professionals have enormous administrative overloads imposed on them by this bureaucracy that is seeking to justify itself. In eight years those opposite have done nothing to stem that bureaucracy, which is soaking up more and more of the health dollars.

I appreciate that the role of the Minister is difficult when it comes to the allocation of resources. But I cannot stand by and listen to Minister after Minister, in portfolio after portfolio, cry poor. Last year New South Wales coffers received a \$830 million windfall revenue, largely from property stamp duty in this State. That was \$830 million above and beyond what was anticipated. Over the past five years something like an additional \$5 billion has been received by the State's coffers. That does not reflect what the Government expected to receive; it is on top. It is a bit like winning Lotto: the family has a budget and if it wins Lotto suddenly the



family has a few extra dollars in its pocket. That is more than \$5 billion in unexpected windfall receipts that has been frittered away by the Government, which grows the health bureaucracy rather than putting that money into front-line services, and does nothing about treating individuals or about health outcomes. The Opposition will seek to amend the motion, which is predicated on a principle that no-one disagrees with, that is, the need for reform. I move:

That the motion be amended by leaving out the following words "pursue the reform agenda unanimously endorsed by clinicians at the Health Care Summit to".

The motion would then read:

That this House calls on the Commonwealth to work with New South Wales to improve health care for the people of New South Wales.

That is what the people would like us to do: work together in a co-operative Federalist sense to produce the best outcomes. I have moved the amendment for a second reason. I do not know whether it was planned this way by those who organised the summit, or whether they were simply steered in that direction by those who advise health Ministers around the country, but I refer members to a letter published by *crikey.com.au* on 21 August, addressed to the "Organisers of the Health Care Stunt 2003". The letter stated:

Congratulations on pulling off a successful stunt!

Silly old me, thinking this was a broad and representative cross-section of health reform opinion. It took me till lunchtime on day one to realise this was a politically partisan exercise with a highly ideological agenda.

But the panache in pulling it off!! The nerve ... the audacity ... the planning! I'm in awe of the brazen deceit involved in the execution.

The constant reassurance that this was not political, when it was utterly ideological. The constant reassurance that this was a representative gathering, knowing it was anything but. And that old ploy of circulating a draft statement (which everyone poured over) then re-issuing a late revision containing the real politics (when everyone is too tired to read it closely).

This was dishonesty, deceit and manipulation of a very high order indeed.

And the outcome: a commitment to join North Korea, Cuba and Canada (following Larry Ohlhauser) as the only societies which outlaw private insurance. And then to part company even with Canada in outlawing consumer choice. East Germany, 1960—here we come.

This was, without doubt, the most bizarre, the most intellectually dishonest exercise I have ever participated in.

It is signed by Vern Hughes, summit guest and participant. We witnessed last week how a summit can be manipulated to produce an outcome opposite to the one expected: in that case, a proposal for a safe drinking room for under-age drinkers emerged from a summit designed to end alcohol abuse. The Opposition will support in this Chamber genuine health reform but we will continue to oppose the Labor Party's attempts to pull stunts that do nothing to improve health care outcomes for the people of New South Wales.

**Mrs PALUZZANO** (Penrith) [4.10 p.m.]: Our emergency departments are struggling to cope with the pressure of patients in need of emergency medical care because there are not enough bulk-billing general practitioners [GPs]. If the Commonwealth were to join the New South Wales Labor Government in rolling out after-hours GP clinics across as many sites as possible in the next few years there is no doubt that the pressure on our emergency departments would ease. We are working actively with clinicians around the State to try to alleviate the problems they face and to improve our health system. That is what our proposed reforms are all about, and they are endorsed by clinicians. So the question remains: Why is the Federal Government ignoring our expert advice and that endorsement by clinicians and refusing to discuss our proposals? It is being greedy and stubborn.

The Carr Government wants to work with the Commonwealth to improve our health system but it refuses even to consider our proposals. I will relate some comments by GPs in my electorate. In the local media in July Dr Yusuf Bassa described the incentives for doctors to bulk-bill as a joke and said that fees would rise for non health care card holders to compensate for the inadequate Medicare bulk-billing rebate. He continued:

The Government knows this and doesn't seem to care ... we will see a two-tiered system of health care develop.

Another local GP, Dr Michael Edwards, said:

GPs are not willing to swallow the bitter pill of the Federal Government's Medicare reform package ... Patients will be disadvantaged because the government is not willing to reimburse patients through Medicare to an adequate level ... It appears this package is designed to force GPs to move away from bulk-billing all people.

Bulk-billing in the New South Wales health system is at its lowest level in years. Of course the worst affected are those on low incomes, families in the bush and families in Western Sydney. A medical centre in Penrith charges a fee of \$40 after 6.00 p.m. and the same fee, with no bulk-billing, on weekends.

Some 80 per cent of GPs surveyed recently in New South Wales stated that the level that the Federal Government has set for the Medicare fee is insufficient to maintain a viable practice and provide quality health care. The decrease in the incidence of bulk-billing has put more pressure on our emergency rooms. Between 1997-98 and 2002-03 emergency attendances increased by 164,187, with only 12 per cent of patients requiring hospital admittance. Some 14,760 people presented to New South Wales emergency departments for medical certificates and repeat prescriptions, with 9,224 people presenting with tonsillitis, an increase of 15.4 per cent since 1999-2000. The entire Penrith community will be affected by the Commonwealth's actions. It is interesting to note that the local Federal member has declared that few patients are going to be affected by changes to Medicare. However, the closure and wind-back of GP services in Penrith will have a direct impact on emergency departments, as patients are forced to use those departments in the absence of bulk-billing and after-hours GP services.

**Mr CANSDELL** (Clarence) [4.15 p.m.]: This motion is nothing more than a deceitful political stunt designed to deflect attention from the New South Wales Government's incompetence in managing the State's health service. It is amazing that the State Government should call upon the Commonwealth to work with it to improve health care services for the people of New South Wales when the State Government cannot even work competently with local hospitals to improve services. The recent review of operational and funding of general nursing and allied health and support services at Grafton Base Hospital by Gleeson Health Care Consultants was full of inconsistencies and false information. Yet I am told that this is reform. It was a complete waste of taxpayers' money.

The report claimed that Grafton Base Hospital paid almost \$500 for an intraocular prosthesis when an ophthalmic surgeon had an invoice proving that the prosthesis cost only \$180. That is a big cost difference—and yet more spin! It also claimed that the cost of cataract surgery at Grafton Base Hospital is \$3,324 despite it costing only \$1,414 in November 2002. One wonders whether these incorrect figures have been used to justify halving the number of cataract surgeries at Grafton Base Hospital from 306 cases in the last financial year to 150 cases in the next financial year, which will increase by more than two years the time that patients spend on waiting lists.

**Miss Burton:** Point of order: This motion is about the reform agenda agreed by the State Health Ministers. It calls for co-operation between the Commonwealth and State Health Ministers to deliver a process of health reform. The honourable member for Clarence is a new member in this place but he is not speaking to the motion. I ask you to direct him to confine his comments to the motion.

**Mr DEPUTY-SPEAKER:** Order! I am sure that the honourable member for Clarence will return to the leave of the motion.

**Mr CANSDELL:** The motion refers to reviewing operations and working with the Commonwealth. I am suggesting that the State Government cannot work effectively even within New South Wales to produce an accurate report. The State Government had little consultation with hospital staff during the review, which reveals its lack of concern for local needs. The Minister for Health should have received a letter from the Grafton Base Hospital quality committee about the need to enhance resources adequately within the accident and emergency department, which is in crisis. But no action has been taken in that regard. In fact, the situation has worsened in the past eight years.

The State Government pulled a stunt at the 1997 by-election when it claimed that it would improve local services by relocating the Northern Rivers Area Health Service administration section from Lismore to Grafton at a cost of more than \$150,000. It refurbished the old nurses quarters and installed a telephone line, but the office was never staffed. In fact, telephone calls were diverted back to Lismore. The truth came out after the 1999 election. Signs were removed from the building and the Government declared openly that the administration of Northern Rivers Area Health Service would remain in Lismore. In March, just before the election, the Premier said to Quentin Dempster on *Stateline*:

The health care in our system is better than it has ever been [before].

This motion is just another political stunt to take the pressure off the State Government for inadequate health services and blame the Commonwealth. Last week's Alcohol Summit clearly demonstrated that the area health

service working from Grafton Base Hospital has only one full-time drug and alcohol counsellor who services 45,800 people, yet at Lismore each drug and alcohol counsellor services 12,500. That shows the inequities and imbalance in the system. [*Time expired.*]

**Miss BURTON** (Kogarah—Parliamentary Secretary) [4.20 p.m.]: It is appalling for speakers from the other side of the Chamber to claim that the decrease in bulk-billing is the State's responsibility. The Government has consistently voiced its concern about the inadequate level of remuneration for general practitioner [GP] services under Medicare. Bulk-billing is in freefall. Any emergency unit will demonstrate the pressure under which medical staff work. The media and members of the Opposition trivialise the issue and claim that the States are fighting with the Commonwealth or passing the buck. Despite the claims of the Opposition, the Government's record shows that it has always lived up to its responsibility in relation to public hospitals. Since 1995, when the Government was first elected, health funding has increased by approximately 75 per cent, a total of almost \$4 billion. The Government has had a reform agenda and has changed the way health services are delivered.

Clinicians worked with the Government on the Sinclair/Menadue report to deliver better and more efficient health care services. That shows that New South Wales is doing more than its fair share, but health care takes a lot more than that. Unless the Commonwealth lives up to its responsibilities to adequately fund health care, the system will continue to burst at the seams. In my role as Parliamentary Secretary to the Minister for Health I have visited many places in rural and regional New South Wales, which, as a result of the freefall in bulk-billing, are suffering the most. For example, the people of Lismore, Wagga Wagga, Griffith, Queanbeyan, Dubbo, Gundagai, Albury, Ballina, Byron Bay and Mullumbimby have suffered greatly because even if they could afford to visit a GP, many of those towns do not have one. That responsibility lies fair and square with none other than the Commonwealth Government. It is inherent in the motion that the State has a responsibility, and it is living up to that responsibility. The Commonwealth has done nothing but cost shift from the day it was elected.

**Mr O'Farrell:** Point of order: I am sure the honourable member for Kogarah appreciates that a \$3.4 billion increase over five years is cost shifting from the Federal Government to the State Government. The novice Parliamentary Secretary should understand that.

**Mr DEPUTY-SPEAKER:** Order! There is no point of order.

**Miss BURTON:** At the moment some people attend emergency departments because they cannot afford to visit GPs or because GP services are not available. People with minor illnesses should visit GPs. The health system needs GPs to be available to provide local medical services. If members of the Opposition talk to their local communities they will come to understand that if GPs are not available, or they cost too much, more people visit emergency departments. That puts enormous pressure on those departments. The Howard Government wants a health system accessed by credit cards rather than Medicare cards. The Medicare payments for GP services are too low; they are an absolute insult. Bulk-billing by GPs is now at its lowest level since 1989-90. In June 2003, only 68.5 per cent of GP services were bulk-billed nationally.

Mr Howard has taken family health care back 13 years, and it continues to falter. Nationally, 6.4 million less GP services were bulk-billed in 2002-03 than in the previous year. As I said, bulk-billing is in free fall. The Commonwealth is responsible for that, not the State, and it is a direct result of the Commonwealth Government's inaction in funding adequate payments for GPs through Medicare. The Commonwealth Government then decided it would increase the payment to GPs by a paltry and disgraceful \$3 a visit—not through extra funding but by taking \$917 million out of the public health system. The honourable member for Hornsby, who always bleats about Hornsby hospital, should try to defend that. The Commonwealth Government has not addressed the decline in bulk-billing. A recent survey found that 80 per cent of GPs in New South Wales believed that the current Medicare rebate is too low to maintain a viable practice and provide quality health care. In addition, a recent New South Wales health survey— [*Time expired.*]

**Mr McGRANE** (Dubbo) [4.25 p.m.]: I commend the Minister for providing the opportunity to speak on this motion. The State and Federal governments should work together; the time for buck passing is well and truly over. Those on both sides of the political fence have a lot to answer for.

**Mr O'Farrell:** Point of order: We have neither a Minister nor a Parliamentary Secretary in the Chamber. If the novice Parliamentary Secretary will return we can continue the debate.

**Mr DEPUTY-SPEAKER:** Order! The Parliamentary Secretary has now returned to the table. The honourable member for Dubbo may continue.

**Mr McGRANE:** Health care is the most important issue facing regional Australia. Unless we have a good health system we cannot have regionalisation. In the past five years lots of good things have been done, and I commend the Government on the new multipurpose centres throughout New South Wales. However, if they are not manned with correctly trained personnel they are a waste of time. People in country areas need the same access to medical services as people in city and coastal areas. Bulk-billing in the Federal electorate that covers my area is below the national average of 68 per cent. Until a 24-hour operation moved to Dubbo we had no bulk-billing whatsoever, and that put a great deal of pressure on the outpatients department at the local hospital. In a sense bulk-billing is necessary both at a State and Federal level. When people visit the outpatients department of a hospital the tab is picked up by the State Government, but it should be picked up by the Federal Government.

In regional areas the shortage of qualified doctors is extreme. Great steps have been taken in allowing trained doctors from overseas to come to Australia to work in both regional and city areas. Many doctors who have met the standards laid down by the Australian Medical Association do not practise at the moment. Country areas are more greatly affected by a lack of specialists—gynaecologists, physicians, speech therapists and others—than their city cousins. Every regional health service has financial problems. Both health services in my area have deficit funding. Extra money has been provided to the health service boards during the past couple of years but they are still short of money.

At the beginning of each financial year the health boards are behind the eight ball in that they are required to pick up approximately \$3 million before they can meet their budgets for the coming year. The former Minister for Health did much to overcome the problem but it still exists because of the high cost of equipment and the difficulty in attracting locums to country areas. As a result, considerable pressure is placed on individual hospital boards to provide adequate services even when specialists are not permanently stationed in country towns. It is up to State and Federal governments to work together because health is the key to the development of regional Australia.

**Mr MARTIN** (Bathurst) [4.30 p.m.]: I am pleased to support this urgent motion. The Federal Government has refused to talk to the States about meaningful reforms to the health system, despite submissions endorsing this Government's plan to improve the health care of families in New South Wales. The New South Wales Government is working alongside doctors and nurses to achieve better health care for our families. In the Central West a new tripartite service is helping smaller hospitals that do not have 24-hour access to a doctor. Through the Remote Medical Consultation Service nurses will be able to call a central number to receive expert advice on how they can assist people in attendance at hospitals who are triaged as category 4 or category 5.

I also support moves by the Central West Division of General Practice to obtain Federal Government funding for an after-hours medical care service in Bathurst. This would take pressure off emergency departments by allowing patients access to a general practitioner 24 hours a day. These are examples of the types of reforms necessary to provide timely and proper medical care to patients, without adding to the work of our busy emergency departments—and all honourable members would be aware of the pressures exerted on those departments. The Carr Government is committed to supporting these projects and the reforms to the health system that they represent. Many reforms in rural health have taken place over the past five or six years.

Instead of working with the New South Wales Government to provide a practical and workable reform of the health system, the Federal Government has refused to even sit down and discuss these reforms. That is not good enough. Country Labor seeks a health care system that will provide adequate health care for country families. Pressure on emergency departments has resulted from a lack of general practitioners in country areas. People have to wait many weeks before they can consult a general practitioner and in many cases the only alternative is to visit accident and emergency departments of local hospitals. A further problem is that not enough general practitioners in rural areas bulk-bill. Country Labor has long advocated a move to increase the rebate for country doctors who want to bulk-bill. Again, the Federal Government has refused to discuss this reform, which Country Labor has pushed for five or six years.

A mere 61 per cent of doctors in the Federal electorate of Calare, which encompasses my electorate, bulk-bill. That problem needs to be addressed immediately. People who live in the country should have access to bulk-billing. The Federal Government's proposed changes to Medicare will shift costs onto the average family, particularly those in country areas and those on lower incomes. Doctors have already warned that as few as 15 per cent of rural general practitioners may take up the package. So much for the Federal Government's meaningful reform! However, this does not ring alarm bells for the Federal Minister for Health or the Prime Minister.

The Federal Minister for Health is at the bottom of the totem pole despite the long list of failures by former Federal health Ministers over the past few years. Their poor record is hard to beat, but she is well on the way to achieving that. The Federal Minister and the Prime Minister are content to ignore the experts. Last Friday the States were forced to sign an agreement in which the Federal Government, over the five years of the contract, has factored in 3 per cent for the increase in health care costs. Everyone knows it is probably three times that. Once again the Federal Government ignores the facts.

**Mr O'Farrell:** Point of order: Even the honourable member for Bathurst knows that a \$3.4 billion increase on \$10.7 billion is a 30 per cent increase, not 3 per cent.

**Mr DEPUTY-SPEAKER:** Order! No point of order is involved.

**Mr MARTIN:** One would think that the Deputy Leader of the Opposition might get the message: five strikes and you're out! He should read the standing orders so that he understands points of order. The Federal Government has conned people all over Australia. John Howard and Minister Patterson seem to think that because the other States have Labor governments they can take a callous, political attitude to health. However, they are playing with the health of families, particularly those in country and rural areas. They have ripped \$900 million out of the system. Those who know the lamentable history of John Howard would realise that Medicare is one of his pet hates. It has always been his ambition to demolish Medicare and he is eating away at it, but hopefully the Australian people will shaft him before that happens.

**Mrs HOPWOOD** (Hornsby) [4.35 p.m.]: It gives me great pleasure to support the Opposition in acknowledging the need for genuine reform—reform in partnership with the State and Federal governments. However, the State Government is letting the side down badly. I support Hornsby hospital and its hardworking, front-line staff who, on a daily basis, suffer from lack of funding and the necessary facilities to properly care for patients. Many local groups contribute hard-earned funds to buy equipment for the hospital. That includes schoolchildren, who give their precious pocket money to provide much-needed facilities.

The Prime Minister supports health reform. He supports the establishment of a commission of review to ensure optimum efficiency and effectiveness of health service delivery for all Australians, to ensure best use of the funding that all jurisdictions put into health, and to identify barriers to seamless service delivery for patients and recommend options to address them. The Federal Labor health spokeswoman, Julia Gillard, has refused to give a commitment on the amount of funding that a Federal Labor Government will provide. When asked on *Sunday Sunrise* if Labor would commit the extra \$1 billion claimed by the States, she said:

No, I am not committing to an extra \$1 billion ... surprise, surprise.

**Ms D'Amore:** That is out of context.

**Mrs HOPWOOD:** You might say that. I turn now to Hornsby hospital, and I do not bleat like a ewe about the second-rate X-ray facilities that were recently purchased and the lack of thoracic surgery performed at the hospital, which will have a significant impact on the accident and emergency department and the intensive care unit. Much has been said about bulk-billing. There are two bulk-billing centres within a stone's throw of Hornsby hospital. During the month of June when the hospital experienced 137.26 hours of code red, those two bulk-billing centres were available to cater to the needs of patients. The majority of patients attending accident and emergency departments are in a sufficiently serious condition to be at a hospital rather than a general practitioner's surgery.

The Minister referred to elderly people who attend accident and emergency departments because they need complex care. It is quite proper for them to attend accident and emergency departments rather than a doctor's surgery. Indeed, if they need complex care they may require admission to hospital. I want to refer also to the number of brain-injured people and young people with degenerative diseases who are in nursing homes—if we are to blame nursing home patients taking up the too few beds in hospitals. This State Government needs to look at that issue urgently with a view to creating facilities that are designed for and suit the needs of young people who are brain-injured and have degenerative diseases. Rather than be in nursing homes, those young people should be in such facilities, enabling a better flow of elderly people into the nursing homes.

As to waiting lists for Hornsby hospital, in June there were 647 on the waiting list for surgery at that hospital, and 41 of those had been waiting more than 12 months. The motion is a stunt. It is outrageous to blame the Federal Government when the blame rests fairly on the State Government. In relation to the remark about

funding that clubs will provide for health, that also was a stunt. The New South Wales Government is abrogating its responsibilities. It should look fairly and squarely at what it needs to do to improve health care in this State, and give the hospitals and hardworking staff what they require to do their job.

**Ms D'AMORE** (Drummoyne) [4.40 p.m.]: I speak in support of the motion. In particular I will focus on nurses. Before being elected a member of this Parliament I was an officer of the New South Wales Nurses Association, which represents 50,000 nurses in this State. We all understand that educating nurses is the responsibility of the Commonwealth. But that is an area in which the Federal Government is failing our hospitals and our young school leavers. For example, Southern Cross University had 600 applications for 160 university places. Charles Sturt University at Bathurst had 2,500 applications, but the Commonwealth funded just 280 places. The same thing is happening in Victoria, where last year 4,500 people applied for nursing degrees but only 1,924 positions were offered.

Our young people want to become nurses but many of them are just not being given that opportunity. Three weeks ago in my electorate, when I had a mobile office at Concord West, a local year 10 student called Michelle Braganza came and spoke to me. She undertook, at her own initiative, two weeks of work experience at Concord Hospital. I demand that people like her be allowed to enter university and become registered nurses. But unless the Federal Government makes more positions available at our tertiary institutions, people like Michelle Braganza will be denied a registered nurse degree.

The Commonwealth Government has failed to provide the number of university places needed to meet current and future demands. As an officer of the New South Wales Nurses Association who visited almost every single hospital in New South Wales, I can inform the House that that failure forces our nurses to work double shifts. They cannot take their breaks, they are exhausted by the end of their shifts, they cannot take their annual leave, and they are being forced to work overtime. That is what happens when the Commonwealth Government fails to provide university placements.

**Mr O'Farrell:** Point of order: My point of order relates to relevance. What has the honourable member done to stop the blow-out in administration costs and the reduction in nurse numbers? It is all very well to express false concerns, but the member has not said a single word about the blow-out in administration costs.

**Mr DEPUTY-SPEAKER:** Order! There is no point of order. The honourable member will resume his seat or leave the Chamber.

**Ms D'AMORE:** We will continue to call on the Commonwealth Government to fund sufficient university places and to waive HECS fees for nursing undergraduate courses and post-graduate courses. I know that the New South Wales Nurses Association supports the waiving of HECS fees, and that association looks after 50,000 nurses in New South Wales. It is a representative body; it represents the professional and legal needs of our nurses. Hospital beds cannot be opened without qualified, professional nursing staff. To open beds we need registered nurses, because they are the only nurses permitted to administer schedule 8 drugs. We need more registered nurses coming out of our universities. Unless we have more registered nurses we will not be able to open more hospital beds. The New South Wales Government has put 32 new intensive care unit beds into the system, but each of those needs 24-hour staffing by qualified nurses. That means we need more university placements.

**Mrs Hopwood:** They cannot work in the current hospital system.

**Ms D'AMORE:** That is right, because they are forced to work double shifts as we do not have enough nurses on the ground. The New South Wales Government wants to employ more nursing graduates, but the Federal Government must provide the places to address the nursing crisis. The nursing crisis will not go away unless the number of university placements is increased. That is the reality which members opposite refuse to acknowledge. Clinicians at the recent Health Summit endorsed the New South Wales Government's planned reforms. The Federal Government now needs to work with this State Government to address the problems in our health system. The days of burying heads in the sand are over. Local families want real and practical reforms to access better health care. That is what this Government's proposed reforms are all about.

**Mr IEMMA** (Lakemba—Minister for Health) [4.45 p.m.], in reply: First I will address some points made by the shadow Minister. The Prime Minister did begin to raise the issue of reform, but he did so only in the context that discussion would take place on certain conditions. One of those conditions was that the States and Territories sign the Australian Health Care Agreement for the next five years. So he would talk about health reform, but he pointed the gun to make the States sign up first. There were a number of other conditions, such as

requiring that the 30 per cent private health insurance rebate be maintained. So the Prime Minister did not even want consideration of the private health insurance rebate, efficiencies or inefficiencies in that system, or how part of that rebate might be used to assist with health care reforms. A number of other conditions made it clear the Prime Minister was setting up the meeting to provoke what actually occurred.

**Mr O'Farrell:** So you didn't want reform. You wanted your reform.

**Mr IEMMA:** We wanted consideration and examination of the private health insurance rebate. What is wrong with that? The States had to sign the agreement first and then the Prime Minister would talk about health reform. In relation to *crikey.com.au*, I am advised that the article was written by a Vern Hughes, who described himself as a social entrepreneur. His letter was attacked by others prior to its publication. Some of those who attacked him included Dr Tony Sera, Associate Director of Clinical Information Systems of the South Eastern Sydney Area Health Service, who stated:

Vern, again can I note that there were no such resolutions or statements. What you plan to publish is just not supported by the facts.

Another attendee, Ann Tonkin, a member of PBAC—which I think is the Pharmaceutical Benefits Advisory Committee—said in a note to Mr Hughes about part of his article referring to the issue of private health insurance and consumer choice:

I think that this part of your article is seriously misleading in relation to what was actually said.

Ann Tonkin went on in her note to talk about private and public collaboration between the two systems to improve health care, and she finished by saying:

I think that this part of your article is seriously misleading in relation to what was actually said.

So, yes, the Prime Minister did put on the table a discussion of health care reform—but only if everyone signed first, and then set down a whole series of conditions that made it clear he wanted the reaction that the Premiers actually gave him. It is not surprising then that they proceeded to walk out. The motion places on record the New South Wales Government's willingness to move on reform in critical areas that were identified at the national Health Summit. More than a year and a half ago the working groups and clinicians, with Senator Patterson's agreement, listed a whole series of areas that needed reform, and over that period did a lot of work to progress those issues and place them on the agenda, seeking to have them incorporated in the health care agreement for the next five years.

That is one of the reasons I will not support the amendment moved by the shadow Minister. Whilst I acknowledge and accept the point he made about the State and Commonwealth working together towards reform, to remove reference to the issues that were discussed at the Health Summit, which relate to the work of the reference groups, is to deny 1½ years of work by the National Public Hospitals Clinicians Task Force—which was part of the ministerial council deliberations—at attempted reform. We had the support of Senator Patterson. To support the amendment would be to deny the excellent work that was carried out by those groups and the significant co-operation of Senator Patterson in establishing the reference groups and getting the work done. It would be a huge slap in the face to those people for their efforts, and, ultimately, what came about in the form of the summit.

**Question—That the words stand—put.**

**The House divided.**

**Ayes, 55**

Ms Allan  
Mr Amery  
Ms Andrews  
Mr Barr  
Mr Bartlett  
Ms Beamer  
Mr Black  
Mr Brown  
Ms Burney  
Miss Burton  
Mr Campbell  
Mr Collier  
Mr Corrigan  
Mr Crittenden  
Ms D'Amore  
Mr Debus  
Mr Draper  
Ms Gadiel  
Mr Gaudry

Mr Gibson  
Mr Greene  
Ms Hay  
Mr Hickey  
Mr Hunter  
Mr Iemma  
Ms Judge  
Ms Keneally  
Mr Knowles  
Mr Lynch  
Mr McBride  
Mr McGrane  
Mr McLeay  
Ms Meagher  
Ms Megarrity  
Mr Mills  
Ms Moore  
Mr Morris  
Mr Newell

Ms Nori  
Mr Orkopoulos  
Mrs Paluzzano  
Mr Pearce  
Mr Price  
Dr Refshauge  
Mr Sartor  
Mr Scully  
Mr Shearan  
Mr Stewart  
Mr Torbay  
Mr Tripodi  
Mr Watkins  
Mr Whan  
Mr Yeadon

*Tellers,*  
Mr Ashton  
Mr Martin

**Noes, 29**

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

**Pairs**

Mr Carr	Mr Armstrong
Ms Saliba	Mr Brogden
Mr West	Mr Stoner

**Question resolved in the affirmative.**

**Amendment negatived.**

**Motion agreed to.**

**BUSINESS OF THE HOUSE****Private Members' Statements: Suspension of Standing and Sessional Orders**

**Mr SCULLY** (Smithfield—Minister for Roads, and Minister for Housing) [5.00 p.m.]: I move:

That standing and sessional orders be suspended to postpone the taking of private members' statements until after the conclusion of the matter of public importance.

**Mr TINK** (Epping) [5.00 p.m.]: I have no difficulty with the motion. However, before the Minister moved the motion I thought the Minister for the Illawarra sought the call to make a supplementary answer to a question asked in question time. Am I mistaken?

**Mr DEPUTY-SPEAKER:** He did not get the call from me. I was not in the chair.

**Mr Scully:** I cannot add to the discussion.

**Ms Seaton:** Point of order: It was my understanding that the Minister was seeking the call to supply an answer to a question that he was asked today. I would be very keen to hear his answer, if that is what he was seeking to do.

**Mr DEPUTY-SPEAKER:** The Minister is not in the Chamber.

**Ms Seaton:** He sought the call, but he is no longer here.

**Mr DEPUTY-SPEAKER:** As the Minister is not in the Chamber, I call on the honourable member for Manly to present his matter of public importance.

**Motion agreed to.**

**CARERS****Matter of Public Importance**

**Mr BARR** (Manly) [5.02 p.m.]: I draw to the attention of the House one of the most neglected and little understood aspects of modern health care: the role of carers in New South Wales. The simplest definition



of a carer is any person who provides regular care for a family member or a friend who has a disability or a mental illness, or is chronically ill, frail or aged. Carers are a diverse group of people, and can be parents, husbands, wives, brothers, sisters, partners, children or friends of the person receiving the care. They come from all walks of life, cultural backgrounds and age groups. Around 90 per cent of carers are close family members and about three-quarters of them are women. The time they spend providing care can vary from a few hours a week to an around-the-clock responsibility.

People usually do not plan to become a carer. Events that lead to a person providing care for another, such as the birth of a disabled child, a partner's serious accident or a parent's chronic illness, can happen unexpectedly. It can have a sudden and very dramatic impact on the carer's life, and often requires them to give up a career or significantly alter their personal circumstances. It is estimated that New South Wales has approximately 800,000 carers. Put another way, the responsibilities of providing care impact on about one in five households. Some 38 per cent of carers are in the 35 to 54 age group, 20 per cent are in the 55 to 64 age group and 55.5 per cent are in the 75 plus age group. A significant number of carers are under the age of 18.

About 20 per cent of carers fall into the category of primary carers, those who are responsible for the main source of unpaid informal support to people in need of serious medical and personal assistance. The contribution of primary carers to society as a whole is enormous. Without their unpaid work almost all the people under their care would require some form of institutionalisation. Conservative estimates show that primary carers save society around \$18 billion a year in costs that would otherwise be borne by the health and community system. Carers currently provide about 75 per cent of all services to people in need of care and support. In other words, people looking after their families and friends are providing the Government with a cheap social security net.

Although the work of carers provides enormous savings to our health system, it can also come at a great personal cost to those involved. The responsibilities of caring make it very difficult to maintain full-time employment. Approximately one-half of full-time carers report having an income of less than \$200 per week. They are entirely dependent on government income support payments. The long-term financial impact of caring can be financially crippling. Low income means that often carers are unable to put money away for superannuation, they have to significantly reduce expenditure on basic living costs, and they can get into serious debt if they have to borrow money to make ends meet.

There is also a health impact on carers. Typically, carers report poorer than average health. The responsibilities, particularly of around-the-clock care, can result in feelings of isolation, physical and emotional overload, anger and frustration. Much of a carer's work can be physically demanding. As people in need of care often have mobility problems, many carers are frequently called to assist with things like getting in and out of bed, and showering. For older carers this can be particularly challenging. One of the serious failings of modern public administration is that the narrow accounting approach taken in government budgeting means that many of the hidden additional social costs associated with things like caring are never properly accounted for.

In raw dollar terms the health and financial impact of caring means that carers themselves are generally far more likely to require health care than are the rest of the population. Failure to provide proper support services for carers can have a spiralling effect that results in even greater costs in the longer run. Not only is providing quality support services for carers the compassionate thing to do; it also makes good financial sense. There is also evidence to show that better investment in carers support services delivers better health outcomes for the person under their care. One of the concerns for carers is the chronic need for respite care. Carers do not have the same opportunities and life choices as non-carers because they are restricted by their responsibilities.

New South Wales has 26,000 carers in urgent need of respite care. In its budget submission Carers New South Wales, the peak umbrella group, requested an additional \$3.2 million recurrent expenditure to provide 400 flexible respite packages for people with disabilities and their families. It seems a fairly modest amount, given the important role these people play. In 1999 the New South Wales Government recognised the vital role played by carers in New South Wales by agreeing to a carer's statement and providing \$12.9 million over four years to enhance support services. Although this modest amount of money was unlikely to stretch very far, it was welcomed at the time as recognition of the need for greater support. However, there is considerable concern that the carers groups themselves are unsure about what the money has been spent on.

Recently I sought information from the Government on behalf of carers to ascertain whether this funding has been spent and, if so, on what. The answer I received to my question on notice was disappointingly vague and failed to address the issue. Of particular concern is the \$80,000 that was to be allocated last year for a

young carers program. Treasury had allocated this money through the Department of Ageing, Disability and Home Care subject to an external evaluation. I understand that the evaluation was successful, but carers groups are still waiting to find out what the money has been spent on. In the short term much could be done to improve the situation for carers. I call on the Government to revisit the 1999 carers statement, reaffirm its ongoing commitment to the services contained in the statement, and increase funding for new and existing programs.

One of the issues most in need of urgent attention is the impact that caring responsibilities can have on school-aged children. It is not uncommon for school-aged children to be faced with heavy demands to provide care for an unwell parent. Often the school community is not aware of these responsibilities and fails to provide adequate support. It is crucial that children are given help at this critical stage of their development. Development of a carers program within schools should be a top priority for the Department of Education and Training.

More work must also be done to raise awareness of carer-related issues in the workplace. If carers were given greater flexibility to juggle their caring and work commitments, many more would be able to pursue employment, improve their financial situation, and address the problems of isolation that caring commitments can cause. While these measures may help in the short term, a more comprehensive assessment of the role the Government can play in assisting carers should be undertaken, and the Government should take more responsibility in this regard. The ageing population means that the number of carers in society and the demands being placed on them are likely to increase significantly in the coming years, and the Government must be ready for such change.

As the recent brawl between the Commonwealth and the States and Territories over hospital funding clearly demonstrated, the current division of responsibility for health care between the various levels of government needs rethinking and a new national consensus is required. Carers are also affected by these funding problems because the Commonwealth and the State Governments and Territories are involved in delivering support services. Professor John Dwyer recently noted that we could free up \$1 billion to \$2 billion simply by getting rid of duplication and having better integration.

A more holistic approach would also look at a greatly expanded role for community health care and a renewed focus on population health. This must not be seen as yet another method of cost cutting but as a way of addressing health care problems before they require highly expensive clinical treatment. As Dean of Medicine at the University of Sydney Professor Stephen Leeder notes, at its simplest, population health involves viewing health at a collective level rather than at the individual level, which is the perspective of clinical medicine. A renewed focus on population health would help to reduce the spiralling costs associated with advances in medical technology and increased consumer demand.

We have ignored the plight of carers for too long. They have received some funding, but it has been inadequate. We have also failed to recognise the burden imposed on particular groups; for instance, school children and older people caring for disabled children. Some go to their grave uncertain about what fate has in store for their children. We must do much better in this regard. As I said, these people are providing the Government with social security nets on the cheap. It should be doing much more to recognise the valiant efforts they make on behalf of their family members and friends.

**Ms MEGARRITY** (Menai—Parliamentary Secretary) [5.12 p.m.]: The Government has a strong record of supporting the needs of carers in New South Wales. Across our State about one in eight, or approximately 800,000, people are carers looking after a family member or a friend who is frail, has a disability or a chronic or mental illness. As the honourable member stated, nearly 75 per cent of carers are women. Carers come from all walks of life and are all ages—from the teenager looking after a mentally ill father to the frail older woman caring for her grown-up disabled son. I am sure all honourable members are aware of constituents who fit into one of those categories or somewhere in between. Some 162,000, or 20 per cent, are primary carers—that is, those providing more assistance than anyone else on an ongoing basis to the person needing care—and 80 per cent of them live with the person they care for, providing on average 40 hours of care each week. Indeed, in one in every five households across New South Wales, carers help friends and family members with bathing, housework, administering medication, preparing meals, movement in and out of bed or a wheelchair, communication and transport.

Carers provide all sorts of help. Our real-life carers describe their role as dealing with all the responsibilities of a parent combined with a hefty dose of what doctors and nurses do in hospitals and nursing homes. I agree with the honorable member that carers make an outstanding contribution to our community,

which has recently been estimated to be worth at least \$5.4 billion each year. Without asking for help or praise, and often without our even knowing, carers provide immense and invaluable care and support to some of the most vulnerable members of our community. In 1999-2000 the Government committed \$12.9 million over four years to enhance support for carers in our community, and since 2001-02 it has made more than \$5 million available in annual recurrent funding to the New South Wales Care for Carers Program. Under that program, the Department of Ageing, Disability and Home Care provides Carers New South Wales with \$117,000 per annum to run the innovative Young Carers Project, which provides a range of age-appropriate activities to support children and young people who are carers.

A \$1 million action plan for improving existing support for carers is being implemented by the department in conjunction with other New South Wales Government and non-government agencies. The focus of this initiative is workplaces, schools, families and communities, and the community care system. The Care for Carers Program has already assisted carers across New South Wales by supporting an initial 25 demonstration projects that focused on carer education and information and young carers through projects conducted by Carers New South Wales, such as camps, phone counselling and newsletters.

Carers of people with a mental illness have also been supported through projects administered by the Centre for Mental Health and community organisations such as the Association of Relatives and Friends of the Mentally Ill and Carers New South Wales. In addition, in 2002 the Government launched a community awareness campaign to boost community support for the valuable work of carers. The Government is also ensuring that carers are able to obtain support through other government programs and services. These include Home and Community Care and Disability Services programs such as respite care, counselling and community care services, such as home help, community nursing and transport.

The Carr Government has managed significant growth in the Home and Community Care [HACC] Program, which provides support to older people and people with a disability to enable them to continue living at home. The HACC program targets people who are frail aged, or who have a disability, as well as their carers. Since 1995 funding has increased by nearly two-thirds to a record \$386 million. More than 178,000 clients, including carers, are expected to be assisted this year. HACC services include Meals on Wheels—honourable members might be aware that today is a special day for that organisation—respite care, community transport, home maintenance and modification, home nursing, social support, personal care and domestic assistance.

In the area of respite care, also mentioned by the honourable member, the Government is investing more than \$122 million this financial year, which represents a doubling of funding since 1996. This includes an additional \$1.6 million allocated in this year's budget, which will rise to \$3.2 million in future years of additional recurrent funds. As a result, the Government is able to provide respite care support to more than 17,000 people each year. That support is being delivered by 230 organisations funded by the Government across New South Wales and through centre-based, in-home, weekend and recreational support.

The New South Wales Government has also allocated more than \$11 million over four years for the implementation of a New South Wales dementia strategy called "Future Directions for Dementia Care and Support in New South Wales". This strategy is jointly led by New South Wales Health and the Department of Ageing, Disability and Home Care, and aims to enhance care and support for people with dementia, their families and carers in New South Wales. The Government also has a strong record of supporting concessions for low-income earners and those who are disadvantaged, including carers. It already provides \$650 million worth of concessions each year to a range of beneficiaries, including students, the unemployed, apprentices, pensioners, seniors and carers. Carers who are receiving the carer payment are eligible for a pensioner concession card and obtain related concessions. The Carers Allowance is also exempt from income assessment when determining rental payments for public housing.

In 1999 the Government developed a New South Wales Government Carers Statement to accompany the introduction of the Care for Carers campaign to focus attention on the breadth of caring roles and responsibilities in our community. It also moved to protect the rights of carers through the introduction of the Anti-Discrimination Amendment (Carers Responsibilities) Act 2000, which makes it unlawful to discriminate against workers with caring responsibilities. I note the statement by the honourable member for Manly, and I advise him that the Government will be reviewing the carers statement in conjunction with Carers NSW during this term to ensure that it responds to contemporary challenges that are facing carers. Carers will continue to be supported by the Government through the range of initiatives I have outlined today.

**Mr HAZZARD** (Wakehurst) [5.22 p.m.]: Clearly the role of carers in New South Wales is a significant role and one that it is right and proper for this Parliament to consider. It is also right and proper for the Government to do far more than has been indicated by the Parliamentary Secretary to the Minister for Infrastructure and Planning, and Minister for Natural Resources. Carers play a vital role in looking after many vulnerable people in the New South Wales community: more often than not, they are family members and sometimes they are friends. If we are actually to believe what the Parliamentary Secretary has just told us—she indicated that the Government is doing an awful lot for carers—I wonder how some of the situations have arisen of which I am aware as the previous shadow Minister for Disability Services with responsibility for overseeing the Department of Community Services [DOCS], and I wonder how some situations have arisen, such as the recent case of Daniela Dawes who was charged a few weeks ago with having suffocated her 10-year-old son, Jason.

That case indicates to my mind the level of frustration and hopelessness that a lot of people feel when, as carers, they are looking after people who have disabilities, people who suffer from mental illnesses or people who need the type of care that the Parliamentary Secretary referred to. The reality is that after what must seem like decades of the Carr Labor Government, many carers in the New South Wales community feel that they are not getting the support they need which any right-minded person in the New South Wales community would say they are entitled to. This is a whole-of-government failure, not just an individual portfolio failure. DOCS has an amazing approach to dealing with some issues when carers find that their task is all too hard to cope with. I recollect one family in the Bathurst electorate with whom I dealt last year.

The Department of Community Services was asked to support and assist the carers of a young teenager who suffers from autism and associated mental illness. When it all became too difficult because the Carr Government would not provide the resources that the carers needed to be able to support that child, the Department of Community Services put forward what I consider to be one of the most preposterous proposals one could ever imagine. The department said, "Look, we can't help you. You're the carer of this child, so what we will do is take away the other children in the family and put them into foster care." I thought that might have been an unusual circumstance, but I have recently heard that that proposal has been put to other families. That indicates a fundamental failure on a whole-of-government basis by the Carr Government after 10 years in office.

In terms of carers and what was promised in the lead-up to the recent State election, the Premier, Mr Carr, seemed to be totally ignorant of what was required for carers. Alan Jones, to his strong credit, raised the issues regarding carers on a number of occasions. On 18 March the Coalition announced its proposal to provide an additional \$10 million to non-government agencies to provide a wider range of support services for people with mental illnesses, their families and particularly their carers. We also acknowledged that carers are entitled to be recognised. The Coalition, that is, the Liberal Party and the National Party of New South Wales, indicated that we were committed to introducing the carers charter, which will be developed in conjunction with Carers NSW and other relevant organisations.

These proposals were not dreamt up by the Coalition. They were devised in consultation with Carers NSW. I acknowledge the hard work of the board of Carers NSW, particularly its president, Louise Gilmore, and its chief executive officer, Joan Hughes, and other staff who do an amazing job in making sure that the issue of carers is in the public eye and receives attention. On 18 March the Coalition announced that we would review legislation to ensure that while privacy was protected, disclosure and consent provisions would not prevent people with mental illness receiving the care they need, and equally would not shut out carers from being advised of the types of assistance and support that may be available and the ways in which they may advocate on behalf of people for whom they care.

The Coalition is totally supportive of anything that this Government will do to support carers in New South Wales. The honourable member for Manly has raised this issue and it is a pertinent issue across all electorates. His electorate of Manly and my electorate of Wakehurst are areas in which there are numerous carers who are suffering daily because of the failures of this Government. I think it would be appropriate for the honourable member for Manly to conclude this debate by indicating some of the failures of this Government besides just some of the positives that have been enumerated by the Parliamentary Secretary. [*Time expired.*]

**Mr BARR** (Manly) [5.27 p.m.], in reply: I thank the honourable member for Menai and the honourable member for Wakehurst for their contributions to this debate. The honourable member for Menai and Parliamentary Secretary made a statement which I welcome, namely, that there will be a review of the carer's statement some time during the term of this Parliament. I suggest that it must be done sooner rather than later because carers feel stranded. The honourable member for Menai referred to a long list of funding initiatives of

the Government and things that have happened, but the problem from the carers' point of view is that it is all piecemeal and there is no sense of coherence in the way that assistance is targeted just to carers. There are all sorts of packages and programs but that also means that carers can slip between the gaps when there is not a holistic approach taken to them. That is one of the things that carers feel strongly about. They believe there needs to be a more integrated approach to funding, a clearer indication of where the money is going and a clearer prioritisation.

Carers feel isolated. A Victorian study indicates that they have low self-esteem and life satisfaction, they have less social support, and that the consequences flowing from that are problems within the family, possible inadequate attention to other family members, physical injury, social isolation and inability to participate in the work force. What flows from the latter is that their income levels are consequently much reduced. Their potential is significantly reduced because of the great responsibility that they are taking on. It is a very virtuous responsibility but we do not pay enough attention to it. We are not funding carers enough. The Australian Bureau of Statistics data indicates that 34 per cent of carers spend less than 20 hours a week on caring tasks, but that 17 per cent spend between 20 and 39 hours per week on caring tasks and that 44 per cent spend 40 hours or more on caring. Those figures indicate that a very significant number of carers have a very high burden placed upon them.

Their burden is kept under cover. I think it is not acknowledged enough. I do not think we put enough funding into it and I do not think that we recognise that what they are doing is taking on a personal burden as well as relieving government and society generally of that very same burden. It is to our shame that we do not do enough to push their cause and offer more to them. That is particularly the case for older people who are looking after children and children who are looking after parents or siblings. It is an enormous responsibility that has been placed upon them, and it is one that involves a very large number of families across Australia and across New South Wales. I welcome tonight's debate. I hope it brings greater sensitivity to this issue. I call on the Government to speed up the review of its programs and commit more funding.

**Discussion concluded.**

#### **BILLS RETURNED**

The following bills were returned from the Legislative Council without amendment:

Criminal Procedure Amendment (Sexual Offence Evidence) Bill  
Food Bill.

**Pursuant to resolution private members' statements taken forthwith.**

#### **PRIVATE MEMBERS' STATEMENTS**

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#### **CASTLE HILL REBELLION AND BATTLE OF VINEGAR HILL 200TH ANNIVERSARY**

**Ms ALLAN** (Wentworthville) [5.28 p.m.]: This evening I wish to address an issue that I have raised in the House on previous occasions, but it is timely to raise it again. I am delighted that the Minister for Western Sydney is at the table because this matter relates to her portfolio. I draw to the attention of the House plans that are afoot to celebrate the 200th anniversary of the Castle Hill rebellion and the battle of Vinegar Hill. The commemoration will take place in March next year. As many people are aware, the battle of Vinegar Hill is certainly a very important event in Australia's history. It was Australia's first armed rebellion, the first time a group of people stood up to imperialistic rule by the British. It took place 50 years before the next uprising, which was, of course, the Eureka stockade in Victoria, which I must admit is far more widely known and acknowledged in Australia.

People wonder why this battle of Vinegar Hill is so little known. Some people think it is just because it has been in the interests of the British not to encourage our understanding of our early convict and colonial history. I am not quite sure whether that is the reason, though it possibly contributed. Certainly I believe there is in an obscure understanding of it, and that understanding is growing. I think the people of Western Sydney are taking the opportunity of the 200th anniversary—which will take place in March next year—to promote the understanding and the early history of Irish political convicts in Australia and the historic events that surrounded their incarceration.

I live in Constitution Hill, which is a part of the Parramatta local government area, and I have spoken about this topic in the past. The convicts gathered on the highest point adjacent to Parramatta, waiting for a signal from their colleagues and their comrades-in-arms in Parramatta, and they were going to swoop down into Parramatta and incinerate the important colonial buildings. At that time Parramatta, as it is now, was a very important administrative and government centre for the early colony. The first farm in the colony was in Toongabbie, which is in my electorate. So it was a very historic area. The Irish convicts were there in force.

There is an argument that has been circulated in Lynette Silver's latest book on the battle of Vinegar Hill—and this is apropos last week's Alcohol Summit—that while the convicts were waiting to swoop down on Parramatta they had a party and got thoroughly drunk and aborted their insurrection. Although the Constitution Hill battle was thwarted, the remnants of the brigade at Constitution Hill then adjourned to Vinegar Hill, which is closer to the present-day Castle Hill, and there fought the famous battle of Vinegar Hill, in which many people were killed.

There is a joint local government committee at work as we speak getting its act together to make sure that in Sydney next March there is a marvellous celebration across the Sydney metropolitan area—particularly in Baulkham Hills, Blacktown, Holroyd, Parramatta and the Hawkesbury—during which we can all acknowledge and support this celebration. The committee is currently seeking a meeting with the Minister for Western Sydney. My colleague the member for Londonderry is orchestrating that at the moment.

I am about to establish a subcommittee of various stakeholders in the Constitution Hill area, in the Parramatta local government area. It is important that we celebrate the event at Castle Hill and at Vinegar Hill. Various events will be held in Parramatta Park, but I also have a strategic plan for an event at Constitution Hill. The Government has recently allowed a 40-year lease on the Caloola Road Reserve, which is where Constitution Hill has existed; it is land owned by Sydney Water and the purpose of the lease is to ensure it always remains an historic site. So there will be lots of dressing up, lots of Irish bands, lots of music, lots of glad rags, the Toongabbie Historical Society, the Constitution Hill Antidevelopment Group, councillor Paul Barber, Councillor Chris Worthington, Councillor Peter Herlinger from Holroyd council, former Councillor Elaine Evans, Lorna Porter, Alexander Balander, David Webb, myself and others. We will all get together next Wednesday to formulate our plans for next March.

**Ms BEAMER** (Mulgoa—Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)) [5.33 p.m.]: I congratulate the honourable member for Wentworthville on informing the House about this very important historic celebration of the battle of Vinegar Hill. I am aware that the joint local government committee has approached me for a meeting about the celebrations and I look forward to meeting with them. I was talking with the Heritage Office today about the celebration and some aspects of Vinegar Hill. It is unfortunate that I was not aware that various historical groups are presently disputing which hill is actually Vinegar Hill—so there may be a few hills that we celebrate on the day. I hope that the celebrations at Constitution Hill do not end in the same way the previous Constitution Hill celebrations did. I congratulate all of those involved in making sure the public are aware of this important event. I am sure the celebrations will be of national significance.

### KU-RING-GAI ELECTORATE RAIL SERVICES

**Mr O'FARRELL** (Ku-ring-gai—Deputy Leader of the Opposition) [5.35 p.m.]: I raise again the issue of rail services within the Ku-ring-gai electorate. At the outset I want to record my disappointment and disgust at the Carr Government's decision to shelve the Epping to Parramatta leg of the proposed Parramatta-Chatswood rail link. Disappointment—because such a link is needed if the transport needs of Sydney are to be met. The link would have helped reduce the existing pressure on the CityRail system caused by its radial nature. Disgust—because of the deceit and dishonesty involved in Labor's pretence during the past two elections that the link would be built. Prior to the 1999 election, the Carr Government put up new CityRail maps in all 1,500 railway carriages showing the new Parramatta to Chatswood link. It sought to use public funds to aid its election campaign by offering long-suffering commuters the hope of a new rail link.

Prior to the last election campaign the Carr Government again deceived voters by erecting, at taxpayers' expense, huge billboards adjacent to major roads such as the Pacific Highway and Epping Road displaying maps of the full route. As happened in the 1999 exercise, it was another lie from a Government and Transport Minister who are ethically challenged. In the interests of honesty and accuracy those signs and billboards should be removed, and the Government entity responsible for the link—the so-called Parramatta Rail Link company—should have its name changed to better reflect the scope of the project.

Once again I speak on behalf of residents who rely upon rail services to go about their daily lives: commuters travelling to work, students attending schools, universities and other training centres, and all the people who rely upon trains for their travel needs. As I have said before, Ku-ring-gai residents are strong supporters of the rail system, but they could be encouraged even more to leave their cars at home and use the rail system if a number of basic improvements were made to existing arrangements.

I want to again emphasise access to stations. Improving ease of access to rail platforms would significantly improve the attractiveness of railway travel to an ever-increasing sector of the Ku-ring-gai community—its aged or senior residents. On a weekly basis I meet senior residents who tell me they have been forced to stop using trains because of the significant barrier posed by the Victorian staircases that are a feature of most of our stations. Access at many stations across Sydney prevents many people from using the rail system. It is akin to trying to run a chain of shops that have no doors. If CityRail and the State Government want to boost patronage and its current falling passenger numbers, and increase the percentage of people using trains, better access to railway platforms is essential.

The good news is that last year the then Transport Minister visited Gordon railway station and promised the installation of lifts at Gordon and Turrumurra stations this financial year. I welcomed and applauded the Minister's announcement because I understood the relief it would bring to local commuters. I was disappointed, therefore, to discover that in this year's State Budget the commitment was not honoured. Gordon station has been allocated \$300,000, which is not enough to fund the entire project, but not one cent has been allocated for Turrumurra.

On 24 April, 30 July and 7 August I wrote to the new Minister for Transport Services seeking a recommitment to these projects and details of construction timelines. I am yet to receive other than an acknowledgement from Mr Costa's office. I make no secret of my dislike of the former Transport Minister. Disliking someone is not my usual form, I try to get on with people and work with them to achieve results. But for those opposite who wonder at the cause of my attitude towards the former Transport Minister I say, "Look no further than this local episode, and magnify it a hundred-fold for the similar disappointments and deceptions perpetrated upon rail commuters across this city by that man's failure to honour promise after promise to improve rail facilities." I urge the new Transport Minister, who has certainly and very publicly exposed the appalling record of inaction and waste of his predecessor, to renew the commitment to installing lifts at Turrumurra and Gordon stations and to release details, including timelines, for the construction and opening of the facilities.

But there are other issues equally important for the State Government to address if it is to encourage greater use of our railway system. More effort has to be made to provide bus feeder services. In my electorate, where we rely upon the private bus sector, the local bus company has tried hard to improve its services. But the Government can provide encouragement for it to do even more. For instance, the continued differential fare structures between public and private bus systems works against people using private buses. Equalising the system would boost public transport use, which in turn would help to reduce the losses incurred by the rail system each year. I again refer to the need for additional commuter parking at appropriate locations. I do so in relation to my proposal for Turrumurra that has so far been ignored by CityRail, and I do so in the understanding that better bus feeder services should be the starting point for encouraging greater use of trains. Getting people to leave their cars at home should be a priority.

I raise these issues at a time when commuters have again been hit with fare increases above the underlying inflation rate. Once again the Carr Government is claiming that large fare increases are needed to improve public transport facilities. The Government has made that claim in all but one of the years it has been in office. The only year it did not say that was 1998, when the Government limited increases to the consumer price index ahead of an election it thought it could lose. In 1999-2000 Sydney had a major breakdown of its rail system. Trains were running red signals, trains were derailling, rail workers were killed, and passengers were killed at a major rail disaster at Glenbrook. It was a wake-up call for the rail system. If, as promised, the lessons of that crisis had been heeded and the recommendations made by Messrs McInerney and Christie had been implemented, today our rail system would be significantly better. Mr Costa needs to get on with the job, address those issues, and give relief to rail commuters in my electorate and across Sydney. [*Time expired.*]

#### **MR TONY HANNA AND THE REGISTRAR GENERAL**

**Mr LYNCH** (Liverpool) [5.40 p.m.]: I raise a matter concerning a constituent of mine, Mr Tony Hanna, who owns property in Webster Road, Lurnea, and requests the relevant Minister to intervene with the

Registrar General. Recently I conferred with and received much documentation from Mr Hanna's solicitors. Mr Hanna's solicitors, acting on my constituent's instructions, propose to re-lodge an application for possessory title in relation to the property: to remove from the title mortgages that are noted on it. The application has been made to the Registrar General, who has said that he has a policy not to accede to such applications when the applicant is the registered proprietor. I would ask either that the application be granted as an exception to the policy, or, more fundamentally, that the policy be waived on the basis that the Registrar General is purporting to perform legislative functions when he ought not do so, and that he is refusing to exercise a discretion that he has a duty to exercise.

This may sound like a dry, legal argument but it is a very real human drama and it is tinged with tragedy for Mr Hanna. It also involves one of the more notorious crooks involved in loan sharking in the history of this country's real estate market—someone who ran what was described by the South Australian Corporate Affairs Commissioner in 1984 as "by far the worst loan-sharking operation I have ever seen." In late 1980 Mr Hanna purchased the property in Webster Road, Lurnea, financed by loans from the CBC Savings Bank and the Commercial Banking Company of Sydney Ltd. In 1983 he needed an extra \$20,000 to complete repairs and extensions to the house. He approached Action Home Loans Pty Ltd to obtain that finance. He went to its offices at the MLC Centre in Martin Place, Sydney. Without legal advice he entered into two mortgages, both in favour of Action Home Loans. He thought he was borrowing \$50,000 to pay out the current loan and get an extra \$20,000 for his home improvements. The documents reveal he signed mortgages purporting to borrow \$70,000, expressed to be for a period of 12 months at an interest rate of 31.8 per cent per annum.

Immediately upon the registration of the two mortgages they were transferred. One went to Mr Peter Beste at an address in Victoria, the other to a Mr Ryan with an address in Queensland. Mr Hanna knew nothing about Messrs Beste and Ryan at the time the mortgages were transferred and for some time thereafter. He made some repayments to Action Home Loans, although he was never given a repayment book by the company, although it had been promised to him. He certainly received no repayment book from either Mr Beste or Mr Ryan.

If this all sounds a bit dodgy, that is because it was. It was a nationwide scam that targeted people who through lack of experience or language difficulties did not understand how outrageous Action Home Loans were. I have seen an advice dated 3 June 1986 from Messrs Simos and Meagher, both of whom have now assumed high judicial office. That advice deals with the plethora of legal avenues available to attack such mortgages. The advice reveals many other loans with interest rates in excess of 30 per cent and documents claiming much more being borrowed than actually was.

The managing director and prime mover of Action Home Loans was Larry Horowitz, allegedly at one time an Elvis Presley bodyguard, and more significantly an arms dealer in the Vietnam War. He fled Australia in the 1980s in a luxury yacht, decamping with \$1.5 million and leaving behind what was described in the media as a mansion in Queensland. The media noted that he was wanted by police in six Australian States. Most customers got far less than the amount referred to in the mortgage documents and the interest rates were horrific.

The South Australian Corporate Affairs Commissioner described the company as a "rip off" and "by far the worst loan-sharking operation I have ever seen". That was the operation into whose hands Mr Hanna had fallen. Mr Hanna now wishes to get these mortgages off his title documents. As a matter of morality I think the case is very clear. He was the victim of a quite corrupt company whose mortgages simply should not be enforceable. The complete disinterest of Ryan and Beste in doing anything substantial in 20 years suggests to me that they share that view.

As a matter of law I would have thought that Mr Hanna would be entitled to have the mortgages removed. Counsel's advice in this situation is that the mortgagee's titles have been extinguished and that Mr Hanna should be able to apply to the Registrar General to be recorded as the proprietor. The contact by the mortgagees over 20 years has been minute. A notice was served on behalf of Mr Ryan in early 1985 although at that stage Mr Hanna had not been told the mortgages had been transferred—he found that out only when he tried to sell his property in late 1985. In January 1995 a real estate agent from Fairfield purporting to act for Mr Beste arrived at the property. Despite the efforts of Mr Hanna's solicitor nothing eventuated from this and neither the agent nor anyone else provided a contact address despite requests that they do so. There have been intensive efforts to track down the mortgagees but they cannot be located.

The addresses on the mortgage documents now do not exist—if they ever did. They are not on electoral rolls and so forth. My constituent's solicitors lodged an application for possessory title to be determined by the



Registrar General, but they were advised by one of the legal officers at Land and Property Information that the Registrar General had a policy of not granting applications in those circumstances. I would ask that, if that policy is appropriate, it be waived in this case when the application is relodged by my constituent's solicitors.

### **JASPERS BRUSH TRAFFIC ARRANGEMENTS**

**Mrs HANCOCK** (South Coast) [5.45 p.m.]: Today I submitted to the House a petition by residents in the most northerly section of my electorate expressing ongoing concern as to road safety at the intersection of Princes Highway and Strongs Road, Jaspers Brush. Jaspers Brush is about six kilometres south of the popular town of Berry and, due to the attractive nature of the area, has grown significantly, particularly over the past ten years. As an example of this growth, I am advised that ten years ago there were about a dozen or so houses in the area. Today there are 64 houses, and more are being built.

This increase in residential dwellings, and the volume of traffic generated, is magnified many times when one takes into account visitors, friends and relatives, and service personnel who are obliged to use this dangerous intersection of the Princes Highway when accessing the homes of residents. That the highway is busy is a gross understatement. A formal traffic count conducted by the Roads and Traffic Authority during 2000, at a count station just south of Berry, indicated a staggering volume of traffic in excess of 11,000 vehicle movements per day. When one projects that volume into weekly and monthly vehicle movements, the numbers become even more alarming. There are 77,000 vehicle movements per week, which is more than 330,000 per month.

Nearly all of that traffic passes the intersection at Strongs Road, as well as many other similar intersections along the Princes Highway; Given that those statistics are now three years old, it is apparent that traffic has continued to increase, and with that comes the increased risk of accidents involving vehicles turning from the highway. The matter of risk is compounded when visitors or service person not familiar with the intersection attempt to turn into Strongs Road, particularly those travelling southbound. Most drivers believe they have the right to stop in the centre of the highway if unable to make an immediate right turn because of oncoming traffic, and it is at that point that people become very exposed.

Local residents, being aware of the potential danger, take all sorts of evasive actions, mostly illegal, to ensure they are not potential accident victims. Those actions include pulling left into the nearby bus zone, and waiting for through traffic to pass; travelling further down the highway onto a wide shoulder and turning back; or, as one driver does, turn on the flashing indicators prior to the intersection—which has the psychological impact of following vehicles immediately pulling back, being unaware of what might be happening—and then indicating a right turn at the last moment. That action implies that the northbound lanes are clear and a turn is possible.

There is simply not enough room on the road for other southbound traffic to pass safely on the left of the turning vehicle, because of highway design and the position of the Armco safety fencing immediately adjacent to the entry of Strongs Road. I have with me a drawing provided by a resident that illustrates the problem. The matter is compounded further when we consider the location of a bus stop only a dozen or so metres above the intersection, which is used daily by school buses. Only good luck prevented a possible tragedy on 8 August last year involving a school bus. A large truck, unable to stop because the highway was blocked by a turning van, struck the rear of the van as there was no other escape route. That incident, complete with photograph, was reported in the *South Coast Register* on 8 August 2002.

The highway was closed for some time to allow a medical helicopter to land on the highway and transport the injured van driver to hospital. No schoolchildren were injured but many were shaken by the incident. But for the quick realisation by the driver of the truck involved that there was no room to pass on the left because of the parked bus, the outcome could have been much worse. The Roads and Traffic Authority claimed that road vision from the crest of the northerly rise to the intersection of Strongs Road is within their warrant of safety design, but daily practical issues of driver judgment indicate otherwise. Vehicles travelling at legal highway speeds have little time to register that a vehicle is stopped on the highway waiting to turn, and as a result numerous near misses and many recorded accidents have resulted.

The accident that was witnessed by schoolchildren is only one of many at this site over recent years. I have copies of letters and other correspondence written by residents to the Roads and Traffic Authority, Shoalhaven City Council, and members of this House attesting to the dangers of this intersection and expressing great concern that they may be the next victim of an accident at this location. There are many other equally dangerous intersections along the length of the Princes Highway. My purpose in making this private member's

statement is to support the petition submitted on behalf of Strong's Road residents for a safe turning lane to be constructed as a matter of urgency. I strongly recommend that a greater proportion of road funding be directed to this important highway, and that the matter be brought to the attention of the Minister for Roads for immediate action.

### DUST DISEASES TRIBUNAL

**Mr ASHTON** (East Hills) [5.50 p.m.]: I draw to the attention of the House proposed changes to the Dust Diseases Tribunal. I wish to read onto the record a letter I received from one of my constituents, Mr R. Tindall of Bishop Street, Revesby. Mr Tindall wrote:

Dear Alan

I am writing this letter to express my grave concern about the changes to the Dust Diseases Tribunal sought by the Insurance Companies.

I myself sought compensation from James Hardie, Bells Asbestos & Engineering Co and The Australian Stevedoring Committee and because of the legal team, and the Tribunal I was successful in my claims. I started my actions in 1991 and was compensated in September 2002. The Insurance Companies and the Stevedoring Committee held up proceedings.

My Exposure to Asbestos was as follows:

1952-1954 — Waterside Worker unloading of Asbestos

1954-1956 — Carried Asbestos from Sydney Wharfs to James Hardie @ Camellia

1956-1969 — Crosba Textiles lagging steam pipes and boiler

I believe that Asbestos victims are entitled to receive assistance from both the Dust Diseases Board and the Dust Diseases Tribunal. The Dust Diseases Board assessed me as being 50% disabled. I do not receive an Aged Pension as I receive Workers Compensation from the Board. Because I receive this compensation my wife who is of Aged Pension age receives a reduced married couples pension \$118.00 per fortnight. Our life style has changed dramatically, I believe without the help from the Tribunal and the Board I would be penniless. When I had to retire in 1992 (December) I was on a contract for 3 years at \$71,000 p.a. with the State Government. The insurance companies knew for years the dangers of exposure to Asbestos and continued to accept policy payments from manufacturers. Now that they have to pay for changing the lifestyles and paying medical bills for the victims of Asbestos exposure they are trying to renege on their responsibilities.

I am hoping that you will show my concern when the matter comes before your Parliament.

Yours sincerely

R Tindall

I drew the matter to the attention of the Attorney General, who assured me that the Dust Diseases Tribunal is an international best practice judicial body that provides rapid and just compensation for victims of dust diseases. The Attorney General further stated that the Government has no intention of making any changes that would undermine the important role the tribunal plays in New South Wales. I have passed that information on to Mr Tindall.

Under the present system, people who worked outside the jurisdiction of New South Wales, and therefore were not affected by the various dust diseases as a result of working in this State, are able to commence proceedings in the Dust Diseases Tribunal of New South Wales. Under the proposed changes, which should be supported, the States will share a cross-jurisdictional approach to dust diseases, which will mean that any affected person in Australia will have access to a tribunal and receive a speedy and satisfactory resolution. Many of the victims of dust diseases do not have long to live, particularly if they suffer from asbestosis.

The Special Minister of State, John Della Bosca, met with the Attorney General and Ms Ella Sweeney, the Chief Executive Officer of the Asbestos Diseases Foundation of Australia, to discuss the jurisdiction of the Dust Diseases Tribunal. At the meeting the Attorney General and Minister Della Bosca acknowledged that the tribunal is an international best practice judicial body which provides rapid and just compensation for victims of dust diseases. I am sure members on both sides of the House acknowledge that. At the meeting it was stressed that the Government has before it some limited proposals concerning claims that have no connection with New South Wales. However, we must be assured that none of the proposed changes will affect those who have lived and worked in affected areas in New South Wales all their lives from having access to the tribunal, particularly if they have since moved to a jurisdiction outside New South Wales. For example, if a very sick person moves to Western Australia, he or she may not, during their lifetime, take their case seriously or seek proper justice. [Time expired.]

**TRIBUTE TO MR RONALD ALFRED ST CLAIR BREWER, A FORMER MEMBER OF THE  
LEGISLATIVE ASSEMBLY**

**Ms HODGKINSON** (Burrinjuck) [5.55 p.m.]: I wish to pay tribute and homage to the former Country Party member and former member for Goulburn, Ronald Alfred St Clair Brewer, a marvellous man and treasure to our local area. Ron was born on 8 April 1921 and passed away on 16 June 2003. He was in hospital for several weeks before he passed away, and I was fortunate to have the opportunity to visit him on several occasions. It was a sad time for his family and his many friends. Ron Brewer passed away at the age of 82. He served the residents of the Goulburn district for 19 years after first being elected to the New South Wales State Parliament in 1965. As I looked through the *Hansard* records I discovered that many of the issues Ron raised about the local area in the 1960s, 1970s and 1980s as a member of Parliament are issues that I raise in this place today: roads, noxious weeds and other agricultural issues, health, hospitals and the school system. In 1974 Ron Brewer resigned his State Parliament position to contest the Federal seat of Eden-Monaro but was defeated by only 136 votes. He was re-elected to the State Parliament at a by-election shortly afterwards, and continued as the Goulburn representative until 1984.

Ron Brewer was born in Gunning in 1921. He attended public schools in Gunning and Goulburn, and later attended Naremburn Junior Technical High School. He had a varied military career, serving with the 7th Light Horse Regiment, the Royal Australian Air Force and the Second Australian Imperial Forces [AIF] 11<sup>th</sup> Small Ships Company. It was in the AIF that Ron Brewer was promoted to Warrant Officer Class 1 before being discharged in 1946. Ron was one of those gentlemen who had an honourable military career. That simply added to the strength of his character in this place, as is reflected in his parliamentary speeches.

In his time as a member of the Parliament Ron Brewer served as the Country Party's railways spokesman. He was also shadow Minister for Local Government and Roads. He also spent many years as the captain of the Marulan Bush Fire Brigade, and he was secretary and president of the local Parents and Citizens Association. Ron was happily married to Dorothy for about 50 years, and they had six children. I am a good friend of all his children—Rosemary, James, George, Emily, Julie and Peter—and their respective spouses and children. Ron was a wonderful grandfather and was fortunate to have many wonderful grandchildren. In fact, in a sense we were almost related. Ron Brewer was the father-in-law of my sister-in-law, Ella Brewer; he was my husband's sister's father-in-law.

Ron Brewer was the quintessential Country Party gentleman. With his expertise in the wool industry, Ron Brewer had the distinction of having one of the best farms in the Marulan and Goulburn district. He consistently broke records for extra superfine wool prices, and stud breeders around the nation paid high prices for his Merino sheep. Ron always took a keen interest in hand spinning, and he won many awards for this craft. He instructed many people in the craft of spinning wool, and I am grateful to have been one of those. I attended one of his classes way back in the early 1990s, and he was just marvellous at that craft.

As I said, Ron served his nation well in the Armed Forces and, similarly, he served New South Wales well as the member for Goulburn. Ron was a great mentor to me in the pursuit of my goal, since 1996, of representing the people of the Goulburn district, and he was always a great source of advice since I achieved that goal in 1999. Ron Brewer's advice to me, even in the last weeks of his life, was, "Katrina, be a good local member first. Look after the local community, and you'll be a good member of Parliament." That advice stays with me as I undertake my responsibilities in the community.

Ron Brewer also served with honour in local government, being the mayor of Mulwaree shire until he was elected to the New South Wales Parliament. Many in the wool industry mourn the loss of Ron Brewer. But Ron's legacy is the industry knowledge that he has instilled in others. Ron recently wrote a book entitled *Memoirs*. I encourage honourable members to get hold of a copy when the book is eventually published and read about the life of this remarkable gentleman and his wonderful contribution to our community.

**PENINSULA ALTERNATIVE LEARNING CENTRE  
CENTRAL COAST FAMILIES FIRST SERVICES**

**Ms ANDREWS** (Peats) [6.00 p.m.]: This evening I will inform the House about two innovative programs that are already proving to be of great benefit to many residents in the Peats electorate. These programs were officially launched by the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth, the Hon. Carmel Tebbutt, on 7 August. First, she launched the Peninsula Alternative Learning Centre, which is located at the Police and Community Youth Club [PCYC] at

Umina Beach and operates under the auspices of the Better Futures Regional Strategy. Young persons may be referred to the centre either by the Woy Woy or the Umina campuses of the Brisbane Water Secondary College, by parents or community agencies, or by the young people themselves. The centre's purpose is to serve the needs of young people aged 12 to 18 years who live on the Woy Woy peninsula and who are at risk of disengaging from school or who have already disengaged from school.

The young people attending the centre enjoy a flexible environment in which they can seek alternative pathways to a successful future. They benefit from an alternative to mainstream schooling, an educational setting and program that caters to individual learning styles, a smaller more flexible learning setting and individualised learning programs. Other key elements of the Peninsula Alternative Learning Centre, which is a Central Coast demonstration project, include case management, a breakfast program and, very importantly, youth mentoring. The program is expected to improve communication between young people and the community, decrease antisocial risk-taking and criminal behaviour and increase long-term options for young people, increase school retention rates and school achievement, and promote stronger partnerships between agencies.

The Minister congratulated everyone who had been involved in the establishment of the Peninsula Alternative Learning Centre and wished them well in their endeavours. She paid tribute to the young people for their contributions to the launch arrangements and their participation on the day. It is worth noting that the official launch was handled by young people who attend the centre, and they proved to be competent masters of ceremony. I was heartened when parents informed me of the positive influence that attending the centre had had on their teenage son. In the past this young person has been reluctant to attend the local high school but now he could not wait to get up in the morning to go to the alternative learning centre. That change in attitude speaks volumes about the centre's teacher, Mr Nick Urie, the youth worker and others who assist in its running.

The Minister also launched the rolling out of the Families First-funded services for the Central Coast. The launch was held at the Niagara Park community hall and was attended by representatives of a number of State Government agencies, non-government organisations and the wider community. Ms Gillian McFee, regional director of the Department of Community Services, was the master of ceremonies on this occasion. The Minister took the opportunity at the launch to make a presentation to the Families First project leader for the Central Coast, Ms Silvana Riley, in recognition of Silvana's efforts in getting the program up and running in the region.

The Minister launched 11 new projects under the Families First program. The projects, which the Department of Community Services have funded to the year 2006 to the tune of \$1.960 million, include a home visiting service comprising professionals and local volunteers; eight new supported play groups in the Wyong and Gosford local government areas, bringing to 14 the supported play group network on the Central Coast and helping parents link with the community and local services; and two schools as community centres, which will support families with children aged from 0-8 years in Umina Beach, Blue Haven and Northlakes.

The Minister announced that the new projects would provide support and assistance to families with young people throughout the Central Coast, including many families who are isolated and have difficulty accessing transport. I must point out that the Peninsula Alternative Learning Centre is a strategic part of the Better Futures Regional Strategy. This strategy was developed and funded by the Carr Government to achieve better outcomes for young people in the State by improving how communities and services support young people and respond to their needs.

The Better Futures Regional Strategy and the Families First projects are initiatives of the Carr Labor Government, and I congratulate the Premier and the Cabinet Office on ensuring that programs such as these are provided for our communities. The contribution made by all those involved in developing and delivering the programs is invaluable. I thank the Minister for her strong support of both programs, which require good working partnerships between the State Government, local governments, non-government organisations and the community. These programs are fine examples of how the Carr Government is making a determined effort to respond to issues or risk factors before problems emerge or become entrenched. They certainly have my full support as I know that they will have a positive impact on the Peats electorate.

### GAMING MACHINE TAX

**Mr TINK** (Epping) [6.05 p.m.]: The Carr Government's poker machine tax will have a significant effect on clubs in my electorate and in the northern districts generally. I have already received a petition with

about 3,500 signatures, 3,166 of which emanated from the Epping Club, which is the largest club in my electorate. In anticipation of the introduction of the tax the club conducted a trading overview for the period 2004 to 2010. It revealed that the poker machine tax will increase gradually from \$2,203,454 in 2004, to \$5,027,227 in 2010. On those projections, the club will begin to lose net profits in 2006 and losses will total \$4,621,124 between 2006 and 2010. This will have a significant impact on the club's donations to community groups, which today total well over \$200,000. They include a donation of \$30,000 to The Shack, which runs a program for youth at risk, and sponsorship of the Epping Golden Kangaroos to the tune of \$10,000. This group plays tremendous band music that has taken it to France to play on World War I battlefields.

The tax will also have a range of impacts on several other clubs. The tax rate of the Epping West Bowling Club will increase from nil to 9.9 per cent, which will have a big impact on the financial support totalling approximately \$10,000 that it gives to local sporting and community groups and charities. Beecroft Bowling and Recreation Club Ltd is a small club whose existence depends on club activities and social functions. It will be hit particularly hard by the goods and services tax [GST] components of the tax and believes that the club's demise, which is at present a possibility, will become a certainty. Cheltenham Recreation Club Ltd runs to a tight budget and cannot handle further changes, particularly to the GST rebate. The support of the Carlingford Bowling Sports and Recreation Club for the Carlingford Flames netball team, the Redbacks soccer team, Carlingford baseball and the Northern Cricket Club is also at risk as a result of this tax.

I will also turn my attention to clubs in the neighbouring electorate of Ryde as I do not expect the local member to say too much about this issue. The Ryde-Eastwood Leagues Club will be hit hard. It will be required to pay an extra \$11 million in tax by 2010, with taxation of \$2.9 million levied in 2010 alone. This will place the club in a difficult position and put at risk its donations to groups such as the Leukaemia Foundation, the Royal Rehabilitation Centre and Brain Injury Respite and Development. North Ryde RSL Community Club Ltd is another large club in Ryde that is extremely concerned about the impact of the tax. It provides enormous community support to a range of groups including firefighters, Riding for the Disabled, the Royal Rehabilitation Centre, the Ryde Family Support Service, the Salvation Army, Saint John Ambulance Australia (New South Wales) and the State Emergency Service—and the list continues.

The club also maintains fields at Eastwood for use by the Eastwood District Rugby Football Club at nil charge. The tax will put all of that support at risk. The story is the same for the West Pennant Hills Sports Club Ltd. The Northern District Cricket Club, which benefits from a great deal of financial support from Hornsby RSL Club, has written to the Treasurer expressing concern about the impact of the tax. Yesterday a motion was moved in the Labor caucus calling on the Government to:

... investigate in conjunction with registered clubs a complete review of the capability of clubs to pay additional taxation.

It is most concerning that the Minister for Police, the member for Ryde, voted against the motion, particularly as he was quoted not too long ago in the *Northern District Times* as saying:

I have asked the Treasurer to reconsider the proposal in light of the comments and submissions from the club industry.

The member for Ryde has taken a totally hypocritical stance and basically put his ministerial career before his position as member for Ryde. All clubs in Ryde and the northern districts must understand that if the member for Ryde stood by his comments as reported in the *Northern District Times* this club tax would effectively be at an end. However, as he has chosen to follow his ministerial career ahead of his position as the local member, the tax has survived and the future of clubs in Ryde and the northern districts is in great danger. [*Time expired.*]

### **MATER HOSPITAL, NEWCASTLE, SITE REDEVELOPMENT**

**Mr GAUDRY** (Newcastle—Parliamentary Secretary) [6.10 p.m.]: Last Thursday evening after 8 o'clock I received a call from Professor Katherine McGrath to advise that on the following day the *Newcastle Herald* would contain leaked information to the effect that there was a change in direction for the redevelopment of the Mater Hospital site. The information was that what was originally an \$80 million project had expanded to \$132 million, with some great outcomes. However, it would be a privately financed option, a lease-back arrangement, paid for over a period of years by the health service. That would accelerate—this was greatly appreciated—development of a replacement for the James Fletcher Hospital for \$34 million, improved cancer treatment facilities worth \$80 million and provision of 10 more mental health beds in the Hunter. I think everyone would applaud that.

However, these things come at a cost. The Health and Research Employees Association, and its representatives in my electorate and across the Hunter, are concerned about the cost and what will happen to what Professor McGrath calls non-clinical services. Also, many people are concerned about the strength of the contract that will be entered into by the Government after calling for expressions of interest for the redevelopment of the hospital. We want an open and accountable process. The community has a right to know that the accelerated development of these facilities—no doubt they will be wonderful facilities—will not come at a cost particularly of jobs, the security of those jobs or working conditions. We do not want to see happen to those jobs what I have seen happen to jobs since the privatisation of FreightCorp and the purchase of it by Pacific National. The workers in that area are seeing an erosion of their working conditions, and they have job security for only three years.

Whatever happens, it is important to have an open process with full involvement of the trade union movement, and that the working conditions of employees are absolutely protected. I hope that the process will be much more open and accountable than the advice I received has led me to believe. It is important that local members are engaged in the process and that they are not informed virtually as an afterthought. It has always been accepted that there would be benchmarking at the Mater. Also, it was recognised that providing the upgraded facilities in the time period would be difficult under the capital funding program. So one could say that the change in direction and expansion of the project had probably been flagged. However, the concerns of the Health and Research Employees Association also need to be flagged.

Some of the concerns have been flagged in the *Newcastle Herald*. Last Friday's *Newcastle Herald* had an exclusive on the issue, and Saturday's *Newcastle Herald* contained articles in which Professor McGrath outlined the positive benefits of the changes. An article in Tuesday's *Newcastle Herald* stated that more than 100 staff were concerned about the issue. One issue I want to put on the record is that the James Fletcher Hospital site, where the current acute mental health service is located, must not be sold. We want a guarantee that it will remain in public hands and that it will keep its important heritage approach, because it is the site of early garrison development and is pivotal to the history and development of Newcastle.

#### **PACIFIC HIGHWAY UPGRADE**

**Mr PAGE** (Ballina—Deputy Leader of the National Party) [6.15 p.m.]: During the past few months the communities of the far North Coast have again been shocked and saddened by a series of fatal accidents on the Pacific Highway, including a fatal head-on collision between two heavy vehicles south of Ballina and a triple fatality involving three young people, again just south of Ballina. This later accident demonstrated again an urgent need for the Ballina bypass, especially given the rapid increase in heavy vehicle use on the Pacific Highway since the completion of the Chinderah to Yelgun upgrade. Travellers, local residents and the transport industry appreciate the completed upgrades of the Pacific Highway between Chinderah and Yelgun, but without continuation of the upgrade past Ballina and to the south residents are left to face the consequences of increased heavy vehicle traffic on roads yet to be upgraded.

Indeed, one can question the decision to allow B-doubles on the Pacific Highway when so much of it is still a single lane each way and it is a windy, low-quality road. Thus far the length of divided highway on the Pacific Highway is only about half of what was agreed under the 10-year Pacific Highway agreement. Recent comments by the Minister for Roads suggest that the Ballina bypass now has an undetermined completion date. This contradicts previous State Government commitments to complete the project and leaves my constituents disillusioned. The State Government indicated a completion date of December 2004 in the Roads and Traffic Authority [RTA] 1997-98 annual report. It extended that date to 2010 in its 2001-02 annual report, and is now suggesting that progress is stalled until the Federal Government makes a funding commitment.

This blame shifting to the Federal Government—a favourite but transparent tactic of this Minister—has occurred despite the State Government having responsibility for funding this project under the 10-year Pacific Highway agreement. These delays are yet another example of bad planning by this Government. Furthermore, the State Government has failed the North Coast residents by underestimating the massive increase in heavy vehicle use of the Pacific Highway over the New England Highway following the Chinderah to Yelgun upgrade. Figures show an increase of at least 2,000 heavy vehicles a week on the Pacific Highway since 2001, while there are almost 1,000 fewer heavy vehicles per week using the New England Highway since that time.

The question that needs to be asked of the Minister for Roads is: Did the State Government plan for this massive heavy vehicle increase on the Pacific Highway? Did the State Government conduct any research into the consequences of an increase in heavy vehicles using the Pacific Highway and the effect that this would have

on local communities where upgrades are yet to be completed? These issues go directly to safety. Many motorists are intimidated by the speed at which many of these heavy vehicles, including B-doubles, travel on the substandard sections of the highway and the amount of tailgating that is occurring. It seems that the massive increases in heavy vehicle traffic were entirely unanticipated by the Minister for Roads and the RTA, and provide a model for how not to do things. The Minister has responded to the myriad of complaints from local residents about the noise generated by this massive increase in trucks on the Pacific Highway—particularly in the Ewingsdale, Tyagarah, Ocean Shore, Sandy Hollow and Ballina areas—by setting up a Northern Pacific Highway Noise Task Force. As far as I can ascertain, the task force has no specific reporting date and appears to be a vehicle for assuaging constituent complaints only.

Had the State Government taken a more responsible, integrated and committed approach to upgrading the Pacific Highway, it may not have been placed in the current situation where residents have taken legal action against the RTA in response to unacceptable noise levels. Indeed, the Pacific Highway was blocked last Sunday by a similar group of people. In the meantime, the people of my electorate affected by the massive increase in heavy vehicle movements are entitled to know exactly when the report of the noise task force will be released. The Minister said that it would be released in the middle of the year. Three months later, there is still no report. Why is the report not being released? Is it because it contains recommendations for noise mitigation measures which will cost money but have not been budgeted for? What money has been allocated to noise barriers, noise mitigation measures, quieter road surfaces and the like?

The Minister must release this report as soon as possible, identify noise mitigation measures to be put in place, commit funding to those measures and set an acceptable timetable in which to complete the works. The increase in heavy vehicle traffic, in particular, on the Pacific Highway is a significant issue for all residents of the North Coast both from a safety perspective and an increasing noise perspective. It is incumbent upon the Government to address this issue quickly and seriously; it must upgrade the Pacific Highway to improve safety. It is totally unacceptable for huge B-doubles to travel on sections of the highway with gradients of 9 per cent, such as that at Tintenbar Hill. We would not allow it to be built today. This issue was predicated on the fact that a particular section of the road was upgraded, but so much has not been upgraded. [*Time expired.*]

### PUBLIC TRANSPORT RESTRUCTURE

**Ms MOORE** (Bligh) [6.20 p.m.]: The current ministerial inquiry into public transport and the review of bus services in New South Wales are vital for the future viability of transport in Sydney and the State. While there are substantial political barriers to achieving the necessary reorganisation, those inquiries must achieve more than just fiddling with fares. The problems are clear, a lot of the research has been done and it now needs government will. The Government's urban consolidation policies have brought residents into the inner city, but government has not undertaken equivalent development of public transport. Growth in private vehicle use is unsustainable and increasingly affects community health, residential amenity and business efficiency.

The 2001 census figures highlight the importance of public transport for the electorate of Bligh. In my electorate 31 per cent of residents use public transport to get to work, compared with 19 per cent in Sydney as a whole. My 20-page submission to the transport inquiry and 15-page submission to the bus review detailed substantial inner city transport problems, and called for a radical overhaul of priorities, planning, funding and facilities to achieve a comprehensive public transport system that is a viable alternative to private vehicle use. Passengers will pay for public transport that is frequent, reliable, safe and accessible. However, people are forced into cars because the system has failed them. A public transport patronage growth strategy in Toronto, Canada, increased revenues to nearly 70 per cent of operating costs. The return of the Carr Government for a third term spurred calls for action on the big issues for New South Wales, including a long-term legacy in public transport infrastructure. A *Sydney Morning Herald* feature concluded:

Sydney's transport network is tired, unbalanced and incomplete. Former rail chiefs have described the railways as a shambles, and buses take too long and can't cope. Motorways on the other hand have had a boom decade, fuelled by tolls and Government top up funds. It is time a new source of funds was found to build a new public transport system.

The Government must create a single transport authority, an integrated transport blueprint, and an infrastructure fund to rectify decades of under-funding and to meet changed needs. The lack of a single co-ordinating authority to establish and direct priorities ensures that our public transport system is not optimally organised. There is no plan that co-ordinates bus, train, ferry, light rail and roads to provide efficient transport services, coverage and running costs. A transport vision for Sydney requires the radical reorganisation of separate portfolios, including State Rail, State Transit, Sydney Ferries, and the Roads and Traffic Authority. The separation of transport authorities is the biggest stumbling block to integrated planning and sustainability. The most appropriate

transport mode must be identified and used, given the passenger volumes, service frequency and geographic location—rather than separate authorities competing for profitable routes or retaining historic arrangements. Roads should not dominate planning and resource allocation.

My submission to the bus review restates concerns that buses dominate inner Sydney public transport, even though they are not efficient on high volume routes, where traffic congestion is high or along narrow inner city streets. The newly amalgamated Department of Infrastructure, Planning and Natural Resources will be a meaningless name change without the required power to prioritise the operations, budgets and assets of the individual roads and transport authorities. The Western Australian Department for Planning and Infrastructure, backed by a Sustainability Policy Unit, has the power to establish traffic and transport priorities and expenditure, and can ensure that public transport alternatives are considered in the assessment of new road projects. The sale of public transport land and assets is irresponsible in the absence of a transport plan. Without a blueprint, it is impossible to know what will be needed for future facilities.

Returns from truly surplus assets should be directed into investment for the future. Taxpayers are rightly angry when funds are used as general revenue that should be allocated for infrastructure, and then Governments ask for additional taxes to salvage decades of neglect. Major investment in the renewal of public transport infrastructure should be provided through an infrastructure fund that is quarantined from operational expenditure. A special levy could be acceptable if the resulting funds cannot be siphoned off for other purposes, there is a clear and exciting transport blueprint and funding plan, the required reorganisation is done to get effective co-ordination and establishment of priorities and the Government is committed to allocate funds from surplus transport-related assets to the fund. The extent to which these substantial structural, policy and organisational barriers are addressed will determine whether these reviews are successful in laying the foundations for a redesigned public transport system vital for the future of Sydney. It would be very depressing, even tragic, if these reports are just received and noted, and then shelved to gather dust with the bulk of other such reviews.

#### RESIDENTIAL UNITS SHORT-TERM HOLIDAY LETTINGS

**Mr BARR** (Manly) [6.25 p.m.]: Last year I introduced a bill into this House that received unanimous support. It allowed for circumstantial evidence to be used in court cases involving unlawful backpacker operations. That bill became statute and will assist councils considerably to crack down on illegal backpacker operations. A similar and related issue in Manly, and many other coastal electorates, is that of short-term holiday lettings in residential units. That issue is currently a bigger bone of contention in Manly than the backpacker issue. Last night the strata owners of Pacific Waves overwhelmingly voted against allowing short-term lettings, which has been a contentious issue within the body corporate of that block of units, and other buildings in the Manly area. Many investors buy units at Manly to get short-term holiday lettings at premium rentals.

The central business district of Manly is becoming residentialised as many people retire in the area. They want a peaceful use and enjoyment of their property. However, it is difficult for them if an adjoining flat has different people coming and going every week, not only because of noise but permanent residents take pride in and want to preserve and enhance the amenity of their building. Other people may not be as careful with the garbage and those sorts of matters, for example. At the moment a conflict is occurring between investors and residents. I strongly favour residents in this matter. In one block of units in North Steyne the body corporate is dominated by investors. Some of the older residents who have lived there for a long time are upset because of the amount of short-term lettings in their building, which the majority of owners want to maintain. In that sense, there is an oppression of the minority by the majority. However, there is non-compliance with the conditions of the development application in those units, so that matter can be brought to council for a determination.

Manly Council should take action to prevent buildings having unlawful short-term lettings if they have not been brought before council. Some members of the community want to encourage short-term lettings to bring business and money into Manly. However, I believe that the amenity of the residents is paramount. If people want to invest in short-term lettings they can do so in buildings that have been approved, but not in non-compliance with the conditions of the development application. A good example of what can happen is across the road from Manly Wharf in the Grand Esplanade block of units. It has been divided into two areas: long-term residential and short-term letting. In other words, the area used for short-term lettings is quarantined from the remainder of the building. That situation is ideal.



This is not an anti-tourism pitch by people who do not want short-term lettings in their units. However, people want the amenity of their units upheld by council. If investors want to invest in short-term lettings they are free to do so with council compliance, subject to the usual conditions according to the Manly Development Control Plan. If and when these matters come before Manly Council it is imperative on council to back the residents over the commercial interests in this particular case. Manly is a classic example of increasing tension between residential and commercial interests. It is incumbent on the council to back local residents.

**Private members' statements noted.**

*[Mr Acting-Speaker (Mr Mills) left the chair at 6.30 p.m. The House resumed at 7.30 p.m.]*

**QUESTIONS WITHOUT NOTICE**

**Supplementary Answer**

**PORT KEMBLA CHAMBER OF COMMERCE AND INDUSTRY**

**Mr CAMPBELL:** Further to a question asked in question time today I am able to advise the House that Mr Neville Hilton was elected junior Vice-President of the Port Kembla Chamber of Commerce and Industry Inc. at its annual general meeting on 26 August.

**BUSINESS OF THE HOUSE**

**Routine of Business: Suspension of Standing and Sessional Orders**

**Motion by Mr Scully agreed to:**

That standing and sessional orders be suspended:

- (1) to provide that until the adjournment of the House at this sitting, no divisions or quorums be called; and
- (2) to permit the introduction, and progress up to and including the Minister's second reading speech, of the Child Protection Legislation Amendment Bill, notice of which was given this day for tomorrow.

**SPECIAL ADJOURNMENT**

**Motion by Mr Scully agreed to:**

That the House at its rising this day do adjourn until Thursday 4 September 2003 at 10.00 a.m.

**CHILD PROTECTION LEGISLATION AMENDMENT BILL**

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

**Second Reading**

**Dr REFSHAUGE** (Marrickville—Deputy Premier, Minister for Education and Training, and Minister for Aboriginal Affairs) [7.32 p.m.]: I move:

That this bill be now read a second time.

The safety and wellbeing of children in New South Wales are of paramount importance to the Government. Since coming into office we have entrenched this principle in legislation. This Government has built a system that elevates the interests of children to the heart of government, and put in place a robust and unified system to protect children. The employment screening provisions and the oversight role of the Ombudsman are essential components of this system. There is no doubt that the interaction of adults and children is one of the most sensitive and complex policy areas that any government can face.

On the one hand, children are vulnerable and need strong protection. On the other hand, we must ensure that professionals working with children have the necessary authority and are able to work with children in a constructive way. It is also important that people working with children are themselves treated fairly. Past experience, including the Wood royal commission, has taught us some important lessons. First, we need to

ensure that allegations of child abuse against employees are investigated in a timely and appropriate way, and that appropriate action is taken where an employee has not upheld community standards of behaviour.

We have given the Ombudsman the responsibility for overseeing these investigative systems through part 3A of the Ombudsman Act. Second, we need a system that thoroughly screens anyone seeking child-related employment. That is why we introduced a centralised employment screening system to be administered by the Commission for Children and Young People. We now have a system that we can be proud of and that is working to protect children in New South Wales. We have also learned a great deal about what works and what does not since this system was introduced. Most importantly, we need to distinguish between actions that are harmful and those that are necessary or reasonable for the effective care and management of children.

It is important to strike the right balance between protecting children and allowing professionals in child-related employment to carry out their duties without fear of unwarranted allegations of child abuse. This bill seeks to respond to the feedback from some professional groups that changes are necessary to achieve the right balance and improve how our system is working in practice. We must be very clear about what is or is not appropriate when dealing with children. This is particularly the case for teachers. Teachers have constant, often physical, contact with children throughout the course of every working day. Teachers also need to be able to discipline students for misbehaviour, and keep control of their classrooms so that all children are able to learn effectively.

The child protection system we have established was never intended to restrict teachers' ability to assert their authority in the school environment, or stop them from comforting distressed children. However, teachers have become unsure about what conduct is acceptable when carrying out their duties. Many teachers fear unwarranted allegations being made against them. In light of these concerns, the Premier asked the Director-General of the Cabinet Office, Roger Wilkins, to conduct a review into the impact of the child protection and employment screening legislation on teachers. The review found that:

The term "child abuse" raises strong emotions in the community, which in turn inhibits the effective implementation of the legislation.

The definition of "child abuse" does not describe clearly the type of behaviour that should be captured by the legislation and reported to the Ombudsman or the Commissioner for Children and Young People.

Teachers in particular have become increasingly confused about what actions are permissible in order to maintain effective classroom management and discipline.

The current legislation inappropriately captures some conduct, such as some very low-level physical contact by teachers. While this conduct may not always be appropriate, it should be dealt with by principals rather than being reported to the Ombudsman or the Commissioner for Children and Young People.

Finally, the Department of Education and Training needs to provide clearer guidance to principals and teachers on what behaviour is permissible to maintain, to ensure effective teaching.

The review called for some legislative changes and this bill implements those recommendations. Let me stress at the outset that these changes do not compromise the robust nature of our child protection system. They are designed to balance the overriding principle of protecting children with the need to ensure that professionals working in child-related employment are not improperly hamstrung by the child protection system. They will make much clearer for teachers, and other people working with children, exactly what is expected of them.

This bill will strengthen the child protection regime because it adopts a more commonsense approach to the law, and encourages employers who are dealing with children to have in place responsive and robust systems for managing and investigating allegations made against their employees. The amendments introduce three significant changes to the current law. First, the bill removes the term "child abuse" from the Ombudsman Act and the Commission for Children and Young People Act. Child abuse is strongly associated with the activities of paedophiles. It is an emotionally charged term. Particularly where an allegation is not sustained, teachers and other employees should not be unfairly labelled. This bill replaces the term "child abuse" with "reportable conduct".

Second, the types of matters that must be reported to the Ombudsman and the Commission for Children and Young People will be amended and clarified. The current definition is not specific enough to identify all the types of behaviour that may or may not warrant investigation in a child protection context. It also makes it hard to adopt a commonsense approach to less serious matters. Under our proposed changes, "reportable conduct" will be defined as:

- (a) any sexual offence, or sexual misconduct committed against, with or in the presence of a child (including a child pornography offence), or
  - (b) any assault, ill-treatment or neglect of a child, or
  - (c) behaviour that causes psychological harm to the child,
- whether or not, in any case, with the consent of the child.

The definition goes on to state that "reportable conduct" does not extend to:

- (a) conduct that is reasonable for the purposes of the discipline, management or care of a child or children having regard to the age, health, maturity or other characteristics of the child or children and to any relevant codes of conduct or professional standards, or
- (b) conduct exempted by the Ombudsman, or by the Working With Children Check Guidelines.

Limiting what must be reported according to a test of reasonableness acknowledges that a certain level of physical contact with children is necessary in many child-focused professions. This is particularly the case in teaching, where there is high volume interaction with children every day. Adopting an approach based on reasonableness allows for a commonsense approach by employers to this legislation, taking into account all the relevant circumstances. For example, how firmly a teacher needs to hold a child's arm to restrain them from hitting another child, or walking into danger, would depend on the age and size of the child. There is a big difference in the firmness of the grip needed to restrain a 15-year-old and that required to restrain a 6-year-old.

Any relevant codes of conduct or professional standards will also help to determine what is reasonable. This would include the code of conduct that is in place for all Department of Education and Training employees. Importantly, the Ombudsman will retain his role overseeing the entire system to ensure that employers are making judgments about what is reasonable in good faith. In the interests of providing a clear message, this bill also contains a note that provides specific examples of actions that do not constitute reportable conduct and need not be reported to the Ombudsman or the Commission for Children and Young People. Let me emphasise this point. This legislation does not prevent a teacher from raising his or her voice in order to gain the attention of students, or from reasonably disciplining a student for inappropriate behaviour.

Isolated incidents, such as a teacher shouting, while not always appropriate conduct, do not need to be reported to the Ombudsman or the Commission for Children and Young People. The Government's amendments now before the House are designed to clarify and strengthen that point. The final change introduced by this legislation is to give greater prominence to measures that allow for more flexible implementation of the reporting requirements. These allow implementation to respond to the very different circumstances of employees in different industries and workplaces. This is essential if the legislation is to work sensibly. The Ombudsman has the power to exempt certain types of matters from reporting requirements through a class or kind determination. He makes such a determination when he is satisfied that an employer has achieved a high standard of investigative practice. The effect is that the names of the employees involved will not be reported to the Ombudsman.

The Ombudsman has already made class or kind determinations with the Department of Education and Training and the Catholic Commission for Employment Relations regarding certain low-level matters. This does not mean that these low-level matters are not investigated by the department or the Catholic Commission. Rather, the Ombudsman is satisfied that these two education employers will carry out all the appropriate investigations and, if necessary, any disciplinary action required. It is appropriate that other employers work with the Ombudsman to settle class or kind determinations to remove additional less serious allegations from reporting requirements. The director-general's review made recommendations to improve communication to teachers and principals, including redrafting the relevant guidelines prepared by the Department of Education and Training.

These recommendations have been accepted by the Government and will be implemented. The Department of Education and Training will also provide principals with training, support and guidance to help them conduct investigations in an efficient, speedy and discreet manner. The changes to the legislation contained in this bill will allow for a commonsense implementation of these child protection laws. They allow for greater flexibility and judgment in individual cases, without losing the hard lessons we learned in the Wood Royal Commission. These amendments should leave no doubt in teachers' minds that they are able to exercise effective classroom management and discipline, and develop positive student-teacher relationships necessary for effective teaching. I commend the bill to the House.

**Debate adjourned on motion by Mrs Skinner.**

**BUDGET ESTIMATES AND RELATED PAPERS****Financial Year 2003-04****Debate resumed from an earlier hour.**

**Mr AMERY** (Mount Druitt) [7.43 p.m.]: It is a pleasure to speak on the budget for 2003-04. Whilst recent focus might have been on some of the budgetary measures that have drawn criticism—like TAFE fees and poker machine tax—concerns about those issues should not cloud the fact that our Government brought in a very good and sound budget for this financial year. That has been one of the lost opportunities of the past couple of months when talking about the budget brought down by Treasurer Egan in June. The *Daily Telegraph* of 25 June, under the heading "Not a single cent", focused on the revenue side of the budget. I recall the headline and front-page articles about stamp duty raising about \$3.7 billion next year, TAFE fees going up 220 per cent, poker machine taxes up from 15 to 40 per cent, and the parking space levy in the Sydney CBD going up \$40.

That newspaper, and others as well, focused on those issues, saying that the money "will go into [the Government's] coffers". The phrase "into coffers", so to speak, would give the impression that the money will disappear into some black hole and that taxpayers will receive no benefit. Of course, from even a brief reading of the budget papers, that can be seen to be not the case. A Labor budget which allocates, for example, something like \$29 billion on capital works over the next four years surely must be seen as a positive move—a fact that has been lost in the post-budget reporting, although I do recognise that the media reported favourably on it the day or so after the budget was delivered. This capital works program not only allows the Government to keep its election promises, which is very important, but has virtually made the State a building site, creating jobs and adding to the capital worth of the State—to borrow a term used by the Treasurer in his Budget Speech.

Plenty of that capital expenditure is going into many of our electorates. Mr Acting-Speaker, as the representative of the people in the electorate of Liverpool you obviously see the quite substantial capital works that I, as a regular traveller to Liverpool, see going on there, particularly in relation to roads. From time to time those works increase my travelling time to Liverpool, but I recognise the long-term benefits of the work on Cowpasture Road and roads off that road. I am sure you would have highlighted those matters on many occasions. But I also look at some of the things going on in my own electorate. For example, only today I issued a statement announcing that two new classrooms will be built at the Hebersham Public School as part of a \$329 million plan to reduce class sizes.

Honourable members will recall that class sizes was the subject of one of the major education debates that had been going on in the year leading up to the election. This \$329 million project is part of the Government's program to reduce class sizes. Hebersham Public School is but one of a number of schools in my electorate that are participating in work to reduce class sizes for school students. Hebersham school is a great school. The principal, Sue Connell, and her team have achieved much, particularly being acknowledged for its whole-of-school approach to literacy and numeracy, which I understand has been recognised at both a State and national level. I am pleased again to congratulate Sue Connell and her team as well as all involved with that school.

Her Excellency the Governor of New South Wales, Marie Bashir, visited the school during the last term of this Government. Her Excellency often recalls, when speaking to me when we meet at official functions, the atmosphere at the school on her visit. That visit, although some time ago now, has had a lasting impression on the State Governor—something of which the school community is very proud. The announcement that I made today, part of the spin-off of the budget for the Hebersham school, to state the obvious, will be well received.

I draw the debate away from the revenue side of the budget to where the money actually goes. Recently I reported to the Labor branches in my electorate that the Government has added some \$900 million to the budget for the Health portfolio. That increase alone is more than the total budget allocation for many government departments. Having been Minister responsible for a number of government departments that did not have a total budget of \$900 million, I tend to put things in perspective when I see that amount of money has been added to the one portfolio, Health, taking that portfolio to \$9.3 billion. Surely that should be recognised.

After listening this afternoon to the Minister's reference to what the Federal Government is doing to the national Health budget and also to bulk-billing, it is hard to see how anyone could criticise this State Government, which must surely be described as doing all it can to keep its Health budget going, given the

extreme pressure being placed on the health system by Federal policies, both in its funding formula and its decision on bulk-billing, which the Minister for Health highlighted in this House.

The money will also increase the Police budget by some 9 per cent. The recruitment program has stretched the capacity of the force to train record numbers of police. I have had the pleasure of attending a number of attestation parades at Goulburn. When I became a member of the Police Force, passing-out parades of about 100 were the norm. We are now seeing massive passing-out parades of 300, 400 or 500 police officers on the one day, which is indicative of the Government's commitment to increasing the Police budget. At one of the attestation parades I made the observation that the parades were so large due to the police recruitment program—great management skills would have been required to organise the march past—that they looked like many of the military parades one would see from time to time in news bulletins.

My local police station at Mount Druitt has welcomed a steady stream of new recruits in the past few years, no doubt as a result of the Government's commitment to increase police numbers. When we talk about income and taxes, no-one should question where the money is going. For example, the Mount Druitt railway station and transport interchange is currently a major construction site. Work gangs for the Western Sydney Orbital, which will provide a motorway linking my electorate to the north and south coast and the south-west parts of the State, can be seen from various parts of my electorate. As a regular driver down south, particularly to Cootamundra and Yass, I know only too well the difficulty of moving from north to south across the suburbs to link up with the motorway at the crossroads or the Campbelltown intersection.

Although a lot of improvement has been made to Cowpasture Road, Elizabeth Drive and Wallgrove Road, which needs more work, they cannot cope with the incredible growth of our region. The new orbital, even with the toll—and no-one likes the toll—will ensure that my constituents can travel more easily and safely, especially during peak periods when it is almost impossible to travel from north to south across the western suburbs of Sydney, and during holiday periods, when we experience logjams on many of the main roads leading out of the Sydney suburbs. I am pleased to recognise, once again, that the budget has dedicated \$3 million to what is just over a \$10 million project to develop a new courthouse at Mount Druitt.

I was very pleased that, with the new member for Londonderry, Alan Shearan, and our good friend the former member for Londonderry, Jim Anderson, I was able to announce the project leading up to the 22 March election campaign. That promise has come to fruition with the substantial allocation of \$3 million, which will go a long way to getting the project not only designed and started, but a long way down the track before the next budget. Although the Opposition can focus on the negative aspects of the budget—the revenue measures—if you want better services, roads, rail station upgrades and a courthouse, as my electorate does, the money has to come from somewhere. The budget gives good value for money, despite the fact that some of its provisions have been controversial.

The final aspect of the budget I note is set out in the Treasurer's Speech under the heading "Budget Results and Net Worth", in which the Treasurer points out that New South Wales is the only Australian State to again budget for a surplus in all three areas of the budget, namely, the cash result, net lending result and operating result. This is a strong point of the budget. The Treasurer went on to talk about the net value of the State as an asset, and pointed out that the value of our asset has risen much more strongly than the value of our liabilities. The Government rightly places an emphasis on debt reduction. According to the budget papers, its record has saved \$1 billion in interest payments since 1995, money that can be put back into other services and capital works.

In pointing this out the Treasurer also argued that we are now in a position to absorb a deficit, should that need arise. A downturn in income, especially if the often-predicted slow-down in the real estate boom occurs, will result in a reduction in income stream for the Government and could result in some budgetary problems. Although the Government should continue to make debt reduction its priority, borrowings spent on capital investment that enhances the State's worth, to use the Treasurer's words, should be considered a way of relieving pressure to create more income sources. I know that from time to time many State Treasurers and Premiers refer to a State or Government budget as a home budget.

As with a home budget, one should not borrow money to pay for what we might call recurrent expenditure: electricity bills, car registration or land rates. But borrowing to build a garage or add a second floor to a house—a project that increases the value of the house, increases the value of the asset—is a responsible course of action. Most rating agencies would say that governments should not borrow for recurrent expenditure and liabilities, but that is not what the Treasurer referred to in his speech: investing in and increasing the asset

value of the State. Borrowing for those purposes is not only responsible but it is a principle the Government can safely walk into without fearing a subsequent credit rating by the international rating agencies.

I would like to speak about many things contained in the budget. I am very pleased that my former departments of Agriculture and Corrective Services have been allocated substantial amounts of money to undertake their important work in the State. But looking at the budget as a whole and recognising that we started with perhaps a very small surplus in what is a very uncertain income stream future, it is a very responsible budget. One of the many reasons the electorate gave the Carr Labor Government another term in office is that the Premier and the Government are regarded as good managers. The budget is testament to the belief that the Carr Government has continued to be a good manager. Everyone can criticise some aspects of the budget, but in general terms the budget has received a good report not only from media outlets but from anyone involved in assessing State budgets. It should be supported, and I am pleased to support and commend the budget to the House.

**Mr McGRANE** (Dubbo) [7.57 p.m.]: I put on record the allocations for the electorate of Dubbo in the 2003-04 budget. A strong element of growth in the electorate was expounded in the budget and recognised by the allocation of \$76 million in capital expenditure to the electorate of Dubbo. Simple things such as the allocation for Roads have increased from \$18.3 million to \$25 million. A list of other major developments is worth noting, one of which is the new Corrective Services operation at Wellington. Some \$20 million has been allocated in the budget for the first stage of a \$115 million project, which will result in employment of 200 plus people in the Wellington area. The regional correctional centre will cater for 500 residents.

It is great to note announcements for the electorate, but crunch time is when the money is allocated in the budget. Only three weeks ago the Minister for Justice was in Wellington to announce the expenditure of \$5.6 million for the first stage of a \$20 million infrastructure development program for water and sewerage, as well as to open the new information centre in what was an old house on the property. Other major areas of expenditure included \$3 million to seal the Wellington to Parkes Road, which is known as the McGirr-Renshaw Way. For some 50 years action groups have been agitating to have the road upgraded to a sealed surface.

Two years ago the then Minister for Transport, the Hon. Carl Scully, announced that \$10 million would be spent over 10 years. He rejigged those figures and later announced that \$12 million would be spent over a four-year period. That has brought efficiency into the upgrading of this major road which links Wellington to Parkes. As I said, for approximately 50 years action groups have been calling for the road to be upgraded. I commend the Government and Minister Scully on their initiative in allocating the funds and then ensuring that the upgrading takes place within a shorter period than was originally intended.

Other expenditure in my electorate includes \$700,000 for the development of an Aboriginal centre in Dubbo as part of the operations of TAFE NSW. The centre will be a focal point for training young Aborigines to enable them to enter the work force. This is a major initiative on the part of the Government and it will add to the TAFE operations in the city of Dubbo. Other major expenditure is \$3.8 million which will be spent on the Western Plains Zoo at Dubbo as part of a \$35 million commitment over 12 years. The zoo is a major tourist attraction west of the Great Dividing Range. Approximately 215,000 people visit the zoo each year. The zoo has been operating for 25 years and until the last couple of years was really showing its wear and tear. At that time the Government announced a refurbishment of the whole zoo infrastructure.

A zoo is the type of tourist attraction that needs funding continuously to keep people interested in coming back. Funding that was allocated in this year's budget is in addition to the \$4 million that was spent on the zoo last year. That is great, not only for the zoo and Dubbo but also for Western New South Wales tourism. While Dubbo zoo is a mecca for tourism, there are many other tourist attractions throughout regional areas of this State. When people visit the zoo, they tend also to visit other areas in the northern and western parts of this State. It is a credit to this Government that a government-controlled instrumentality such as the Dubbo zoo has not just been built by the Government and then neglected.

Upgrading of schools, in particular to provide airconditioning in areas such as Parkes, has been a point of discussion among my constituents for a long time. This year's budget provides for a quarter of the classrooms to be airconditioned, but the rest of the classrooms in the Parkes High School also need to be airconditioned. The Parkes primary school does not have an assembly hall, and this project is being given high priority by the citizens of my electorate to ensure that improved school facilities are provided. However, I was rather disappointed that not enough money will be spent on rail infrastructure in my electorate, especially on the Bogan Gate to Tottenham line. An economic study was undertaken concerning the line, which has eight receivable points for the Grains Board and is 112 kilometres long. The study showed that, for expenditure of \$23 million, it will be possible to make the line economically viable.

To my mind, expenditure of \$23 million represents money well spent. If branch lines such as the Bogan Gate to Tottenham line are permitted to run down—sadly, governments of all political persuasions have not spent enough money on rail infrastructure in this State—and allowed to disintegrate, grain will instead be carted by road to the new bunker-style silos that have been built by the Australian Wheat Board. That is an alarming prospect. If branch lines are closed down, grain will have to be carted to the nearest receival point, which will involve heavy vehicles travelling very long distances along shire roads, with devastating results for local councils budgets.

Hopefully, when considering this line in conjunction with the Boree Creek line, which has also been the subject of an economic study, the Government and the Minister the Transport Services will realise the good economic sense of providing funds to upgrade rail infrastructure. This year there is an incentive for growers to deliver their grain to the bunker silos because the handling costs will be cheaper than is the case for the existing eight silos along the Bogan Gate to Tottenham line. It is a chicken and egg situation, but governments have to spend money to keep heavy vehicles involved in the transportation of grain and the mining industry from travelling along country roads. It has been a characteristic of governments over a long period that through a lack of vision in terms of regional development, infrastructure facilities such as rail lines have been allowed to deteriorate to the state they are in currently.

Another important government responsibility in regional electorates is health care—a topic that was debated in this House today. I commend the Government for what it has done in my electorate in providing multipurpose service [MPS] facilities in the Dubbo region and throughout regional areas of New South Wales. However, the problem is that while it is all very fine to have the MPS facilities, it is essential to have trained personnel to run the services. The provision of health care facilities is always a difficult matter because hospital equipment is extraordinarily expensive. No sooner is it purchased than it is outdated and, understandably, everybody wants the best, so keeping up with modern health facilities is like a dog chasing its tail.

Having said that, I hasten to add that for regional development to occur, good health facilities and sound infrastructure facilities must be provided. If the State of New South Wales is meant to advance, these areas of government responsibility, together with education, must be the Government's highest priorities, and increased funding should be provided for all those areas of government activity. The previous speaker referred to the fact that the New South Wales budget has been in surplus and that allocations in the three portfolio areas I have mentioned have increased each year, but at times when I think about interest rates currently being at unprecedented low levels, I wonder why governments are not borrowing more to plan and develop major infrastructure facilities to provide modern rail installations, hospitals and schools.

I believe borrowing for infrastructure development at current interest rates would be money well spent, but the priority of governments these days seems to be debt reduction and achievement of the highest possible credit rating. While those goals are noble, the other side of the equation should also be considered. When money is available at very cheap rates, governments should utilise the financial resources that are available. Running this State is analogous to a farmer investing in his farm. Money should be put back into this State to help it to become more productive. The State should have a vision for the provision of major infrastructure development, even if it means borrowing funds to accomplish it. If the Government did that, it would create employment in regional areas. Regionalisation will not be successful unless the regions are prosperous enough to be able to create jobs.

This year's State budget has been good to my electorate. I thank the Government for the provision of facilities and services in my electorate. However, in common with other electorates, there is always room for improvement in services, facilities and programs for the Dubbo electorate. If the Government works in partnership with local councils and the people who live in country communities, I am sure that a great deal can be achieved. Representation in regional areas is always difficult in the sense that no matter which political party is in power, the majority of the electorates will always be in cities and coastal areas. That makes it difficult for members representing country electorates, irrespective of the political party to which they belong, to make their voices heard.

One of the other major problems with creating jobs in regional areas is payroll tax. I was very disappointed that this Government did nothing about payroll tax. Relief from the burden of payroll tax would create a lot of jobs and would encourage businesses to think about relocating to regional areas of New South Wales. Payroll tax in the neighbouring States of Victoria and Queensland is a lot lower than in New South Wales. Another disincentive for people to operate in country areas is the high cost of transportation. A transport summit is to be held in Parliament House tomorrow. I am sure that the costs of operating and owning a transport business in New South Wales will be addressed at the summit, because the costs are far higher here than in Victoria and Queensland.

The maximum allowable weight for vehicles in New South Wales is about three tonnes less than in the other two States. For a regional business that three tonnes makes a lot of difference to the cost of getting products to an operation and also to the end product going to the city, or to the coast for export. The Government should be looking more closely at those matters. We have to be in line and competitive with other States on payroll tax, other taxes and allowable truck weights.

In addition, our insurance rates are higher than in other States. That is another disincentive for businesses to expand into regional New South Wales. I commend the Government for the many positives in the budget, but Ministers need to visit country areas to become acquainted with problems faced by rural communities. I have been able to sell the needs of my electorate by having Ministers visit the area, especially the Ministers responsible for the portfolio areas of Transport, Education and Health. Crime has always been a problem in rural communities. Recently a lot of publicity has been given to problems in the city of Dubbo. The areas west and north of Dubbo experience an extraordinarily high rate of unemployment. People from those areas move to cities such as Dubbo and they cause problems. Last week's Alcohol Summit highlighted the causes of those problems, one of which is unemployment. For this State to boom we need plans that create jobs, and the Treasurer should plan on borrowing more money to develop more infrastructure. That money would be well spent.

**Ms ALLAN (Wentworthville)** [8.12 p.m.]: I take pleasure this evening in congratulating the Carr Labor Government on its third four-year term and on bringing forward an outstanding budget for the people of Western Sydney. For my electorate of Wentworthville the budget will deliver increased investment to improve government services that will help families and small businesses. The Government is honouring its very affordable pre-election commitments, in strong contrast to the frivolous campaign commitments given by the Opposition that showed no sense of responsibility or accountability. I congratulate the Carr Government on delivering on its pre-election commitments. The key areas of total expenditure for my electorate were \$30 million on local transport and \$20 million on local roads.

That half a million dollars will purchase a new fire engine for the Wentworthville central business district. The local firefighting unit has been progressively upgraded over a number of years. We have a fine fire station building and now we will have a brand new fire engine to match that building. The new fire engine will be a top class category three vehicle, fully equipped with the latest technology and ready to respond to any emergency. People who do not realise what an issue firefighting is for Western Sydney need only recall last summer's devastating fires and how urban areas to the west were greatly affected. There is a great need to update facilities and resources to deal with fires. The budget provides almost \$7 million for railway track reconstruction upgrades. Nearly a quarter of a million dollars has been allocated to provide transport for people with access difficulties, for frail older people and those with disabilities, and for their carers.

Nearly \$200,000 is allocated for a cycleway from Prospect to Blacktown. These major improvements will be extremely welcome to my constituents. The Liverpool to Parramatta Transitway is up and running. The allocation for that transitway this financial year is almost \$7 million. A huge amount of preliminary work has been done on stage one of the north-west transitway network by the Transitway Authority. I congratulate the authority on its sensitivity to the many concerns raised by my constituents, whose residential amenities will be impacted by the construction of that transitway. The transitway company has given great service to myself, my office and local residents. In this financial year almost \$10.5 million will be spent on that transitway network.

The Wentworthville electorate has several major housing estates and a large public housing component. The Government is spending \$642.9 million across New South Wales on public housing, \$4.5 million of which will go towards upgrading and maintaining public community and Aboriginal housing. That allocation will be welcomed in the Wentworthville electorate where older public housing has been reconstructed, refined and refurbished. In the past few weeks the Minister for Housing, the Hon. Carl Scully, visited the Toongabbie Housing Estate, an area for which a number of strategic plans were developed. The current plan was developed about five years ago and included a program of works to be implemented on that estate. Improvements to the estate have not gone ahead quickly. A number of residents and I would like to see quicker progress on some of that work to make the amenity more appropriate and suitable to the people who live on the estate.

I thank the Minister for taking an interest in that work. Similar concerns have been expressed about the Wentworthville Housing Estate. I look forward to continued consultation with Ross Woodward, the head of the Department of Housing in Parramatta, which covers my electorate, to iron out a number of the issues that have inevitably developed with that housing policy. I congratulate the Government on the decision to reorganise some of its major departments. Currently I chair the Standing Committee on Natural Resource Management. I



was delighted at the bold attempt by the Government to create the portfolio of Natural Resources and amalgamate departments such as PlanningNSW, the Department of Land and Water Conservation and others into the brand new department headed by Jennifer Westacott, a former director-general of the Department of Planning.

This is a great initiative by the Government. Several important natural resource management issues must be addressed, and I am sure that the Minister for Infrastructure and Planning, and Minister for Natural Resources is equal to the task. The other superportfolio deals with commerce, and I look forward to working with both the Hon. John Della Bosca and Minister for Fair Trading, and Minister Assisting the Minister for Commerce to ensure that that department achieves its objectives. I think this arrangement will create savings in the long term. The Department of Infrastructure, Planning and Natural Resources must consider a number of challenging issues such as water trading, water allocation and salinity, which will require a large allocation of funds. It is good to see that the State is organising its bureaucracy so that it can meet those challenges as efficiently as possible. As the Minister frequently points out in the Chamber, it is also good to see these issues on the national agenda and I hope that the Federal Government will provide some money to address them.

There are some negatives associated with the budget. A couple of issues have emerged that affect my electorate and the neighbouring electorate of Parramatta. The Government's decision to abandon the Parramatta-Chatswood rail link has caused some controversy in the local media. I have received a handful of letters and e-mails from people who are concerned about the Government's apparent backdown from this bold public transport initiative. There is no doubt in my mind that we must invest in public transport. Sydneysiders who travel long distances every day—those who travel by car sometimes drive for several hours—must have efficient and reasonably cost-effective travel-to-work options. On the one hand, it is disappointing that the Parramatta to Chatswood rail link is off the agenda. On the other hand, as I have said to local media and the ABC, I would like to see the money that would have been allocated to that network ploughed into existing rail infrastructure. The Minister for Transport Services, the Hon. Michael Costa, has been saying that loudly and frequently for some time.

There are three railway stations in my electorate—Toongabbie, Pendle Hill and Wentworthville—which suffer as a consequence of not being the busiest stations on the Western line. Many commuters complain about trains that do not stop when they are supposed to or that run late or run infrequently. I would like to see the money saved by the decision not to proceed with the Parramatta-Chatswood rail link ploughed into the existing rail network. It could be used to improve timetabling and infrastructure and to ensure that our trains are safe and efficient and offer a better service to the many commuters in Wentworthville. I would like to see commuters smiling as they get on and off trains rather than looking very grumpy because their train did not stop at the designated station. We could address those existing problems if we injected into the network the funds saved as a result of the decision not to proceed with projects such as the Parramatta to Chatswood rail link. I think that idea would be well received by commuters.

Policing is another important local issue. I think I mentioned in my speech during the budget debate last year—and I shall certainly do so again in the future—that Wentworthville needs a new police station. The current station is built from temporary materials and, although it operates 24 hours a day, is staffed by a minimum number of officers. The police who serve my entire electorate come mainly from Merrylands, Parramatta or Blacktown. That is well and good—and I appreciate very much the relationships that I have developed with local area commanders in the past few years—but it is important for the good citizens of Wentworthville to see an attractive, permanent and well-staffed police station in their area. I have written to the Minister for Police and I shall continue to press him on this issue. A new police station is certainly on the agenda.

Another important issue—I admit this is a criticism of the Government—is the decision to introduce TAFE fees in New South Wales. The TAFE Teachers Association and some of my constituents have expressed concern about the possibility of TAFE introducing various fees for programs and courses that in the past were very cheap, if not free. People are concerned that the fee hikes proposed for 2004 will actively discourage people from enrolling in TAFE vocational courses. There is also much concern that students will have to pay for courses that in the past were fee exempt. Such courses include language literacy and numeracy courses, foundation education, work opportunities for women, career education and employment for women, employment skills, English as a second language or other language courses, outreach courses, adult literacy volunteers, English language volunteers and literacy tutoring. In 2002 more than 62,000 students were enrolled in these courses, the majority of whom were women.

Almost 24 per cent of students were under the age of 19, 18.3 per cent were over the age of 50, and more than 50 per cent were unemployed. This is obviously a needy and largely unskilled group of people within society who go to TAFE to acquire the skills they need. I am concerned that the Government is considering a strategy that might discourage people from enrolling in such courses in the future. I welcome the fact that the Minister for Education and Training will shortly receive a report from the Department of Education and Training on the impact of the proposed TAFE fees and the abolition of fee-exempt courses. I appreciate that the Minister is an extremely humane man, who I am sure will consider this issue sensitively. While there is no TAFE college in my electorate, a number of my constituents attend TAFE colleges in Blacktown, Granville and Wetherill Park as well as adult education facilities at Wentworthville and Parramatta. I do not want to see those students disadvantaged by a hike in fees that will raise about \$28 million for the Government.

Finally, I must address the contentious issue of poker machine taxation for clubs in New South Wales. This policy is an absolute linchpin of the budget and I appreciate that many programs will not be funded unless this tax is introduced. Two major clubs in and adjacent to my electorate play a significant role in my community. The first is Wentworthville Leagues Club, which is situated in my electorate, and the other is Parramatta Leagues Club. Although it is not in my electorate—it is in the electorate of my colleague the honourable member for Parramatta—various surveys have established that a huge chunk of its membership comes from areas such as Toongabbie and Wentworthville, which are in my electorate. Both of these clubs play a major role in the community. There would be no amateur sports in Parramatta without the strong support and financial sponsorship of Parramatta Leagues Club.

I acknowledge particularly the enthusiastic efforts of the Chief Executive Officer, Denis Fitzgerald, and of the Chairman, Alan Overton, to help all football codes and other local sporting activities. It does not matter whether it is able-bodied or disabled sport, Parramatta and Wentworthville leagues clubs fund all codes. The clubs also directly fund an enormous range of community activities. The association of the Chairman of Parramatta Leagues Club with Westmead Hospital has created an important nexus between the hospital, the Millennium Foundation and the Parramatta Leagues Club. Literally hundreds of thousands of dollars flow from Parramatta Leagues Club to health research and community activities in my electorate.

Similarly, Wentworthville Leagues Club through its Chief Executive Officer, Tony Toohey, and Chairman, Trevor Oldfield, plays an active role in my community. It will link, directly or indirectly, into any major commercial, voluntary, charity-driven, sporting or community activity. Only last year I was trying to raise \$3,000 to provide public liability insurance for the Winston Hills Girl Guides. Wentworthville Leagues Club came to the party and instantly provided that money. It provides for many worthy causes. These clubs are upset by the Government's proposed increase in poker machine tax. I have taken the opportunity to express my concerns about this issue in the appropriate places and I hope that during the next few months the Government will consider a real review of the proposed tax increase.

I am not the only one who is concerned. I have received dozens of letters not only from members of the clubs but from community groups which are currently the beneficiaries of the generosity of those clubs. I thank them for their letters, which I have passed on to the Treasurer and the Minister for Gaming and Racing, who appreciate their expressions of concern. Neither I nor the leaders of the clubs in my area want to reduce their current commitment to the local community. They want their clubs to remain active with local government, State Government and the community sector to ensure the continuing success of the Wentworthville community. I look forward to the issue evolving and to a comprehensive review of the poker machine tax in the next few months. I make the commitment to my constituents and to the clubs in my area that I will continue to raise this issue at every opportunity available to me.

**Mr J. H. TURNER** (Myall Lakes) [8.32 p.m.]: I want to speak about both macro budget matters and budget matters pertaining to my electorate. There is no doubt that this budget is a fudge. The honourable member for Wentworthville has highlighted the huge tax grab from clubs. That is a fudge. The tax grab is dishonest because it will pull money out of the clubs. That will create a void in the provision of important services not otherwise catered for by government. I will refer to that matter in more detail later. Had it not been for the \$1.564 billion in unexpected revenue, derived mainly from land tax and stamp duty, this budget would have been \$1.365 billion in deficit. The budget was overspent, as it has been in many years, by \$1.4 billion, but the windfalls have brought the Government across the line. Each year tiny splinter surpluses have been projected, surpluses created by unexpected windfalls.

In the last financial year the Carr Government collected \$830 million more in stamp duty than had been forecast, a total of \$3.55 billion. The budget would have been in deficit by \$631 million had it not been for that

\$830 million injection. Likewise, the Government collected \$133 million more in land tax than it collected the previous year, \$87 million more than the budget forecast. The Government has now been caught out by a High Court case in relation to valuations that have directly contributed to the income from land tax. I hope the Treasurer and other appropriate Ministers will tell us what they will do about valuations following that case. From June 2002 to June 2007 the total State debt will increase by \$4 billion. The unfunded superannuation liability will increase by \$3 billion in the same period. In addition, there is fiasco at WorkCover, which is anywhere between \$2.5 billion and \$3.5 billion in deficit. It is well known, and can be factually substantiated, that New South Wales is the highest taxing State in Australia.

The Pacific Highway upgrade in my electorate will continue. We thank the Federal Government for its contribution and Bruce Baird, who had the foresight to enter into negotiations—admittedly, with the then Federal Labor Government—to start the upgrade of the highway. However, the cost of the upgrade has already blown out by \$660 million, half the budgeted moneys for the overall upgrade of the Pacific Highway from Hexham to the Queensland border, and from the border up to Brisbane. One can only imagine what could have been achieved if the project had not blown out by \$660 million. What has the Minister for Roads done in administering his portfolio to allow such a blow-out over and above what was budgeted? If that happened in private enterprise he would be in serious trouble. The Minister should get a golden handshake: he should be taken out of this portfolio in the same way as he was taken out of the transport portfolio, which he could not administer.

Ninety-kilometre zones are progressively sneaking into parts of the Pacific Highway that have not been upgraded, particularly in my electorate. That is mainly because of the budget blow-out. It is an acknowledgment that the pavement is not good enough, that the road is not being maintained and that there is not enough money in the budget for the upgrades to continue as planned in accordance with the schedules and programs. During the election, as shadow Minister for Roads, I promised on behalf of the Coalition that we would build a flyover at the intersection of the Pacific Highway and the Lakes Way near Rainbow Flat. I am pleased that the Government, some three weeks later—a little late, as usual—announced that it would match that promise. The funds have been allocated in the budget to start that project, albeit fairly slowly, and completion is expected around 2005 or 2006. That is disappointing. A number of fatalities have occurred on that corner, and I hope that no more occur in the next few years while funds are found. Obviously, that work this has been delayed because of the massive blow-out in funding of the Pacific Highway. That is good news for my area, in the sense that the Government has honoured the promise that I made on behalf of the Coalition to build the flyover. But there are many other intersections on the highway that need to be upgraded. Tea Gardens is one.

The upgrade of the Pacific Highway will save lives. I applaud that, but the weakest link—the intersections on the highway—has to be addressed. I implore the Government to audit those intersections and ascertain which ones need significant upgrades. It is pointless to try to prevent tragic head-on collisions that have occurred in the past on the Pacific Highway but to facilitate side-on collisions from cars coming out of unsafe intersections. Maintenance funding for roads has been cut in the budget; it needs more funding. In my area the council has decided to put in Roads and Recovery money for the Lakes Way, Main Road 111.

I am disappointed by that decision because the Roads Recovery Program is designed primarily for local roads. However, the council may have taken that approach because of insufficient funding from the State Government for local road maintenance. Bridge maintenance is another furphy of the Government, which does not understand the problems associated with it. New South Wales has approximately 3,300 bridges over local, State and Federal roads and the bridges program is a smoke and mirrors exercise by the Government.

The Country Timber Bridges Program provides \$129 million in funding over five years but that program will be replaced next year by the new Regional Roads Timber Program, which will provide only \$105 million over seven years—a decrease of \$24 million and an extension of two years. Another matter of concern is the fact that bridge maintenance funding will not be available between the time the first program ends and the second program commences. The Government tried to sell this as a \$210 million program, but the fine print in the budget papers reveals that local councils must contribute \$105 million. Unless councils kick the can for least 50 per cent, the bridges will not be repaired. The Minister should be ashamed that he has tried to sell this program as a new initiative. Perhaps it is new but it places the burden resulting from those funding cuts on councils.

I turn now to Health. Forster is unique in that it does not have a public hospital, despite having a population to justify one. The area has a magnificent private hospital that was built by the community and leased to a private organisation. Nevertheless, public facilities must be integrated into the private hospital so that

people in the Forster-Tuncurry area who require emergency services, acute care and day-to-day medical services do not have to travel the 30, 40 or even 50 kilometres to the Manning Base Hospital at Taree.

During the election campaign I campaigned strongly for these facilities and although the Government did not match my rather adventurous policy, it has promised to expend even more money to undertake a study to examine ways to integrate public services into the private sector at Forster. I hope the Government does not put on blinkers, as it did with the private arrangement at Port Macquarie. I acknowledge the goodwill of the lessees of the hospital. I hope that public facilities can be incorporated into the Cape Hawke Community Private Hospital, which has adventurous ideas and is willing to work with the Government to ensure the provision of appropriate facilities. However, if that is to proceed there must be goodwill on the part of the Government.

Ambulance delays are another matter of concern. I am reliably told that ambulances wait for hours at the emergency department of Manning Base Hospital, the principal hospital servicing people throughout the electorate, before the patients can be treated. The emergency department is only a couple of years old and the delays confirm that there are problems not only in Sydney but throughout the rest of New South Wales. Sufficient funding has not been available to provide the necessary emergency services. Forster has a limited ambulance service and officers should not have to wait with patients for two hours at Manning Base Hospital before returning to Forster-Tuncurry. That sort of delay puts people's lives at risk and their health in jeopardy.

I refer to Education on a micro basis. The budget includes funding for Bulahdelah Central School. However, the Minister for Education and Training tried to trivialise that funding by suggesting that I applauded the Government on radio Max FM. It was radio 2RE, but radio Max FM picks up that station. The honourable member for Port Macquarie provided a T-shirt for the Minister to use as a prop, which merely demonstrates that he is a Labor lackey. I welcome the funding for Bulahdelah Central School, but it has been allocated 10 years too late. The Bulahdelah community has made concerted efforts to obtain the appropriate funding and I congratulate that community on its dedication. In my view it was in poor taste for the Minister to trivialise my statement about being pleased with the funding. It merely shows that he is more interested in politics than the advancement of education in this State.

Rather than waving a T-shirt around or asking whether I know where Max FM is, the Minister would do better to provide permanent classrooms at Tuncurry Public School. Despite the school's continuing growth, this budget does not contain funding to replace the large number of demountables at that school. Coolongolook Public School has made representations to me about the problems at the school. It is a small but wonderful school that has had demountables for many years. It deserves better. I have had continuing correspondence with the Minister for Education and Training about the level of maintenance at Old Bar Public School. The latest correspondence asked the Minister to meet a delegation but he has not agreed to the request.

Chatham Public School is awaiting services to assist disabled students in specific areas of access. The trees at Booral Public School were removed at Christmas by mistake. Booral is a village that is exposed to the elements. The school community has asked for extra funding to provide shade cloth, but that money has not been forthcoming. Students have already experienced one summer without shade and, despite numerous representations to the Minister from the parents and citizens association, the school council and me, no action has been taken. With summer fast approaching the school community is concerned about whether children will be adequately safeguarded. Despite the prevalence of skin cancer the Minister cannot find time to remedy this problem. However, he can find time to pull silly stunts in this place to try to grab a cheap headline. I might add that his stunt did not work, because radio Max FM announced, "John Turner knows where Max FM is. Does anybody else?" I turn now to TAFE fees. I was interested to note that the honourable member for Wentworthville also spoke about this matter. I want to refer particularly to vocational courses. Lana Barry of Taree wrote to me about the volunteer literacy tutoring program. She stated:

According to "this person" [the Minister] these students would be able to pay for their instruction and the volunteers who are trained through the TAFE system should be able to pay for their education and training to assist these people.

It seems to me someone has lost the plot. This programme is to assist members of the community who are unable to help themselves and charging them for the privilege is definitely not the right way of going about it. Also charging the volunteers for their instruction is ludicrous. I for one am not well off and cannot afford to pay for the tuition and it means that I will not be able to continue with the volunteer tutor programme.

That is the home truth about what the Government has done with TAFE fees. It should rethink its position on TAFE fees and the way the imposition of the fees will prevent many from accessing further education, which is important. The Premier refers to himself as the education Minister, yet he has placed a barrier in front of those seeking to better themselves through further education.

The final education matter I want to talk about relates to the Gloucester High School agriculture course. This is an outstanding course and it produces leaders in the farming community. These students deal with live cattle. The school had been leasing a paddock from the Gloucester golf club, which unfortunately was not able to renew that lease. A paddock that was close to the school became available. This would have been an excellent paddock for the school and the students. I wrote to the Minister and asked him to look at securing that paddock for this program. We want to keep our farmers on the farm, and this school is doing the right thing to achieve that. However, I never got a reply, and the paddock has gone. I hope the program will continue.

There is in the Gloucester area particularly a unique industry—aquaculture. I have been passionate about aquaculture since I became shadow Minister for Fisheries. I believe it is a terrific way to look after wild fish stocks while enhancing the production of farm fish, particularly for export, most particularly into Asia. I think there is a huge opportunity for export of this product to Asia. However, I am told by industry proponents that there is a reluctance on the part of the New South Wales Government to assist them. The aquaculture industry has real problems associated with disease. The Commonwealth Government has indicated to the industry proponents that it is prepared to assist them in various ways to research and try to eliminate the diseases, which are white spot disease and also winter disease. But the industry has hit a brick wall with State Government assistance. I implore the Minister for Fisheries to look at this issue. This is an industry that is vital for New South Wales. It is a growth industry and one that should be fostered by the Government, instead of being mothballed. This is an exciting growth industry, and I ask the Government to have a look at the issues.

I had intended to speak tonight about the club industry. Suffice it to say there has been a substantial disruption in the club industry caused by the Carr Labor Government and its greedy grab for money. The Labor Party in New South Wales has been split asunder by the issue. Labor members did not have the courage today to vote with the Coalition on the same motion that was put to the Labor caucus, which was split 34-34 on it. The vote on the motion put in caucus was resolved in the negative. Today Labor members had an opportunity to stand up in the House and be counted, particularly so-called Country Labor members representing non-metropolitan areas, where clubs play such an important role in the fabric of country towns. It is interesting that the Minister in the chair, the honourable member for Cessnock, which is in the very haven of country New South Wales, is trying to mimic a heart-felt attitude, as if I was exceeding my position here. Be aware, country New South Wales will punish Labor.

**Mr ROBERTS** (Lane Cove) [8.52 p.m.]: In taking part in this debate today I feel privileged to be part of the Opposition, and privileged to be supporting my leader and his frontbench in defending the people of New South Wales against a government that has set new benchmarks for rapacity in financial matters. By any definition of government, the principal obligation of the Government of New South Wales is to protect the rights of its citizens and residents. Clearly, this goal is far from the minds of members of the Government, who focus instead on their real aim, their only significant concern, which is to perpetuate rule by the Labor Party, for the benefit of the Labor Party and for the advancement of Labor Party mates.

That goal, in the minds of Labor Party strategists, is to maximise revenue by plundering the taxpayers of this good State, with the intention then of buying the electoral support of however many voters is necessary to get Labor across the line at the next election. There is no other objective. There is not another thought in the collective intelligence of the Labor Party and the union leaders who exert such powerful influences on the Labor Party. There is no vision of statewide progress in this State. There is no concept of lifting the standard of prosperity of disadvantaged rural areas. There is no interest whatever on the part of the Labor Party in reducing the cost of home ownership and redressing the slide in home loan affordability and the rise in the average age of first home buyers.

On the question of home ownership, the Liberal-National Federal Government has certainly done its part, continuing with the \$7,000 subsidy after having preserved for a generous period the \$14,000 subsidy. The New South Wales Labor Government has done nothing to match the graciousness of the Federal Government, preferring to look upon prospective home buyers with a Labor face of stone. In 1962 the base threshold for New South Wales stamp duty on property transfers was set at £7,000, or the equivalent of \$14,000. It remains the same today. At the same time, in 1962, the base threshold for the transfer duty in the United Kingdom was £Stg3,500. Forty-one years later the United Kingdom has increased the threshold to £Stg60,000, the equivalent of around \$A150,000. So the Labour Government in Britain clearly has a great deal more respect for home buyers than has the Labor Government in New South Wales.

The Leader of the Opposition, has announced a visionary plan to reduce stamp duty. I urge the New South Wales Government to support this initiative. In an ideal world, the movement of capital from one

investment to another should be frictionless. Excessive friction, such as New South Wales Labor imposes with its excessive rates of stamp duty, causes market distortions which have serious and unpredictable results. What we can be certain of is that under Labor the poor and the underprivileged will always suffer most. I want to say something this evening about land tax, and in doing so draw the attention of the House to a paper written by Dr Colin Rose, whose biography appears at [www.tri.org.au](http://www.tri.org.au). In a March 1998 analysis of the New South Wales residential land tax entitled "Deferring Land Tax until Death", Dr Rose reached these conclusions:

1. The tax on properties already above the threshold can be remarkably large, often exceeding 100% of the land's value upon sale at death.
2. Residential land tax is actually surprisingly broad-based. Indeed, a de facto 'death tax' will have to be paid by all middle-aged people living in NSW, on land currently valued at \$300,000 or higher. The younger you are, the greater will be the tax rate you will have to pay.
3. Lower thresholds not only increase the magnitude of the tax, but further widen the tax base. For instance, if the threshold is lowered from \$1 million to \$500,000, then properties in the \$150,000 to \$300,000 range are added to the tax basket.
4. Finally, like income tax, land tax is subject to bracket creep. The next generation will pay dramatically higher tax rates than the present generation.

This budget that the Labor Government has brought down is certainly a cold winter budget for the people of New South Wales and particularly for those in my electorate of Lane Cove. I turn now specifically to stamp duty. New South Wales has experienced massive increases in stamp duty under the Carr Government since 1995, with little from the State Government budget by way of services and funding to show for it. State Government revenue from stamp duty on property has increased from \$1.09 billion in 1994-95 to \$3.4 billion in 2002-03.

My electorate, and all other electorates in New South Wales, have experienced huge increases in stamp duty. For example, homes in Artarmon have experienced an increase of 213.84 per cent, up from \$16,000 to \$50,000. Units in Artarmon have experienced an increase of 172.61 per cent, up from \$5,000 to about \$14,000. Stamp duty on homes in Greenwich is up 300 per cent and stamp duty on homes and units in the general Lane Cove area is up 192 per cent and 144 per cent respectively. Most home buyers in the general Artarmon, Greenwich and Lane Cove areas now pay between \$30,000 and \$50,000 in stamp duty. Most unit buyers in the same area can expect to add between \$11,000 and \$15,000 to the cost of their purchase. The Premier has had eight budgets to get this right, but each year all he does is take more and more from the pockets of home buyers.

Have the inefficiencies of the Government been addressed in this budget? No, of course not. There is clear evidence of a lazy and greedy approach to fiscal management. The Government has had the benefit of massive increases in revenue, but what is there to show for it? Hospital waiting lists are too high, the rail system is unsafe and parents are taking their children out of public education at a time when the Government is taking more and more out of the pockets of taxpayers. It will be a disappointment to all that despite pleas from the public and the Opposition the Premier and his Government have ignored the people of New South Wales by not providing substantive stamp duty relief in the budget.

The Carr Government can no longer ignore the fact that stamp duty is now a substantial cost burden on Sydneysiders. It is really hurting families and young people who are trying to enter the housing market for the first time. Young families throughout New South Wales are being kept out of the housing market because of a State Government decision not to pass on stamp duty tax relief even though some suburbs have experienced increases of nearly 1,000 per cent. The New South Wales State Liberal and National parties, under the leadership of John Brogden and Andrew Stoner, are the only parties interested in reducing the burden of stamp duty on the mums and dads, the young and the old in New South Wales. It is little wonder that the Australian Bureau of Statistics recently confirmed that State taxes in New South Wales are the highest in the country. In fact, the people of New South Wales live in the third-highest taxed State in the world.

Each successive Carr Government oversees continuing increases in direct and indirect taxes, not to mention the appalling level of cost shifting to local government. Each successive year sees the Carr Government delving deeper and deeper into the pockets of taxpayers to cover its failures, its mismanagement and its inefficiencies. It is time the State Government started concentrating on getting the basics right—basic education, basic health, and basic law and order. Under this budget the people in the electorate of Lane Cove do not have better roads, we certainly do not have better buses or trains, and we do not have better hospitals or schools, yet we pay an enormous take in tax.

Most disappointing was the allocation of a mere \$4.47 million for the Royal North Shore Hospital stage two redevelopment, the estimated cost of which is some \$407.4 million, with a completion date of 2010. We cannot afford to keep waiting for this important redevelopment. More money must be allocated to this project as a matter of urgency. With the allocation of \$26 million next financial year for the construction of the Lane Cove tunnel, I look forward to the State Government using some of the money taken from the taxpayers of Lane Cove, the North Shore, and the north-west in doing the obvious and sensible thing and insisting on in-tunnel filtration.

In relation to tourism and the many people and families across New South Wales who rely, directly and indirectly, on our tourism industry, this budget has been a disaster. Last year's budget for tourism in New South Wales was a mere \$54.1 million in total expenses plus \$1.4 million for asset acquisitions. This financial year the total expenses will fall to \$52.4 million, a decline of 3.1 per cent, and asset acquisitions to only \$0.8 million, a drop of over 40 per cent. The net cost of services that Tourism New South Wales will provide in 2003-04 will be \$41.7 million, down from nearly \$46 million in 2002-03.

This is the last thing that the tourism industry in New South Wales needs. First, it had to deal with September 11 and the downturn in travel. Then it had to survive the outbreak of severe acute respiratory syndrome [SARS]. Just when it thought it was getting over that, just as it was recovering, the New South Wales Government kicks it in the guts. No new ideas, no additional assistance, just a kick in the guts for those hardworking men and women in this industry. Not so for the Victorian tourism industry it seems—those who compete for the same tourism business down south. The Victorian Government announced in its budget a \$40.6 million boost—yes, boost—over the next four years to help the industry.

The Victorian announcement included \$10 million worth of extra international marketing, \$15 million to maximise returns on existing events and secure new major event programs, and over \$12 million for regional tourism. How unlike this Government! Under this Government it is a case of the last tourist to leave New South Wales, please turn out the light. This brings me to the iniquitous parking space levy, doubled to \$800 in July 2000, that the Government has seen fit to increase yet again. It is another example of a New South Wales tax that has reduced profitability and cost jobs.

How does the Government justify this levy? With great difficulty! The Government argues that it will encourage more people to use public transport. Pish! Some 466,000 vehicles travel in the city each day, and there are around 36,000 off-street bays in the city. By my calculation the levy targets only about 7 per cent of vehicles that use this off-street parking. Now let us look at the payroll tax of this Government. Despite the revenue windfall enjoyed by the Carr Government there has been no decrease in payroll tax for this period. It is another millstone around the necks of business in New South Wales. It is no wonder we are losing so many business opportunities and jobs to other States. This regressive Labor policy will result in higher overheads for businesses throughout the State.

**Mr Martin:** We have reduced it by 25 per cent.

**Mr ROBERTS:** Additionally, it will put a brake on the already scarce job opportunities for young people in country and coastal New South Wales. I thank my friend the honourable member for Bathurst for joining us tonight. I am about to move on to the wonderful group of organisations that do so much for our communities and sporting groups—clubs in New South Wales.

**Mr Martin:** You wouldn't have been in one. You would have to rub shoulders with the working class.

**Mr ROBERTS:** The announcement of the 2003-04 budget club gaming tax was a direct breach of a commitment to conduct an open review of gaming machine duty rates before any changes would be made. Because of this increase every single club will pay more tax. I draw the attention of my colleagues to appendix 1. For the information of my colleague from Bathurst, I am a director of a club. I am not sure whether he is. His Government is certainly shutting it down.

**Mr Hickey:** Which club?

**Mr ROBERTS:** It is the Lane Cove Club. This unfair tax imposed on us by this rapacious Labor Government will take from our community clubs and the sporting bodies they assist an additional \$1.4 billion between 2004 and 2010, and will result in the deaths of many struggling clubs that have long and proud histories of community service. Members of the Government have nothing to say; they are silent, and so they should be.

This Government should be ashamed. Members of the Government should hang their heads in shame because of what they are doing to organisations like Legacy, which relies so much on RSLs, organisations and clubs. Let us look at what sort of safety from crime the people of New South Wales get for their tax from the highest-taxing State in the country. What sort of protection do we get? The shadow Minister for Police has made this abundantly clear—

**Mr Hickey:** The shadow Minister for Police?

**Mr ROBERTS:** The shadow Minister for Police, that is correct. I trust him a lot more than the Government when it comes to statistics. According to the New South Wales Bureau of Crime Statistics and Research, 6,480 sexual assaults, more than 11,000 robberies, 80,000 assaults, 141,000 incidents of unlawful entry and 394,000 incidents of theft were reported last year. The next time this Government fails at an election and is virtually buried by the Coalition, those statistics will be recorded on its tombstone. The figures for unsolved crime in New South Wales are typical of those across Australia, but generally New South Wales fares worse than the other States. [*Extension of time agreed to.*]

Last year some 35 per cent of recorded assaults were unsolved, 67 per cent of rapes were unsolved, 83 per cent of robberies were unsolved, and 94 per cent of break and enter incidents were unsolved. We are not talking about Uganda or Zimbabwe, but New South Wales. It must be said that taxpayers have not had much of a return from this Government. I have outlined just some of the many failings of this budget and this Government, and those failings will go down in history. What New South Wales desperately needs is a caring, fiscally responsible government, better services and, most importantly for the people of New South Wales, tax relief. That type of government will come only under a Brogden-Stoner Coalition government.

This Government is proposing to tax poker machines in clubs, regardless of the fact that clubs contribute so much to our community through donations to Legacy and other organisations such as Meals on Wheels. The Minister for Mineral Resources asked me which club I am a director of, and I quite proudly inform him that I am a director of the Lane Cove Club. Membership subscription is approximately \$10 a year, and many members of the club are Labor voters. During the recent State election I was amused to hear some of those Labor voters tell me about their disaffection with Labor. I acknowledge the presence in the Chamber of the Opposition Whip, the honourable member for Wagga Wagga, Daryl Maguire, who does such a fantastic job in this House and who represents his electorate so admirably. He will not be surprised at what the club members told me because he would have heard the same types of comments in his electorate. Labor voters came to me and said, "Robbo"—

**Mr Hickey:** Robbo?

**Mr ROBERTS:** Yes. They said, "We have always voted Labor, but not this time, and not again." Since the election they have come back to me and said, "We would have voted Liberal once or twice, but after the capricious, awful and disgraceful poker machine tax, we will never vote Labor again." I give this warning to my colleagues on the Government side of the House.

**Mr Hickey:** There is only one here.

**Mr ROBERTS:** There is only one, and it will be the same in 2007. I warn my Labor colleagues that they have woken a sleeping giant, the club industry, and they will not be able to destroy the feeling of disaffection for Labor in the community. I feel for those 34 good Labor members who stood up for their local clubs and their local communities because of the retribution of their local communities, local sporting groups, legatees—excluding the Treasurer, Mr Egan, who has turned his back on Legacy—and the people who have been betrayed. Those people will be looking towards the eastern electorates of Sydney to see the sun rising from the Liberal-National Coalition, which will deliver them from this disgraceful tax. In 2007 Labor members will look back on today, the day they crossed the line and turned against their local clubs and local communities, and realise that they lost government and lost their seats because they turned their backs on the ordinary men and women of this State—the battlers, God bless them—and they will rue the day.

**Debate adjourned on motion by Mr Hickey.**

**The House adjourned at 9.17 p.m. until Thursday 4 September 2003 at 10.00 a.m.**

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