

LEGISLATIVE ASSEMBLY

Thursday 19 February 2004

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

Mr Speaker offered the Prayer.

POLICE AMENDMENT (CRIME REDUCTION AND REPORTING) BILL

Bill introduced and read a first time.

Second Reading

Mr PETER DEBNAM (Vaucluse) [10.02 a.m.]: I move:

That this bill be now read a second time.

When Commissioner Ken Moroney was appointed in 2002 the Minister for Police, Michael Costa, said he would be targeting the reduction of perceptions of crime as well as the actual rate of crime. This has led to a media-driven policing model in New South Wales that encourages high-visibility policing—that is, policing that is friendly to television cameras with the aim of reducing the community's perception of crime. This is classical Michael Costa strategy and politics—lights, cameras, action—anything for the television cameras to give the appearance of change and the appearance of progress, but that is all it gives.

The police media unit was refocused under Michael Costa's administration to ensure that it supported this strategy. I quote from the media unit's paperwork which states that the unit offers police officers assistance in "maximising positive and minimising negative coverage". That is entirely understandable, but when it is combined with Michael Costa's totally cynical media-driven policing model in New South Wales, all that the people of New South Wales get is high-visibility policing which is friendly to television cameras.

The current contract of the Commissioner of Police was signed in June 2002 and is due to expire on 29 May 2004. The contract requires the commissioner to pursue high-visibility policing. I will discuss the contract and high-visibility policing in some detail, but the other point I wish to discuss is reporting of crime. In New South Wales 61 per cent of robberies, 70 per cent of assaults, 84 per cent of sexual assaults, 69 per cent of attempted break-ins and 32 per cent of break-ins are not reported to police, according to the Australian Bureau of Statistics [ABS]. The Carr Government simply does not actively encourage the reporting of crime. Over recent years the Government's proliferation of police telephone numbers has probably also frustrated the process.

For those reasons I draw to the attention of the House that the commissioner's contract is fundamentally flawed, but the flaw was deliberately built into the contract by the Carr Government. Because the contract is due to expire within the next few months, there is an opportunity to change it or put in place a new contract to include the amendments I will outline. If the Government did so, I would applaud its action. High-visibility policing and the reporting of crime are a fraud on the people of New South Wales that is designed to satisfy television cameras. Half of all crime and public disorder in New South Wales is simply not reported. That is one of the fundamental problems with current law and order administration in New South Wales.

The contract of employment for the Commissioner of Police is available for examination. The contract is between Michael Costa, MLC, Minister for Police and Mr K. E. Moroney, Commissioner of Police, and is just a few pages in length. The term of the contract is from 30 May 2002 to 29 May 2004. One of its clauses is headed "Performance Agreements and Performance Review". It appears that the Government found it difficult to push the media friendly strategy hard in the contract, so it was shifted to the contract's schedules. Schedule B, the "Agreed Performance Criteria", states at subparagraph (3):

The Commissioner agrees that any Performance Reviews will be based on the performance criteria in the performance agreement attached to this Schedule.

The performance agreement is also just a few pages in length. It restates the period of the contract and has three columns headed "Objectives", "Priorities", and "Performance measures". Under "Priorities", the second bullet point states, "Drive high-visibility policing." Under "Performance measures", the third point is "Improvement in police visibility ...", which is a key performance measure. Those two objectives drive the operation of the office of the Commissioner of Police and regrettably they drive the mind-set of most of the senior police officers in New South Wales. That is not because Commissioner Moroney or senior police officers have bad intentions; it is because those terms are written into the commissioner's contract, and the commissioner is simply doing his job.

The point that the Coalition makes is simply that the commissioner's contract is fundamentally flawed. It is a political contract that makes the Commissioner of Police and the office of the Commissioner of Police as well as senior police politically subservient to the Carr Government. The Opposition in New South Wales and the people of New South Wales do not want a Commissioner of Police who is demonstrably politically subservient to the latest whim of the Minister for Police. High-visibility policing has been discussed in a number of the articles. It is instructive to examine some of the points that have been made. Last year in the *Sydney Morning Herald*, Robert Wainwright wrote a review of the policy in an article titled "Fear and the ripple effect", part of which states:

Moroney points to the new policy of high-visibility policing, and particularly Vikings, as the most significant measure so far to combat perception.

It is interesting that the commissioner referred to combating perception rather than combating crime. The commissioner is obsessed with combating the perception of crime, but that is because it comprises 50 per cent of his contract. The commissioner is paid something of the order of \$350,000. Presumably only about half of that is paid to him to reduce crime; the other half is paid to him to ensure that there is a good spin machine working for the Government and the commissioner's office to ensure that the Carr Labor Government's propaganda is made public.

For some time we have experienced difficulties with the police media unit. Essentially, although it does a number of good things, it also spends a large proportion of its time working simply as a propaganda unit for the Carr Government. Referring to other quotes in the article, I make the point that NSW Police is trying to reduce the fear of crime through a media strategy. The nature of Operation Vikings, which is media friendly, is to create the impression of a lot of police doing their job. It is a media stunt. The alternative strategy is to reduce the fear of crime by reducing crime itself, which requires effective police strategies, not a media strategy.

Some of us are amused, but it is not amusing to senior or experienced police, if I can put it that way, when the Government pushes media strategies about new, innovative policing ideas or operations. The Carr Government is pushing in the media something that it has not been doing for the past eight or nine years it has been in office. However, that is what policing is all about. It is about basic and effective policing, but the Government is reintroducing it as an innovative, new twenty-first century idea. It is not; it is old hat. The Carr Government simply forgot about it. I refer, next, to articles on the issue of perception. In an article in the *Sydney Morning Herald* of 29 May 2002 Paola Totaro asked the question:

But how do you objectively measure one man's impact on public fear of crime?

She went to Sydney university criminologist, Professor Mark Findlay, who said:

He can do that to some extent but he can't do it entirely. It's a profoundly unfair measure, ill-conceived and a misdirected imposition on the police.

That is a good summary, but one would think that Professor Findlay is dismissing perception as an irritant. He is not. NSW Police spends 50 per cent of its time producing media strategies to pretend that we do not have a crime problem in New South Wales. We all know that there is a crime problem in New South Wales. I am introducing this bill to change the fundamentals of the commissioner's contract and to ensure that we increase the reporting level of crime in New South Wales.

As ever with the introduction of bills, we are indebted to Parliamentary Counsel. I acknowledge the work and assistance of parliamentary counsel in putting together the bill and discussing the topic with me. In particular, I thank Robin Hodge of the Parliamentary Counsel's Office for preparing this material. The objects of the Police Amendment (Crime Reduction and Reporting) Bill are, first, to amend the Police Act 1990 to include as part of the functions of NSW Police the reduction of crime and the active encouragement of the reporting of all crime and incidents of public disorder in New South Wales and, second, to include those matters in the

performance criteria contained in the contract of employment or any associated performance agreement between the Commissioner of Police and the Minister for Police.

I turn now to the schedule 1 amendments. Schedule 1 [1] and [2] include as part of the police services to be provided by NSW Police the reduction of crime and the active encouragement of the reporting of all crime and incidents of public disorder in New South Wales. The effect of that is to make these matters part of NSW Police functions. Schedule 1 [3] requires the performance criteria contained in the employment contract of the Commissioner of Police, or any associated performance agreement, to include the reduction of crime and the active encouragement of the reporting of all crime and incidents of public disorder in New South Wales. I will read items [2] and [3] in schedule 1 to the bill because the detail shows that these amendments are long overdue. When I looked through the Act and the contracts I was surprised that these details were not included. Schedule 1 states:

[2] Section 6 (3), definition of "police services"

Insert after paragraph (c);

- (c1) actively encouraging the reporting of all crime and incidents of public disorder in New South Wales, and

[3] Section 27 Employment and remuneration of Commissioner

Insert after section 27 (2):

- (3) The performance criteria contained in the contract of employment between the Commissioner and the Minister, or any associated performance agreement, must require the Commissioner to do the following:
- (a) reduce crime,
 - (b) actively encourage the reporting of all crime and incidents of public disorder in New South Wales.
- (4) Any contract of employment between the Commissioner and the Minister, and any associated performance agreement, in force on the commencement of this subsection is taken to include the requirements referred to in subsection (3) and may be amended accordingly.
- (5) Nothing in subsection (3) or (4) limits any other provision of this section or any other matter that may be included in performance criteria in the contract of employment or any associated performance agreement.

As I said at the outset, the commissioner's contract is fundamentally flawed and must be changed. The Opposition wants the contract changed to focus on the reduction of crime and to actively encourage the reporting of all crime and incidents of public disorder. This bill proposes amendments to the police commissioner's contract and the Police Act to emphasise the reduction of crime and the active encouragement of the reporting of all crime and incidents of public disorder. Currently, the commissioner's contract demands that he pursue a media strategy to push down the perception of crime. That is just plain wrong. It is not in the interests of the people of New South Wales. At present the reporting rates for crime and public disorder in New South Wales are low, and the Carr Government is preoccupied with media strategies instead of policing strategies.

I said earlier that a high percentage of crime in New South Wales is not reported to police. According to Australian Bureau of Statistics figures for 2001-02, 61 per cent of robberies, 70 per cent of assaults, 84 per cent of sexual assaults, 69 per cent of attempted break-ins and 32 per cent of break-ins are not reported. We must encourage everyone in New South Wales to report every crime and every incident of public disorder to ensure that police resources are appropriately allocated. When constituents talk to members of Parliament about particular instances of crime I am sure those members do as I do: the first question I ask is, "Did you report it?" In the 10 years that I have been a member of Parliament, 50 per cent of people have said, "No, I did not".

Those statistics have not really changed. For various reasons, 50 per cent of people do not report an incident that is of concern to them. Often that is because they believe police are underresourced and they simply want to know what they can do about it. Often they believe there is a crime spree in their suburb and there are simply too many crimes for police to pursue. But, for whatever reason, they do not report the incident, and that is a problem for us all. Of course, the statistics that we usually deal with—the statistics that attract a large amount of publicity in the media—are reported crime statistics, not real crime statistics.

The Opposition's amendments will force the Government to focus on crime reduction and lifting the reporting of all crime instead of its current obsession with media strategies. The changes will also encourage the Government to simplify the multiple telephone numbers that are currently used to report crime. The

Government's police assistance line, which has become a glorified filing cabinet, contributes to the disconnection between local communities and police. That is a real problem. In all electorates in metropolitan areas—this does not occur to the same extent in regional and country areas but it is certainly a problem in metropolitan areas—there is almost a total disconnection between local communities and police. Somehow we must remake that connection, get police and communities working together, re-establish confidence and increase that reporting level.

Changing the commissioner's contract to encourage the highest possible reporting of crime might assist us in our objective of reconnecting communities and police. We must encourage local reporting of crime and re-establish strong connections between communities and police. The community has a fear of crime simply because there is a high level of crime in New South Wales. Regrettably much of that crime is unreported. A few months ago the Carr Labor Government proposed to conduct a survey on the perception of crime. I said at that time, and I say again today, "Premier, we do not need another survey to tell us what we already know." We have the results from the Australian Bureau of Statistics. New South Wales has a high level of crime, a high level of community concern about crime, and a low level of reporting crime. The Government's suggestion for a survey is just another of its media strategies on policing—and that is the problem. The Carr Labor Government puts a great deal of effort into media manipulation, not into supporting front-line police. I have spent many days talking to residents across New South Wales, most notably in the Premier's electorate of Maroubra. Many people live in fear of crime and also in fear of reporting crime. That is a major problem.

At the moment the police radio is not digitally encrypted, which is ridiculous. Anyone can go to their local Radio Shack, Tandy, or wherever, and buy a \$70 scanner to listen to the police radio. Obviously people of interest to the police would do that. That is why many of the gangs that are running around Sydney at the moment are able to keep one step ahead of the police. One implication of not encrypting the police radio is that people who report crime are at risk of being identified by the perpetrators of crime. I am aware of instances of that, and it is a real problem. For some reason, over the past seven or eight years the Government has been slow in providing funding for the installation of digital encryption. It should be an urgent priority, not only to protect crime but also to protect front-line police and people who report crime.

I return now to the survey proposed by the Commissioner of Police and the Carr Government. Obviously that idea arose because the Government's contract with the Commissioner of Police sets those two objectives: to reduce crime and to reduce the perception of crime. The way to reduce the perception of crime is to reduce crime by using effective police strategies, not media strategies. Under this bill the contract should be changed to emphasise those two objectives: firstly, to reduce the level of crime and, secondly, to encourage the reporting of crime. A few months ago, when the Government was floating the idea of a survey of crime, Amanda and Walt—the Premier's press secretaries—were planning police strategies for the next couple of years. They decided to conduct a survey and to ensure that the survey produced results that showed that the community's fear of crime was higher than the reality on the streets.

Amanda and Walt decided next to put in place a television advertising campaign to encourage people to feel safe. That television advertising campaign was probably to start in 2005 or 2006 and to run right up to the 2007 election campaign. Obviously it would be run in the 18 months leading up to the next State election to try to convince people that there is no crime problem in New South Wales. I say to the Premier and the commissioner: We have a significant crime problem in New South Wales. When we compare data from other States and Territories and international statistics we find that New South Wales has a high level of crime. Some categories of crime might have reduced, but since this Carr Labor Government came to office crime has gone through the roof.

Last year there was a disturbing trend among senior police to use the two assistant commissioners as nothing more than press secretaries for the Premier's office. The Opposition raised that matter mid-year and pushed it fairly hard. I am pleased to say that it appears that the two assistant police commissioners have gone back to doing their job, which is to manage the operations of police in New South Wales, not to turn up on half an hour's notice at the whim of Ross Neilson, Amanda or Walt Secord, to do whatever is required for a press conference with the Premier, or whoever is the latest Minister for Police. The two assistant police commissioners should be doing their job and taking care of police, not acting as apprentice press secretaries. We also need to move beyond this ridiculous Uncle Ken strategy introduced by the Carr Government prior to the 2003 State election. That was all part of the media strategy and I am sure it was effective in introducing Ken Moroney to the New South Wales community; but let us get over that and move on. We do not want Uncle Ken. For the people of New South Wales, Uncle Ken has now become a distant relative.

Commissioner Moroney is not pursuing the interests of the community at the moment. He has not been doing that since he took over the job. The reason for that is that his contract is fundamentally flawed. Let us move into a new era in which Uncle Ken is transformed into a Commissioner of Police working for the people. I warn the Government that if it goes ahead with the proposed crime survey and it spends taxpayers' dollars on it, the Opposition will rip it apart, as will the New South Wales community. The Government should not go ahead with that survey. If the survey has commenced the Government should stop it, admit that dollars have been spent on it, and move on with more effective strategies. High-visibility policing has always been a major issue for the Carr Government, but it should admit that it is a stunt. The former Minister for Police did that. An article in the *Sun-Herald* on 26 May 2002 states:

NSW Police Minister Michael Costa has admitted Friday night's police blitz was as much a public relations exercise as it was about arresting criminals.

We know and the Minister knows that it was a stunt. Let us stop doing that sort of thing and put dollars back into effective policing. Nothing could be more counterproductive than spending a lot of money on getting a lot of police into one small location for a short time, as long as the television cameras are there. As soon as the cameras are gone, the police are gone. We do not want that, the community does not want that and local members do not want that. We want effective policing in every suburb all the time. Earlier I mentioned that since Bob Carr had been elected Premier, crime has gone through the roof. I produced an analysis of the figures that were published last year, which states:

Since Bob Carr was elected Premier in 1995, 45 of the 62 categories of "*Recorded Criminal Incidents*" have increased substantially—in most cases dramatically.

Attempted murder is up 50 per cent; manslaughter, driving, is up 180 per cent; assault is up 69 per cent; sexual assault is up 50.5 per cent; indecent assault, act of indecency, is up 19.2 per cent; abduction and kidnapping is up 50 per cent; robbery without a weapon is up 37.5 per cent; robbery with a weapon not a firearm is up 75.4 per cent; and the list goes on. Crime rates are up but the Government and the spin doctors are telling us that they are making progress in reducing crime. They may be making progress in some areas but since the Carr Labor Government came to office crime has gone up and it has not come back down. I published information on a number of gun crimes in New South Wales that can be identified publicly. My list would have to be multiplied by three or four to match police data.

In last April last year I highlighted gun crimes across New South Wales, especially in Sydney, about six months before the Government was dragged kicking and screaming to establish Task Force Gain in October and to put Bob Inkster in charge. For six months the Government and the commissioner's office continually told the people of New South Wales and me that there was no problem. The Government and the commissioner's office were asleep at the wheel while this gang crime has been building up over the past 10 years. There was no shortage of warnings. Every few weeks we saw another newspaper article about another secret report that was available to senior police that told a different story to the propaganda put out by the Carr Government.

But finally in October we were able to put a task force into south-west Sydney to do something about the gang crime. Unfortunately, that task force is only dealing with about 10 per cent of the gun crime that is plaguing New South Wales at the moment. Local area commands, other task forces and other crime commands are the ones who have to deal with the other 90 per cent, and all those people are the ones who are suffering a budget squeeze. Every local member in the House at the moment knows from their local police that they are all under the hammer on their budget; they are all suffering the squeeze for overtime, for shift penalties, for phone expenses and so forth.

Pursuant to sessional orders business interrupted.

QUARANTINE STATION PRESERVATION TRUST BILL

Withdrawal

Order of the day for the second reading discharged.

Bill ordered to be withdrawn.

ROAD TRANSPORT EFFICIENCY BILL**Second Reading****Debate resumed from 18 September 2003.**

Mr TONY McGRANE (Dubbo) [10.31 a.m.]: I support the Road Transport Efficiency Bill. The Newell Highway is the most important inland link between Brisbane, Melbourne and Adelaide, and is the backbone of the regional transport industry using heavy haulage, B-doubles, road trains and ordinary semitrailers. Transport companies from all States use this road system, yet those from New South Wales are at a distinct disadvantage as the weight of their containers are limited to 42.5 tonnes compared to the national limit of 45.5 tonnes. The Newell Highway is vital to exports from regional New South Wales, Victoria and Queensland, for trade between the States and for the transportation of goods between Brisbane and Melbourne. In the past few years the Road to Recovery Program has been beneficial to council areas along the Newell Highway. Because of the increase in freight between the States extra money has been spent on the road, on which 60 per cent of the heavy traffic comprises B-doubles.

Transportation is vital to the survival of the city of Dubbo where I live. Dubbo services about 40 per cent of New South Wales through primary industry and agriculture, and approximately 40,000 sheep are killed in Dubbo each week at Fletchers abattoir. Normally these animals are brought in by various forms of road transportation, including road trains. Fletchers abattoir is the largest processor of mutton in the southern hemisphere and it uses a combination of road and rail freight services. Competition is desperately tough in the processing industry and Fletchers faces natural challenges such as drought and flood, as well as the threat from interstate organisations wishing to claim a market share throughout the world.

If the mass weight limit on road is increased by 3 per cent, that will increase the efficiency of Fletchers operation, and the benefits will be passed on to the producers and the processors. At the moment Fletchers is the only operation in New South Wales that has a permit to deliver containers to the rail network at Dubbo at the 45.5 tonnes weight limit. It is not just producers who would benefit from a weight limit increase. Parkes, in my electorate, is developing as a key transportation hub for both the import and export of goods, particularly after the scaling back of port operations in Sydney. Parkes is strategically placed in New South Wales and it allows access to 15 million people from a single warehouse site.

Freight is hauled from Parkes by road to Sydney, Melbourne and Brisbane daily, and to Adelaide, Perth and Darwin twice a week. There are currently 15 haulage operators in the region specialising in refrigerated transport, bulk haulage, containerised transport, plant, livestock and general transport, including road trains and B-doubles. More than 20 medium and light truck hauling companies and operators move freight in and out of Parkes on a daily basis. The largest transport provider in Parkes is FCL Interstate Transport Pty Ltd, founded by Mr Bill Gibbons. Back in 1974 Mr Gibbons borrowed \$4,000 to set up FCL with a single truck and a hired trailer. Today the family company has a turnover of \$130 million annually and road transport is a vital part of that company's operations. FCL's operations mean that Parkes has become regional Australia's first specialised multimodal community offering a full range of transport and warehousing facilities.

Among the other innovations in the industry is the introduction of containers up to 3.2 metres high—standard containers are now only 2.6 metres high—which get under road height restrictions by using trucks with a lower than normal trailer bed. This sort of business initiative is vital to regional Australia and it needs to be developed and encouraged. However, Parkes is at a disadvantage compared to freight services in other States because New South Wales remains rigid on a 42.5 tonne weight limit for containers. Freight services into places such as Parkes and Fletchers in Dubbo have to short-load their containers if using the new industry standard 45 tonne containers. This is inefficient and makes it more costly to transfer goods overseas from Parkes and Dubbo. In effect, it means that for the first five kilometres of a container's journey, or for the first five kilometres to rail, the container will be short-loaded by 3 per cent. The rest of the journey of the container could be up to 15,000 kilometres, yet for the first five kilometres the weight of the containers is restricted because of the State regulation. I commend Minister Scully for allowing a permit for Fletchers operations to fully load its containers out of Dubbo at 45 tonnes. But this has not happened in Parkes and other areas along the Newell Highway.

We need to encourage and promote regional transport services to achieve a level playing field. A national weight standard is a big step in this direction. If any new businesses are thinking about relocating to regional Australia they will look at the freight component of their business. They will find that in New South Wales, because of the 42.5 tonnes restriction on road, they are disadvantaged by 3 per cent in how they can fill their containers. Therefore that is not an incentive for those businesses to set up in regional New South Wales. They would be looking at Queensland or maybe Victoria.

For the sake of promoting regional development it is a very logical step for the Government to support this bill. It is bad enough for existing industries in regional New South Wales because it is having an impact on them now, but it is certainly not an incentive to create new industries there. We are saying that we simply want the 45.5 tonne limit to be on roads that can carry this type of weight. New South Wales has been involved in discussions with other jurisdictions over many years to evaluate the costs and benefits of allowing heavy truck operations to increase the weight limits for a standard semitrailer. The National Road Transport Commission put the case that the proposal to increase the axle load limits for trucks fitted with road-friendly suspensions would result in significant productivity benefits for the road transport industry.

Australian and international research over the past 15 years indicates that heavy vehicles fitted with suspensions with special characteristics, such as soft springs and effective dampening, cause less dynamic force, and hence less wear and tear on roads. The most significant recommendation from the National Road Transport Commission was that the gross mass of six-axle articulated vehicles be increased from 42.5 tonnes to 45.5 tonnes if both the tandem and tri-axle groups are fitted with road-friendly suspension systems. We must build the most efficient transport system for New South Wales and for Australia as a whole. The other States have introduced uniform legislation. The road transport industry carries one third of Australia's freight and plays a major role in the development of regional Australia. Some 80 per cent of Australia's exports emanate from regional Australia, which is served largely by local trucking operations. The B-double industry will continue to grow because of the vehicle's productivity and flexibility and its ability to consolidate loads cost-effectively.

Every Australian State apart from New South Wales has agreed to increase the weight limit from 42.5 tonnes to 45.5 tonnes. By standing apart, we are disadvantaging our operators in what is already a highly competitive and difficult industry. We must ensure a level playing field and give the regional transport industry the support it needs. The Government should support this bill for the sake of uniformity and the future of rural industries. I am at a loss to understand why it refuses to do so. There has been much talk about how we need more money from the Federal Government to upgrade the road system in New South Wales, and especially to build new bridges. However, the people of regional New South Wales want the mass limit increased to 45.5 tonnes wherever the road system is able to bear that load—we are not asking for the increased limit to apply on roads with wooden bridges, for example.

Earlier I mentioned Fletchers abattoir, which is located in Dubbo. After much lobbying by the council, Fletchers and me, we were able to secure a permit allowing the company to increase from 42.5 tonnes to 45.5 tonnes the mass weight of containers that travel from the company site to the railway. Fletchers kills 40,000 sheep per week, all of which it exports and which are transported by train to the port. This regional industry utilises two forms of freight transport: rail and road. The permit should be extended to increase to 45.5 tonnes the mass weight of containers that bring stock to the company site. It is a double-edged sword for Fletchers: it has secured a permit for its processed product and can fill its containers to a maximum of 45.5 tonnes—in line with operations overseas—but can have livestock trucks to a weight of only 42.5 tonnes coming into his business in Dubbo.

We simply ask that the Government support this bill and bring regional operations in New South Wales in line with those in other States. The bill will bring efficiency to the road transport industry, which has made many improvements in the past 10 years. The cowboys of old are now gone and the current operators are very astute. They have modern vehicles and are always seeking out new technology to improve their efficiency. But the industry needs more assistance from the State Government. New South Wales operators are disadvantaged at present because their loads are limited to 42.5 tonnes while their interstate competitors can load their containers to 45.5 tonnes. I commend the bill to the House.

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [10.45 a.m.]: I welcome the opportunity to address this important issue. I recognise the efforts of the honourable member for Northern Tablelands, the honourable member for Dubbo and several other members in attempting to assist the road transport industry, particularly in regional New South Wales. The honourable member for Northern Tablelands is working particularly hard to advance the interests of the industry in his area, and the Government will continue to assist him by consulting, listening and introducing important policy initiatives. The Government is proud of its consistent record of innovation and investment to provide the right conditions for the transport industry. However, the Government does not support the Rural Transport Efficiency Bill as the powers it seeks already exist in the Roads Act, specifically the Road Transport (Mass, Loading and Access) Regulation 1996.

The bill provides for the creation of specific schemes of operation in the transport of grain and livestock by road. As the Government already has the discretion to sanction these schemes, we cannot lend our

support to any unnecessary legislative duplication. A number of concessions were granted to road transporters in the past but the Government did not adopt the schemes proposed in the bill for a number of prudent reasons. These include the need to protect and develop the road network before giving further concessions to road transporters, the inadequate level of Federal support for roads in New South Wales, and the need for further research into the true impact of road-friendly suspension schemes and the proper maintenance of this technology.

The impact of a single heavy vehicle crossing an old timber bridge is equivalent to literally thousands of motor cars crossing the same structure in succession. This impact increases exponentially as axle loads increase. Unfortunately, many roads and bridges throughout the State's wheat belt have been badly damaged by overloading. Honourable members will be aware that harvest time is a particularly bad period for overloading, and catastrophic damage to bridges continues to occur. Severe overloading has dire implications for road safety. Overloaded trucks travel on the same roads as local residents, school buses and tourists. Overloading is also an unfair tactic that road operators adopt in their day-to-day business in order to gain an unfair advantage.

The Government is working with councils and their weight of loads groups to ensure that safe practices continue throughout the year. We do this because in the past nine years the Carr Government has invested record amounts of money in order to build better highways and regional routes across the State. Since 1995 we have focused on improving key routes and crossings. As Parliamentary Secretary, I am particularly proud to have assisted the Minister for Roads with this work. I note the number of timber bridges that have been replaced throughout New South Wales in the past nine years. I am continually cutting ribbons and opening new, modern, concrete structures that offer tourists and freight operators effective vehicle access to local areas. These new bridges link communities, boost safety and remove road limits. We will continue to expand this program. However, we cannot accede to schemes, such as those proposed in this bill, that will accelerate damage to the oldest road network in Australia.

I am very disappointed to note that while New South Wales is investing strongly in these important routes the Federal Government is returning in direct road funding less than 20 per cent of the fuel excise paid by motorists. It is robbing the motorists—it is as simple as that. Some 80 per cent of fuel excise disappears elsewhere instead of being invested in our road network. For example, last year the Federal Government collected more than \$12 billion in fuel excise but returned less than \$2 billion to the States. That is a travesty. It is not acceptable and it is a concrete reason why the States are continually seeking additional funding from the Federal Government. New South Wales has the largest and oldest road network in Australia but the Commonwealth Government continues to rob this State.

Despite New South Wales having the largest and oldest road network in Australia, it only receives a paltry \$380 million out of the \$12 billion collected by the Federal Government in fuel excise. Nevertheless, this Government has taken the tough decisions to raise an extra \$60 million per annum for country roads by increasing the Sydney Harbour Bridge toll and imposing other charges. City folk are willing to dig into their pockets to help their country and regional brothers and sisters. I have visited those areas and country people have appreciated the spirit in which this funding has been provided. However, the State can only do so much when the Federal Government is robbing us blind.

The vast majority of the extra funding is being used to build safer routes and to improve travel conditions for motorists and transport operators. Although New South Wales continues to invest heavily in this vital infrastructure, unfortunately, the Federal Government is walking away from its clear responsibilities. The release of the Federal Government's AusLink white paper on national land transport is long overdue. No-one in country and regional areas knows the future of Federal road funding in New South Wales. We now face grave uncertainty about maintenance for our national highways and other important programs.

The Federal Government's announcement in January about the continuation of the Roads to Recovery Program in tune with an election year—surprise, surprise—simply means that councils will need to go begging to the Federal Government for road funding. The announcement made no mention of a commitment by the Federal Government of a partnership with the State Government on national highway maintenance and construction. We need to know that the injection of funding will be adequate to meet the future national road framework. The Deputy Prime Minister, John Anderson, is yet to commit to the future of national highway funding. The New South Wales Government has sought this information over an extended period and it is unacceptable that it is still not forthcoming. Instead, John Anderson has been busy setting up a \$100 million-a-year slush fund for this Federal election year.

It is the sole and unambiguous responsibility of the Commonwealth to fund the national highway network but its failure to mention this critical area is an abrogation of its responsibilities. The Federal Government's \$1.2 billion commitment to local councils was actually a reduction in funding for councils of around \$150 million over four years in real terms because no adjustment was made for inflation. It was simply an extension of an existing program. The Federal Government is again robbing us. To make matters worse, the \$100 million-a-year slush fund will now be doled out without any funding formula and no input from the States. The Nationals in this House should ask their Federal colleagues about this lack of consultation with the States. Of the \$300 million that was announced, \$100 million will be available to The Nationals to use as a blatant grab for votes in the Federal election. Councils will have to fight for the remaining two-thirds of funding, which should rightfully be theirs.

John Anderson, who developed an objective formula for the distribution of funding through the Roads to Recovery Program, has now given himself a delicious slush fund to distribute to The Nationals heartland. John Anderson's words are hollow and his commitment is non-existent. The honourable member for Northern Tablelands and the honourable member for Dubbo are true Independents who seek equity for their electorates and will fight hard to achieve that. The Federal Government should be honest in its approach about future funding for the national road network. For example, where is the money, how will it be provided, and how much?

The New South Wales Government is doing all that it can to provide certainty for local councils. The Minister confirmed our continued commitment to the successful regional block grants and repair programs at the last shires conference. The State Government is helping shires improve regional roads but continued Federal assistance is necessary to upgrade roads to the high standards that industries require; that is a fact of life. Over the past few years the Government has moved to grant significant concessions to road transport operators by increasing statutory mass limits and vehicle lengths.

In 1995 the New South Wales Government gave up significant revenues through the introduction of the national heavy vehicle registration scheme. In 1996 the Government moved to increase the general access mass limit from 38 tonnes to 42.5 tonnes. In the same year the length of B-doubles went from 23 metres to 25 metres. In 1998 the mass limit for truck and dog trailers was increased from 42.5 tonnes to 50 tonnes for seven-axle combinations. In 2002 the mass limit for some 19-metre B-doubles was lifted to 55.5 tonnes. These concessions were introduced to give the industry greater flexibility and efficiencies. They asked for that and we delivered. The Government will continue to balance the interests of industry with those of safety and the protection of travel conditions for all road users. These conditions have resulted in significant savings to rural industries and transport operators who move goods to market. We will continue to investigate new ways to help transporters of livestock and grain. The Minister and I met with stakeholders to listen to their concerns and we will continue to examine ways to assist them.

In Dubbo the Government implemented a trial to help regional exporters move fully loaded sea containers onto rail, and I know that the honourable member for Dubbo applauds that move. The New South Wales Government will continue to look for innovative and prudent ways to assist regional development and road transporters. This bill provides for the adoption of schemes after the certification of road friendly suspension technology. The adoption of this technology has our in-principle support. However, it is important to note the lack of scientific consensus on the standard or benefits over time of particular road friendly suspension applications. We are not certain what the application of this engineering, scientific and mechanical support will mean in the long term.

The Government is particularly concerned that without proper maintenance this technology, coupled with heavier axle limits, will cause additional damage to the road network. The Roads and Traffic Authority continues to investigate this important area to determine the merits of this technology. In the meantime, our commitment to existing compliance and certification methods will continue. The training of field staff also remains a priority. The Government will continue to invest in heavy vehicle checking stations and our network of Safe T Cam sites to boost safety on our roads.

We will continue to examine new technology as research comes to hand. In the meantime, honourable members can be assured of our efforts to create a safe and fair working environment for transport workers. The Government will continue to look for new ways to build on our efforts to assist those moving livestock and grain by road. We have adopted many measures to assist these businesses and the important industries they serve. Unfortunately, the Road Transport Efficiency Bill does not contain new powers for the Government. For the reasons I have outlined, special schemes for grain and livestock carriers have not been approved, for sound

policy reasons. The Government will continue to work with industry representatives to boost opportunities across the State. We will be meeting with, listening to, and talking to them. We will remain consistent in our very strong duty to preserve and develop the road network for all users. It is for those reasons that the Government will oppose the bill.

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [11.00 a.m.]: I speak on behalf of The Nationals and the Liberal Party in this debate. I indicate up front that we will vote for this bill. I am extremely disappointed by the Government's response to the bill, as indicated by the contribution of the honourable member for Bankstown. That the Government will not be supporting this bill is a great shame, because it is a tremendous opportunity to deliver for country areas of New South Wales a more efficient transport system—one that will not damage the road system, and one that will save the livestock and grain industries at least \$400 million a year. It is particularly disappointing that the honourable member for Bankstown devoted so much of his speech to what could only be described as a party political attack on the Federal Government—on an issue that is really outside the leave of the bill!

In terms of AusLink, the Federal Government is the first in the history of this country that has had the foresight to develop a strategy for an integrated land transport network, for both road and rail, for the whole of the nation. Yet the New South Wales Labor Government nitpicks on the rate at which the scheme is to be introduced. This is a visionary, but long overdue, initiative of the Federal Government. As to the Roads to Recovery renewal announcement, my feedback is that generally speaking that has been very well received by country areas and local government. It provides for continuity of funding until at least 2009.

The object of the Road Transport Efficiency Bill is to enable certain vehicles to exceed current mass limits, on a restricted and conditional basis, if they are carrying livestock or grain or have road-friendly suspension systems. This is good legislation. It is very similar to that which the National Party took to the last election under the former shadow Minister for Roads, Mr John Turner. The introduction of higher mass limits and a livestock loading and grain harvest truck loading scheme on approved routes will be based on two important conditions: first, the installation of road-friendly suspensions, which I note that the honourable member for Bankstown did not deal with in his speech; and second, a system of accreditation.

Scientific and technical studies undertaken in Australia demonstrate that typical road wear from a six-axle articulated truck is reduced by 20 per cent with road-friendly suspensions. An accreditation scheme, which is a prerequisite for the operation of more productive trucks, will ensure route and loading integrity. At the last election we indicated there were three parts to our road policy which relate to this legislation. One was to conduct a full review of the New South Wales road network to identify the viability of introducing a 45.5 tonne mass limit on certain appropriate strategic routes. The second was that we would introduce a new scheme for the transport of livestock in New South Wales, which would be based on the loading of livestock according to volume and preset deck lengths. The third was that we would fully consult with councils and industry to develop a New South Wales grain harvest scheme to maximise the efficiency of the grain harvest in a safe and efficient manner. So, the policies that we took to the last election are reflected in this bill.

We have long recognised that the efficient transport of freight by road, and indeed rail, is integral to the social and economic wellbeing of country communities. In a speech to the Australasian Railway Convention in Sydney in 2002, the Federal Minister for Transport and Regional Services said that, as a result of growth in population, the domestic economy, international trade and development in logistics, Australia's road freight task is forecast to double by 2020. I repeat, the freight load in this country will double over the next 16 years. There is therefore a need to ensure that the industry is able to meet this burgeoning demand in a safe and efficient manner.

There are a number of arguments in support of this legislation. First, it will bring New South Wales into line with other States in terms of a livestock loading scheme. The current restrictions have resulted in higher costs for New South Wales livestock producers and have placed livestock processing industries, such as abattoirs, at a significant disadvantage to interstate competitors. For example, the Newell Highway is the only highway where mass limits can be exceeded, but trucks cannot go off the highway 200 or 300 metres to an abattoir. The current restrictions are inflexible and fail to take into account the difficulties of accurately estimating livestock weights. Furthermore, every other State in Australia has a grain harvest scheme. It is important to recognise that this bill will increase safety and efficiency and will save the grain and livestock industry an estimated 10 per cent per annum—at least \$400 million—in transport costs.

It is also important to note that this bill establishes a scheme that imposes mass and dimension limits, and conditions that protect road infrastructure. That is important. The honourable member for Bankstown spent some time criticising this legislation on the basis that it would result in damage to our road infrastructure. The

legislation introduces a system of accreditation of operators which will help improve safety on country roads and keep unscrupulous operators out of the transport industry. Building infrastructure is one way of meeting transport demand, but using the existing infrastructure more efficiently can only increase capacity and reduce costs.

The issue of mass limits centres on the efficient movement of freight, and this is not an easy concept for many people to come to grips with. However, improving road transport efficiency will reduce costs, allow the present road freight task to be performed with fewer vehicles, and encourage a shift to latest-technology vehicles with better safety and environmental performance. The Australian Transport Council—which includes all Australian road Ministers—approved higher mass limits more than six years ago, provided that operators equipped their vehicles with road-friendly suspensions. Many operators based in New South Wales invested in such equipment. There was a reasonable expectation that that reform would be delivered because of agreements made at the peak policy ministerial forum. But in New South Wales there has been no delivery upon that expectation.

I turn to the livestock loading scheme. The New South Wales Livestock and Bulk Carriers Association has dubbed New South Wales the "last innovator" as a result of the Carr Labor Government's failure to introduce a more efficient system for the transport of livestock. The current restrictions are inflexible. They completely fail to account for the difficulties of accurately estimating livestock weights. This in turn results in higher costs for livestock producers and, as I mentioned before, places livestock processing industries, such as abattoirs, at a significant disadvantage to interstate competitors. That is why The Nationals committed to the introduction of a new scheme for the transport of livestock in New South Wales, based on the loading of livestock according to volume and preset deck lengths.

Stringent restrictions must limit maximum trailer length, weight and height and maximum vehicle tare and mass, while the maximum number of animals will be controlled by animal welfare codes and regulations. A livestock loading scheme will recognise that the weight of livestock is difficult to estimate and it will facilitate greater certainty and load compliance for transporters. These savings will be good news for livestock producers because their transport costs will be reduced. The National and Liberal parties will support the industry in its development of a livestock loading accreditation process to maximise safety. We support road-friendly suspensions, such as approved spring and air suspensions, which will reduce road impact as well as enhance safety aspects. Under the legislation, New South Wales livestock processing industries, such as abattoirs, and livestock transporters will at last receive the efficiency benefits that their competitors in neighbouring States currently enjoy—a good thing for the promotion of valuable regional employment and development opportunities.

As I have said in relation to a grain harvest scheme, every State in Australia except New South Wales has a grain harvest scheme. We have recognised for a long time the benefits of a grain harvest truck loading scheme that would facilitate higher loading arrangements in the grain harvest season, and that when roads are dry they are able to carry trucks with less wear. We recognise that grain growers pay for supply chain efficiencies, including road freight, through higher costs. Consistent with the chain of responsibility principle, the grain harvest scheme will place obligations on grain carriers, grain consignors and grain receivers to load trucks with predetermined limits and refuse to accept loads outside those limits.

The Grain Harvest Scheme should be developed in close consultation with the industry and local government to determine appropriate regions, routes and limits for the eligibility of the scheme. Councils will be provided with the right of veto in the event of unsuitable conditions. The overall purpose is to develop a New South Wales grain harvest scheme that maximises the grain harvest in a safe and efficient manner but will not damage our roads. Currently the Livestock and Bulk Carriers Association is developing proposals for the operation of higher mass trucks between 10 and 15 kilometres from already-approved routes or on major roads that are often approved for road train access. The proposals are either in the north-west or south-west of the State close to the Newell, Sturt and New England highways.

The association does not envisage bringing forward proposals for the Pacific Highway, and I would not support the operation of these types of trucks on the Pacific Highway because it is not up to the appropriate standard to carry them. In any event, the legislation provides only for transporting grain and livestock. We hear a lot from Country Labor about supporting rural communities, so the legislation will be a good test of their commitment. If they want to support rural communities they must support the legislation. This is a great opportunity for Country Labor. We have heard from the honourable member for Bankstown, who represents a city electorate, that the Government will vote against the legislation. But if Country Labor has any political

integrity it will join with The Nationals, the Liberals, and the Independents to support the legislation. If it does not it will be exposed for the sham that it is. If we have the support of Country Labor we will go very close to winning the vote.

The legislation will enable certain vehicles to exceed current mass limits on a restricted and conditional basis. It is important that these restrictions and conditions are fully adhered to so as not to put unreasonable pressure on our regional road network. As I said earlier, road-friendly suspensions deliver 20 per cent less wear and tear on our roads. We call on Country Labor to support the bill and heed the calls of the New South Wales Farmers Association, the Livestock and Bulk Carriers Association, Natroads, and other peak industry groups in allowing this much needed reform to proceed.

Mr DARYL MAGUIRE (Wagga Wagga) [11.12 a.m.]: I acknowledge the contribution of other members who put so precisely the intent of, and the reasons for, the bill, and I know that other members also wish to speak. I was disappointed with what the Parliamentary Secretary, the honourable member for Bankstown, had to say. He seems to have caught the Premier's disease: "I am not responsible. It is someone else's fault. Blame anyone else but me." This is an important bill for those who cart our freight and to whom we entrust the delivery of groceries to our stores, livestock to our markets, exports to our harbour ports, and our goods and services. Just about everything in Australia is transported by truck.

The bill reflects the work of organisations that have lobbied very hard to try to improve livestock loading, grain harvesting, and general freight transport. Clearly, their attempts to influence the Government have been unsuccessful. The Government's view is that appropriate legislation is already in place and all it needs is a big tick. But why has the legislation not been enacted? All we have heard is excuse after excuse. In the lead-up to the last election the Livestock and Bulk Carriers Association, Natroads, and the Australian Road Train Association held 20 trucking caucuses, one of which I attended. I have cousins, friends and extended family who have been in the trucking industry for many years. Their arguments are very sensible. They want a response from the Government but it has dragged on and on because, according to the Government, it is always someone else's fault—the Federal Government.

Unless the Minister makes a decision soon about the circumstances in which these carriers operate, I can assure the Government that it will be faced with even greater costs. I refer to a report in the *Land*, which was published last Thursday and costs \$3, as all members on this side of the House would know. It states that rail lines and branch lines are falling into disrepair. The Government is not investing money in rail infrastructure, so it is logical that grain must be carted by road. The bill contains a solution put forward by the Trucking Association. Would it not be more productive and efficient to allow grain carriers to carry greater volumes in the dry season and therefore not flog the roads in winter? Wherever one goes in my electorate and, I am sure, the electorate of other honourable members, councils complain bitterly about State Government funding for State road maintenance.

Let us take the Federal aspect and national highways out of the equation and talk only about State roads. Councils complain that, due to underfunded mandates, they no longer have the money to repair State roads. Yet this Government continues to ignore the fact that because of its lack of investment in rail infrastructure it is forcing grain trucks onto the roads and denying them the ability to be competitive. The Parliamentary Secretary said that increasing road limits would provide an unfair advantage, but over whom? To whom was he referring when he suggested that an unfair advantage would be gained? Was it the rail companies? Was it the trains that travel at 10 kilometres per hour? Or was it those who are trying to get the ear of the Government to persuade it to invest in rail infrastructure so they can shift grain more efficiently and save money for farmers and other businesses?

I draw to the attention of the Parliamentary Secretary the 2004 Rural Trucking Conference, which is to be held this weekend. The 20 caucuses, to which I referred earlier, were run very professionally. I attended them with the unsuccessful Labor candidate, who was almost lynched at the meeting because he was espousing State Government policy. I expect to see the Parliamentary Secretary at the conference. I know that the honourable member for Northern Tablelands will be in attendance, as will I, to listen to the concerns of the organisation. All they want is a fair go and a government that will listen to their concerns and work with them, instead of a government that continually finds excuses to blame everyone and everything but its mismanagement.

The conference is a great way for members to understand and learn about the trucking industry. I am sure that many members on the other side of the House would have to rely on the advice of their Minister and

the department about the industry. But the real way to learn is to get down with the industry and listen to their concerns. They may not always be right, but their interest in improving road safety is genuine. They have worked very hard to improve road safety, and to work with the Government and the industry to produce economies, efficiencies and savings for this State, which is important to all of us if we are to develop, particularly for those in rural and regional New South Wales on whom we rely. With the disintegration of the rail system we will rely on them more and more. I plead with the Parliamentary Secretary to come to the conference, listen to their concerns, deliver a presentation similar to the one he gave this morning, answer their questions, and give a commitment that the Government will work with them.

Wagga Wagga is a rural trucking centre and is known for its trucking history. I note that Ron Finemore, AO, will give an address at Saturday's conference. As a highly regarded advocate of the trucking industry, Ron Finemore is a person to be listened to. I suggest that the Minister for Roads or the Parliamentary Secretary for Roads attend the conference and listen to Ron Finemore's address. Paul Forward, the Chief Executive Officer of the Roads and Traffic Authority [RTA], will also give an address on regulations to the conference. The Minister or the Parliamentary Secretary should be in attendance to hear the response from the organisation. Although the RTA representatives will be present, I believe that those responsible for the portfolio should be present. The Minister or Parliamentary Secretary should attend the conference. The conference will discuss emissions, noise, trucking standards and design—all issues that impact on the efficiency of the trucking industry. I look forward to attending the conference.

I enthusiastically support the bill, the intent of the bill, and the words of the shadow Minister for Roads, the honourable member for Ballina. The Parliamentary Secretary said there was no need for the bill. If that is the case, the Government should solve the problem. If it cannot solve the problem, the Government should vote with us. Let the members of Country Labor, that mudguard of an appendage that supposedly advocates for rural people, vote with us and support country people and the trucking industry.

Mr PETER DRAPER (Tamworth) [11.21 a.m.]: It is with great pleasure that I speak to the Road Transport Efficiency Bill, which was introduced by my colleague the honourable member for Northern Tablelands. As the honourable member said in his second reading speech on 18 September last year, the bill was developed in close consultation with many rural and regional constituents, after consultation with the transport operators, who will gain a level playing field with operators from other States if the bill is accepted. Further consultation took place with farmers of the region, who can see considerable improvements to their bottom line after years of struggling with debilitating drought. I was personally pleased to take part in the consultative process, as were my fellow country Independents the honourable member for Dubbo and the honourable member for Port Macquarie.

I am pleased that the bill has gained the support of the New South Wales Farmers Association. In a press release in September last year the association clearly called on the Government to support the bill. I was disappointed to hear the speech from the Parliamentary Secretary for Roads. The New South Wales Farmers Association identified the need to move transport in New South Wales into the twenty-first century. It applauded the move to finally bring New South Wales into line with other Australian mainland States, where similar legislation already exists. The association acknowledges the obvious benefits to farmers and considers that the bill will allow transport operators in New South Wales to compete equally with their interstate competitors. The Minister for Infrastructure and Planning, and Minister for Natural Resources has repeatedly paid tribute and expressed thanks to the New South Wales Farmers Association for its input into a range of natural resource reforms that were introduced in legislation last year. It is important that he and other members of the Government hold the same level of respect for its input into and support of this bill.

As a former interstate truck driver I vividly recall the inequities with other States. Those inequities still plague the transport industry and offer up competitive advantages to operators that are based in any of the States that share a border with New South Wales. The bill offers an opportunity to address those inequities. As the honourable member for Northern Tablelands said last year when he introduced the bill, the bill has been driven by an underlying vision that we in this Parliament have an overriding obligation to do the best we can to make New South Wales a great place in which to live and work. For those within the transport industry—as well as for those who are impacted by the many Government-induced inhibitors, such as native vegetation legislation, water sharing arrangements, and catchment management issues—much work and many initiatives are needed to make this vision a reality.

The Road Transport Efficiency Bill has been introduced in an attempt to contribute to that vision. The bill provides the Minister for Roads with a mechanism that would ensure that New South Wales joins almost

every other State in Australia in providing a safe yet competitive grain harvest truck loading scheme and livestock loading scheme. As a result, we will see an increase in the productivity of trucks, which will result in fewer trucks on the road system. That has to be good for the State. Importantly, the bill provides that these operations will only take place on designated routes and in designated areas. Contrary to the Parliamentary Secretary's concerns about the degradation of wooden bridges and country roads, the bill clearly identifies that the roads will be designated and rated to ensure they are capable of carrying those vehicles. Therefore, the Parliamentary Secretary's concerns are not an issue.

Every State in Australia, apart from New South Wales, has some form of arrangement to reflect the obvious difficulties in field-loading the various grains with variable moisture contents and densities from a range of properties within any given district. Similarly, the other States operate a livestock loading system that allows operators to maximise livestock densities, to minimise bruising, and to be much more efficient. All mainland States in Australia, with the exception of New South Wales, have worked out a way to allow increases in the productivity of trucks to operate within their States.

With the exception of a small number of exemptions that were negotiated personally by my colleague the honourable member for Dubbo, New South Wales still operates at a considerable disadvantage when compared with other States. Why is there continued resistance for change, when the bill offers compromises that will ensure the wellbeing of road surfaces and bridges? The bill specifies that only designated routes can be used if capacities are increased. I am yet to discover the reason why New South Wales is the only State that cannot raise standards to the levels experienced in other States.

As part of the consultative process the industry became a key driver of the bill. I attended a trucking caucus in the Parliament last year and gave a public statement in support of the legislation. While listening to the concerns of the people who make their living in the industry, it became abundantly clear that the issues they raised were not receiving the attention they deserve. The bill was introduced last year after receiving widespread support from many people across country New South Wales. As the honourable member for Wagga Wagga said today, the trucking industry initiated a series of consultations in regional New South Wales under the banner of country trucking caucuses. Country people who earned their living from the trucking industry, those who relied on the industry for a significant part of their livelihood, as well as many customers of trucking operators became involved. There was much spirited debate and much criticism of the current situation that sees New South Wales participants in the industry disadvantaged when compared with their interstate competitors. The proposals in the bill were fully endorsed at the caucuses right across the State.

I referred earlier to the endorsement of the New South Wales Farmers Association. I would now like to refer to comments made by the chair of the association's Business, Economic and Trade Committee, Mr Charles Armstrong, who stated that this bill would bring New South Wales into line with other States. In a press release, Mr Armstrong said:

Rather than having to estimate the weight of livestock, loading limits would be put on the number of animals allowed on a truck which would also improve animal welfare. Greater flexibility in load limits for accredited vehicles during harvest recognises the difficulty of estimating weight out in the paddock.

That issue has been expressed strongly and clearly to me by the many farmers I have spoken to. Mr Armstrong continued:

The accreditation process would help rid the industry of rogue operators and make the roads safer.

He went on to say:

Victoria and Queensland already have similar schemes in place which have reduced overloading and achieved improvements in transport efficiency. New South Wales is surrounded by states that all have livestock loading and Queensland has a grain transport scheme in place. Unless New South Wales adopts similar schemes our regional economies will suffer because of unfair competition from these states.

He is dead right. The bill has also received the support of the Stock and Station Agents Association and the Livestock and Bulk Carriers Association. Mr Peter Russell, Chief Executive Officer of the Stock and Station Agents Association, said:

This bill is of great assistance, not only to livestock carriers but to Stock and Station agents as it ensures the chain of responsibility status and removes the likelihood of errors in weight estimates. The Livestock Loading Scheme is seen as an innovative approach to controlling the weight of livestock trucks, maximises animal welfare and reduces stress to drivers and livestock.

Livestock loading enables livestock transporters, and in many cases stock agents, to load trailers to the full extent of preset deck lengths and achieve loaded weights within an established safety profile, consistent with animal welfare livestock loading densities.

Mr Russell is saying that whilst the bill enables maximum productivity from vehicles, it also provides for the welfare of animals, which is an important issue for many parts of our communities. The release concluded by saying that the system proposed in this bill is built around deck length limits, road-friendly suspensions, unladen truck mass limits, loading to animal welfare densities and accreditation. It achieves the maximum possible for animal welfare, increases productivity enormously and is a highly effective control over loaded truck weights within an established profile. I was particularly pleased to read in *Hansard* the support of the honourable member for Clarence. [*Time expired.*]

Pursuant to sessional orders business interrupted.

RAIL SERVICES

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [11.30 a.m.]: I move:

That this House condemns the Government for its failure to deliver reliable train services and its continuing refusal to enforce rail safety rules.

I am almost tempted to move that this question be put immediately because there should be no opposition to the motion. As of today 800,000 people have been inconvenienced by this Government's failure to provide adequate services. They are being inconvenienced today by 80 cancellations, many of which occur during peak hour. They are being inconvenienced particularly on the Carlingford line, where 53 services a day have been reduced to four services a day. People attending the Rydalmere campus of the University of Western Sydney take up to three hours to get from Campbelltown to Rydalmere to attend lectures. If that is not an indication of this Government's inability to deliver reliable railway services I do not know what is.

The second part of my motion relates to this Government's repeated failure to abide by safety regulations when it comes to rail, something that is easily demonstrated. This Government has sought exemption to allow train drivers to work 13 out of 14 days, in direct contravention of rail safety rules which state that they should work only 12 out of 14 days. We have just heard a debate about livestock transporters, livestock truck drivers. Under law long-distance coach drivers are required by this Government to take a break equivalent to four days every seven days and yet, as the honourable member for Tamworth, a former truck driver, knows, this Government is prepared to increase the risk to passengers across the rail system by bending the rules and allowing train drivers to work 13 out of 14 days in direct contravention of the rules.

There should be no debate on or opposition to this motion. There is no defence. Commuters, taxpayers and the public generally cannot see an end to this shambles, which affects more than just commuters. Anyone who is travelling around this city at the present time and who is not a regular rail commuter knows that Sydney's roads have worsened during this crisis. They know that every time the rail system fails, more people leave it and permanently use the road system. Within my electorate, peak time on the Pacific Highway has started earlier and finishes later, and traffic is thicker throughout the day. The reality is that no matter what happens in the future, many of those people will continue to use the roads.

To illustrate the point I should go back in history, because this Government has been in office for nine years. I refer to the last State Rail report during the time of the Fahey Government. In the last year of the Liberal Government passenger journeys increased on both the CityRail and CountryLink systems. We saw satisfaction survey results of up to 69 per cent of all customers surveyed. We saw increasing efforts to make the rail system safer with the increased use of closed circuit television on both stations and trains, the upgrading of stations, the use of private security guards and the introduction of what were called NightSafe trains after 8.00 p.m.

We saw the introduction of easy access programs and the purchase of 80 outer suburban Tangaras and 28 new Endeavour carriages to regional areas. We saw new services being introduced to link regional areas to the city. We saw new suburban services being introduced to Sydney's North Shore and Sydney's west. We saw contracts let for the refurbishment of trains, train on-time running increasing, and the upgrading, in particular, of the Central Coast line. For those with stations in our electorates and who use trains we saw station-skipping levels considerably lower than they are today. That is shown in the 1994-95 annual report of the State Rail Authority of New South Wales.

I now refer to last year's report—the last ever report of the State Rail Authority, because it is now known as RailCorp. I see on every one of those indices that suburban on-time running, inner city on-time

running, CityRail customer satisfaction surveys, CountryLink satisfaction surveys, CountryLink passenger journeys and CountryLink on-time running performances last year were worse than they were in 1994-95, and they are considerably worse today. I do not expect the Government to believe that when the Coalition left office the railway system was running perfectly because that is not what it said in its campaign.

In that campaign the Premier and Brian Langton, the spokesman, promised to significantly improve public transport in this State. Brian Langton went to every corner of the State and city and promised a renaissance in rail, both country and city. After nine years the Government has fundamentally failed to deliver on that promise. The Government has failed the commuters in the city, people living in country areas and all those who use the rail system because of increasing safety on rail. What new trains have been introduced since this Government came to office? We are still waiting for the Millennium trains. What new services have been introduced in either country or city areas? To the contrary, we have seen a reduction in service.

We have seen a 40 per cent increase in the rate of station skipping year after year between 1994-95 and 2002-03. On any independent indices—forget the politicians—on a comparison between those two reports this Government gets an F triple-plus, that is, a negative rating after nine years in office. This Government does not understand how much this city and sections of the country depend on rail services. Our country cousins are in the Chamber today—Liberals, Nationals and Independents—and they understand that in regional and country areas, where there are limited public transport opportunities, rail is increasingly important. They cannot afford air travel; they need rail travel. The reality is that on any independent indices this Government is marked down in its own annual reports on its performance in both country and city travel.

I will finish on a more significant issue, that is, rail safety. The current Minister for Roads was undoubtedly the most disastrous transport Minister—Minister for the railways—that this city has ever seen. "Disastrous" means disaster-prone: there were two disasters and 14 deaths on his watch. After the Glenbrook accident Justice McInerney conducted an inquiry, and his principal recommendation was to establish an independent safety regulator who would report to this place, the Parliament of New South Wales. In question time the Premier responded to the McInerney inquiry and said all the recommendations would be implemented.

Today, well after Glenbrook, when seven people died, and Waterfall, when another seven people died, we do not have an independent safety regulator who reports to Parliament. As a result we get these shonky deals where rail safety regulators—who exist within ministerial departments and agencies—who report to Ministers are able to bend statutory rules that require drivers to work only 12 out of 14 days and allow them to work 13 out of 14 days. There can be no greater evidence as to why we need an independent safety regulator, just as we need other independent watchdogs in this State. It is to keep governments and Ministers honest and ensure that they cannot simply hush things up because of political opportunism, the appearance of an election campaign or concerns in outlying seats.

Madam Acting-Speaker, as a Central Coast member you know the state of the rail system. Your constituents have been inconvenienced. Honourable members opposite whose electorates have more railway lines than those of honourable members on this side of the Chamber understand precisely what is happening. If the honourable member for Fairfield were to use trains occasionally he would understand the plight of commuters. The Government cannot cancel 80 services a day and not inconvenience 800,000 to 900,000 people. It cannot continue to do that and expect those who are inconvenienced to keep their jobs and livelihoods.

It is not as though this is a new concept. Governments have talked about safe, clean and reliable transport forever. In 1997 Bob Carr said that people using public transport have a right to a system that operates on time. Hallelujah! He continued that he would not have it said that our system cannot get people to work and home on time. As at 19 February 2004, people are not getting to and from work on time, nor are they getting home to dinner and their loved ones on time. Those living in regional areas are experiencing huge delays. It is simply unacceptable. It demonstrates the bankrupt nature of this Government after nine years in office, the paucity of solutions it has offered and the appalling ministerial record of the honourable member for Smithfield. The current Minister for Transport has presided over chaos because clearly he has no solutions. This Government offers no hope to country people who rely on these services.

Mr JOSEPH TRIPODI (Fairfield—Parliamentary Secretary) [11.40 a.m.]: The Government rejects the motion. The honourable member for Ku-ring-gai has condemned the Government for refusing to improve rail safety in the wake of the Waterfall inquiry. Only nine days ago the Leader of the Opposition publicly condemned this Government for doing too much to improve safety on the railways. On 10 February John Brogden said on Mike Carlton's 2UE radio program:

The mistake the government's made is [it's] probably overreacted to Waterfall and in an attempt to try and manically fix the problems they're now putting in place the sets of rules that are unrealistic.

The Leader of the Opposition said that the Government is doing too much to implement safety measures, but the honourable member for Ku-ring-gai is now saying that it has not done enough. This Parliament has been concerned for a long time about the rivalry between the Leader of the Opposition and the Deputy Leader of the Opposition. However, when that is manifested publicly it is a bit embarrassing. Brogden says that the Government is doing too much—

Mr Malcolm Kerr: Point of order: The honourable member is not entitled to refer to the Leader of the Opposition as "Brogden".

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I am sure the honourable member will be more careful in future.

Mr JOSEPH TRIPODI: It is a very important policy issue that we refer to him as "Mr Brogden".

Mr Malcolm Kerr: Point of order: The honourable member has been here long enough to know that he cannot refer to other honourable members by their surnames, even if he also uses the appellation "Mr". He must refer to honourable members using their electorates.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I am sure the honourable member will do so.

Mr JOSEPH TRIPODI: The Chair will have to remind Mr O'Farrell not to refer to the Premier as "Bob Carr", which he did often during his contribution. The only thing the honourable member for Ku-ring-gai will achieve is exposing an Opposition that is always happy to distort the facts for political purposes. The Government's plans to improve rail safety have been well canvassed in the media and in this Parliament. However, as usual, the Opposition has failed to pay attention. For the benefit of members opposite, I will go through the facts. This Government will not back away from implementing the findings of the Special Commission of Inquiry into the Waterfall Rail Accident. The inquiry identified three key areas that must be addressed: medical standards, the vigilance emergency braking system and better training for guards. That is why the Government is already implementing safety improvements.

Vigilance control systems—that is, back-up emergency braking systems—will be installed in the entire electric train fleet at a cost of \$33 million. The braking systems will be operational on the intercity Tangara train fleet by the end of March 2004. The upgrade of vigilance systems on all CountryLink XPT trains will be completed by July 2004 and the installation of vigilance control on all electric trains will be completed by the end of 2004. The Minister for Transport Services has asked the RailCorp board to examine any opportunities to bring that completion date forward. Following discussions with the Independent Transport Safety and Reliability Regulator, RailCorp has also made an immediate change to train operations prior to the installation of vigilance systems. Supplementary crew members acting as observers will travel alongside drivers on outer suburban Tangara trains on selected non-metropolitan routes as an interim measure. I am advised this is because the suburban network has a higher density of train stops—an additional safety device—that halts trains passing a red signal.

The Government is also implementing a new health and fitness system for rail staff, including the appointment of a chief health officer and a medical assessment team. It has also introduced tough new medical standards to better screen drivers who may be at risk. These tougher tests include specialist assessments such as psychological and cardiac testing that commenced on 2 February. To date, 48 potential higher-risk CityRail and CountryLink drivers have been tested and 12 have been declared temporarily medically unfit for driving duties. Two have already returned to driving following further specialised medical assessment and the remaining 10 are performing other tasks and will undergo rehabilitation. The Government will not apologise for implementing those measures.

Mr Barry O'Farrell: Point of order: This is remarkable. The honourable member has admitted that the Government will not apologise for this crisis. That needs to be bookmarked because it sums up its attitude.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! There is no point of order.

Mr JOSEPH TRIPODI: The Government will not apologise for implementing safety measures requiring drivers to meet health standards. These recommendations arose directly from the report and this

Government will implement them. Unlike honourable members on this side of the Chamber, the Leader of the Opposition believes that the Government is implementing unnecessarily stringent safety standards. The Government will continue to implement the standards recommended in the report. It is improving guard and driver training, including requiring training on a simulator every two years. That training has a strong focus on emergency procedures. It will begin in June 2004 to assist in boosting driver availability in the interim.

Safety will be a key part of the contracts of all senior rail staff. I am advised that as senior staff transfer to the new RailCorp organisation their contracts are being written to include specific responsibilities for safety. As the Premier said on the day the Waterfall report was released, this Government wants every member of the rail work force to become a safety fanatic, and it is committed to that outcome. Safety must be the Government's first priority; that was the clear message from Justice McInerney's report into the Waterfall incident. The report recognises that tough decisions must be made and that that may result in disruption to passenger services. When made aware of the potential for disruption of services, Justice McInerney said that it was not a reasonable excuse bearing in mind the potential danger of a serious accident should a train driver become incapacitated. The Opposition chose to bring the report to the attention of the House and argue for its implementation, but now that the Government is doing that it is resisting and creating excuses about the difficulties involved.

The recent disruptions on the CityRail network follow the introduction of tough new medical standards arising from the Waterfall inquiry. RailCorp chief executive officer, Vince Graham, yesterday indicated a positive response to the drivers' agreement he signed last week with the Rail, Tram and Bus Union. I have been advised that more than 230 of the 300 drivers who are not working usual amounts of overtime have now signed on for additional shifts. I have also been advised that that means services will return to normal from Sunday, when the next roster begins. In the meantime, reduced frequency on some services will continue and buses will replace some trains. RailCorp advises that its priority since 9 February, when disruptions began, has been to protect peak period services. We can expect 81 cancellations of today's 2,600 daily CityRail services.

The Government is encouraged by the decision of those drivers who are returning to usual overtime shifts. It also thanks the drivers who continued to work throughout this period under difficult circumstances to minimise the impact on passengers. The impact of the action by a minority of drivers has been felt across the network since the disruptions began on 9 February. Passengers and the majority of rail workers want this to end. That is why today the Government is appealing to the small number of drivers who have not yet responded to return to their usual levels of overtime. Justice McInerney identified the problems in his report. That is why the Government will press ahead with tough new medical standards for drivers, better training and the installation of vigilance emergency braking systems on trains.

The Government is also prepared to listen to and act upon the concerns of train drivers. That is why the Minister for Transport Services met with the unions—to hear the concerns of the drivers and to draw up an agreement to help restore services. The drivers agreement will see management working with rail unions to develop solutions to these problems. The drivers agreement means increasing CityRail driver numbers to 1,350 from 1,220 for accelerated recruitment and training to minimise overtime requirements, and an immediate review in conjunction with the Independent Transport Safety and Reliability Regulator with a view to reducing the 26 months necessary to train drivers. [*Time expired.*]

Mrs JUDY HOPWOOD (Hornsby) [11.50 a.m.]: It gives me great pleasure to support the motion moved by the Deputy Leader of the Opposition. There are 10 stations in my electorate and every one of those stations has problems that the Government has not addressed. Some stations—particularly Mount Colah and Waitara—are subject to station skipping, and my electorate office has received a stream of complaints about that. People are continually late to work, to school and to other destinations. It is bad enough that thousands of commuters, including schoolchildren, have been late to work and school and have suffered discomfort because of overcrowded stations and excessive delays in connecting with other transport modes, but to add insult to injury, last week ticket inspectors were out in force during the chaos.

I received a letter from the wife of a man who was issued with a \$200 fine two hours and eight minutes after his ticket expired and while he was trying to buy a weekly ticket, having had to leave for work early. Later that day the Premier said commuters would be given a week's free travel, which is hardly compensation for that man, who had already received a \$200 fine while trying to cope with the chaos. I have been inundated with calls and comments about the current situation. Many messages have called for the sacking of the Carr Government, such is the angst about the lack of trains and the inconvenience being inflicted on the general public. Therefore, it is hard to understand why ticket inspectors were out in force in the midst of this disaster.

One anonymous woman left a scathing message demanding that the Carr Government's incompetence be rewarded with sacking. Another man and his wife missed a Monday evening function in the central business district. Their journey along the rail route to St Leonards—where they alighted to return home, after giving up hope of arriving on time—was full of unintelligible messages, no warnings at Hornsby about train delays on the North Shore line, and frustration over the cost of tickets that got them nowhere. Last Monday afternoon young schoolchildren had no way of getting home when they were literally dumped at Hornsby station, in some cases many kilometres from their homes. No buses were arranged to take them along the rail route to stations further north. That caused great stress to the children and to parents.

The Carr Government has caused the rail chaos by not heeding the need, which was evident at least two years ago, to increase the number of train drivers. It has thrown fuel on the fire with subsequent decisions. The provision of an extra guard on the Tangaras in outer suburban areas—which in my electorate means Berowra—is totally inadequate. If a train went out of control, say, at Mt Kuring-gai, and was unable to pick up that extra guard at Berowra, the out-of-control train could travel almost to Hawkesbury River, where there is a dangerous bend with a school immediately under it. One can only imagine what could happen. Since I was elected two years ago my office has received a steady stream of letters about the rail debacle. Last week I was advised by a school that it took more than one hour to process the students who arrived late on a particular day. Schools were not alerted that there would be an issue with children arriving late.

One parent had to inform a school that her son was stuck at Eastwood Station, having heard that his train, which was due at 8.00 a.m., was cancelled and the next train was not due until 8.20 a.m. That was only one school that would have been affected. Parents were referred to a web site to check on cancelled trains, but the Eastwood situation was not listed on that web site and has not been listed since. I add my condemnation of the inconvenience that CityRail commuters have had to endure. The Premier does not have his hands on the wheel. There are higher fares but there is nothing to show for them. The Carr Government should heed the suggestions from this side of the House for initiatives to end the rail crisis.

Ms GLADYS BEREJIKLIAN (Willoughby) [11.55 a.m.]: I am frankly appalled by the Parliamentary Secretary's response to this motion, and I am further appalled that no other Government member has the courage to speak on it. Clearly they are all embarrassed and hiding, watching their monitors upstairs. They do not want to come out of their rooms to defend the Government's record, because it is absolutely appalling. The honourable member for Blacktown got it right when he said to the Premier, as reported in the *Daily Telegraph* yesterday:

We've got more problems than Osama bin Laden, but you're just standing there while Rome's burning with nothing to say.

Frankly, the Government has nothing to say on this motion. No-one is willing to put up their hand to speak. One thing the Parliamentary Secretary excluded from his speech was the impact that this is having on workers, families and businesses. People cannot get to school, to work, or to childcare centres on time. The weak response we get is about free travel, but what is the point of free travel if one cannot get on the trains? These issues are being ignored. Again, I am frankly appalled at the Government's response. It shows that it is totally out of touch. Day in and day out, 900,000 commuters are suffering. Why should we believe the Government when it says that on Monday a magic wand will suddenly fix the system? Why should we believe it when time and again the promises it has made about the rail system have failed?

Residents in my electorate are suffering. At Artarmon, a smaller station, station skipping has become the norm. Last week I received many emails to my electorate office about schoolchildren and residents who were left standing on the platform in 35-degree heat because trains kept going past without stopping. These issues have a real impact on the community, yet the Government is turning a blind eye and trying to ignore the travesty. We cannot come to any other conclusion but that the Carr Government is using the current rail crisis to mask its long-held secret plan to slash rail services and rail jobs. A program to cancel peak-hour trains and slash weekend services seems to have been in place long before this dispute with train drivers arose.

Over a number of years the Carr Government has failed to act on the shortage of drivers because it never had any intention of maintaining services. That is becoming quite evident. Prior to the Sydney Olympics, in a bid to avoid industrial action by rail unions during the Olympics the Government offered train drivers and guards a 19-day working month. In the middle of last year the Government tried to undo the deal by offering drivers and guards a \$5,000 bonus to go back to a 20-day working month. In August last year the train drivers voted on the Government's offer and rejected it. Now, taxpayers will pay drivers about \$5,000 plus overtime allowances essentially for providing the same rail services we had last year, and even back in 2000.

We still have a shortage of drivers and drivers working overtime, cancelled services, late trains and worn-out railway stations. At the end of the day, this is about how the Government's lack of management of the rail system is affecting the community. Members opposite are doing a disservice to their electorates by not speaking in this place about constituents who are left stranded on platforms, perhaps in 35-degree heat, the flow-on effect on the wider community, the impact on traffic during peak hours and the impact on the State's economy. It is by no means the fault of workers that many of them are arriving late for work and having to leave work early to try to catch the last train out of the city. The rail services crisis is having a huge impact on workers, their productivity, the State's traffic and it is inconveniencing many families.

I wish to reiterate the chaos that the crisis has created in the electorate of Willoughby, particularly at Artarmon and Chatswood railway stations, which are not good at the best of times. The Government has the hide to increase levies such as the car space levy on the basis that areas such as Chatswood have a very good public transport system. On the one hand, the Government increases levies to encourage people not to drive and, on the other hand, it mismanages the system to the extent that no-one would even dare to try to use public transport. I support the Deputy Leader of the Opposition, who moved the motion, and the honourable member for Hornsby, who spoke to it. I deplore, and am absolutely appalled by, the lack of response from the Government benches. They are all hiding, as they should. They should all hang their heads in shame. For nine years the Government has neglected the system, and its mismanagement is finally cracking to the extent that it is irreversible. I commend the motion to the House.

Mr MALCOLM KERR (Cronulla) [12.00 p.m.]: Once again I place on record—

Mr Alan Ashton: Get into us!

Mr MALCOLM KERR: On behalf of the commuters of New South Wales, I will be getting into you and your Government.

Mr Alan Ashton: I know you will. And the Sutherland shire—

Mr MALCOLM KERR: I am pleased that the honourable member for East Hills refers to Sutherland shire. If this motion is supported, no doubt we will hear from the honourable member for Miranda about the Government's achievements in the Sutherland shire. However, just to rub salt into the wound, on the Monday after the last State election—as if the result of it was not bad enough—the honourable member for Miranda and the Premier caught a train from Miranda. Commuters on the southern rail line would like a return journey by the honourable member for Miranda, the Premier and his political sidekick, Michael Costa. The commuters on that rail line have a few things to say to those three pilgrims. I have been a member of this place for almost 20 years, which is not such a long time. In fact, these days it takes longer than that to get a train into the city.

[Interruption]

Members opposite should catch a train from Hurstville occasionally, and compare the current rail journeys to those of the period when the Coalition was in government. This debate relates not only to rail services in the metropolitan area but also to CountryLink services. I note that the honourable member for Bega and the honourable member for Southern Highlands are in the Chamber. As the honourable member for Willoughby said, this is all part of the Government's secret agenda. Members opposite ought to read Michael Costa's book entitled *The Bonsai Economy*, which is about economic rationalisation.

Mr Alan Ashton: Is it still in print?

Mr MALCOLM KERR: Yes, it is still in print, and they are still working on the movie.

Mr Alan Ashton: Starring Mel Gibson.

Mr MALCOLM KERR: Starring Mel Gibson, that is right.

Mr Tony Stewart: The Nationals can be the bonsai trees.

Mr MALCOLM KERR: No, I am afraid caucus is. And Tom Cruise will not be playing the honourable member for Bankstown in the caucus meeting. They are trying to get Boris Karloff.

Mr Alan Ashton: They have got to dig him up.

Mr MALCOLM KERR: Yes. It is a bit like the railway timetables: they have to dig them up. Members opposite should read Michael Costa's book; they should not wait for the movie. This is all about economic rationalisation; it is about cutting services because they are uneconomical. This is about inflicting pain on people so that the Government can achieve wider gain through economic rationalisation. The honourable member for East Hills might interrupt his reading of Don Watson's book on Keating—

Mr Alan Ashton: I am reading about President Kennedy at the moment.

Mr MALCOLM KERR: I will not be distracted by the interjection, because there is too much to speak about here. We have had two royal commissions into rail accidents presided over by Justice McInerney. One would have thought that the implementation of reforms to railway services would have taken place after the first of those inquiries. On the contrary, after the second inquiry the Government totally ignored Justice McInerney's recommendations. The honourable member for Vaucluse spoke about the shortage of drivers. The Government has known since 2002 that there would be a driver shortage because the former Minister for Transport, Carl Scully, who has not taken part in this debate, tried to bring in an improved timetable. However, he was not able to do so because of the shortage of drivers at that time. Now the chickens have come home to roost again. The former Minister for Transport could not even provide an improved timetable because of the shortage of drivers. That is why we now have this catastrophe that is having a serious impact on people's working lives. Years ago the Premier said that a stenographer or a clerk should be able to get to their workplace on time. This crisis has been created because of the lack of drivers. [*Time expired.*]

Mr STEVEN PRINGLE (Hawkesbury) [12.05 p.m.]: Today we have heard members' concerns about rail services on the North Shore line and the Cronulla line. Of equal importance are concerns about services on the Hawkesbury line. Commuters on that line have suffered a double jeopardy. Over the last few weeks not only have CityRail services been cancelled but the service from Riverstone to Richmond has been closed for two weeks for urgent major repairs. Surely the Government could have got its act together and programmed those repairs during the major shutdown period. Residents of my electorate have been putting up with missed bus services and major delays throughout the system. The fact that local bus services are not able to connect with bus services that replace train services has meant that many residents spend an extra hour or two each way travelling to and from work, which is an appalling state of affairs. I remind members opposite that last year one of their own, Mr Carl Bazeley, the Hawkesbury State electoral councillor and branch president of the Australian Labor Party, said, "State Rail must be brought to account for such a lousy service." Speaking about Michael Costa, he said:

Our members and rail users don't want to hear from him or the Government that taxpayers were not getting value for their \$1.9 billion annual subsidy ... We want value for our fare, we pay to use the system, particularly the CityRail services to Richmond.

This is the head of the ALP in my electorate! It cannot be ignored that even Labor's own are strongly criticising the pathetic rail services in this State. In the last budget the Government said, "We are going to spend some more money on providing some extra car parking spaces at Clarendon railway station."—yet more spin from the Government. There were already grass-covered car parking spaces at that railway station. The same car parking spaces have simply been sealed with bitumen! Not one additional car parking space is available for commuters. Despite fanfare from the Government, there have been no effective improvements—not one single additional space—for commuters who use the Richmond line.

Mrs Jillian Skinner: That is a disgrace!

Mr STEVEN PRINGLE: Another disgrace is something I have mentioned on previous occasions. An enclosed area right next to the Windsor railway station is not being used. For a few thousand dollars, the Government could improve commuter facilities and provide parking. Can this Government do that? No! Can it get its act together in any way? Not at all! It is no wonder people are forced to use Windsor Road. Despite the upgrading of Windsor Road, it recently took 50 minutes for other residents and me to travel in a bus a short distance from Riverstone to Windsor because there was no train service. The Government has to get its act together. Nine years is long enough. The Coalition is well and truly supported by the Hawkesbury branch of the Australian Labor Party. What better commendation of Coalition policy can there be?

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [12.10 p.m.], in reply: No greater proof of this Government's lack of credibility is needed than the current rail crisis, the Government's

repeated refusal to adhere to rail rules and the fact that not a single Government member other than the Parliamentary Secretary at the table, the honourable member for Bankstown, has entered this debate to defend the current Minister for Transport Services, his predecessor or the person who is ultimately responsible, the Premier of New South Wales. For nine years the Premier has been chorusing commuters' discontent about the state of rail services, but throughout that time he has been sitting on his hands. Why was the honourable member for Auburn not in this Chamber to defend the commuters of her electorate? Why did the honourable member for Bankstown not defend the commuters of his electorate and apologise to his constituents for the appalling rail service crisis?

Why did the honourable member for Bathurst not apologise to country rail service customers for the disastrous consequences of the current rail crisis that must be impacting on his constituents? Why did the honourable member for Blue Mountains—rail services have always been critical to the survival of his electorate—not come into this Chamber to apologise? Why did the honourable member for Cabramatta not deign to enter the Chamber? No doubt she was too busy at the tanning clinic. Why did the honourable member for Camden not come into the Chamber? Her electorate adjoins an area that is about to have its rail services cut to buggery. The service will be reduced, irrespective of improvements that might be made to the CityRail system.

Why did the honourable member for Campbelltown not enter the Chamber during this debate? After all, students from Campbelltown take three hours to get to the Rydalmere campus because of the cutbacks in rail services on the Carlingford line. Where was the honourable member for Canterbury? She is brought forward on special occasions in this Chamber, but when it comes to fighting for services that affect people in her electorate, she is nowhere to be seen. Where was the honourable member for Cessnock? Where was the honourable member for Charlestown? Where was the honourable member for Coogee? Where was the honourable member for Drummoyne? The honourable member for East Hills was present, but he offered not a word of apology to his constituents. He gave no hope to commuters in his electorate and refused to participate in this debate. The honourable member for Fairfield was in the Chamber during the debate, but it is not worth considering his contribution because he offered no apology.

Where was the honourable member for Granville? Where was the honourable member for Kiama? We know how lousy the South Coast rail services are, and how the halfwit from Kiama struggles to travel to this Chamber to represent his constituents, but he is nowhere to be found when we are debating rail services that are incredibly important to his electorate. Where was the honourable member for Londonderry—a person who used rail services in a previous occupation—and when has he ever explained to his constituents what hope they have for improvement in rail services? Why did he not offer an apology? Where was the honourable member for Miranda? The honourable member for Cronulla belled the honourable member for Miranda for taking a single rail trip at each election—straight after winning! The reality is that there will be no trip taken after the next State election because the honourable member for Miranda will not be on anyone's train at that stage.

Where was the honourable member for Parramatta, who has presided over the reduction in ferry services, bus and train services? She presides over a hopeless rail system in her electorate but she will not enter this Chamber nor be brave enough to speak during debate on this motion. She offers no apology to commuters in her electorate and no hope. She will not outline what she has been doing to improve rail services in her electorate. Where was the honourable member for Penrith? Penrith is another electorate in which rail services are critical for getting people to their jobs. Bob Carr says that he will not be responsible for a rail system that does not get people to work and back home on time. The reality is that the honourable member for Penrith is letting down her constituents. She has come nowhere near this Chamber during this debate.

Where was "Biddy"—the honourable member for Strathfield—the walking, talking, three-dimensional machine? Where was she when it came to the hard yards? Where was she when it came to standing up for the commuters in her electorate who are suffering daily inconvenience as a result of this Government's mismanagement of rail services? When has she ever been prepared to speak out against Michael Costa? When has she ever been prepared to say anything about Eddie Obeid, for that matter—a Minister in the previous Parliament who presided with the dopey member for Smithfield, the disastrous previous Minister for Transport and Minister for Roads, over the running down of the railway system?

After nine years, New South Wales has a rail system that is a joke and it is inconveniencing 800,000 people a day. Yet, one after one, Labor members refused to enter this debate, refused to offer any apologies and refused to offer any hope of short-term, medium-term or long-term improvements to commuters. It sums up this Government to say that its members come out when it suits them to take credit for announcements, re-

announcements, repackagings and rearrangements, but they are nowhere to be seen when responsibility should be taken to improve facilities and systems. They will not take the hard decisions that need to be taken to improve services. They put spin above substance, rearrangement above reform, and they threaten people's lives by refusing to adhere to safety rules.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 35

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

Noes, 49

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

Pairs

Mr Brogden	Mr Bartlett
Mr Slack-Smith	Ms Saliba

Question resolved in the negative.

Motion negatived.

HOXTON PARK AND BANKSTOWN AIRPORTS

Mr PAUL LYNCH (Liverpool) [12.24 p.m.]: I move:

That this House notes recent Commonwealth Government announcements concerning ownership and use of Hoxton Park and Bankstown airports and community responses to those announcements.

On 9 April 2003 a statement was issued through then Ministers Senator Nick Minchin and Wilson Tuckey to deal with what are known as the Sydney Basin airports. There was a subsequent announcement on 14 November 2003. The most recent media release, this time from Senator Nick Minchin and the Hon. John Anderson, states in part:

The Bankstown, Camden and Hoxton Park Airports, known as the Sydney Basin Airports, will be sold for \$211 million to the BaCH Airports Consortium ...

BaCH Airports' winning bid has been sponsored by the Commonwealth Bank of Australia, the James Fielding Group and Toll Holdings Ltd.

Equity investment in support of the bid has been provided by the James Fielding Group, Westscheme Pty Ltd and Commonwealth Investments Pty Ltd ... In addition, the purchase is funded by both infrastructure and property debt provided by the Commonwealth Bank.

Two of the three airports—Hoxton Park Airport and Bankstown Airport—are of great significance to my electorate. Hoxton Park Airport is located in my electorate, towards its western end and near suburbs I represent, such as Cecil Hills, Hinchinbrook and Green Valley. Bankstown Airport is to the east of my electorate. Geographically, it is close to Lansvale, and it is of concern to many of my constituents in Lansvale and, indeed, in other parts of the electorate. The operation and future of these airports has been the subject of considerable debate and controversy. The Commonwealth's announcements attracted considerable attention both at the time of the original announcement in April and at the time of the more recent announcement towards the end of last year. The announcement formally was to deal with the Commonwealth strategy for the sale of the airports and then the announcement of the sale. Of course, the decision to privatise had been made previous to this.

Two particular aspects of the announcement are of significance to me. The first is that the Hoxton Park Airport site was to be sold with an airport lease of five years, with the land converting to freehold title at the expiration of that period, subject to a possible two-year extension if both the Commonwealth and the new owner agreed. At the end of the lease the new owners can then do whatever they want with the site, subject to planning laws. This clearly assumes the end of Hoxton Park Airport at the end of five years, perhaps with an extension of two years, with the new owners pursuing a more financially lucrative use. The Bankstown site is being sold ostensibly with no change proposed to its operation. That is, the Commonwealth Government proposal to dramatically expand Bankstown Airport has not been included in these announcements. The Commonwealth announcement cites changes to the aviation environment post 11 September 2001 and other factors. That means that there was no longer a need for Bankstown to be developed to have an overflow capacity to supplement Sydney airport. The relevant paragraphs in the November media release state:

As was indicated at the commencement of the sale process, there is no longer a need for Bankstown Airport to develop as an overflow facility for Sydney Airport, and there will be no requirement for regional services to move there ...

As previously announced, Hoxton Park Airport is being sold with a shortened 5-7 year airport lease. At the end of the shortened lease for Hoxton Park, freehold title will transfer to the owner of the lease and it will be up to the new owner to determine the best use will for the site, consistent with relevant state and local government planning laws.

The most common response to the cessation of operations at Hoxton Park Airport was that it was undoubtedly a good thing. It was also long overdue. Indeed, the first suggestion that it would close was made as long ago as 22 May 1980, when the Hon. Ralph Hunt, then a Federal Minister, indicated that Hoxton Park Airport would probably close in the next few years. Some 25 years later that still has not happened. It is worth noting that the environmental impact statement for Badgerys Creek airport envisaged all three options, including the closure of Hoxton Park Airport. Clearly there were substantial reasons that that should happen. Indeed, the major reaction, apart from the delight that is finally occurring, is a regret that it will take five years, or perhaps seven years, for the closure to occur.

The reasons for supporting the closure are overwhelming. Hoxton Park was the busiest uncontrolled airport in Australia; it had no control tower and no radar, except for a brief period during the Olympic Games. Provision of radar was withdrawn after the Olympics. It continues to concern me that the provision of controls was opposed by the aviation industry, and that clearly emerges from its comments and from the report by the Deputy Coroner, Jan Stevenson, into fatalities at Hoxton Park. The aviation industry made it clear that it did not want controls, because it wanted people to learn to fly. Ninety per cent of Hoxton Park is used for training, which means that it is busiest on weekends, when people in the area are trying to relax. Inexperienced pilots make mistakes, and it is logical that L-plate pilots flying over the suburbs that I represent are likely to make mistakes.

In addition to those safety issues, there have been adverse impacts on the local amenities. Aircraft regularly fly too low and often do so early on Saturday mornings. Aircrafts often fly in circles around the airport at 7.00 a.m. or 8.00 a.m., waking people who are trying to sleep in. When complaints were lodged the response of the regulatory authorities was that the registration number of the plane would have to be provided before something could be done. That contempt for the residents of Liverpool has aggravated my constituents. The area has been profoundly dangerous. A series of accidents and fatalities has occurred, many of which I have brought to the attention of the House.

On Saturday 6 June 1998 a single-engine Piper Tomahawk with two people on board left Bankstown to fly to Hoxton Park. A Piper aircraft left Hoxton Park to fly to Camden, Bankstown and back to Hoxton Park. At 11.05 a.m. the two aircraft collided. Tragically the Tomahawk crashed into a house in Arnold Avenue, Green Valley, and two people were killed. Thankfully no-one was in the house and there was no fire. However, there was a birthday party in the next-door house. Fortunately no-one was hurt, and that was a matter of good luck rather than good management. Deputy Coroner Stevenson, who inquired into the matter, reported in June 2000. She made the point that the accident clearly resulted from human error. She spoke of the "eternal problem with the uncontrolled airport at Hoxton Park", and said it was of "grave concern" that houses were so close with no better objective control.

On Wednesday 10 March 1999 there was a further fatality. A bright yellow Pitts biplane left Bankstown to fly to Hoxton Park for aerobatic exercises. Another plane was leaving Hoxton Park, flown by a 70-year-old student pilot. The planes collided on the runway and one person was killed. In the coroner's report there was some suggestion of trees obscuring vision—a serious matter. That is a good argument for the provision of radar and control towers. The Deputy Coroner made adverse comments about Air Services Australia changing the radio frequency for the first time in 40 years. It disseminated incorrect advice about radio frequencies and the Deputy Coroner said the way that advice was sent out was "bizarre, absolutely bizarre".

There have been a plethora of other accidents and incidents. On 13 March 2000 a plane crashed into a paddock near Washington Way, Cecil Hills. On 28 August 2000 a 1947 Nand single-engine aircraft left Bankstown to fly to Hoxton Park and crashed outside the Horsley Park Olympic Equestrian Centre. On 10 April 2002 an amateur-built Stod-Ham Glamstar, flown by a 73-year-old pilot, came down at Hoxton Park, 800 metres from houses. That pilot makes planes for a hobby and was on a test flight. There has been a long and sorry list of crashes, accidents and forced landings. In that context it is not at all surprising that my constituents are delighted that the airport will close, although they are concerned it has not closed sooner.

Another concern is what will happen to the land. It would be generally regarded as wrong to use the land completely for housing. The fact that the land is being sold privately means that the owner has no direct control over what can be done; if it were still government owned there would be a great deal more control. Granted that the land is located absolutely adjacent to the Western Sydney Orbital it should be used for employment-generating purposes. One of the great problems about urban development in Sydney is that plenty of residential estates have been developed without jobs to go with them. That means that people in my part of Sydney have to travel much further to work than those in other parts of Sydney. My constituents are not able to take advantage of the employment-generating opportunities that are available in other parts of Sydney. This is a perfect opportunity to address that imbalance. I look forward to proposals by the new owners of the property to use it for precisely those purposes.

Ms PETA SEATON (Southern Highlands) [12.34 p.m.]: The honourable member for Liverpool has yet again raised a Commonwealth issue. I would like him to turn his attention to some of the critical State issues which face the constituents of New South Wales. Perhaps we should focus on some of the motions on the notice paper that deal with State issues: tragic and unnecessary deaths in our hospitals, chaos on our rail system, schoolchildren frying in demountables with no airconditioning.

Mr Paul Lynch: Point of order: The honourable member for Southern Highlands is clearly moving away from the leave of the motion. In fact, she is not even within cooee of the motion. If she wants to debate other matters she is at liberty to put them on notice, or she can seek to have them given precedence on Wednesdays to try to have them heard.

Mr DEPUTY-SPEAKER: Order! I am sure the honourable member for Southern Highlands will return to the substance of the motion.

Ms PETA SEATON: I assure you that I will speak extensively about airport infrastructure, related infrastructure and airport issues. However, it is important that we also note that the Labor Party and members opposite have done everything they possibly can to avoid talking about people waiting for years on hospital waiting lists and the lack of an infrastructure plan in New South Wales.

Mr Tony Stewart: Point of order: I refer to the earlier point of order raised by the honourable member for Liverpool. The honourable member for Southern Highlands is clearly leaving the ambit of the motion and moving onto other subjects. Under the standing orders that is not permissible. The motion deals with a particular subject matter and we should deal with that subject effectively in accordance with the standing orders.

Mr DEPUTY-SPEAKER: Order! I am sure the honourable member for Southern Highlands has now completed her preliminary statements and will return to the substance of the motion, which is Hoxton Park and Bankstown airports.

Ms PETA SEATON: Indeed. I will speak at length about issues concerning airports and infrastructure. It is important that in dealing with infrastructure we also note the comments of the honourable member for Blacktown, who so insightfully said yesterday that the Premier has more problems than Osama bin Laden. He said, "... you're just standing there while Rome's burning with nothing to say." I had not realised—

Mr Alan Ashton: Point of order: The Government is happy to debate the concerns of residents about Hoxton Park and Bankstown airports. That is what is contained in the motion, notice of which was given six or eight months ago. You have twice warned the honourable member for Southern Highlands to not talk about Middle Eastern terrorists and hospital waiting lists.

Ms Peta Seaton: Point of order—

Mr DEPUTY-SPEAKER: Order! The Chair can deal with only one point of order at a time. The honourable member for Southern Highlands will contain herself.

Mr Alan Ashton: After a third ruling, perhaps we should move that she no longer be heard.

Ms PETA SEATON: To the point of order: I point out that the honourable member for East Hills has pre-empted any ruling that you might make on that point of order.

Mr DEPUTY-SPEAKER: Order! The Chair will decide what action to take. So far as I am aware Osama bin Laden is not part of the debate. I suggest that the honourable member for Southern Highlands deal with the substance of the motion.

Ms PETA SEATON: I certainly will. Any discussion about airport infrastructure or safety at airports surely has to deal also with the safety of related infrastructure. It is important that we look at the record of the Carr Government on the safety of transport-related infrastructure. We all remember the Government's Action for Transport Plan 2010. It is interesting to note how many of those items have completely fallen by the wayside. If the honourable member for Liverpool were truly interested in making sure that transport infrastructure was safe, he would be arguing with the Premier and in his party room that all of our rail transport infrastructure in New South Wales needs a massive injection of funding.

Mr Paul Lynch: Point of order: The honourable member for Southern Highlands is displaying a complete lack of interest in the motion before the chair and is displaying gross contempt not only for the Chair and the previous rulings, but for the Chamber and the processes of the Chamber. If the honourable member wants to talk about those things there are forms she can use to do that. All she is demonstrating is utter contempt for my constituents, who are concerned about the issue in the motion. I would ask you to take the appropriate action to draw her back, at least occasionally, to the leave of the motion.

Mr DEPUTY-SPEAKER: Order! I warn the honourable member for Southern Highlands that if she pursues her present line and does not deal with airports I will direct her to resume her seat.

Ms PETA SEATON: I am delighted to address airports in some detail. Let us talk about the deal that the State Labor Party has apparently done with the Federal Opposition leader, Mark Latham, on an airport site at Wilton, Sutton Forest, Wells Creek or Berrima. The Leader of the Opposition got up in an Australian Labor Party conference recently and said that Labor would put a second Sydney airport at—

Mr DEPUTY-SPEAKER: Order! The honourable member for Southern Highlands is testing the patience of the Chair. Her remarks have nothing to do with the motion before the Chair. She should make up her mind whether she intends to speak to the motion. If she does not, I will call the next speaker.

Ms PETA SEATON: Point of order: You have directed me to speak on the subject of airports. With great respect, that is what I have just been trying to do.

Mr DEPUTY-SPEAKER: Order! I ask the honourable member for Southern Highlands not to twist my words. She is aware of the specific terms of the motion. If she is unable to speak to the motion, she should ask one of her party members to do so.

Ms PETA SEATON: The honourable member for Liverpool has raised an issue of great importance to constituents in his area. The State Opposition is concerned about safety, whether it is airport safety or rail safety. There is absolutely no doubt about that. But it is also important to discuss safety in relation to other airports as part of this debate because if we are going to talk about the safety issues that the honourable member has raised in respect of his constituents in the Liverpool area, it is essential that we also look at the safety of residents in other parts of New South Wales who will be affected by the construction of a future airport. I believe it is legitimate to do that.

I am sure that the experience of the honourable member's constituents in Liverpool will also be informative. I am sure that people in my area who are concerned about Labor Party plans to put an airport in our area will be interested in the sorts of comments that the honourable member for Liverpool has made about the experience of his constituents. Two weekends ago we had a public meeting in Moss Vale which was attended by many people. The meeting was convened by Exeter local, Martin Laverty. It was attended by Federal members Joanna Gash and Alby Schultz; the Greens member for Cunningham, Michael Organ; the mayor of Wollondilly, Col Mitchell; the deputy mayor of Wollondilly, Phil Costa; Wingecarribee councillors Nick Campbell-Jones and Peter Reynolds, and many others. Interestingly, there was no-one there from the Labor Party. I would have been interested to see if the honourable member for Liverpool might have attended that meeting because I know he takes a great interest in airport issues.

Mr Paul Lynch: Point of order—

Ms Gladys Berejiklian: You're so sensitive today, my goodness!

Mr Paul Lynch: I point out to those in the Chamber, including that asinine interjector who just made a comment, that there are forms and procedures—

Ms Gladys Berejiklian: Point of order: You should refer to me by my proper title.

Mr Paul Lynch: I just did. There are forms and procedures to be adopted in this place. The Opposition is displaying utter and complete contempt for them. The Opposition, which is supposed to be the upholder of tradition and order, is treating this House with utter and complete contempt. It is treating your rulings with complete contempt. The precise point of order is that the honourable member for Southern Highlands is well away from the leave of the motion and appropriate action ought to be taken against her.

Mr DEPUTY-SPEAKER: Order! This is my final warning, and the speaking time of the honourable member for Southern Highlands has almost expired. I suggest that she return to the matter of Hoxton Park and Bankstown airports. If the honourable member does not, I will direct her to resume her seat

Ms PETA SEATON: The motion of the honourable member for Liverpool reads:

This House notes recent Commonwealth Government announcements concerning ownership and use of Hoxton Park and Bankstown airports and community responses to those announcements.

We have noted that motion and, as the motion discusses community responses to those announcements, I have therefore chosen to note some community responses from my area to a similar announcement. The Opposition notes the motion from the member for Liverpool.

Mr ALAN ASHTON (East Hills) [12.44 p.m.]: I can understand why the honourable member for Southern Highlands has bounced up and down on the front bench like a cork in the ocean. That was a pitiful contribution. Bankstown Airport has been privatised, so to that extent the Federal Government no longer has any control over it. The airport has been given away, if you like, and a private operator is running it. Finally, that is good news because a procedure has been established. Now that the issue has settled down a little, development is taking place around the airport. The operators of the airport are building a system of important developments around Bankstown Airport. In a sense, those developments will guarantee that larger jet and passenger aircraft cannot use Bankstown Airport as a second major Sydney airport. People from the country will still be served. I would have thought the honourable member for Southern Highlands might have referred to that. Some of her constituents are saying, "That is great, we can still go to Bankstown and catch a plane." That would represent the view of some of the country supporters of the airport and other interested people.

Residents in my electorate, the electorate of Bankstown, the electorate of Liverpool on the other side of the Georges River, the electorate of Menai, and many other electorates in the area are concerned that there has

still been no acknowledgement by those who bought the airport—or by the Federal Government, which sold it—that an environmental impact statement was needed. That is still the case. Recently, we have written to Bankstown Airport Ltd asking for an environmental impact statement in relation to any developments planned for the upscaling of the airport's operations. It is the busiest airport in the Southern Hemisphere for take-offs and landings and it has many training facilities. It has never been argued on this side of the House that Bankstown Airport is not the biggest industry in Bankstown.

Residents who live around the airport have other concerns. One concern is that there is no curfew. We constantly called for the Federal Government to put that in the relevant documents before the airport was sold. The Federal Government refused to acknowledge the need for a curfew. At present planes land at and take off from the airport 24 hours a day. The flight path is, at best, a spaghetti pattern; planes appear from all directions over houses in suburbs in the electorates I have referred to. I welcome the response to some of the residents' concerns about the assessment of threats to the airport. The airport looked at what action needed to be undertaken and has made some significant improvements. For a long time people driving down Marion Street could turn left, drive straight into the airport and, if they were minded to carry a lot of fertiliser in the back of a truck, could cause tremendous damage there. Steps have been taken to remove that risk. The council and I have a good relationship with the General Manager of Sydney's Metropolitan Airports, Mr Kim Ellis. He has kept me informed about what has been going on at the airport.

I want to touch on one issue raised by the honourable member for Liverpool. A number of accidents have taken place at Bankstown. Late last year there was an accident in which one person was killed and another severely injured. A short time ago a plane landed on a boat in the middle of Milperra. Both of these accidents happened in my electorate and they drew some public attention to the lack of a fire brigade facility at the airport. There was a fire brigade on-site but it has been taken away. There is a good fire station in Revesby, but unfortunately the trucks cannot drive down Milperra Road and get onto the airport site quickly. That issue still resonates in my electorate. People still worry about what may happen. It was appropriate that we debate the motion. It is a pity the Opposition treated it with total contempt.

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [12.49 p.m.]: I strongly support the motion of the honourable member for Liverpool, whom I commend for his vigilance and his constant tenacity in pursuing this important issue. The honourable member for Liverpool, the honourable member for East Hills, the honourable member for Menai, the honourable member for Fairfield and I have worked hard in the communities surrounding my electorate of Bankstown to ensure that local people get best value from the Hoxton Park and Bankstown airports proposals. Although a sale has occurred, the process was an absolute joke from a public perspective. There was no consultation with stakeholders as to how it will affect the Bankstown community. As the honourable member for East Hills pointed out, the environmental impact statement [EIS] process has not been set out, although it is obviously integral to the future of Bankstown Airport, which is located in one of the most densely populated parts of metropolitan Sydney and which is the busiest airport in Australia. More than 200,000 people live near the airport yet the sale proceeded without any recognition of the need for an environmental impact statement.

I am also extremely concerned about the impact on businesses surrounding Bankstown Airport, many of which are attached to the airport. In fact, the airport is the biggest employer in the Bankstown city region and, as such, is most significant regionally. We want to protect those jobs and to ensure that the new owner of Bankstown Airport protects local employment and continues to promote the current healthy industrial atmosphere at the site. However, we are all in the dark about the airport's future because there has been no consultation. The Federal Government took the decision to sell Bankstown Airport without the benefit of any input from local councillors or State members of Parliament. It considered us to be demarcated from the process. That surprised me as, despite the assertions of Opposition members, we should be involved in a process that affects our constituents and amenities and services in our electorates.

I found out about the sale only when the press release issued by the Federal Minister for Transport and Regional Services, John Anderson, was leaked to me by the honourable member for Camden. The Liberal Party stupidly intended to send it to the retired Liberal member for Camden, Liz Kernohan. Thankfully, the process of natural selection has taken its course in that electorate and we now have a great Labor member for Camden, who receives Liberal Party faxes on a daily basis. It was helpful to find out about that Federal Government initiative via a press release that the Liberal Party thought it was sending to a Liberal member of Parliament. Liberal officials obviously did not check their books or look out the window.

We want to be part of this process. State members of Parliament must be involved in consultation. We want to ensure that the decisions taken are in tune with local communities, which must have a fair and equitable say in what happens to Hoxton Park and Bankstown airports. I remain particularly concerned about the

expansion of Bankstown Airport. I note the comments of the honourable member for Liverpool, based as they were on a Federal Government press release. How can we trust any comments by the Howard Coalition Government when it throws its policies to the wind and changes its mind at the drop of a hat? We are not too sure about the Federal Government's future expansion plans for Bankstown Airport. However, there are rumours that the airport's new private owners want to increase its freight capacity, which could mean that 737 freight aircraft will land at Bankstown Airport.

We face the same dilemma. Bankstown Airport has no curfew: there are aircraft movements 24 hours a day. It is fairly clear that the new owners are sniffing around for more freight opportunities, which will mean freight traffic movements at all hours. That happens now and those movements must not be expanded. The airport is located in a densely populated area and its amenities must be protected. The Federal Government must not be permitted to allow any private operator to ride roughshod over our local communities. The proper processes must be put in place. The EIS must be announced and we want to be involved in it. I commend the motion of the honourable member for Liverpool to the House.

Mr PAUL LYNCH (Liverpool) [12.54 p.m.], in reply: I thank members representing the electorates of East Hills and Bankstown for their comments and especially for relating their detailed knowledge of Bankstown Airport, with which they have both been involved for a lengthy period. The honourable member for Southern Highlands also purported to make a contribution to the debate on this motion. I understand the cut and thrust of debate and the political competition in this place—I am as much a part of it as anyone else—but I have never seen such a thoroughly inept performance in my nine years in Parliament as I witnessed today from the honourable member for Southern Highlands. She had nothing to say on the motion. That is not altogether uncommon in this place, but members usually try to relate their comments somehow to the motion before the Chair. The honourable member for Southern Highlands made no attempt to do that.

The honourable member for Southern Highlands got to the substance of the motion in the ninth minute of her 10-minute speech, following numerous points of order and several admonitions from Mr Deputy-Speaker. If the honourable member for Southern Highlands had nothing to say and she was not prepared to make it seem as though she did, she should have simply sat down and shut up. It was a waste of 10 minutes of the House's time. If the honourable member for Southern Highlands wished to make the point that we should have been discussing other matters she should have not taken up time in this debate but used the forms of the House to raise those issues in an appropriate manner. As I have said, it was the most inept performance I have seen in my nine years in this place. One assumes that the Liberal Party traditionally does not have much interest in Liverpool. That is fine; I understand that. But Liberal members should not waste the time of the House as they did today by participating in the debate on this motion.

In moving the motion I referred to public concerns about the announcements that have been made. People were generally delighted that Hoxton Park Airport was to close but they had reservations that the sale process would take five, or perhaps seven, years. They also expressed reservations about how the land would be used. The Chief Executive Officer of Sydney's Metropolitan Airports, Kim Ellis, sent me a letter dated 2 February in which, among other things, he says:

Hoxton Park Airport will continue aeronautical operations, managed by Bankstown Airport Limited, and will revert to freehold title in five years after which time the site shall be available for non-aviation development. The development of the Hoxton Park site is expected to have an employment focus with a significant economic benefit for the local area.

If that occurs it will be welcomed by the community. The problem is that the airport is no longer publicly owned land so there is no control over the owner's intended use for that land. The appropriate planning instruments, regulations and laws will obviously govern the owner's actions, but the owner's motivation will presumably now be simply profit driven. That has the potential to lead to developments that are not necessarily in the public interest—they may happen to be, but there is no guarantee of that.

As I said earlier, the Hoxton Park Airport site is adjacent to the Western Sydney Orbital, which is an ideal location for commercial, industrial or other employment-generating developments, and it would be a tragedy if someone did not take advantage of the opportunity that it presents. I believe one weakness of urban development and planning in the past 50 or 60 years is that governments of each political persuasion have allowed the development of substantial residential areas without providing the accompanying jobs. We have not provided adequate employment opportunities in Western Sydney. This is a substantial site in an ideal location. It is the perfect site for an economic or industrial process or whatever, which would allow significant employment generation. I know that most elected officeholders in my local area share that view, as do many members of the community. While the honourable member for Southern Highlands may have wasted time in this debate, it will not be a waste altogether if we take this opportunity to issue a plea to the new owners of the Hoxton Park site to focus not on residential development but on employment generation.

Motion agreed to.

[Mr Deputy-Speaker left the chair at 1.00 p.m. The House resumed at 2.15 p.m.]

CENTENNIAL PARK DOG POISONING

Ministerial Statement

Ms SANDRA NORI (Port Jackson—Minister for Tourism and Sport and Recreation, and Minister for Women) [2.15 p.m.]: This week a disturbing matter has become manifest. Claims have been made that a sick individual—or individuals—has been placing poison baits in Centennial Park to target dogs. This State has approximately 1.2 million dogs and most of them are pets. Obviously, this is a serious matter. I urge the hundreds of families who take their dogs to Centennial Park to ensure that their dogs do not pick up any food scraps. The matter was brought to public attention by the PAWS organisation—a network of animal carers and pet owners. If any pet owners discover what they believe to be suspect baits, they should immediately contact Centennial Park rangers. I am advised that the park does not carry out fox or rabbit poisoning programs. Also, I remind the House that anyone found guilty of aggravated cruelty, such as poisoning an animal, can face a penalty of up to \$22,000 or two years in gaol.

Mr IAN ARMSTRONG (Lachlan) [2.17 p.m.]: I join with the Minister in condemning anyone who attempts to bait dogs. It is an extraordinarily cruel act. Most dogs that are in Centennial Park are pets, and we all acknowledge the importance of pets to children and lonely people, in particular. In addition, the medical profession often advocates the health benefits of owning a dog. However, I take this opportunity to emphasise that a dog can be easily taught to accept food only from its owner or designated people. Therefore, I suggest to dog owners that they receive the appropriate advice from a dog trainer on how to teach their dogs to do that.

HEALTH VOLUNTEERS APPRECIATION DAY

Ministerial Statement

Mr MORRIS IEMMA (Lakemba—Minister for Health) [2.20 p.m.]: I am sure that my parliamentary colleagues will join me in thanking the thousands of men and women who generously give up their time to work as volunteers in our hospitals and health services. Tomorrow—20 February—is New South Wales Health Volunteers Appreciation Day, when we can formally acknowledge the contribution made by volunteers in the health system. The practice of people doing voluntary work in hospitals has a history as long as the health system itself. It is a wonderful tradition of which every volunteer should be proud and for which we should all be grateful. In New South Wales more than 6,500 people are registered as volunteers who provide assistance, support and comfort to patients. Their roles can be as varied as visiting patients to providing comfort to people who may not have family close by, performing some clerical duties to help staff provide more direct care to patients or working in fundraising enterprises such as kiosks and gift shops.

In addition to the hours many volunteers put in, the volunteer work force also makes an incredible financial contribution. Last year the United Hospitals Auxiliaries of New South Wales alone provided an incredible 1.5 million unpaid hours of work and raised more than \$6 million for equipment and patient comfort. Unfortunately, it is simply not possible to thank all our health volunteers individually. Instead, I ask my colleagues in this House and the public generally to take the time to thank the men and women who comprise our volunteer health work force.

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [2.22 p.m.]: I speak briefly to indicate the full support of the House for the volunteers who operate in our hospitals. In particular, I pay tribute to the chaplaincies and pastoral care activists who provide patient and family support. I commend also the pink ladies and hospital auxiliary members, who provide patient services and undertake fundraising in our hospitals. I acknowledge also patient support groups that provide practical support to patients and their relatives during hospitalisation as well as community organisations that provide counselling, health education, transport, home help and patient activities to people using New South Wales public hospitals. I state on behalf of honourable members, particularly those representing electorates in country New South Wales, that the volunteer services provided in our hospitals, especially in regional and country areas, are incredibly important in keeping our hospital system running. On this issue, the Minister and I are at one. The Opposition acknowledges the excellence of those volunteers. We just wish such excellence were demonstrated in some other parts of the system.

CATTLE FEEDLOTS

Ministerial Statement

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [2.23 p.m.]: Today I am representing the Minister for Agriculture. NSW Agriculture, the Australian Lot Feeders Association and the RSPCA are monitoring the deaths of cattle in feedlots due to the extreme hot weather in some parts of the State. For example, more than 200 cattle died in a feedlot near Quirindi between 13 and 16 February. A second feedlot, near Wagga Wagga, lost more than 100 cattle. Those animals were valued at \$1,000 a head. NSW Agriculture was notified of the deaths in accordance with reporting provisions designed to help farmers respond to unexpected animal health issues. This process is triggered whenever mortality rates reach 2 per cent. Neither of those feedlots has reached that 2 per cent figure yet, but the Australian Lot Feeders Association alerted industry given the extreme heat of recent days.

Some parts of the State are experiencing the hottest February since 1973. Last week, temperatures in Ivanhoe reached 48.5 degrees. In Wilcannia it was 47 degrees. The mercury levels reached 46.6 in Cobar, 46.3 in Hay and 46 in Balranald. Honourable members may recall that four years ago a feedlot near Griffith lost more than 1,200 cattle because of extreme heat. Since then the industry has adopted a series of proactive procedures to better assess, manage and report heat stress incidents. A web-based warning service for feedlots has been set up to forecast the level of risk for heat stress on a six-day basis for regional New South Wales. The number of shaded structures on feedlots has doubled in the past four years. The New South Wales Government encourages farmers to take emergency steps to help reduce heat stress. This includes moving stock to larger yards, transporting animals only at night, when temperatures drop off slightly, and putting fewer animals on transport, thus improving ventilation.

Mr ADRIAN PICCOLI (Murrumbidgee) [2.24 p.m.]: The Opposition supports the lot feeding industry. We also support the comments made by the Minister about animal safety. However, I must say that I know, from my discussions with Australian Lot Feeders Association members and people from feedlots in my electorate, that they have taken and continue to take extensive measures to ensure unnecessary deaths do not occur, particularly when hot conditions are experienced in western New South Wales. I also make the point, on behalf of the Opposition, that we expect the New South Wales Government and the Minister to support the lot feeding industry, which is very important to western New South Wales and Australia. It is a large export earner and a big employer in western New South Wales.

Feedlot operators are extremely sensitive about this issue, given that quite a number of individuals and groups want to see the end of lot feeding and are spreading much misinformation. Therefore it may not be appropriate to have this matter become such a big issue in Parliament, where every time it is raised it causes problems for lot feeders. It is unnecessary for the Minister to use this House to make another big issue of this and is not in the interests of the Australian Lot Feeders Association. I ask the Minister to take more care in that regard, and to make comments in support of industry and the measures it is taking to deal with this issue, because of the importance of industry to the New South Wales economy.

DISTINGUISHED VISITORS

Mr SPEAKER: I welcome to the public gallery Judge Allen Sharp of the United States District Court.

BUSINESS OF THE HOUSE

Routine of Business

[During notices of motions]

Mr SPEAKER: Order! I remind honourable members that the time set aside for the giving of notices of motions should be used for that purpose, that is, to give notices of motions. The time should not be used for making second reading speeches.

Later,

Mr SPEAKER: Order! I draw two matters to the attention of honourable members. Some of the motions of which members have given notice today have been somewhat lengthy. In the past I have ruled on

such motions. I invite members to check with the Clerks to ensure that their notices are in order prior to presenting them to the House. I also warn members, particularly the honourable member for Wakehurst, about the use of unparliamentary or derogatory language in notices of motions.

Mr Brad Hazzard: Point of order: I seek your assistance as to which part of my notice of motion was unparliamentary.

Mr SPEAKER: Order! If the honourable member for Wakehurst wants to challenge my ruling, I will rule his motion out of order and ask him to reword it.

Mr Brad Hazzard: Perhaps we could have a discussion later, because having listened to the Minister for Energy and Utilities, I know my language can be quite raw.

Mr SPEAKER: Order! The honourable member for Wakehurst will resume his seat.

UNPROCLAIMED LEGISLATION

Mr SPEAKER: Pursuant to standing orders, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 18 February 2004.

PETITIONS

Liquor Store Deregulation

Petition opposing the deregulation of liquor stores in New South Wales and urging the Federal Government to reverse its decision, received from **Ms Angela D'Amore**.

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 Daryl Maguire**.

Stamp Duty Reduction Legislation

Petitions supporting the Duties Amendment (Stamp Duty Reduction) Bill 2003, received from **Mr Greg Aplin, Mr Steven Pringle** and **Mr Anthony Roberts**.

Gaming Machine Tax

Petitions opposing the decision to increase poker machine tax, received from **Ms Gladys Berejiklian, Mr Steve Cansdell, Mrs Judy Hopwood, Mr Daryl Maguire, Mr Wayne Merton, Mr Steven Pringle, Mr Michael Richardson, Mr Andrew Tink** and **Mr John Turner**.

White City Site Rezoning Proposal

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

Water Police Pymont Site

Petition opposing development of the current Water Police Pymont site, received from **Ms Clover Moore**.

Freedom of Religion

Petition praying that the House reject the Anti-Discrimination (Removal of Exemptions) Bill, and retain the existing exemptions applying to religious bodies in the Anti-Discrimination Act, received from **Mr Alan Ashton**.

Kosciuszko National Park Management Plan

Petitions opposing the formulation of the Kosciuszko National Park Management Plan without community consultation, received from **Mr Steve Cansdell, Ms Katrina Hodgkinson, Mr Donald Page, Mr Adrian Piccoli, Mr John Turner** and **Mr Russell Turner**.

Tumbarumba to Jingellic Highway Upgrading

Petition asking that the Tumbarumba to Jingellic section of State Road 85 be sealed, received from **Mr Daryl Maguire**.

The Alpine Way Upgrade

Petition requesting funding to repair, upgrade and realign 11 kilometres of the Alpine Way between the State border at Bringenbrong Bridge and the beginning of Kosciuszko National Park, received from **Mr Daryl Maguire**.

Windsor Road Traffic Arrangements

Petitions requesting a right-turn bay on Windsor Road at Acres Road, received from **Mr Wayne Merton** and **Mr Michael Richardson**.

M4 East Exhaust Stacks

Petition opposing the use of unfiltered exhaust stacks in the construction of the M4 East motorway, received from **Mr Michael Richardson**.

Mental Health Services

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

Belmont Community Midwifery Program

Petition requesting the implementation of a community midwifery program in Belmont, received from **Mr Milton Orkopoulos**.

Careel Bay Trailer Boat Access

Petition requesting retention of trailer boat access at Careel Bay, received from **Mr John Brogden**.

Newcastle Rail Services

Petitions requesting the retention of Newcastle rail services, received from **Mr Bryce Gaudry**, **Mr Matthew Morris** and **Mr Milton Orkopoulos**.

Casino to Murwillumbah Branch Rail Line

Petition requesting the extension of the Casino to Murwillumbah branch line to south-east Queensland, received from **Mr Thomas George**.

Public Transport

Petition requesting the development of a transport blueprint for public transport as an alternative to private vehicle use, received from **Ms Clover Moore**.

Bus Service 200

Petition requesting reinstatement of the 200 bus service and increased peak hour services, received from **Ms Clover Moore**.

Bus Service 300

Petition requesting improved bus services including expansion of the 300 series bus service to adequately serve the inner city, particularly during peak hour travel, received from **Ms Clover Moore**.

Bus Service 311

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

Bus Service 352

Petition requesting extension of bus service 352 to operate on nights and weekends, received from **Ms Clover Moore**.

Light Rail

Petition requesting development of an achievable plan and funding strategy for an integrated light rail network in inner and eastern Sydney, received from **Ms Clover Moore**.

CountryLink Rail Services

Petitions opposing the abolition of CountryLink rail services and their replacement with buses in rural and regional New South Wales, received from **Mr Steve Cansdell**, **Mr Daryl Maguire** and **Mr John Turner**.

Companion Animals Legislation

Petition requesting amendments to the Companion Animals Act 1998, received from **Ms Clover Moore**.

Social Program Policy Subsidy

Petition requesting that the social program policy subsidy be extended to residents in the Hawkesbury local government area, received from **Mr Steven Pringle**.

Circus Animals

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

Sow Stall Ban

Petition requesting the total ban of sow stalls, received from **Ms Clover Moore**.

Pet Sales

Petition requesting a ban on the sale of pets from pet retail outlets, and that such sales be restricted to qualified registered breeders and pounds, received from **Ms Clover Moore**.

Cat and Dog Meat Sales

Petition requesting legislation banning the sale of cat and dog meat for human or animal consumption, received from **Ms Clover Moore**.

Alcohol Wet Centres

Petition requesting the establishment of wet centres in the inner city to provide a safe place for chronic drinkers, received from **Ms Clover Moore**.

QUESTIONS WITHOUT NOTICE

CAMDEN DISTRICT HOSPITAL MATERNITY UNIT

Mr JOHN BROGDEN: My question without notice is directed to the Premier. Why did the Premier deliberately mislead the House yesterday by claiming that there had been a coronial inquiry into the death of Natalia Lalic when that was not the case, with the matter only being referred to the Coroner yesterday evening? Given the Premier has misled the people of New South Wales and Natalia's parents, will he now resign?

Mr BOB CARR: I happen to have *Hansard* of question time yesterday. At question time yesterday I was asked about an unusual death. I said that any such death—that is, a death in tragic or unusual circumstances—is automatically the subject of a coronial inquiry. The question for the Leader of the Opposition is why did he not refer it to the Coroner.

Mr Andrew Tink: Point of order: The Premier is misleading the House. He should have added this to *Hansard*—"I will seek advice on what the coronial inquiry said in this case."

Mr SPEAKER: Order! Question time has barely begun and already there has been far too much noise and outrageous behaviour. I warn members early that I will not tolerate a repetition of the behaviour that occurred at the start of question time yesterday. All members who are now called to order will be automatically on three calls. It may well be that some members will find themselves out of the Chamber before the conclusion of question time.

Mr BOB CARR: As to my response to the suggestion of a death that medical professionals could be blamed for, I said "any such death" gets to go before a coronial inquiry—not because anyone in the Government blocked it. The Leader of the Opposition or anyone could have referred it to the Coroner.

Mr John Brogden: Point of order: She wrote to you in December and you did nothing!

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

[Interruption]

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

Mr BOB CARR: Let me quote to the House what health professionals are saying today about the ruthless exploitation of human tragedy by the Leader of the Opposition. A letter addressed to the Speaker of the Parliament from 51 doctors and nurses and other health professionals in the Macarthur Health Service condemns the Leader of the Opposition.

Mr Barry O'Farrell: Point of order: My point of order relates to hypocrisy. This is the bloke who in 1994 said he would parade the walking wounded. This is straight out of his politics book. These are exactly his tactics and he is calling the kettle black.

Mr SPEAKER: Order! I place the Deputy Leader of the Opposition on three calls to order. He will resume his seat.

Mr BOB CARR: They state in their letter to the Parliament:

We, the medical nursing and allied health staff of Camden and Campbelltown hospitals call upon those members of the community ... and political parties to cease the politicisation of our hospitals and those services within it.

Mr SPEAKER: Order! I call the Leader of The Nationals to order.

Mr BOB CARR: They continue:

The endless public assaults and trial by media of our hospitals, services and reputations is becoming destructive to the improvement of services we are committed to and demoralising to high quality professionally motivated clinical staff.

Mr SPEAKER: Order! The Leader of the Opposition will cease interjecting.

Mr BOB CARR: Fifty doctors and nurses in Camden and Campbelltown say to the Leader of the Opposition, "Enough of politicising human tragedy."

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

Mr BOB CARR: They have written to the Parliament.

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

Mr BOB CARR: They are concerned about the attacks by the Leader of the Opposition on their reputations as doctors and nurses.

Mr John Brogden: Point of order: My point of order relates to relevance. I am concerned about the people dying in the Premier's health system, and he could care less.

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

Mr BOB CARR: They say:

... while we acknowledge that there have been problems in the past, some of which have delivered poor outcomes to our patients—

These are doctors and nurses speaking—

we are deeply committed to improving our services to provide the best of healthcare to the people of the Macarthur region.

A letter to the health Minister from Camden Hospital maternity unit received today states:

Dear Mr Iemma,

We the midwives of Camden maternity unit are writing in response to recent media releases regarding the Lalic case.

As midwives we are appalled at this "trial by media". This has a negative effect on the public and will increase the public's trepidation to seek care within our hospital system.

These professionals commit their judgment in dealing with difficult cases every day of the week and the Leader of the Opposition thinks he can do better. Why does he not want them to be heard? Why does he not want to listen to the midwives?

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

Mr BOB CARR: They also state:

We acknowledge that the loss of a baby is an extremely sad and sensitive event, but to use this tragedy for political gain is outrageous ...

Camden maternity has the support of obstetricians, paediatricians and has access to neonatal support teams. The unit is designed to handle any emergencies, which present.

The events as presented in the media coverage were unsubstantiated, factually incorrect and have not been clinically reviewed by clinical experts ...

Yours sincerely

(C Mulholland)
For S Ellis
On behalf of Camden Midwives
Camden Hospital

What did Dr Andrew McDonald say when he responded to the assault on his reputation launched by the Leader of the Opposition yesterday? The head of paediatrics responded in this way.

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

Mr BOB CARR: The head of paediatrics at Camden and Campbelltown hospitals is defending the record of the health professionals who work with him there and the record of those hospitals in this area. He said that the tactic of the Leader of the Opposition is "draining staff morale among our dedicated health professionals". They are not my words, but his.

Mr John Brogden: Point of order: I want to draw the Premier back on the issue of relevance.

Mr SPEAKER: Order! What is your point of order?

Mr John Brogden: The point of order is relevance.

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

[Interruption]

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

Mr BOB CARR: The words of the head paediatrician ought to be listened to. He said that the Opposition's actions are hurting staff morale. He also said that the litany of claim and counterclaim was extremely damaging to the hospital and to the community, and that the Opposition was making it very difficult for the professionals and, frankly, taking years off their careers. Honourable members opposite are attacking the clinical decisions of doctors and nurses. Any argument about those clinical decisions should be heard before the Health Care Complaints Commission or the Coroner.

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

Mr BOB CARR: What guided the Government's decision about Camden and Campbelltown hospitals?

Mr John Brogden: The election!

Mr BOB CARR: The Leader of the Opposition is wrong. The Government was guided by a report from some of the most senior clinicians in New South Wales. I refer to the "Metropolitan Hospitals Report: Service enhancement and new roles for the metropolitan hospitals" dated August 2002. It recommended clinical integration of maternity services to establish a single maternity service serving both Camden and Campbelltown—that is, to link the services to work across two sites. That was the clinicians' recommendation and that is what this Government did. Who criticised the Government when it responded to those recommendations? None other than our old friend the honourable member for North Shore. Her words have come back to haunt her. The honourable member said:

It is outrageous. The Government issuing gentle words when the reality is harsh for mums who want to have babies locally.

The Government took the clinicians' advice to align the services.

Mrs Jillian Skinner: I also said we needed the expert clinicians.

Mr BOB CARR: Along with the honourable member for North Shore, the Leader of the Opposition said that the Government should ignore the advice of the country's top clinicians and run separate inadequate facilities.

Mr SPEAKER: Order! The honourable member for North Shore is on three calls to order.

Mr BOB CARR: The Leader of the Opposition told ABC radio on 26 August 2002 that if the Government did not do that the services would be downgraded. In other words, he said that the Government should ignore the clinicians and open the standalone facilities prematurely. By contrast, the position I and the then Minister took on 30 September 2002 was that if the experts told us that a woman could not give birth without an obstetrician on hand then we would take that advice. Their advice guided the Government in every decision. Meanwhile, health professionals continue to express outrage about this attack on doctors and nurses. I received today a statement from the New South Wales Nurses' Association.

[Interruption]

Mr BOB CARR: They scorn nurses. Speaking on behalf of 35,000 nurses, the association states—

Mr Andrew Tink: Point of order: The issue is relevance. The Premier is not referring to clinical issues in relation to the coronial inquiry. The inquiry was the basis of the question and he is yet to deal with the second quote from *Hansard*, which clearly indicates that he was talking about a coronial inquiry in the past tense. That is a relevant issue to consider in this answer. The letters that he is quoting are totally irrelevant to the question. He should deal with the quote from *Hansard*, which he has yet to mention and which clearly demonstrates that he referred yesterday to a coronial inquest in the past tense. He is yet to address that issue and that is what he should do.

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

Mr BOB CARR: They do not want to hear what the doctors, nurses and other health professionals have to say about their attacks, but they will hear it. The New South Wales Nurses' Association stated today:

The latest political and very public controversy surrounding Camden has again devastated staff at the hospital, who believe unqualified people in politics have started acting as judge and jury on individually adverse or tragic events in our hospitals.

The association can see what is going on—the unqualified hobbledehoyos opposite are attempting to intrude on clinical decision making. The letter continues:

People obviously have the right to raise concerns about the treatment and care they or their loved ones receive in our public institutions, including hospitals. However, it is not appropriate for de facto clinical reviews to be conducted by politicians.

I have a number of other responses from the very fine medical professionals working in our system. However, the nurses say it most effectively: Honourable members opposite are attempting to conduct de facto clinical reviews. Any patient in this State would rather be in the hands of a health professional than in the hands of honourable members opposite.

TOBACCO SMOKING

Mr PAUL LYNCH: I direct my question to the Minister Assisting the Minister for Health (Cancer). What is the Minister's response to community concern about smoking and related matters?

Mr SPEAKER: Order! The honourable member for Epping is on three calls to order.

Mr FRANK SARTOR: I regretfully inform the House that today 18 people will die of smoking-related illnesses. Probably 18 people died yesterday and 18 more will die tomorrow. The death of each victim is a tragedy for his or her loved ones and the community. We know that tobacco-related illnesses are more easily prevented than any other diseases. Annually in New South Wales we lose 6,500 people tobacco-related illness. Lung cancer alone claims 2,300 lives each year. The total disease burden generated by smoking constitutes 12 per cent of all illnesses in men. Smoking-related illnesses are responsible for 54,000 hospital admissions each year, and they cost more than \$150 million to treat. It goes without saying that all elected officials have a grave responsibility to attack this curse at every opportunity.

Great progress has been made in winding back tobacco's pervasive influence. We have banned tobacco advertising from our television screens and thrown it out of our sporting arenas. Tobacco products now carry explicit warnings about the dangers of smoking. I was pleased to hear the Federal Government's recent announcement that it will demand more explicit visual warnings on tobacco product packaging. However, there is more to do. Honourable members will be pleased to hear that the New South Wales Government is developing the next phase of its battle against tobacco. Last year this House moved unanimously to establish the Cancer Institute of New South Wales. Under the guidance of the Chief Cancer Officer, Professor Jim Bishop, the institute is in the final stages of developing the State cancer plan—our blueprint for the battle against cancer. The State plan will be ready for release for public consultation in April. It will nominate tobacco control as one of its highest priorities.

One of the tactics that will be considered is a new campaign against point-of-sale displays of tobacco products. Put simply, if adopted, this proposal will see tobacco products removed permanently from view in shops and supermarkets. I am strongly attached to that proposal. Point-of-sale cigarette displays are a form of tobacco advertising and promotion. One need only walk into a supermarket to see the rows of brightly coloured cigarette packets to know that tobacco products continue to occupy centre stage. I would like to see them pushed to one side. Addressing the point of sale issue is not the only option we have. The State cancer plan will contain a number of other initiatives aimed at driving down the prevalence of smoking.

Of course, the Government is mindful of the possible impacts on tobacconists and retailers where the primary product lines are tobacco and accessories. The implementation of these changes will be investigated by the Cancer Institute and will be implemented gradually and after consultation with affected parties. It is in the same co-operative spirit that the New South Wales Government has reconvened the joint working party on smoking in licensed premises. Its aim is to eliminate risk to the health of patrons and staff arising from smoking in licensed premises. Amongst the groups involved are WorkCover, the Cancer Institute, the Department of Health, the Australian Hotels Association, Clubs New South Wales and the Liquor, Hospitality and Miscellaneous Workers Union, as well as Restaurant and Catering New South Wales.

This group has already developed the "share the air" agreement—a landmark agreement that disallows smoking at bar and counter areas in licensed premises—and from 1 July this year is designating at least one bar in a licensed venue as a non-smoking area. The group is currently developing recommendations for the Government that will settle once and for all the issues of smoking in licensed premises in New South Wales. These recommendations will include a timetable for a gradual extension of smoking bans in licensed premises and other exempt premises under the Smoke-free Environment Act. The group will also make recommendations to the Minister to address consequential and transitional issues that may arise.

On 29 March this year all pubs and workplaces in Ireland will go smoke-free. I make no apology for committing myself to driving down the incidence of smoking. The incidence of smoking is about 21 per cent or 22 per cent in our community. If we reduce that incidence by 1 per cent, we are talking theoretically about saving 600 lives in the long run. The Government makes no apology for trying to reduce the human toll of this scourge and will continue to fight for reforms.

CAMDEN DISTRICT HOSPITAL MATERNITY UNIT

Mr JOHN BROGDEN: My question is directed to the Minister for Health. Why did he mislead the House yesterday by saying that present at the birth of baby Natalia Lalic was "an obstetrician, a specialist paediatrician and a midwife" when the paediatrician did not arrive until almost 20 minutes after the baby?

Mr MORRIS IEMMA: The Leader of the Opposition is completely wrong. I made it clear at the time of providing the information yesterday that I had received "... preliminary advice, and I have received information that that advice can now be confirmed ..."—information from the area health service—and that is the basis upon which the information was provided to the House. That is the information that was provided and that is the clear basis upon which that information was provided to the House. That information was provided to the House yesterday from the area administration as a result of the quite outrageous allegations made in the House yesterday.

That information was provided as a result of those allegations. At the conclusion of question time, in response to some of the matters raised by the shadow Minister for Health, I sought further information from the area health service. That information was subsequently provided by me in a public statement at a media conference. The additional information I provided in a media statement to a media conference yesterday. I do the same today. The statement read out at the media conference with the additional information—

Mr SPEAKER: Order! The Leader of the Opposition will cease interjecting.

Mr MORRIS IEMMA: The statement that was made at the press conference is the same information—

Mr John Brogden: Point of order: No wonder the Minister got it wrong. Which one was it?

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

Mr MORRIS IEMMA: I stand by the information that was provided to this House on the basis of the advice I received. In response to additional concerns raised on a point of order by the shadow Minister, I sought further information and clarification, and that was then provided in a media statement in a media conference. The only people who are lacking transparency or honesty are the Leader of the Opposition and the Opposition.

Mr Andrew Tink: Point of order: The Minister is misleading the House. He said in his answer that he got preliminary advice which can now be confirmed.

Mr SPEAKER: Order! There is no point of order. The honourable member for Epping will resume his seat.

Mr MORRIS IEMMA: Additional information was sought and provided publicly, and that provides the additional information that was the subject of his point of order. I note that the paediatrician thought it was an entirely appropriate response in view of the outrageous attack made on Dr McDonald by the Leader of the Opposition.

FIREARMS AMNESTY

Ms VIRGINIA JUDGE: My question without notice is addressed to the Minister for Police. What is the latest information on the gun amnesty and related matters?

Mr JOHN WATKINS: Police are continuing the fight to take guns off the streets of New South Wales. It is the number one priority of the police. Last year, Parliament enacted legislation allowing a New South Wales firearms amnesty as well as the national handgun buyback, both of which began on 1 October last year. While we know that criminals do not take part in amnesties or buybacks, these procedures help us to reduce the total number of guns available in the community. I am pleased to say that this most recent firearms amnesty has been an overwhelming success. Today I am pleased to announce an extension of the firearms amnesty and the handgun buyback until 30 June this year. Today marks 20 weeks since the firearms amnesty began, and in that time police have collected 3,381 firearms. That is an outstanding result.

The extension announced today means that that success will grow. This overwhelming tally of 3,381 is higher than the police expected. It is a result of guns being handed in from every part of the State. The surrendered firearms include 2,455 rifles, 610 shotguns, 298 handguns, and 18 other firearms. The response to the amnesty is very pleasing to local police, who know that these guns have been removed from general circulation. As NSW Police continue their hard work to take guns off criminals, the amnesty provides a chance for other guns out there to be handed in and destroyed. That means less chance of those weapons falling into the hands of the wrong people. If the gun is unregistered or the owner is unlicensed, it is an illegal weapon. These weapons will be accepted at any police station until 30 June this year with no questions asked.

Separate from the amnesty has been the national handgun buyback under an agreement made in December 2002 through the Council of Australian Governments in support of Prime Minister John Howard's plan. Since 1 October last year NSW Police vans have travelled through metropolitan, regional and country New South Wales, visiting gun clubs and police stations, buying back handguns from licence holders who do not meet the new legislative arrangements. As honourable members are aware, semiautomatic handguns with a barrel length of less than 120 millimetres, and revolvers and single-shot handguns with a barrel length of less than 100 millimetres are now prohibited. This is a national agreement. Since the start of the buyback in New South Wales in October, 6,663 licence holders have attended the vans, 9,198 handguns have been surrendered, more than 42,000 parts have been surrendered, and \$14,361,000 compensation has been paid back.

I am advised that other large jurisdictions are also extending their buyback schemes. For example, Victoria is extending its buyback by three months, and Queensland has requested an extension of six months. Like New South Wales, both those States will complete their buybacks on 30 June this year. In the coming weeks our vans will continue their visits throughout rural New South Wales, visiting the State's mid North Coast and North Coast, and travelling west through Bourke, Cobar and Broken Hill. The staff operating our handgun buyback vans are doing a great job, and I thank them for their commitment and hard work. I also thank the licensed shooters who have acted with great courtesy during this operation.

GOULBURN BASE HOSPITAL EMERGENCY GENERATOR

Mr ANDREW STONER: My question is directed to the Minister for Health. Does the Minister support the comment of the Acting Chief Executive Officer of the Southern Area Health Service that "no patient care was compromised" at Goulburn Base Hospital last Friday, despite the fact that staff had to sew up at least one patient by torchlight when the emergency generator ran out of fuel? What has the Minister done to ensure that this appalling state of affairs does not occur again?

Mr MORRIS IEMMA: I undertake to ascertain the details regarding the Goulburn hospital emergency generator issue that the Leader of The Nationals raises.

Mr SPEAKER: Order! The Minister will be heard in silence. The Leader of the Opposition will cease interjecting.

Mr MORRIS IEMMA: If honourable members opposite want an expression of confidence in the Acting Chief Executive Officer of the Southern Area Health Service, the answer is yes. She has been appointed to the Southern Area Health Service to assist the area health service through its difficulties. The restructure of the Southern Area Health Service will not go ahead and will not be approved, because I am not satisfied that the proposed restructure is the most appropriate way to ensure that the maximum available resources are going to front-line clinical services.

Mr SPEAKER: Order! The Leader of the Opposition will come to order.

Mr MORRIS IEMMA: The previous leadership of the area health service had undertaken a restructure, which I did not approve, and I will not approve it because I am not satisfied that that restructure would ensure the maximum opportunity for all available resources to go to front-line clinical services so that there is a streamlined restructure.

Mr SPEAKER: Order! The honourable member for Bega will come to order.

Mr Andrew Stoner: Point of order: Standing Order 138 requires that answers must be relevant to the questions asked. The question is about surgery by torchlight; it is not about some restructure of the area health service.

Mr SPEAKER: Order! There is no point of order. The Leader of The Nationals will resume his seat. I remind him that he is on three calls to order.

Mr MORRIS IEMMA: I undertake to ascertain the details about the Goulburn hospital generator and report back to the House. With regard to the Acting Chief Executive Officer of the Southern Area Health Service, I have full confidence in her and the job she is doing, and the plan she is about to submit to the department and me regarding the future of the area health service and its restructure and administration.

GARDEN ISLAND PROTECTION

Mr PAUL PEARCE: My question without notice is addressed to the Minister for Infrastructure and Planning. What is the latest information on efforts to protect Garden Island?

Mr CRAIG KNOWLES: Sydney's great harbour is distinguished by its even greater headlands—North Head, South Head, Middle Head, Balls Head, Ballast Point, Bennelong Point and Millers Point. As I am sure everyone would agree, those headlands, together with the icons on them—the Opera House at Bennelong Point, the working harbour with its maritime and naval heritage, and Garden Island and Millers Point—give definition to our nation. All those icon sites around the harbour are in public ownership, as they should be, and all of them must be conserved for the common and public good.

As we have said, Millers Point has been put in the bank for future generations. The natural headlands form part of our national State or national parks. The Opera House and Bennelong Point are now listed for consideration as part of the World Heritage. Whilst Garden Island has been recognised by the National Trust and the National Estate and some of its buildings are listed by the Royal Australian Institute of Architects, it does not yet have a formal listing on the State's Heritage Register. Garden Island—indeed, Garden Island and HMAS *Kuttabul*—clearly have State and national significance as part of the development of our colony since 1788 and the development and continued operation of the Royal Australian Navy.

Garden Island was named by Governor Arthur Phillip within three weeks of the arrival of the First Fleet. As its name implies, it was one of the first sites for food production for the new colony. Indeed, sailors waiting for their next commission and posting were assigned to work in the gardens that were established in that location. In that context, history records Garden Island as the site of Australia's first graffiti, with sailors' initials and the date 1788 carved into rocks on the island.

Garden Island's naval history is more illustrious. It was used as a base for naval operations during the Maori wars, for the suppression of "blackbirding" in the Pacific, in both world wars, and in the Korean, Vietnam and the Gulf conflicts. When one thinks about it, millions of tears of both worry and joy must have been shed as people went to war and returned home to their loved ones. For those who left those shores for war and did not return, Garden Island represented the last glimpse of Australia, the last time they set foot on Australian soil, and the last time they would have seen their loved ones.

For those obvious and compelling reasons of history, the cultural impact on our community, and the need to maintain the asset in the public domain, I have formally instructed the New South Wales Heritage Council to list Garden Island and HMAS *Kuttabul*, the Sydney Harbour naval precinct, under our Heritage Act, to protect it as we protect our other national assets.

Mrs Jillian Skinner: Like Luna Park?

Mr CRAIG KNOWLES: You voted for Luna Park. Whilst Garden Island is in Commonwealth ownership, no-one disputes that it is clearly under sound care. However, its listing on the State's Heritage Register will compel compliance with the full provisions of the New South Wales Heritage Act. It is appropriate that we do that, because the Federal Department of Defence has form on selling parts of that headland. Bomera and Tarana, former Navy homes which were both listed on the State's Heritage Register in 2000, have both been sold off to the private domain. The heritage listing of Garden Island will compel the Department of Defence to have regard to the heritage value of the area.

I flag my willingness to work with the Commonwealth to protect the future of Garden Island. A plan of management that identifies the historical buildings that should be conserved, together with a plan to reinstate the magnificent views to Middle Head and North Head, should be part of the program. Today I wrote to the Chair of the New South Wales Heritage Council asking him to proceed with the heritage listing of Garden Island. Pre-emptive listing on the State's Heritage Register is an early warning shot to the Commonwealth to protect Garden Island forever.

HEALTH CARE COMPLAINTS COMMISSION COMPLAINTS PROCESSING

Mr STEVE CANSDELL: My question is directed to the Minister for Health. Why has the family of an 18-year-old North Coast patient who was rendered a paraplegic after surgery at Westmead Hospital in February 2000 as a result of an epidural overdose still not been advised of the outcome of its complaint to the Health Care Complaints Commission, which was made nearly four years ago?

Mr MORRIS IEMMA: If the honourable member for Clarence were to provide me with the details of the matter, I would be more than happy to contact the Acting Commissioner of the Health Care Complaints Commission, Mr Grant, to determine the status of the matter and to provide a response to him. Is it acceptable that a response has not been received within four years? If the question was accurate, the answer is no. That is one of the reasons the previous Health Care Complaints Commissioner was removed and that reform is under way—to restore public confidence.

PORT MACQUARIE BASE HOSPITAL

Mr JOHN MILLS: My question also is directed to the Minister for Health. What is the latest information on the Port Macquarie Base Hospital?

Mr John Brogden: Where is the honourable member for Port Macquarie?

Mr MORRIS IEMMA: The honourable member who asked the question is a very good member and the honourable member representing the electorate to which the question relates is also a very good member: An indication of his interest in this subject was given when he asked a question earlier this week. I am able to provide the House with a very positive update on Port Macquarie Base Hospital. All honourable members would recall that in 1992 the former Coalition Government endorsed a contract between Mayne Health and the then New South Wales Health Administration Commission. It was one of the all-time classic contracts.

Mr Andrew Stoner: Point of order: Under the standing orders, questions are normally asked by the local member. The Minister should hold his answer over until Tuesday when the member for Port Macquarie is present in the Chamber.

Mr SPEAKER: Order! I suggest that the Leader of The Nationals spend some time studying the standing orders. Obviously he knows nothing about them.

Mr MORRIS IEMMA: It was one of the all-time great contracts. The 20-year agreement resulted in the operation of the Port Macquarie Base Hospital as a private hospital, providing contracted services to public patients on the mid North Coast. Now, halfway through the life of the agreement, Mayne Health seeks to assign the services contract for the Port Macquarie Base Hospital to a new organisation, Affinity Health. To do that, Mayne Health needs the New South Wales Government's approval.

Mrs Jillian Skinner: A rubber stamp!

Mr MORRIS IEMMA: There will be no rubber stamp. This contract will be closely examined. There will be no rubber-stamping of the assignment by Mayne Health to Affinity Health, unlike the agreement made in 1992. This time the lawyers will be examining the contract very closely before the Government approves any assignment.

Mr SPEAKER: Order! I remind the honourable member for North Shore that she is on three calls to order.

Mr MORRIS IEMMA: The overriding concern of the Government is to ensure that the people of Port Macquarie and the surrounding region have access to stable, high-quality care. Consequently, our responsibility is to ensure that Affinity Health has the financial and operating capacity to deliver. The Department of Health has commenced a due diligence process in relation to Affinity Health.

The experiment in health care undertaken by the former Coalition Government has left the State of New South Wales with a terrible legacy. The contract signed by the Coalition was so bad that the then Auditor-General in 1996 stated that the deal struck by the former Coalition Government, colleagues of the current Opposition, means that New South Wales taxpayers are "paying for the hospital twice and giving it away". The Coalition signed a contract that has locked the Government into paying out \$144 million for a hospital that at the time cost \$52 million to construct, and it has sold valuable community land to the private sector. At the expiration of the contract in approximately 10 years, what do New South Wales taxpayers get? Will they get a hospital? No—not even a brick! The people of New South Wales will not own the hospital at the expiration of the contract.

On top of that, the Coalition has locked the State into paying the private hospital an annual service charge. For 2003-04 the service charge will be approximately \$47 million and it will cover patients' services as well as a profit margin. The payment has been increased by more than 30 per cent over the past four years. Despite an increase in the budget allocation, funding for the hospital is currently in dispute. The interesting factor is that \$47 million is payable under the service contract, and one would think that when the Coalition struck the deal, it would have at least struck a deal that enabled the New South Wales Government to stipulate where the funds would be spent. One would have thought that the service agreement would have provided that taxpayers' funds paid to a private organisation would entitle the taxpayers to determine where the money goes, what it is spent on, and to ensure that the expenditure at least hits some of the Department of Health's targets, but it does not. That is one of the reasons for the dispute between Mayne Health and the Government.

This Government insists on being able to determine where public money is spent. However, this private company is telling the Government and the taxpayers of New South Wales that they can get lost. The company wants the money, but it will not allow the Government to stipulate that elective surgery must be a priority or that the hospital must, say, undertake more hip, knee and joint replacements. The company wants the money, but will not allow the Government to stipulate the services that must be provided. Therefore, the parties are in dispute. The dispute is an annual event, which reflects the lack of clarity in the original contract. The fact is that hospital management has overspent the hospital's budget and has threatened to cease undertaking elective surgery.

Not content with being unable to properly manage funds that have been provided by the Government, the hospital's management is now attempting to use patients as leverage against the Government. The Government accepts that the mid North Coast is an area of high population growth and that, in common with other hospitals, medical activity at the Port Macquarie Base Hospital has been higher than expected at the beginning of this year.

Mrs Jillian Skinner: It is a great hospital.

Mr MORRIS IEMMA: It is a great hospital, with great clinicians. The hospital has faced an increased demand owing to the crash in bulk-billing and the Medicare crisis. On behalf of the Government, the Mid North Coast Area Health Service has made three very reasonable offers to management, but none has been accepted at this point. The first offer was an additional \$1 million to address the 600 additional medical admissions to the hospital that were expected during 2003-04. That was the first offer that was put on the table and one would have thought that management would have jumped at it, but there has been no response and the offer has not been accepted.

Mr SPEAKER: Order! The Leader of The Nationals will listen to the Minister's answer in silence.

Mr MORRIS IEMMA: The second reasonable offer is \$2 million for elective surgery for patients who have been waiting more than 12 months. The additional \$2 million has been allocated to target those who are most in need—those who have been waiting a long time for surgery. When the first offer of \$1 million was made, no answer was received from management. The second offer of \$2 million has been made to treat patients who have been waiting for long periods for elective surgery, but up until question time today, no response had been received from the hospital's management.

The third offer, which the hospital's management did not even bother to tell its clinicians about, is the offer to extend Treasury Managed Fund [TMF] coverage for private patients at the hospital. That was the third reasonable offer that was made; incredibly, until recently the hospital's management had kept the offer from clinicians, which had the effect of winding up the clinicians to run a public campaign. So the hospital's management has been hiding behind the clinicians as well as using the patients as leverage. That is the type of integrity being demonstrated by management at the hospital.

The Port Macquarie Base Hospital accounts for 19 per cent of total of admissions for the Mid North Coast Area Health Service, yet by the end of December 2003 it accounted for than 90 per cent of patients in the long-wait category and received more than 45 per cent of the total additional funds distributed throughout the area over the past three years to cater for long-wait patients. In other words, despite more resources having been made available over the past three years throughout the mid North Coast area to target the treatment of patients who have waited longer than 12 months for surgery, the hospital's management has not made treating those surgery patients a priority.

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

Mr MORRIS IEMMA: Last night the Mid North Coast Area Health Service met with representatives of Mayne Health and the medical staff council of the Port Macquarie Base Hospital. The offer of \$2 million was made to Mayne Health for elective surgery to specifically target patients who have been waiting for 12 months or longer. Up until question time today, no response had been received. The additional \$2 million would cover the costs of 97 knee replacements, 24 hip replacements, 12 other major joint operations, and 47 cataract operations. The \$2 million allocation would eliminate the long-wait patients list at the Port Macquarie Base Hospital.

In addition, I have mentioned the \$1 million, for which they still have not given us an answer. Three reasonable offers have been made. Two of them have the following conditions attached: that the \$2 million and the \$1 million be spent on the long waits and other elective surgery patients at Port Macquarie. Management still has not responded; they will not respond because they do not want to be told by the Government, on behalf of the people of Port Macquarie, that we think the people waiting more than 12 months at Port Macquarie are a priority. Hip operations, knee replacements and other operations are also a priority, but management does not think so. Management does not want to sign up to targets or key performance indicators.

NORTH HEAD SEWAGE TREATMENT PLANT

Mr DAVID BARR: My question without notice is addressed to the Minister for Energy and Utilities. What is the Government's intended program for the North Head sewage treatment plant?

Mr FRANK SARTOR: I recall that about three or four months ago the honourable member for Manly, together with some constituents, came to see me about this issue. As the honourable member would be aware, the North Head sewage treatment plant serves about one million people. It has been undergoing progressive improvement over the past few years. The number of bypasses has been diminishing. Sydney Water had proposed a major expansion of the plant worth more than \$200 million. This expansion was mainly targeted to remove a much greater proportion of solids from the plant, which would have had many implications in terms of the flow of trucks through the neighbourhood and so on. Sydney Water reviewed its priorities in the context of discussions with the Environment Protection Authority and the Department of Environment and Conservation.

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

Mr FRANK SARTOR: In terms of its environmental and other priorities, Sydney Water felt that the project as originally scoped would not provide the maximum benefits or value for money. As a consequence, the scope of the project has been reduced. The project will now cost something over \$100 million but will focus on critical issues, such as improving the reliability and performance of the plant, and replacing the biosolids management facility, which will greatly enhance the transport of biosolids to the facility and save 1.5 megalitres of water every day by using recycled water rather than potable water. That is more than half a gegalitre a year. The approach taken by the Sydney Water board is sensible. It adopted this strategy in principle late last year. The proposal must now go through further feasibility testing, and parts of it must be subject to an environmental impact statement. Hopefully, work can commence in the next year or two, subject to its being an Independent Pricing and Regulatory Tribunal approved project that can recover funding.

ACMENA JUVENILE JUSTICE CENTRE SECURITY UPGRADE

Mr NEVILLE NEWELL: My question without notice is directed to the Minister for Juvenile Justice. What is the latest information on the repairs and security upgrade to the Acmena Juvenile Justice Centre in Grafton?

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

Ms DIANE BEAMER: Acmena Juvenile Justice Centre in Grafton was the scene of a serious disturbance on 28 December last year. The incident saw 14 detainees gain access to tools and cause extensive damage to the centre. The staff moved away from the confrontation to a position of safety, in line with procedures. Police and staff negotiated a peaceful settlement after several hours. No detainee escaped. The only injury was to one detainee who harmed himself, and he recovered soon after. To their credit, most of the detainees chose not to participate in the disruption. Fourteen detainees were charged with rioting. Eight were relocated from Acmena to higher security centres. All detainees were removed from the centre and held at other secure centres pending repairs and a security upgrade. Detainees began returning to the centre on 23 January.

The scheduled date for completion of the work and the return of Acmena to operational status was set for 1 March. I am pleased to inform the House that Acmena will be back in full operation as of tomorrow. Not only has the damage been repaired, but the security and safety of the centre is now significantly improved. The work at Acmena included strengthening and securing windows in the residential units, fitting stronger locks to internal doors, installation of a more secure drug safe, new steel security cabinets in woodwork rooms, extensive repairs and repainting of smoke-damaged areas, repair and replacement of damaged security and office equipment, and repairs to outdoor walls. Apart from the physical work at the centre, there has been a review of rostering, refresher staff training, implementation of a key watcher system and further risk assessment of vocational programs.

The lessons learned at Acmena are leading to security improvements at the eight other juvenile detention centres in New South Wales. Despite Opposition claims, the Government has been open and frank about this disturbance and its aftermath. In January I invited news media representatives to view, with me, the repair work and security improvements at the centre. The shadow Minister and the local member were given access to the centre on 29 January. I have agreed to the shadow Minister making another visit to the centre next Monday.

Mr Peter Debnam: What about the cost?

Ms DIANE BEAMER: The department advises me that the total cost of the repairs carried out after the disturbance was close to \$400,000, not the \$1 million quoted by the shadow Minister. The Opposition claimed that there was overcrowding at the centre. The centre was built for 34 detainees, and there were 30 detainees at the time of the disturbance. The Department of Juvenile Justice has learnt from the disturbance at Acmena. We have returned the centre to full operational status ahead of schedule, upgraded security and improved safety and conditions for both staff and detainees.

Questions without notice concluded.

CAMDEN DISTRICT HOSPITAL MATERNITY UNIT**Personal Explanation**

Mr JOHN BROGDEN, by leave: I wish to make a personal explanation. Today in the House both the Premier and the Minister for Health said that I had attacked Dr Andrew McDonald, the paediatrician involved in the Natalia Lalic case and the head of paediatrics at Camden and Campbelltown hospitals. I make it clear that that is simply not the case.

Mr Carl Scully: Point of order: Under the standing orders, I cannot see how that reflects on the Leader of the Opposition's capacity to be a member of Parliament or how it reflects on him personally.

Mr SPEAKER: Order! The Leader of the House has taken a point of order that the Leader of the Opposition cannot debate matters when making a personal explanation. The Leader of the Opposition must

show that his character has been impugned in some way by what has been said in the House. I have not heard sufficient to rule on the point of order. However, the Leader of the Opposition would be aware of the standing orders in relation to the matter.

Mr JOHN BROGDEN: The Premier incorrectly stated, and sought to impugn my reputation by suggesting, that I had attacked Dr Andrew McDonald. That has never been the case. In fact, I have taken every opportunity to praise him in particular for his role in this matter.

KEMPSEY DISTRICT HOSPITAL AIRCONDITIONING

Personal Explanation

Mr ANDREW STONER, by leave: I wish to make a personal explanation. Yesterday, and on 2 December last year, the Minister for Health reflected upon my honour, character and integrity. On those occasions, when I raised the matter of health services in rural New South Wales, the Minister impugned my character by stating that I was incorrect when I spoke about the chief executive officer of the Mid North Coast Area Health Service making misleading statements about the operating level of Kempsey District Hospital. The Minister referred to a six-page letter that I was supposed to have received from that person; a letter I have not seen. The Minister's aspersions are untrue. I was correct in my assertions, as proved by this article from the—

Mr SPEAKER: Order! I remind the Leader of The Nationals that a member cannot debate matters when making a personal explanation. The House has no way of knowing which statement is correct.

Mr ANDREW STONER: I am not debating the matter. If you let me finish, I will show you the two documents that prove I was correct and the Minister is incorrect.

Mr SPEAKER: Order! That is not the purpose of a personal explanation. When making a personal explanation a member is not permitted to debate statements that are made across the Chamber.

Mr ANDREW STONER: I am clarifying that I was correct and that the Minister was wrong.

Mr SPEAKER: Order! That is not a personal explanation.

Mr Ian Armstrong: Point of order: I draw attention to Standing Order 101, which states:

A Member may rise to declare that a contempt or breach of privilege has been committed. In order to move a substantive motion immediately or to request the Speaker to have a notice placed on the business paper with precedence, the Member must satisfy the Speaker (in a statement limited to 10 minutes) ...

The member has the right to substantiate his case, and he has 10 minutes to do it.

Mr SPEAKER: Order! The honourable member for Lachlan has been a member of this House long enough to know that there is a difference between a claim of privilege and a personal explanation.

Mr ANDREW STONER: Point of order: I draw attention to a ruling by Speaker Murray in 2001, who ruled that the standing orders provide for members to make a personal explanation to draw the attention of the House to the interpretation of the events. Under that ruling I have the right to explain the events.

Mr Carl Scully: You're debating it.

Mr ANDREW STONER: I am not debating it. I am explaining how the Minister has impugned my character over a statement of fact, which he says is incorrect.

Mr SPEAKER: Order! The purpose of a personal explanation is to give a member the opportunity to explain how his character, political integrity or position as a member of Parliament has been impugned or reflected upon. I have heard nothing from the Leader of The Nationals in relation to any of those matters.

Mr Adrian Piccoli: Point of order: Mr Speaker—

Mr SPEAKER: Order! I will not entertain a further point of order on this matter.

CONSIDERATION OF URGENT MOTIONS

Banking Industry Deregulation

Mr GERARD MARTIN (Bathurst) [3.53 p.m.]: My motion is urgent because today the Federal Parliamentary Joint Committee on Corporations and Financial Services has made recommendations concerning the deregulation of the banking industry, particularly in relation to an increase in automatic teller machine fees that will see great discrimination against rural areas. We need to send a message now, not next week or next year, because this matter is urgent now.

Mr Ian Armstrong: Point of order: The member is arguing the substance of his proposed motion. He has not created an atmosphere of urgency.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I am sure the honourable member for Bathurst is aware of the standing orders.

Mr GERARD MARTIN: I realise that the honourable member for Lachlan likes to work in short spurts, and that is why he limits himself to points of order. I have addressed the urgency of this motion. This matter is urgent because it is a matter of timing. For those on the other side of the House it may not be of any great interest, but from Country Labor's point of view, we believe it is urgent to stand up for country people on this matter. Increasingly they have had to rely on automatic teller machines in rural areas because of the withdrawal of banking facilities. It is urgent to send a message to the Howard Government before it is swept out of office and have this matter addressed so that the banks do not introduce ridiculous fees that penalise people in rural and remote areas.

Death of Natalia Lalic

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [3.45 p.m.]: My motion is urgent because it goes to the comments made in the House yesterday by the Premier and the Minister for Health with respect to the death of baby Natalia Lalic. My motion is urgent and is pertinent to debate in this Chamber because both the Premier and the Minister for Health misled the House on crucial points of fact that pertain to this case. They moved quickly to try to shut down this matter and in doing so misled the Parliament, but most crucially they misled the family. This matter is urgent because the Lalic family seek justice. Today, in a note to me, Vera Lalic wrote:

Unfortunately, none of my questions have been answered, and everything seems to lead back to the State Government. I wrote to Morris Iemma in November 2003 asking to explain, but no acknowledgement ever came. 11 months of tormenting myself and family was enough and writing to various people. This was to me, my only way to get a reasoning for all this. I hope people don't think I am trying to discredit everyone in the Hospital System, because I am not. My experience in Liverpool Hospital New Born Care Unit and Post Natal ward, has stayed with me even today. The nursing staff I can not find words for, and Dr Andrew McDonald you will never be forgotten for giving us our 5 days with our little girl, I thank you—

referring to Dr McDonald—

with all my heart, you kept the little dignity I had, I will never be able to thank them for what they did and the support I received, you are what keeps me today, you showed me there are people who care. And I thank John Brogden for allowing my pleas to be heard. If it hadn't gone this way I would still be in the dark. In the last 24hrs I've had more response with my inquiry than in the past 11 months. There might be a light at the end of the tunnel.

This matter is urgent because the Premier misled Parliament on the issue of a coronial inquiry. In order to try to take the pressure off himself yesterday he referred to this matter being investigated by the Coroner. That was flatly wrong; so wrong that the Minister for Health yesterday evening put an inquiry in place in an attempt to cover up the mess left behind by the Premier. But, more damning than that was the performance from the Minister for Health. He got up in the Chamber with an urgent memo, and confirmed—

Mr Alan Ashton: Point of order: Attacking the Minister for Health on an answer he has given in the Chamber is out of order. I ask you to bring the Leader of the Opposition back to the matter of urgency. The Government has been fairly reasonable in listening to him read out the letter. The Leader of the Opposition should be brought back to the urgency debate.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! The Leader of the Opposition has almost crossed the line.

Mr JOHN BROGDEN: My motion particularly condemns the Premier and the Minister for their behaviour. The Minister deserves to be condemned by this House because yesterday he said that the paediatrician was present. The Minister lied: No paediatrician was present when the baby arrived.

Mr Gerard Martin: You are addressing the substance of the motion.

Mr JOHN BROGDEN: Yes, that is the substance of the motion, and it matters because it makes a difference. The Minister for Health lied to Parliament. He said that a paediatrician was present, but a paediatrician was never present. The document of the Macarthur Health Service states:

Andrew McDonald "The guidelines state a paediatrician should have been present".

The paediatrician was not called because the visiting medical officer obstetrician refused to call him; he denied the request from nurses to call him. As a result, the baby and the mother were clearly in distress. There are days of records leading up to the date of birth that show the distress, including an alarming discharge from the mother when she came to hospital at 2.45 in the morning. However, they did not call a paediatrician and a baby died. The Minister lied. Bob Carr lied about it and Morris Iemma lied about it. The best we got from Iemma today was an attempt to cover his tracks. The Government is immoral and the Premier is immoral.

Mr Steve Whan: Point of order—

[Time expired.]

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

The House divided.

Ayes, 50

Ms Allan	Ms Hay	Mrs Paluzzano
Mr Amery	Mr Hickey	Mr Pearce
Ms Andrews	Mr Hunter	Mrs Perry
Ms Beamer	Mr Iemma	Mr Price
Mr Black	Ms Judge	Dr Refshauge
Mr Brown	Ms Keneally	Mr Sartor
Ms Burney	Mr Knowles	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 West
Ms D'Amore	Mr Mills	Mr Whan
Mr Debus	Mr Morris	Mr Yeadon
Ms Gadiel	Mr Newell	<i>Tellers,</i>
Mr Gaudry	Ms Nori	Mr Ashton
Mr Greene	Mr Orkopoulos	Mr Martin

Noes, 35

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

Pairs

Mr Bartlett	Mr Hartcher
Ms Saliba	Mr J. H. Turner

Question resolved in the affirmative.

SPECIAL ADJOURNMENT**Motion by Mr Carl Scully agreed to:**

That the House at its rising this day do adjourn until Tuesday 24 February at 2.15 p.m.

BANKING INDUSTRY DEREGULATION**Urgent Motion**

Mr GERARD MARTIN (Bathurst) [4.10 p.m.]: I move:

That this House expresses its opposition to a proposal by the Joint Parliamentary Committee on Corporations and Financial Services chaired by Senator Grant Chapman to further deregulate the banking industry and allow an increase in rural automatic teller machine fees of up to \$10 a transaction.

Honourable members will appreciate the seriousness of this issue. The \$10 fee will apply only in rural and remote areas.

Mr Andrew Constance: Point of order: Did the honourable member for Bathurst make a submission to the committee's inquiry?

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

[Interruption]

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I call the honourable member for Bega to order. He will resume his seat. The honourable member for Bathurst has the call.

Mr GERARD MARTIN: This issue is important to people in rural and remote areas. The banks have had a free kick as a result of the Federal Government's lack of prudential regulation and have been allowed to withdraw banking services throughout country areas.

Ms Gladys Berejiklian: Point of order—

Mr GERARD MARTIN: The honourable member for Willoughby, who represents a city electorate, would not understand that.

Ms Gladys Berejiklian: My point of order goes to the issue of urgency. The Federal committee deliberated on this issue for three years. Why does the honourable member for Bathurst raise now an issue that has been under consideration for three years?

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I know that the honourable member for Willoughby has not been a member of this place for long, but she should know that her remarks do not constitute a point of order. The honourable member for Willoughby will resume her seat. The honourable member for Bathurst has the call.

Mr GERARD MARTIN: The Federal parliamentary system moves slowly but we must now deal with the recommendations of that committee. Only the Labor members of the committee took the banks to task. When Parliament debated bank debt mediation National party members did nothing. They opposed it because they wanted to protect the big banks. Members of The Nationals are not the slightest bit interested in protecting their constituents in the bush, who would see the charges for automatic teller machine [ATM] transactions increase from an average of \$1.30 to \$10. That would be a crippling blow for those people, who cannot access other banking services. On the Howard Government's watch—

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! The honourable member for Coffs Harbour will come to order.

Mr GERARD MARTIN: On the Howard Government's watch, air, communications and banking services have been cut. Bank branches across the State have closed while the banks—which those opposite will defend to their last breath—have made billions of dollars in profits. Bank fees on almost every customer

transaction have increased. But the committee's proposal is a direct assault on people in remote areas who do not have the banking facilities and access available to those in metropolitan areas. That is why we must debate this issue urgently. The Federal Government has received the committee's report and action is imminent. Labor members join those thinking members of the committee who have drawn attention to the fact that this is another free kick for the banks that is simply not justified. Labor members of that committee say in the report that it is inherent in the industry model that automatic teller machine operators in the bush will be able to charge more.

That is in the fine print but Coalition committee members have glossed over it. They have meandered through this inquiry, which has dragged on for three years—I thank the honourable member for Willoughby for reminding me of that fact—and tried to whitewash the findings. At the end of the day they are simply doing the bankers' bidding. During debate on the farm debt mediation legislation the Government of the day joined the bankers to stop farmers facing foreclosure from receiving any assistance. This week we witnessed similar hypocrisy when the Deputy Leader of the Opposition in the Upper House—the world's greatest hypocrite—claimed that the Coalition had saved the day. It did not save the day then and it will not do so now. Coalition members have been silent on this issue. They were oblivious to the fact that this inquiry was under way. I would like to hear the honourable member for Monaro and the honourable member for Murray-Darling speak in this debate because they are in touch with these issues.

The banks are now pressing the Howard Government to allow them to charge rural customers more to use ATMs. I guess the Federal Government wants to rush through those changes because it can see little Johnnie going down the gurgler as the Latham avalanche roars towards him. He will ultimately save the day but at present we have every reason to send a bipartisan message to Canberra. We should unite on this issue. We are offering our hands across the Chamber to the rabble opposite and urging them to get out of the gutter—where they have been for most of the day. I accept the hand of the National Party Whip, the honourable member for Lismore. He has occasional lapses in this place but he is a gentleman most of the time. Overseas experience reveals that when differential fees are allowed people in rural and regional areas are hit by significant price rises. That is what we face as a result of this inquiry. Fees could increase by almost a factor of 10.

Mr Andrew Fraser: Point of order: Mr Acting-Speaker, I draw your attention to the standing orders of the House and to the time on the clock. Private members' statements should commence at 4.15 p.m. and it is now 4.16 p.m.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! According to my watch it is 30 seconds before 4.15 p.m. The point of order take by the honourable member for Coffs Harbour has probably now used that time. Therefore, pursuant to sessional orders, business is interrupted for the taking of private members' statements and the motion lapses.

PRIVATE MEMBERS' STATEMENTS

HORNSBY ELECTORATE NEIGHBOURHOOD WATCH

Mrs JUDY HOPWOOD (Hornsby) [4.17 p.m.]: I commend the Neighbourhood Watch groups in my area for their tremendously hard work on a daily basis in support of their communities, especially their crime detection and prevention activities. However, I am worried about the future of Neighbourhood Watch as a result of concerns raised by Neighbourhood Watch groups and members of the Hornsby Community Safety Committee. Last December the superintendent of the Ku-ring-gai Local Area Command received a letter expressing concern about the amount of information that is forthcoming from the local area command to Neighbourhood Watch groups. The letter states that the relationship between the parties depends on the police sharing information with Neighbourhood Watch groups, referring particularly to:

... the dissemination of information on local crime trends and policing issues.

It continues:

This makes sense because it enables communities to be aware of specific crime problems and helps to focus NHW groups on ways to keep their communities free of crime. It also complements the reporting of crime and suspicious activity by the community to the Police, which is one of the four main objectives of NHW. Furthermore it provides assurance to the community that the Police are at least aware of local crime as the first step towards improving safety within the community.

I have been a proud member of the Mount Colah Neighbourhood Watch and have been a street distributor for 12 or 13 years. Since 2001 the committee has experienced problems in that crime incidents in the area are reported to the Police Assistance Line, even though many are relatively minor in nature, but are not reflected in the crime reports provided to Neighbourhood Watch and, therefore, cannot be included in their newsletter. The Mount Colah Neighbourhood Watch and the Hornsby-Hornsby Heights Neighbourhood Watch are active groups and both have experienced a reduction in the reporting of incidents to the community. The crime prevention officer, Tony Sneddon, is a hardworking officer who attends all meetings. I do not in any way criticise him because he is working within the system, but many people involved in Neighbourhood Watch are of the view that the system is deficient. Indeed, when asked, Tony Sneddon places the blame squarely on the second-rate technology of the computer-operated police system. For example, incidents that occurred at Gordon were recorded with the Mount Colah data, which obviously is a problem.

The mission of NSW Police is to have the police and the community work together to establish a safer environment by reducing violence, crime and fear. Clamping down on information provided to Neighbourhood Watch does not enrich that relationship. This morning the honourable member for Vaucluse introduced a bill that aims to reduce crime and to encourage actively the reporting of all crime and incidents of public disorder. I support that bill because it goes hand-in-hand with the need for Neighbourhood Watch groups to be aware of what will enable them to properly carry out their roles. At present a high level of crime is not reported. Indeed, why would one bother when the Police Assistance Line is nothing more than a glorified filing cabinet? Figures from the Australian Bureau of Statistics show that 61 per cent of robberies, 70 per cent of assaults, 80 per cent of sexual assaults, 69 per cent of attempted break-ins and 32 per cent of break-ins are not reported. I encourage the New South Wales Government and NSW Police to continue to support Neighbourhood Watch. It plays a valuable role in our community.

FAIRFIELD HARNESS RACING CLUB

Mr JOSEPH TRIPODI (Fairfield—Parliamentary Secretary) [4.22 p.m.]: Last year I expressed my concern to the House about proposed reforms to the harness racing industry in New South Wales prescribed by a strategic plan developed by the board of Harness Racing New South Wales. In particular, I conveyed the concern of many in the Fairfield electorate about the proposed closure of Fairfield racetrack. That proposal is being implemented in a slightly amended version. The amended plan is completely unsatisfactory and I have expressed that view repeatedly. Stakeholders in the racing industry consider the Fairfield club and track to be a thriving show that is vital to the health of the industry as a whole. I have also expressed that view here and elsewhere.

Previously, I have provided to the House strong evidence to demonstrate that the Fairfield club was prosperous, with plans for growth into the future. The Fairfield club also put this evidence to the board of Harness Racing New South Wales, but despite that the board stated that it intended to go ahead with plans to relegate Fairfield to a training course in June. The widespread view in the industry is that the board is biased towards Harold Park Raceway. This bias has led the board to ignore evidence of the importance and popularity of the Fairfield club to the industry in order to benefit Harold Park. Stakeholders in the harness racing industry believe that the board's strategic plan was designed to benefit Harold Park at the expense of other raceways, particularly the recent move by the Chief Executive of Harness Racing New South Wales, Mr Raedler, to take up a job with Harold Park Raceway. That has compounded cynicism and scepticism about whether the board acted in the interests of the industry or more in the interests of favoured clubs.

I am advised that the current roll-out of the strategic plan is causing considerable damage to the welfare of the harness racing industry. I have been told that the implementation of the strategic plan has left the industry in a state of disarray. People involved in industry based around Fairfield and other areas of New South Wales are extremely negative about its future and believe the problem will be exacerbated when the plan is executed in full. For some time the board has been warned that if it pursued its plan, participants would leave the industry, thus weakening it. That warning is now becoming a reality. People are leaving harness racing because of what the board's plan has in store for similar clubs.

Ironically, it is anticipated that even the white elephant at Harold Park may suffer from the contraction about to occur in the industry. At a recent Harold Park race meeting some races had only six runners when under normal conditions fields are much healthier at this time of year. The plan has devastated Fairfield participants and many now consider leaving. I am advised that Fairfield's leading trainer, Graeme Watts, is seriously considering a move interstate because of the plan to close Fairfield as the racetrack in June. To lose this long-time loyal local will be a real shame to those who know him and his passion for the industry. Fairfield does not want to lose this old champion.

Flight from the New South Wales industry is not confined to Fairfield. Other leading trainers have left or are planning to leave New South Wales to get away from the game before it collapses. I understand that some of the biggest names are thinking of leaving the State, one being Steve Turnbull from Bathurst. Steve trains and drives former Interdominion winner Smooth Satin. I am told that Steve recently said on cable television program *In the Gig* that his stable is no longer viable in New South Wales because of track closures. He said that many of his owners would leave the industry. Steve was a regular visitor to the Fairfield Raceway and locals will miss him.

Mr Turnbull's reported departure from industry provides clear evidence that the thriving Fairfield Raceway should be allowed to continue operating as a raceway. I am advised that Mr Turnbull's stated reason for leaving is that at least half of his horses need to be placed at slower tracks where those horses have a chance of getting some prize money for their battling owners. Fairfield is part of a significant second tier of the industry. It provides a racing venue for a diverse range of participants. The closure of tracks like Fairfield will mean Mr Turnbull may lose up to half of his owners, and this is the contraction of the industry about which I have been concerned. The plan is flawed; it is more about industry politics than industry economics. Once again I express deep concern at the board's direction for the industry and the implications that flow from plans to close tracks such as Fairfield. I would like to assure the Fairfield racing community that I have not forgotten them and that I will continue to be involved in any way possible.

BANORA POINT CARAVAN PARK

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [4.27 p.m.]: I again express concern about the management of Banora Point Caravan Park. In the past I have raised this matter and although there has been a name change I shall continue to refer to it as Banora Point Caravan Park. I express extreme disappointment at the recent decision handed down by the Supreme Court in relation to action against the operator of the caravan park, Blackington Pty Ltd. The court determined that declarations be made that the defendant breached the Residential Parks Act and the Fair Trading Act. The court found that the defendant acted unconscionably by adopting a policy of not consenting to assignment of residential tenancy leases by residents. The court also found that the defendant had breached the Residential Parks Act by imposing conditions on the use of access passes by residents and by interfering in the sale of dwellings situated in the park. I am profoundly disappointed that, despite the court's declarations, the judge found it unnecessary to make any other orders in relation to the conduct engaged in by the defendant. The judge indicated he had not imposed penalties because of the time between the hearing in September-October 2003 and the declarations, which were made only yesterday.

The judge indicated that, when arriving at the declaration, he was satisfied that the defendant, Blackington Pty Ltd, had addressed concerns raised by the Department of Fair Trading. I do not believe that to be the fact. There continue to be activities within the park, and by its management, which adversely affect the living conditions of permanent residents in the Banora Point Caravan Park and are to their great cost. Only this month there were two stories in the *Tweed Daily News*, accompanied by supporting illustrations and photographs, about car wrecks being moved from one position in the caravan park and being placed in front of permanent residents. The newspaper states that two wrecks had been moved to the riverfront reserve, in front of the homes of permanent residents, by a tow truck contracted by the park owner. In other words, the owner had deliberately moved those wrecks and placed them in front of permanent residents, helping to destroy and remove their amenity. Then the car wrecks were deliberately set on fire by a person or persons unknown. One would take with a grain of salt any suggestion that there was no connection between the moving of the car wrecks and the setting alight of those cars in front of the residents. I could give other examples.

On behalf of the residents, I would like to thank officers of the Department of Fair Trading for vigorously pursuing this matter in the Supreme Court against the operator of the Banora Point Caravan Park, Blackington Pty Ltd. I understand that Fair Trading will continue to monitor the situation at Banora Point Caravan Park. However, I express my extreme dissatisfaction with the inaction of Tweed Shire Council, despite its responsibilities in this matter. Essentially, council provides health inspectors for the area, if I could put it that way. A number of events have occurred involving drainage, open sewerage, drains, et cetera, and caravans being parked on roads that are for the use of residents. Those activities have continued because of the inaction of Tweed Shire Council inspectors who have not taken their health responsibilities seriously at all and have not taken action that is available to them. I take umbrage at the decision of the court in the sense that I feel residents have been seriously let down, at great cost to them mentally and financially. [*Time expired.*]

CHILD SEXUAL ASSAULT

Ms KATRINA HODGKINSON (Burrinjuck) [4.32 p.m.]: Today I speak about a difficult topic that is disgusting and disturbing in its detail, and which to a large extent is ignored by society and by the Government. On 30 March 2002 a teenager from Armidale, Niamh, disappeared whilst hitchhiking on the Gocup Road between Tumut and Gundagai. Niamh remains missing. Our hearts go out to her family, who must be suffering terrible torment. Her case remains unsolved. The most recent figures that I have been able to obtain show that in 1999, across New South Wales, 2,034 juvenile girls and 1,482 juvenile boys went missing. Currently there are 136 girls and 71 boys, who were below the age of 16 years when they went missing, still unaccounted for in New South Wales. It is very disturbing that figures for children between the ages of 16 and 18 going missing are not readily available.

I met recently with Father Chris Riley, the founder of Youth Off the Streets. He is well known for his advocacy and work with young people challenged by homelessness, abuse and addiction. With Father Riley were two Canadian police officers, Detective Constable Oscar Ramos and Detective Constable Raymond Payette. Those officers are from the Vancouver Police Department's vice unit and operate the Deter and Identify Sex Trade Customers Program [DISC]. It is an innovative program that tracks five specific groups: adult prostitutes; children who are being sexually abused for financial gain; people who use the services of prostitutes; those vultures, often called pimps, who gain financially from the sexual abuse of children; and special interest groups such as known paedophiles, or those who have been found in possession of rape kits. I had never heard of the term "rape kit" before. For the information of honourable members, some people trawl for prostitutes with rubber gloves, ropes, disabling drugs, bandages for gags and similar items in their cars. That is called a rape kit.

The DISC program identifies children below the age of 18 years who are being sexually abused for profit. I will not refer to this practice as child prostitution because the word "prostitution" could imply a degree of consent. Father Riley is adamant that persons under the age of 18 years do not willingly sell themselves without being under a form of compulsion, such as physical restraint, drug dependence or threats of violence. DISC has been successful in solving crimes and getting children in this terrible situation off the streets and into some form of continuum of care, such as Youth Off the Streets. It requires a free flow of information between all police forces and a close working relationship between police, child protection agencies and non-governmental care organisations that provide long-term care.

Recruitment of youth for use in the sex trade usually occurs between the ages of 14 and 16. Typically, vulnerable children are identified, and inducted into a drug abuse culture or detained by force and forcibly made dependent on drugs of addiction. In one year alone, in Vancouver, 56 girls trapped in this terrible situation were identified and helped on the road to escape and recovery. Six unsolved murder cases have also been closed because of this program. DISC is so successful because it allows information to be shared and identifies sexual predators who spread their activities in different cities, States and even countries. In addition, these sexual predators use the sex trade, both adult and child, to practise before going on to abduction, assault of other children, sometimes followed by murder. I will give one example from the Canadian experience.

Police identified an elderly man, with an adult female prostitute, engaged in an activity that simulated a sexual act with a child. This in itself was not illegal. He was identified and the information was shared with other police forces. He was in fact a well-respected member of a community, was engaged in many community activities but was also a paedophile who had, without detection, regularly sexually abused his three small grandchildren. It is interesting and disturbing to contrast the Canadian experience with the policy that the Government requests NSW Police and the Department of Community Services to enforce. In 1999 there were in Australia 4,003 children under the age of 16 years who had been identified as being sexually abused for profit. The actual figure is probably much higher. In Canada, police have the legislative power to stop a car that has picked up a child from a known area of prostitution. They can then remove the child from the car and take the child to a place of safety, where he or she will not be charged, have his or her rights protected by legislation and is placed in the care of a government child protection agency. Canadian police can photograph the sex trade customer and place his name and details on a nationwide database.

In New South Wales, the policy is such that police may stop a car that has picked up a child from a known area of prostitution. But they are unable to remove the child from the car unless they have filmed the act of a child being sexually assaulted. They have no right to identify the sex trade customer unless he admits to sexually abusing the child. The simple statement that he is taking the child for a cup of coffee is sufficient to ensure his anonymity. What I find disturbing is that Father Riley and the two detectives sought a meeting with the Premier, the Attorney General, the Minister for Police and the Minister for Community Services. Only

Minister Tebbutt was willing to meet with them. The Government has before it a model that has been demonstrated to work by addressing this terrible blot on our society. The Government must act to protect our children.

PENINSULA CELEBRATION CALENDAR

Ms MARIE ANDREWS (Peats) [4.37 p.m.]: In December last I had the honour of launching the 2004 Peninsula Celebration Calendar. The idea for this calendar was the brainchild of Ms Julie Parsons, Peninsula Project Manager. As the Peninsula Project Manager, Julie's objective is to help strengthen community links on the peninsula. This position is part of the Carr Government's Community Solutions and Crime Prevention Strategy. The peninsula was the first area on the Central Coast to be funded for this position under the program. Julie liaises with the police, government agencies, community organisations, businesses and local government. It is pleasing to note that Julie has found that everyone is willing to work together to produce better community outcomes.

To the best of my knowledge, this calendar is the first ever dedicated to the Woy Woy Peninsula. Those of us who are fortunate enough to live on the peninsula appreciate the generosity of the community, the excellent lifestyle and the spectacular scenery of this special area. This calendar celebrates all those features, and it is hoped that it will become an annual event. At the launch, which was held in the Woy Woy Little Theatre, I took the opportunity to pay tribute to the late Spike Milligan, who played a major role in putting Woy Woy on the map in the United Kingdom. Spike was genuinely fond of the area, despite the many jokes he told about Woy Woy. Honourable members would have heard some of them, I am sure, perhaps the most notable or notorious being that Woy Woy was the largest above-the-ground cemetery in the world, a pointed reference to the large number of retired persons residing in this area.

Spike loved coming to Woy Woy to visit his beloved mother. For many years Mrs Milligan, a World War I widow, was to the forefront of the Anzac Day marches in Woy Woy, proudly wearing her late husband's medals. She was also a well-known and much-admired character in her own right. Spike had a wonderful rapport with the many dedicated men and women who, over the years, have kept the wheels of the Woy Woy Little Theatre revolving. Spike attended many of the theatre's opening nights, when he would bring along a bottle of champagne to celebrate the occasion. Spike's brother, Desmond, is the current patron of the theatre. He is supportive of this live theatre, which is one of the longest-running amateur theatres in this State.

A large number of local residents, both adults and children, were involved in making the peninsula calendar, many of whom are volunteers engaged in delivering a variety of services to our senior citizens, youth, preschool children and the indigenous community. The list goes on. I acknowledge all of them for the time and effort they devote to the community. A number of organisations and people were involved in making the 2004 calendar, including the Ocean Beach Surf Life Saving Club; Catherine, Lucy and Ari Serventy; Victoria Smith and Katie Sweeney; Michelle Hinwood, who is very much involved in Neighbourhood Watch; Geoff and Carol Elyard; and the Peninsula Alternative Learning Centre, which operates out of Umina Beach Police Community Youth Club.

Others involved include the Mingaletta Aboriginal Corporation; Ettalong Senior Citizens Centre; Web Youth Services Incorporated; Southern and Ettalong United under 10s soccer team; Melaleuca Westlands Regeneration Group; the Peninsula Community Central Physical Culture School; and Michelle Cuneo, Leah Pankau and Fiona Pollock. It is envisaged that a similar calendar for 2005 will be produced. All money raised from the sale of the inaugural calendar will be used for that purpose. To Julie Parsons and everyone involved in the production of the inaugural calendar I extend my congratulations and appreciation on the production of a calendar that celebrates our local community.

ALBURY-WODONGA FESTIVAL OF SPORT

Mr GREG APLIN (Albury) [4.41 p.m.]: Last Friday I was involved in the opening of the 2004 Albury Wodonga Festival of Sport, one of the hallmark events to celebrate the achievements of local sporting greats both past and present in a memorable evening—the Young Achievers Awards and the Hall of Fame Presentation Dinner. Sensational young waterskier Michale Briant was selected as the 2004 Young Achiever from a list of outstanding finalists, while canoeist and triathlete Tony Zerbst was inducted into the Hall of Fame by Vern Barberis, himself a member of the Hall of Fame and weightlifting bronze medallist at the 1952 Helsinki Olympic Games and an Olympian at the 1956 Melbourne Olympic Games.

The Young Achievers Awards have been an integral part of the festival and, over recent years, have recognised and assisted some of the world's best—world champion pole vaulter Emma George and the world's best woman basketballer, Lauren Jackson, to name just two of the great athletes. The festival, which began in 1991, is the brainchild of Graeme Hicks who brought together a volunteer committee to organise the first Albury-Wodonga Festival of Sport in 1992. The showpiece event was a World Cup cricket match between England and Zimbabwe at the then Lavington Sports Club Oval. Since then the festival has included rugby league pre-season grand finals, pre-season AFL matches, international softball and baseball matches, and international soccer and waterskiing, together with basketball, netball and shooting.

The festival was a vehicle that brought the Australian veteran tennis and cricket championships to the border region. With Graeme Hicks at the helm the area hosted Sydney Olympic Games training camps and an overnight stop for the Olympic Torch Relay as it entered New South Wales on its run to Sydney. The festival was conceived as a celebration of sport at a local level, as a way of lifting the profile of local sport by bringing in major events and, in turn, encouraging participation by sportspeople and administrators. The festival delivered on its potential to attract events, and best visitation and revenue to the region. It is important to note that the festival was always based on the involvement of local people—of the people, by the people and for the people—so that many local clubs and associations could benefit from the promotional opportunities and marketing to establish or grow their events as part of the six-week festival.

The Festival of Sport is in its thirteenth year. President of the festival, Matt Burke, has stated that the ongoing vision is participation in sport by people of all abilities and in all sports for the benefit of the region. There are 73 individual events registered during the 2004 festival. This Saturday will see one of the major events, the Country Energy Dash for Cash. The day's events have been advertised nationally in sports magazines and regional television. The dash up Albury's main street to the monument and back offers \$1,000 prize money to the first male and female runner to cross the line, with \$300 prize money for the first local resident runner home. The dash is expected to attract hundreds of local participants, with entrants coming from Sydney, Melbourne, Canberra and other centres.

Cycling events on the day, an extended criterium and additional events including hand cycling races for disabled riders, reflect the high interest in this sport in the region. The festival features a national darts competition, which is generating great numbers of registrations. It also introduces some unusual events designed to achieve the goal of wide community participation, such as the pramathon for mothers who go walking with their prams. The festival committee has co-ordinated local sponsors, more than 50 clubs and 73 events in a celebration of the involvement and interest of a regional community in a wide range of sports and activities.

It is the sponsors who underpin the festival: Norske Skog, whose Albury paper mill produces one-third of Australia's newsprint requirements; Country Energy; Tenix defence, the *Border Mail*; Albury City; the City of Wodonga; the Commercial Club; Regional Express and Master Foods. It is significant to note that all those businesses are local and that councils from both sides of the border are committed to supporting the region. It is incumbent on the Government to do likewise through significant grants to sports facilities, encouragement of events in Australia's regional sporting capital and assistance with marketing. Perhaps next year the Department of Tourism, Sport and Recreation will join with other businesses, councils and registered clubs as a sponsor of the Albury-Wodonga Festival of Sport.

ILLAWARRA SENIOR COLLEGE

Ms NOREEN HAY (Wollongong) [4.46 p.m.]: Recently I attended an awards ceremony at the Illawarra Senior College, which is based at Port Kembla in my electorate of Wollongong. The Illawarra Senior College has been operational at Port Kembla for 11 years. Prior to that it was the Port Kembla High School. Years 7 to 10 were phased out due to dwindling numbers. The college provides a unique educational opportunity in the Illawarra and is one of only a few colleges of its type in Australia. It is the only stand-alone senior college. The principal, Mr Mark Webster, and the dedicated teaching staff pride themselves on providing excellent education in a mature, relaxed learning environment. The school is about re-education and re-engaging people in education. The students are a diverse group and represent a great range of ages, abilities and interests.

The college operates in a mature learning environment, which means that students are responsible for their learning. Teachers are regarded as facilitators and mentors rather than teachers in the traditional role. Students call teachers by their first names. There are no uniforms and no bells. Students know when it is time for lunch and when it is time to return to class. It is this mature environment that has been the key to success for students who have returned for the second chance at education. This year the oldest student is 65. Last year the

oldest student was 70 plus, which is not uncommon. Many older people come back to school to keep their brain active and enhance their knowledge, while for others it is an opportunity to learn computer skills. Some students return to the school because, for one reason or another, their education was interrupted the first time around.

The college has found that many women who fell pregnant during their school years were unable to continue their education. The college provides them with a second chance. For many it is an opportunity to satisfy a lifelong desire to complete their education. Young people find it settling to be with older people and older students find it inspirational to be with younger people. It is not uncommon to find a 16-year-old sitting next to someone in his or her forties or fifties. The college is attended by a diverse array of people because it offers after-hour courses in computers, ceramics and photography as well as the general curriculum. Some students attend simply to do the after-hour courses, and some add it to their general studies. Some students are working towards university while others are learning just for the sake of it.

The college also offers a wide range of vocational educational training programs, such as hospitality, construction, metalworks and engineering, information technology and child care. Not many other high schools are able to offer six different competency courses. This year's dux of the college was Jo Scullan. Having discontinued her education the first time round because of a number of personal problems, she returned to undertake her Higher School Certificate. At the age of 20 Jo not only completed the course, she achieved the top award of dux of the school.

Every year there are people attending the college who have overcome incredible odds to achieve excellent results. A student who was dux of the college one year declared that he was an expert on education in the area because he had attended five different institutions before finally settling at the college and achieving excellent results. Another unique aspect of the college is the opportunity for family members to study together. There are instances of mothers and daughters, aunts and nephews, adult siblings, fathers and sons studying together. When I attended Illawarra Senior College recently I was amazed at the opportunities afforded to young people from the age of 15 years. If it were not for this college, some of these young people would end up on the streets—resulting in problems for them and our society. I commend the teachers, the principal and the college for the great work they have done for the youth of the Illawarra and particularly Wollongong.

CHATSWOOD PARKING SPACE LEVY INCREASE

Ms GLADYS BEREJIKLIAN (Willoughby) [4.51 p.m.]: I wish to refer to an issue of immense concern to my electorate. A discussion paper that was released by the Government a few days before Christmas foreshadows probable increases in the parking space levy in areas such as Chatswood. The Ministry of Transport announced on its web site that it is conducting a review of the Parking Space Act 1992 and the Parking Space Regulation 1997. Regrettably, we all know that a review of this nature by the Government is generally code for a hike in fees. Further, I am concerned that the discussion paper was placed on the web site over the Christmas period when most small businesses operations are slowing down.

I am concerned about the lack of consultation on the discussion paper. As the local member for Parliament representing Chatswood I was not advised about it. I realised it had been released only when I stumbled upon it on the web site, and I know that many small businesses in my community were caught off guard as well. I am concerned not only about the lack of consultation but also about the potential consequences of the discussion paper. At a recent Chatswood Chamber of Commerce luncheon many small business owners indicated to me that they did not have the opportunity to respond because they were not advised that the discussion paper had been released.

In addition to these issues of process, I am particularly concerned that the discussion paper refers not only to increasing the levy on existing spaces but also to removing current exemptions and thereby increasing the total number of spaces that can be levied. The parking space levy is applied to commercial parking spaces. In Chatswood the levy is \$420 per space per annum. Chatswood has a total of 6,648 commercial spaces, of which 3,592 are currently levied. Increases in the levy or an increase in the number of spaces levied will place a huge burden on the community and businesses in Chatswood. Hardest hit will be the small and medium-size businesses, which may have only a few parking spaces. Further, an increase in the levy may be a disincentive to people investing in the local community.

It is ironic and disturbing that the Government's official justification for initially imposing the parking space levy in Chatswood in 2000 was that "the area is well served by public transport" and that the levy would alleviate traffic congestion problems. Anyone who has been to Chatswood in the past few years would be aware

of the appalling state of Chatswood railway station. It is difficult for commuters and almost impossible for commuters with prams, older residents and residents with a disability to access the Chatswood interchange, particularly the railway platform. On the one hand, the Government states that the parking space levy is justified because it will increase public transport usage and, on the other hand, we face a deplorable service at the railway interchange.

I commend Chatswood Chamber of Commerce, which, since learning about the discussion paper, issued a survey to all small business owners in the area to give them the opportunity to convey their views to the chamber. Most of the owners have also conveyed their views to me. The President of the Chatswood Chamber of Commerce, Mr Richard Sainsbury, has written to the Premier to complain directly about the potential implications of the discussion paper. I would like to refer to one of the many letters of concern I have received from constituents on this issue. Mr Dennis Rutzou, a small business operator in Chatswood, states:

- When we received the original invoice for the Parking Space Levy in April 2003 we were taken completely by surprise. We were charged interest on the amount outstanding even though we were unaware of the tax, ever received any notification about it, or having ever received an invoice.
- We immediately called the Compliance officer of the Office of State Revenue to complain and subsequently lodged an application for exemption.
- One space was exempted on the grounds that it is occupied by a vehicle that is used for deliveries and taking people to meetings.
- The other space, which is normally unoccupied has incurred the levy. I offered to make the space completely unusable by erecting an obstruction, but was told that the fact that the space is unoccupied is not grounds for exemption.
- I was told that I could apply to the Administrative Decisions Tribunal, but although they were willing to charge a filing fee charge of \$50, a subsequent telephone call provided the information that they had no jurisdiction in the matter and also confirmed that a vacant space is not grounds for exemption from the Parking Space Levy.

As I mentioned, I believe this Parking Space Levy ... to be an appalling and totally unfair measure by the Government that should be fought by the entire business community.

As I said, that is but one of the many letters I have received from small businesses. I urge the Government to refrain from imposing any additional levy or reducing exemptions, thereby increasing the number of spaces to be levied. Any action to the contrary will be a matter of great detriment to the local business community.

RICE INDUSTRY

Mr PETER BLACK (Murray-Darling) [4.56 p.m.]: I wish to speak about the importance of rice to western New South Wales—particularly in this period of drought and the increasing Australian dollar, as reported on page 7 of today's *Sydney Morning Herald*—and its importance, in general, to our Australian economy. Up to 40 million people around the world eat Australian rice each day. Australian rice is grown, processed and packaged in regional Australia, creating about 8,000 jobs. Rice is the main source of nutrition for more than half the world's population and Australia's contribution to world rice consumption stretches beyond 70 countries. Value-added rice products, such as the SunRice express rice cups, return more than \$7,000 per megalitre. Australia grows temperate varieties of rice, not tropical varieties as are grown in many other countries. Temperate varieties suit our climate and are demanded by the higher-priced international markets.

Australian rice growers have improved their water use efficiency by 60 per cent over the past 10 years. Australian rice growers surpassed current overseas average production of 5.4 tonnes per hectare 45 years ago and today average 9.7 tonnes per hectare. Overseas rice growers can use up to five times more water to grow one kilogram of rice compared to our Australian rice growers. Our Australian rice industry generates about \$800 million revenue per annum, with about \$400 million from exports. Chemical usage on rice in Australia is the lowest in the developed world, thanks largely to a unique rotation system utilising natural biological controls. Direct investment into research and development of \$18 million helps maintain the competitive advantage in areas such as irrigation, crop breeding, crop protection and product development. The rice industry is the first Australian agricultural industry to initiate a regional biodiversity plan and a greenhouse reduction strategy.

SunRice is the leading Australian company in this industry. It affects all the rice growers in my electorate, particularly in the Windouran, Murray and Wakool shires. SunRice is an \$800 million global food business that is anchored in regional Australia. It is one of Australia's leading locally owned food businesses and is a vertically integrated business from paddy to plate. The company is one of the largest employers in the

Riverina and a key Australian exporter, with brands, people and relationships in 60 countries. SunRice feeds millions of people around the world each day with clean and high-quality rice. It has offices and operations in Leeton, Coleambally, Deniliquin, Tongala, Cobden, Sydney, Melbourne, Jordan, Singapore, Tokyo and the Solomon Islands. It is the fifth largest rice food company in the world and has a 20 per cent share of the global medium grain rice market. Most importantly, in the Riverina-Darling area it employs 900 employees.

There are massive misconceptions about the rice industry, particularly at this time of drought when that industry is well and truly under the microscope. The criticisms levelled at the industry to date have been largely inaccurate and do not tell the full story. It takes 60 litres of water to produce 28 grams of brown rice compared to 302 litres of water used to produce 28 grams of almonds, an equally important crop on the Murray River. A fact that has been lost completely in the current argument about whether rice should be grown at all south of the Equator is that it takes more water to produce a tonne of milk than it takes to grow a tonne of rice.

Australian rice growers are amongst the world's most efficient. The world average yield is 5 tonnes but Australian growers produce the highest yield of 9 tonnes. Overseas growers can use up to five times more water than Australian growers to produce 1 kilogram of rice. There is no truth whatsoever in the assertion that rice growers waste water. In simple terms, rice growers produce two crops with one quantity of water, because often in my electorate after the rice crop comes off a second crop of biscuit wheat goes in.

Most people associate rice with tropical climates. However, 80 per cent of the rice produced in Australia is the Japonica variety, a temperate climate rice produced in a few select microclimates of the world. In Australia, rice is grown in the Murray-Darling and Murrumbidgee regions. Compared to the world average, Australia grows 2.5 times the amount of rice per mega litre of water and uses 60 per cent less water per kilogram of rice than overseas. Rice is a highly efficient industry that must be cosseted and preserved. Rice is one of the icons of our agricultural advance in recent years and, notwithstanding the \$A1 reaching US80¢, it most certainly is a great export earner for Australia.

BELROSE ABORIGINAL LAND CLAIM

Mr ANDREW HUMPHERSON (Davidson) [5.01 p.m.]: I am concerned about the Government's decision to grant land as a result of claims made by the Metropolitan Local Aboriginal Land Council at Belrose. I received an undated letter from the Minister for Local Government. It is regrettable that a decision was made to grant this land without consultation or community awareness. I do not believe there was an obligation to approve the claim—certainly not without public consultation—and it should have been deferred. There should also have been an appropriate zoning to preclude development of the land, much of which adjoins and is perceived to be part of Garigal National Park, which surrounds a large part of the forest area.

This decision is the latest in a string of Crown land claims and potential sales, many of which have been controversial in the Belrose, Terrey Hills and Duffys Forest areas. Some of the sales involved development of land along Mona Vale Road and in the back end of Duffys Forest, and proposals are before Warringah council. I do not believe it was ever intended under the Act, in relation to Aboriginal land council claims, that land would be developed and sold as is being done locally.

The second reading speech made clear that claims by Aboriginal land councils had to be based on environmental and cultural significance. I do not have a problem with that. The expectation at the time the Act was gazetted was that land ownership would be preserved in Aboriginal land councils for many generations and would not be sold off to raise revenue for other projects. In fact, the Act provided for about \$500 million revenue from a 7.5 per cent portion of land tax to develop a fund for reinvestment to provide for projects for Aboriginal communities. Sadly, as we now know, much of the potential growth in revenue from that fund has been squandered.

The community in my electorate has a right to be deeply concerned not only about the lack of consultation but its likely impact. It is clear that many people who have lived in the area for 30 to 40 years believed that designated Crown land was always going to be incorporated into the national park. Many people believe it is part of the national park now. The decision poses an enormous threat not only to this land but to other Crown lands which surround the forest areas. Much of the topography is very steep so any development would be very visible and very damaging.

The area of land involved extends approximately 2 kilometres east to west, and 2 kilometres north to south, and spreads over approximately 130 hectares or 1.3 square kilometres. It is a very significant area of land

and essentially is to the west of Elm Avenue, Ralston Avenue and Wyatt Avenue, Belrose, and to the south of what is currently Kimbriki tip. This decision will severely impact on the bushland that characterises our suburb. This decision may well be the thin edge of the wedge for potential development around the periphery of our suburbs. To put it into perspective, this grant extends more than half way from Belrose to St Ives. The claim should have been rejected.

An identified use for this land was made in approximately 1970, along with the Garigal National Park, as part of a green corridor extending from Middle Harbour in the south to the Hawkesbury River in the north. The only thing that has effectively precluded that land being declared as national park has been the grant of Crown land to the Aboriginal Land Council. Two portions that ran along either side of Mona Vale Road were sold and now have low density residential development on them. The Government is also giving a green light to the Aboriginal Land Council to sell and develop the land, as it stated in the letter to which I referred:

Prior to any proposed use or development of the land it is suggested that contact be made with Warringah Shire Council ...

That clearly identifies that the motive and purpose of granting the claim is to facilitate its development, and is part of a drive by the State Government to have more development in the area. In my view the Act needs a complete review to ensure that sales of this and other land portions do not occur, consistent with the original objectives of the Act.

FREEDOM ACROSS AUSTRALIA

Mrs BARBARA PERRY (Auburn) [5.06 p.m.]: Last year in this place I spoke about the good work done by the Paraplegic and Quadriplegic Association [PARAQUAD] in my area. I take this opportunity to honour the efforts of yet another organisation, Freedom Across Australia, to better the lives of the less abled. As an able bodied person it is difficult for me to appreciate the extent to which being physically confined would complicate life and deprive one of the kinds of experiences that are important for psychological and physical wellbeing. One such experience is going on holidays, that is, taking a break from the routine of life and the pressures of urban living, and escaping to a place of natural beauty where one can be refreshed and create fond memories to last a lifetime. This need, present in all of us, is particularly heightened in the lives of those who struggle with physical disabilities. The sole aim of Freedom Across Australia is to create opportunities for these people to be taken on holidays, some for the first time in decades, where they can find and experience the joys we all know so well.

It has been a long and hard road for the organisation. As honourable members can appreciate, special carers, facilities and vehicles are required to make such events possible. For years the key founder, John Hebblewhite, struggled at great personal and financial cost to free people from—and this is the organisation's phrase—the tyranny of four walls. He has led trips to remote cattle stations and to Dubbo Zoo, and has even organised fishing vacations and tours of mines. The joy and release that he and other members have brought to the lives of many who had resigned themselves to never being able to leave the confines of their immediate surrounds is incalculable.

In July I attended a Freedom Across Australia function and pledged my support to the cause, and more recently I had the pleasure of attending another function for the dedication of a bus. Freedom Across Australia in my electorate has the backing of prominent organisations in the area such as the Auburn Lidcombe Lions Club, which provides much-needed support, and the Lidcombe Dooleys Catholic Club. The Auburn Lidcombe Lions Club, under the leadership of ex-president Barbara Curtin and current president Steve Bushell, has assumed an important role as an umbrella organisation. In a sense, one could say that they have provided a welcome home and close ally for the organisation. I take this opportunity to thank Greg Kearns, the General Manager of Dooleys Catholic Club, and the board, particularly the president Frank Morgan and his wife Joan, for their generous support of this cause.

I have been touched by what I have seen. When one witnesses overwhelming gratitude in response to the chance to holiday, wherever that may be, one can appreciate the extent of the craving and need for such an experience. Freedom Across Australia is a story of true heroism, courage, love and self-sacrifice. It is about a dream to bring desperately needed joy and freedom to those who need it most, and it has come to life. An attendee at the July function wrote:

I closed my eyes on the way home and allowed myself to dream. I am so looking forward to my first holiday in such a long time.

I cannot honour or commend adequately the work of those associated with Freedom Across Australia. I refer to people such as John Hebblewhite; Professor John Yeo and his wife, Joy; Warwick Olson; the incredible Peter Stokes and his wife, Sandra; and many others too numerous to name. I call upon honourable members to remain focused on highlighting the struggles, needs and difficulties facing those less able among us. They need our support and, like all of us, they need a fair chance at life.

DYMPNA HOUSE

Ms LINDA BURNEY (Canterbury) [5.11 p.m.]: I will tell the House about an inspiring and sobering experience I had a week and a half ago when I visited Dympna House, at Haberfield. Haberfield is not part of the Canterbury electorate, but Dympna House provides a service across Sydney and beyond. Dympna House is a feminist, community-based agency committed to providing services such as counselling and referral to children, adolescents and adult victims affected by sexual assault. The organisation raises awareness in the general and professional community about the extent of child sexual assault. It also provides referrals and telephone counselling, which is a very important part of its service, because it does not have the resources to see everyone face to face. Referrals ensure that those who phone looking for support and help are directed to the appropriate places and services. Dympna House also provides group counselling and information and resources for other professionals, agencies and the general community, including government agencies. Dympna House conducts training, consultancies and gathers accurate information for the media, but most importantly for the victims of sexual and, in particular, child sexual assault.

The service is headed by an excellent management team presided over by Julie Freckleton. All the staff display a strong, capable and sensitive manner. Dympna House is run and the governance is provided by a competent and committed board. One of the board members was present the day I visited. Many people think that the community is well informed about sexual assault. I certainly considered myself to be well informed. Over lunch and discussions I was educated about this pervasive issue, which affects all socioeconomic, cultural and religious groups in our community. That is important, because some people believe that certain groups in the community are more affected by sexual assault than others. The staff and the board members of Dympna House assured me that the issue crosses all divides in the community. The extent of sexual assault and, in particular, sexual assault of children is very difficult to think and talk about and, until fairly recently, the subject was hardly discussed and was never mentioned in the media. However, an avalanche of victims is now coming forward.

Poorly resourced agencies such as Dympna House are struggling to keep pace. I came to appreciate the shocking long-term effects of child sexual assault. It was made clear to me that these kids are victims of crime. I was made aware of the lack of provision of adequate and appropriate services for adult victims of sexual assault. I was also told that 85 per cent of people presenting to services for drug and alcohol counselling and many of the women in gaol are victims of child sexual assault. Victims face challenges when going through the judicial system given the poor provision of and need for trauma counselling.

An analogy was made that veterans of war are not asked to get over the experience just because it happened 30 or 40 years ago. However, people in our community who experience sexual assault as children are expected to get on with life. We know that is extraordinarily difficult. The prevalence of child sexual assault is horrendous. One in three girls and one in five to eight boys are victims. Although we might not like to think about it, most of our families probably have some history of sexual abuse. Dympna House deals with a pervasive issue that many people do not wish to discuss. The organisation does much with very little and needs more resources. I asked the staff how they cope and they replied that there are inspirational moments in their work. I register my thanks to and admiration of Dympna House, its board and staff, for their generosity to me and the difficult work they do.

KEMPSEY AND FREDERICKTON BYPASS

Mr ANDREW STONER (Oxley—Leader of The Nationals) [5.16 p.m.]: I wish to represent grave concerns expressed by the community of the Lower Macleay about the Roads and Traffic Authority's [RTA] chosen route for the Pacific Highway bypass of Kempsey and Frederickton. The route to the east of Kempsey is on the Macleay River floodplain between Pola Creek and Austral Eden. The Macleay River has a huge catchment area of about 12,000 square kilometres, which extends to Armidale and Walcha. It has experienced large and disastrous floods, including the 1949 floods that swept away houses and the rail bridge in Kempsey and which took six lives and killed countless head of stock. Huge floods that occurred in 1950, 1963 and 2001 spread over the floodplain in the very area in which the RTA wants to build the new highway. The Macleay River is reportedly the third-fastest flowing river in the world. It does not make sense to build the road in that area.

The community is extremely concerned that the RTA wants to bring in large amounts of fill to build up the road to a one-in-twenty-year flood level over a stretch of more than four kilometres with a 700-metre bridge section. That will act as a huge dam wall and raise the water level. The RTA has admitted that the water level would increase by 600 millimetres during a flood in the Austral Eden and Pola Creek area. It would also potentially have the effect of pushing floodwater back towards Kempsey, because the water would not be able to escape as nature intended over the floodplains and into the swamps to the east of Kempsey.

It could also funnel water through a relatively narrow gap. These floods move at incredible velocity. During the 2001 flood the State Emergency Service tracked objects moving with the floodwaters at an estimated 70 kilometres an hour. If the floodwater was funnelled into an area 700 metres wide its velocity would be incredible when it passed through the gap in a four-kilometre wide wall. I predict that that water will cause massive erosion in the area. I am talking about a sandy loam soil floodplain, some of the choicest farming country on the east coast. I predict that hectares of land will disappear if the RTA goes ahead with this proposal.

Recently at Milton and Roslyn Rowe's dairy at Austral Eden I met with a large number of people from the area, and they share these concerns. If the RTA goes ahead with this proposal, there will be a massive impact on the good people of the lower Macleay, particularly the farmers. Raising the water level by 600 millimetres will cause much greater flood impact more frequently. Dairy farmers use corn as supplementary food for their stock, but they will not be able to do that any more. They will not be able to till the land because flooding will be more frequent and more severe, and there will be massive erosion if they try to grow corn on open ground. Their dairy farms will no longer be viable.

The impact of an extra 600 millimetres of water on stock will be significant, and farmers will have less time to get the stock out of the area. The 600 millimetres could be the difference between life and death for a beast. I predict that in a flood in that area many more cattle will drown than is currently the case. Of course, these properties will be devalued substantially. The land cannot be subdivided; it is prime agricultural land. The farms are viable now, but they will not be if this road goes ahead as planned.

The people involved have no confidence in the consultation process to date. Two years ago the consultants told people there would be no additional flooding. That changed to a 50-millimetre to 100-millimetre increase in the flood level, and now it is up to 600 millimetres. I would rather listen to people who have lived through many floods in that area than to a computer model. I put the Government on notice that if it proceeds with this proposal, it will exacerbate natural disasters in the area. I urge the Government to either lift the road above flood level or move it to another western, flood-free route.

WESTMEAD HOSPITAL AND MR EUAN DUNLOP

Mr WAYNE MERTON (Baulkham Hills) [5.21 p.m.]: Tonight I speak about the state of our hospitals, which is an issue of real concern to people in my electorate. I bring to the attention of the House the situation of Euan Dunlop of Baulkham Hills, a young man of 25 years of age. Euan broke a leg in a motorbike accident on 8 December 2002 and was taken by ambulance to Westmead Hospital. A rod was inserted down the length of his tibia and fixed with two pins at the top and two pins at the bottom. There was no plaster cast, and he was released from hospital on 19 December 2002, with the wound to be dressed by a district nurse at home.

On 23 January 2003 he was referred by Westmead Hospital to a specialist, where the leg was X-rayed. He was told to return to the fracture clinic at Westmead Hospital in October to make an appointment to have the rod removed in December—12 months after it was inserted. On 11 September 2003 he attended day surgery at Westmead Hospital to have one of the pins removed at the ankle as he was in considerable pain. He has indicated that at that time no comment was made as to whether the bone was healing. On 4 December 2003 he again attended the fracture clinic and was told that the bone had not healed on one side and that surgery was required to remove the rod, re-break the bone, take a piece of bone and put it on the side that had not mended, replace the rod, and put in new pins. He said that at this stage the remaining pins were causing pain as they were broken.

Euan was given an appointment for surgery at 11.00 a.m. on 17 December 2003. He has informed me that after being admitted he was twice taken to the theatre and prepared for surgery but was subsequently told that his operation had been cancelled. He was required to return to his home by train. He said he was told that contact would be made about a new date for surgery. Euan telephoned the hospital on numerous occasions and finally attended the fracture clinic on 22 January this year, only to be informed that his X-rays were missing and that he was required to undergo new X-rays. He was then booked in for surgery on 29 January. On 28 January

he received a telephone call from Westmead Hospital cancelling the surgery scheduled for the next day. He was given a new date, 16 February, and on that day he attended Westmead Hospital for surgery at 7.00 a.m. Again he was sent home, although this time the hospital paid for a taxi.

Today my constituent has advised me that he telephoned Westmead Hospital yesterday, only to be informed that he would have to try to have the required surgery at Blacktown Hospital. In frustration, this morning Euan's mother telephoned the family general practitioner, who I understand is trying to assist his patient. Euan said, "If I am forced to go to Blacktown Hospital, it looks as though I will have to start the whole process from scratch again." Euan has explained that he was able to work as a casual dogman/rigger throughout most of last year, and the company is willing to give him a permanent position once his leg has healed. However, since the end of November, the pain in his leg has been so severe that he has been forced to register with Centrelink to receive sickness benefits. He feels he is a burden on taxpayers simply because of the inability of the hospital to operate on his leg to repair the problem.

It is now more than 15 months since Euan broke his leg. He asks why, if the bone was not mending, that was not picked up in September? When the decision was made to operate, why was he continually sent home? Does the closure of the Mount Druitt emergency department have any impact on his situation? I call upon the Minister for Health to answer these questions and to rectify the serious situation that confronts this young man. At the age of 25 he has been messed around for something like two years and now he finds his life literally on hold. In his pathetic letter to me he said:

I am desperate to get on with my life and get back to work. Please, can you help?

In closing, he said:

Thank you for your attention. I look forward to hearing from you in the near future.

He has heard from his local member. I wonder what he will hear from the Minister for Health. I wonder when someone will take some responsibility for the disaster the hospital crisis is causing the people of New South Wales. [*Time expired.*]

BANKSTOWN COUNCIL AUSTRALIA DAY CELEBRATIONS

Mr ALAN ASHTON (East Hills) [5.26 p.m.]: As probably all honourable members would have done in their electorates, I attended the Australia Day celebrations in my electorate. Bankstown council, being one of the largest metropolitan councils, had a tremendous day on Monday 26 January. Events were held at the appropriately named Paul Keating Park in the centre of Bankstown. I congratulate those people involved in the process on the way the event was run. The entertainment was special. Those involved included the Bankstown division of Scouts, the Bankstown division of Girl Guides and the Fifth Bankstown Islamic Charity Projects Association drum band. David Gordon, a former student of Picnic Point High School, was the soloist for various anthems and songs. Mayor Helen Westwood conducted events very well and Fred Malone welcomed everyone on behalf of the Gandangara Local Aboriginal Land Council.

Also of interest on the day was an address by Matt McFadyen, a young man who recently, with others, sailed to Antarctica. It was a brave effort. On the way back his boat was overturned by a huge wave and he and his fellow sailors were lucky to escape with their lives, although they suffered some injuries. Matt received some sponsorship from Bankstown council and Linddales Personnel. Radio 2UE has also taken an interest in him. Nominations for the Community Services Award Organisation included the Reflections Team, a group of the United Muslim Women's Association, and the Bankstown Bushland Society. The award was won by Bankstown Bi-Centenary Youth Foundation Inc.

The Australia Day Award nominees for the Community Services Award Individual were Florence Bryce, Cathy Don—who, together with her husband, Frank, have raised thousands of dollars for local hospitals through their annual flower shows—Catherine Fletcher, Gurmeet Kaur, Robert Garside, Monica Garside and Ann Thompson. The winner of the award was Catherine Fletcher, who is well known in the Greenacre area for her involvement in Scouts Australia and her services to Greenacre Public School.

Many great people in Bankstown give up much of their time to volunteer their services, as do the residents of many other electorates. The Australia Day Award nominees for the Volunteer of the Year Award were Julie Barnes, Linda Belani, David Collins, Betty Fennell, Fred Gentle, Christine Gordon, Cyril McColough, Raymond Robb and Robert Stevens. Time does not permit me to give a detailed biography of those

people. The winner was Raymond Robb, who had been made a life member of the Chester Hill Neighbourhood Centre. He has also been a volunteer bus driver, a volunteer in promoting the Seniors Card, and a volunteer support worker on holidays for people with disabilities. Raymond was working about 100 metres down the track when the Granville disaster occurred, and he was one of the first on the scene to offer help. He stayed with one of the victims until she was freed from the wreckage. Members of Parliament give a lot of their time to community service, but, of course, we are paid to do it, whereas these people give their time voluntarily. It is important to remember that.

The Young Citizen of the Year Award was won by Danielle McHugh, whom I know. Danielle was last year's school captain of Picnic Point High School, my old school. More importantly, she has excelled as a regional school sports representative in water polo, cross country, swimming and athletics. She was a gold medallist at the National Surf Life Saving Championships, as well as a volunteer at Wanda Surf Club. In her spare time—she also did very well in the High School Certificate, so I doubt that she would have had much spare time—she did voluntary work at the Caroline Chisholm Special School.

The Australia Day Award nominees for the Citizen of the Year of Award were Harry Brian, Harry Collins, Cathy Don, Frank Don, Tess Goodstate, Irene Jones, Michael Katzakis, John Killey and Feda Rifai, and the winner was Harry Collins. Harry has served on a number of ministerial advisory committees. He is the Vice-President of the Coolaburoo Neighbourhood Centre. Harry has suffered many health problems, including cancer. Someone who has had that sort of illness is a fine example of what people can do. He was the facilitator of the Bankstown Men's Cancer Support Group, and he introduced the concept of developing a support group for isolated older men in our community. Harry is committed to multiculturalism and reconciliation, and he is always looking for ways to improve people's outlook. Steve Mortimer received the Bankstown's Australia Day Ambassador Award.

COUNTRY ATHLETES SCHEME

Mr THOMAS GEORGE (Lismore) [5.31 p.m.]: I would like to make a plea to the Government on behalf of the constituents of my electorate in relation to a cross-border issue, and I believe that the members representing the electorates of Ballina, Northern Tablelands and Tweed will support me. I have worked out a solution and perhaps we could look at it. I have been invited to attend a meeting in Queensland to discuss shifting the border, and that might solve the problem.

Mr Tony McGrane: Which way?

Mr THOMAS GEORGE: South. I have made several representations to the Minister for Tourism and Sport and Recreation, and Minister for Women seeking support for constituents of my electorate under the Country Athletes Scheme. I understand that the Minister is aware of my intention to raise this matter and that the Minister at the table, the Minister for Fair Trading, is aware of it. On behalf of Karina Sexton of Goonellabah I wrote to the Minister:

Over the years Karina, her family, local supporters etc have all assisted and fundraised in order to encourage her representation at National level. With her recent selection again this year in the Australian Open Women's Baseball Squad, the financial burden of travelling so far just to attend training sessions is becoming a strain. I believe Karina's father, Julian, has estimated his funding to be over \$40,000. I understand Karina and her father continue to seek corporate sponsorship to no avail as women's baseball is not televised and not considered a high profile sport.

I also forwarded a representation to the Minister on behalf of Timothy Knight. It reads:

An application has been submitted on behalf of Timothy, however the local sporting club is affiliated with a Queensland authority. Mr Knight wishes to express that this affiliation is beyond an individual member's control and feels that it should not deem them ineligible for assistance as they remain residents of the state.

Tim is 10 years of age and is currently ranked number two in Australia for his age in the long jump. Since the Combined Schools Australian Championships last September Tim has jumped 30 centimetres further than he had previously, and he recorded the longest jump in Australia in 2003. Last year he travelled well over 15,000 kilometres to major competitions all over Australia. The cost to his family has been substantial—approximately \$12,000, excluding training and incidental costs—and they hope to receive some assistance.

The Far North Coast Baseball Association, which is based in Lismore, is seeking financial assistance for a women's baseball team. The Department of Tourism, Sport and Recreation has assisted the association with support for the establishment of a major playing field and other facilities in Lismore. However, because the

association is affiliated with a Queensland sporting body it has been informed that it should ask the Queensland Government for assistance. It is difficult enough for New South Wales residents to get funding from the New South Wales Government, let alone from the Queensland Government. The association is extremely frustrated about the matter and it wrote to me as follows:

This "passing of the buck" from NSW to Queensland is the same standard line that [Far North Coast] Baseball has had to endure for decades.

These girls, the majority of whom are over 18 (and one of whom is indigenous—perhaps the only player in the tournament) are located in NSW. They pay their taxes in NSW. They play the majority of their baseball in NSW. When the team trains as a whole, some of this occurs in Lismore, in NSW. Their expenditure and accommodation is therefore in NSW.

Every time we seek financial support from the New South Wales Country Athletes Scheme for such sporting bodies we are told they are ineligible because they are affiliated with Queensland organisations. I ask the Minister at the table to forward my plea to the Minister for Tourism and Sport and Recreation, and Minister for Women so that this issue may be addressed.

Ms REBA MEAGHER (Cabramatta—Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [5.36 p.m.]: The Minister for Tourism and Sport and Recreation, and Minister for Women has given an undertaking to request higher-level discussions between officers of the Department of Tourism, Sport and Recreation and their Queensland counterparts to explore the extent of the problem and to investigate whether there are opportunities for shared support for cross-border sport competitions.

BAIL LAW REFORM

Mr TONY McGRANE (Dubbo) [5.37 p.m.]: I wish to draw to the attention of the House the ongoing concerns of community lobby groups and public accountability community teams in the Dubbo electorate regarding the provision of bail for repeat offenders. There is a growing concern in the region that community safety is being compromised by court procedures and a lack of application and understanding of the bail laws. Last year in the Orana Local Area Command, a survey that was conducted of the administration of the Bail Act demonstrated the difference in interpretation of the legislation between police and court staff. The survey was conducted between July and October 2003, when 533 people in the area were charged with a total of more than 1,300 offences. Of the 148 people who were originally refused bail by the police, 66 per cent, or 98, appeared before a magistrate or a clerk of the court and were granted bail at their first appearance. This is extremely frustrating for the police, who make an initial decision on the basis primarily of public safety, a thorough knowledge of a subject's prior offences and the implications of bail for the community at large.

I understand and accept that magistrates and clerks of the court make decisions that they feel are appropriate taking into account factors that in many cases are not known to the police. But the overwhelming feeling is that far too often decisions are being made in favour of the person who has been charged, without consideration being given to community safety and other matters set out in section 9 of the Bail Act. Traditionally, offenders who present a risk of flight and who are considered to constitute a risk of non-appearance at their next court date were refused bail. It seems that although magistrates and clerks of the court still apply this concept, they are neglecting to take into account community safety and police recommendations.

The concern in the Orana Local Area Command is that repeat offenders are being granted bail and are being released back into the community, only to reoffend prior to their next appearance in court. I refer specifically to a recent tragic and horrible incident in Dubbo. A nine-year-old boy was run over and killed in a hit-and-run incident. The boy was riding his bike along a suburban road with his 11-year-old brother when he was struck by a car. According to reports from eye witnesses, the car did not attempt to stop, but sped off. The impact from the incident dented the passenger side of the car and shattered the windscreen. The boy was carried a significant distance before being thrown onto the roadway. He was taken by ambulance to the Dubbo Base Hospital and Health Service, but he died two hours later. It has been alleged that the 16-year-old youth who was driving the vehicle fled the scene. He was apprehended by police, who found him hiding in the roof cavity of a nearby house.

This incident has deeply shocked the Dubbo community and has caused considerable public outcry and anger. The police charged the youth with dangerous driving occasioning death and refused bail, but when he appeared before the local magistrate he was granted bail to attend a non-custodial drug detoxification program before making a court appearance in March. The police prosecutor argued strongly against bail in his case, highlighting the serious nature of the offence as well as protection and welfare of the community. Two weeks ago the father of the deceased nine-year-old boy attended my electorate office and expressed concern that the

driver of the vehicle had absconded. Information I received subsequently shows that the offender has not only broken all bail conditions but also has left the city of Dubbo and has been involved in several incidents of crime in other regional towns. The Dubbo community is outraged and has lost confidence in the magistrate and the judicial system.

The Government's reforms to the Bail Act over recent years have been designed to strike a proper balance between protection of the community and the rights of the accused, who legally is presumed to be innocent. The concern in the Dubbo region is that this balance does not exist. The magistrate has not taken into consideration relevant changes to the legislation. As a result, section 9 of the Bail Act is not being enforced to its full and proper extent.

BRIGALOW BELT SOUTH BIOREGION

Mr PETER DRAPER (Tamworth) [5.42 p.m.]: This week calls have been made for the Minister for Natural Resources, the Hon. Craig Knowles, to release the assessment report on the Brigalow belt south bioregion. The report will determine the fate of State forests in the Brigalow belt south bioregion and ultimately the future of associated timber industries. A significant portion of the 52,400 square kilometres of the bioregion extends throughout my electorate, with the Pilliga State Forest in particular providing timber resources for a substantial industry. On behalf of constituents working in the timber industry in the Gunnedah district, I lend my voice to the call for disclosure. It is obvious that, in the absence of a decision, a group of conservationists and protesters have successfully—and, I might add, illegally—disrupted logging activities in the Mission State Forest, which is north-west of Gunnedah.

This small group presented a list of demands relating to Aboriginal and conservation interests in the forest after locking up some very valuable machinery belonging to logging contractors. Essentially the protesters believe that there should be no further logging in the Terry Hie Hie group of forests as well as some, but not all, of the forests in the Brigalow belt south bioregion until the New South Wales Government has made a decision on the future of the region. As is the purpose of a protest, their actions were disruptive and attracted some media attention. But how loudly their message resonated in Minister Knowles's office remains to be seen.

It is of great concern to me that their actions have placed the operations of two timber mills in serious jeopardy. Gunnedah Timbers is a family-owned business that is run by Paddy Paul. It employs 36 local people directly and supports many more people indirectly as a result of its operations. It returns millions of dollars to the local community every year. In recent years Gunnedah has taken some hard knocks at the hands of drought and flood. The community has endured the effects of coalmine and abattoir closures and most recently the loss of a pet food factory. In a town that is clawing its way back from serious setbacks, Gunnedah Timbers provides vital employment to 36 people in a sustainable industry. Moreover, in the neighbouring electorate of Barwon, Bingara Cypress Pine is looking at the possibility of jobs being lost for its 15 employees.

It is deplorable that both the immediate and long-term future of Gunnedah's timber milling industry came down to half a dozen protesters or so who were holding employers such as Mr Paul and his 36 workers to ransom. I welcomed the decision of the police moving the protesters on, but that was not before they had locked up the logger's machinery, which is valued at hundreds of thousands of dollars, for over a week. One must question the delay and ask why the contractor, who was operating legally under a government-sanctioned authority, had his livelihood jeopardised by this group. Gunnedah Timbers has contracts and orders to fill, including exports to Japan and the United States of America. The certainty of supply to foreign clients is a cornerstone of Gunnedah Timbers' operations. If that is removed, the future of the business certainly will be compromised.

Mr Paul, his employees, the Mayor of Gunnedah and the council, as well as virtually the entire town, have been left wondering why the protesters were not immediately arrested and charged with trespass. The value of the white cypress timber industry in the Pilliga alone is estimated at \$12.5 million annually. Over the past five years the white cypress sawmilling industry increasingly has become export oriented. One-third of all white cypress that is milled from the Pilliga is exported. One of the nine options that was put forward for consideration in managing the area came from the Greens, who demanded that over 75 per cent of all State forest in the bioregion be converted to national park. They also recommended that sustainable yields of white cypress timber be slashed from 70,000 cubic metres to 17,000 cubic metres each year.

This option is clearly unbalanced and shows little regard for the impact upon dozens of people whose livelihoods rely upon the timber industry. After a two-year assessment of the bioregion, the Rt. Hon. Ian Sinclair

has investigated the management options. I understand his report landed on Minister Knowles's desk some five weeks ago. Timber industry stakeholders are hoping that the decision will guarantee the supply of timber from the forests to keep local industries viable. In the long term, communities such as Gunnedah, Baradine, Coonabarabran and Bingara need certainty to be able to plan for the future of their cypress sawmills. These businesses and their employees deserve to know what the future holds. I call on the Minister to urgently release the findings, and end the uncertainty for so many individuals and their communities.

Private members' statements noted.

The House adjourned at 5.47 p.m. until Tuesday 24 February 2004 at 2.15 p.m.
