

LEGISLATIVE ASSEMBLY

Tuesday 11 May 2004

Mr Speaker (The Hon. John Joseph Aquilina) took the chair at 2.15 p.m.

Mr Speaker offered the Prayer.

ADMINISTRATION OF THE GOVERNMENT

Mr SPEAKER: I report the receipt of the following message from Her Excellency the Governor:

GOVERNOR
Marie Bashir

OFFICE OF THE GOVERNOR
SYDNEY 2000

Professor Marie Bashir, Governor of New South Wales, has the honour to inform the Legislative Assembly that she re-assumed the administration of the Government of the State on 10 May 2004.

10 May 2004

VARIATIONS OF PAYMENTS ESTIMATES AND APPROPRIATIONS 2003-04

Mr Craig Knowles tabled variations of the payments estimates and appropriations for 2003-04 under section 24 of the Public Finance and Audit Act 1983 flowing from the transfer of functions from the Ministry of Transport to the Department of Infrastructure, Planning and Natural Resources.

PETITIONS

Balgowlah North Public School

Petition requesting an upgrade of the Balgowlah North Public School facilities, received from **Mr David Barr**.

Gaming Machine Tax

Petitions opposing the decision to increase poker machine tax, received from **Mr Andrew Fraser**, **Mrs Judy Hopwood**, **Mr Malcolm Kerr**, **Mr Steven Pringle** 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 Pyrmont Site

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

Kosciuszko National Park Management Plan

Petition opposing the formulation of the Kosciuszko National Park Management Plan without community consultation, received from **Mr Ian Armstrong**.

Blue Mountains National Park Fire Management Strategy

Petition requesting inclusion of Woods Reserve, Grose Wold, in the Blue Mountains National Park fire management strategy, received from **Mr Steven Pringle**.

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 Russell Turner**.

Coffs Harbour Pacific Highway Bypass

Petition requesting the construction of a Pacific Highway bypass for the coastal plain of Coffs Harbour, received from **Mr Andrew Fraser**.

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**.

Windsor Traffic Conditions

Petition requesting funding for construction of a bridge across the Hawkesbury River, from Wilberforce Road and Freemans Reach Road, connecting to the bridge into Windsor, and the rescheduling of the current roadworks program, received from **Mr Steven Pringle**.

Buttsworth Creek Bridge

Petition requesting funding for repairs to Buttsworth Creek Bridge to make it safe for pedestrians and cyclists, received from **Mr Steven Pringle**.

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**.

Acquired Brain Injury Patients

Petition requesting facilities for acquired brain injury patients, received from **Mr Greg Aplin**.

Coffs Harbour Aeromedical Rescue Helicopter Service

Petitions requesting that plans for the placement of an aeromedical rescue helicopter service based in Coffs Harbour be fast-tracked, received from **Mr Steve Cansdell**, **Mr Andrew Fraser** and **Mr Thomas George**.

Murwillumbah to Casino Rail Service

Petitions requesting the retention of the CountryLink rail service from Murwillumbah to Casino, received from **Mr Steve Cansdell**, **Mr Andrew Fraser**, **Mr Thomas George**, **Mr Neville Newell**, **Mr Donald Page** and **Mr Andrew Stoner**.

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 Andrew Fraser**, **Ms Katrina Hodgkinson** and **Mr John Turner**.

State Forests

Petition opposing any proposal to sell State Forests, received from **Ms Katrina Hodgkinson**.

Broadmeadow to Newcastle Rail Services

Petitions opposing the proposed closure of the railway line from Broadmeadow to Newcastle, received from **Mr Jeff Hunter** and **Mr John Mills**.

Redfern and Surry Hills Bus Services

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

Homeless Services Funding

Petition requesting increased funding for homeless services, received from **Ms Clover Moore**.

Underground Water Overuse and Evaporation

Petition requesting an inquiry into underground water overuse and evaporation through irrigation, received from **Mr Peter Draper**.

Isolated Patients Travel and Accommodation Assistance Scheme

Petitions objecting to the criteria for country cancer patients to qualify for the Isolated Patients Travel and Accommodation Assistance Scheme, received from **Mr Thomas George** and **Ms Katrina Hodgkinson**.

Horticultural Industry Water Restrictions Assistance

Petition requesting assistance for the horticultural industry to cope with water restrictions, received from **Mr Steven Pringle**.

Sow Stall Ban

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

Cat and Dog Meat

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

MINISTRY

Mr BOB CARR: In the absence of the Minister for Health, I will answer questions on his behalf.

LEGISLATION REVIEW COMMITTEE**Report**

Mr Barry Collier, as Chairman, tabled the report entitled "Legislation Review Digest No 7 of 2004", dated 11 May 2004.

QUESTIONS WITHOUT NOTICE

GOULBURN BASE HOSPITAL WOUND CLINIC PATIENT TREATMENT

Mr JOHN BROGDEN: My question without notice is directed to the Premier. How does he defend the treatment of Jean Campbell, a patient at Goulburn Base Hospital wound clinic, who, for a period of more than two months, was forced to take home her used bandages for her leg ulcers and wash them before returning to the clinic to have the same bandages reapplied? Why was she not given new bandages?

Mr BOB CARR: I will seek advice from the health department on that issue. The management of the area health service has recently received more than \$1 million in additional funding. The Government required the resignation of the chair of the area health service board and there has been a comprehensive management clearout.

Mr SPEAKER: Order! Before I call on the honourable member for Strathfield I warn the House early that I will not tolerate members yelling out from their seats in a deliberate attempt to interrupt the flow of proceedings. Members will show the House some respect and the Premier and Ministers answering questions will be treated with decorum. I warn members early that they will be called to order if the behaviour we have just witnessed persists.

SEXUAL ASSAULT PROCEEDINGS

Ms VIRGINIA JUDGE: My question without notice is directed to the Attorney General. What is the latest information on alternative arrangements for victims giving evidence in sexual assault proceedings?

Mr BOB DEBUS: A number of recent high-profile cases have brought into sharp relief the distress experienced by victims giving evidence in sexual assault proceedings and the potential for that distress to be intensified when a case is set out down for retrial. The question is how to ameliorate that distress without enhancing the risk of further legal challenge or undermining the credibility of the complainant in the eyes of the jury. There are both practical and legal questions to overcome in bringing about any reform in this most difficult area. The Government has previously moved to improve protection for victims of sexual assault in various ways, including putting in place arrangements for the provision of closed-circuit television in sexual assault cases involving children, greatly increasing the number of witness officers available to support victims of crime, restricting cross-examination in committal proceedings, piloting a new sexual assault jurisdiction for child assault cases in Sydney west and Dubbo and, most recently, prohibiting cross-examination of victims by unrepresented accused.

Building on the experience gained during the reform of the child sexual assault jurisdiction, and following the recommendations of the Law Reform Commission of this State, I can advise the House that the Government is moving to enable adult victims of sexual assault to give evidence through the use of closed-circuit television [CCTV] and other alternative means. There is presently some capacity for adult complainants to give evidence through CCTV. However, it is a discretion that is exercised very rarely. The Government will move to create a presumption that a complainant who gives evidence in sexual assault proceedings has the ability to give evidence through a means such as CCTV and the complainant will be entitled to have a support person with him or her in court or in a remote witness facility.

It is important to bear in mind that not all victims of sexual assault will wish to give evidence through means such as CCTV. Some of our most experienced prosecutors in sexual assault believe that the healing process for victims begins when they have faced their attackers in court. A powerful argument may be made that a jury gives much greater weight to the testimony of a witness that it has seen in person in court. Nevertheless, the best advice of experienced prosecutors with whom I have consulted is that the provision of this new protection will give vulnerable witnesses the strength to testify.

I emphasise that these new provisions will give complainants a choice. They will be given every opportunity and support as they give their evidence. A number of other more far-reaching proposals have been made in the course of consultation with prosecutors and eminent legal authorities. I expect to bring forward a further package of reforms in due course in the relatively near future. However, I can state that, based on my present advice from two eminent Queen's Counsel in the area, those proposals will not include some of the rasher proposals that were put forward last week by the honourable member for Epping.

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

Mr BOB DEBUS: I requested specific advice from the Director of Public Prosecutions [DPP] and others about the merits of those proposals from the point of view of practical prosecutions—not grandstanding in this House but practical prosecutions—during the course of a trial. His advice was that those proposals "arise from a deep and uncomprehending ignorance of the criminal justice process at both the trial and appellate levels". I also sought independent advice from an eminent retired judge, the Hon. David Hunt, AO, QC, and from experienced legal staff who have been involved in conducting sexual assault prosecutions. I feel some confidence in asserting that the DPP and the Hon. David Hunt have participated in more criminal trials than the honourable member for Epping and I am tolerably certain that the only time the honourable member—

Mr Andrew Tink: Point of order: I point out to the House—

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

Mr Andrew Tink: The Attorney General is relying on the DPP, who misses the time for lodging appeals. He gets the Minister to provide misleading evidence to this House based on a conflict of interest, having missed an appeal in the first place.

Mr SPEAKER: Order! The honourable member Epping will resume his seat. For that outburst I place him on three calls to order.

Mr BOB DEBUS: The honourable member for Epping's neurotic obsession with the DPP is becoming something of a joke in this House and for all who observe the debate. I would be happy to provide the House at a later time with a more detailed response to those proposals based on advice I have received. But, for the present, I will conclude with some remarks about the proposal to provide evidence at retrials through the videotaping of witnesses from the first trial, which was one of the mad suggestions of the Leader of the Opposition. In the view of prosecutors, the use of videotaping presents considerable problems. The videotape is of most limited assistance to the jury. In relation to both transcript and audiotape, the jury is denied the considerable advantage of seeing the witness give his or her evidence. The jury will make certain assessments of the evidence accordingly.

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

Mr BOB DEBUS: Verbal advice from experienced prosecutors and defence counsel is that that is likely to lead to more acquittals in sexual assault prosecutions rather than convictions on retrial. When looking at a videotape the jury sees a one-dimensional picture of the complainant's evidence. A videotape does not show important contextual facts. It will not show an aggressive stance taken by a defence barrister in questioning a complainant. It will not show the lawyer's or defendant's reactions to a complainant's answer.

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

Mr BOB DEBUS: It will not show the actions of the defendant, such as smirking or winking at the complainant while he or she gives evidence. The facts are that a jury can—

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

Mr BOB DEBUS: A jury can see for itself if the evidence is given in person or by CCTV and in real time, and they are very important considerations when a jury comes to evaluating a complainant's credibility. More disturbing is the use to which a complainant's videotaped evidence may be put by the defence. For example, pre-taped evidence will allow the defence to emphasise to the jury the complainant's body language and the negative connotations that might be drawn. The body language of sexual assault complainants, who are often fearful, ashamed and embarrassed, will be open to misconstruction. A videotape of the victim's original evidence may therefore give a misleading impression of the victim's evidence and credibility, particularly with Aboriginal complainants or complainants who require an interpreter.

Mr John Brogden: So you are happy for them to go back to court?

Mr BOB DEBUS: The Leader of the Opposition is really like a delinquent child.

Mr Ian Armstrong: Onya, Grandpa.

Mr BOB DEBUS: You should talk!

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

Mr BOB DEBUS: The aim of all members—I should not say "all members"—but the aim of most members of this House—

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

Mr BOB DEBUS: The aim of most members of this House is no doubt to bring about law reform that will minimise the trauma caused to victims of crime, while continuing to uphold the principles of a fair trial that are the foundation of our system of justice. I believe the reforms I have described today and those that I will introduce after due consideration represent an important step in that process for victims of sexual assault.

TUGUN BYPASS

Mr ANDREW STONER: My question is directed to the Minister for Roads. Given that the Minister will not approve the C4 route for the Tugun bypass for so-called environmental reasons, why will he not release the environmental impact statement so that the local community can understand the basis of his decision?

Mr CARL SCULLY: The Queensland Minister for Transport and Main Roads, Paul Lucas, and I had a good discussion about this issue only about 10 days ago. He conveyed to me that he believed the Queensland Department of Main Roads could make submissions to the New South Wales Government that would overcome my environmental concerns. I told him that I have an open mind and that I am willing to consider any submission that the Queensland Government may make. It may surprise The Nationals to learn that this Government is concerned about environmental issues. I understand that the Queensland Government would like to progress this matter on behalf of the Tugun community. I told the Queensland Minister that I thought an appropriate way to proceed would be for the chief executives of both the Roads and Traffic Authority and the Queensland Department of Main Roads to meet and consider any further material that the Queensland Government wishes to make available.

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

Mr John Watkins: It is a co-operative relationship.

Mr CARL SCULLY: It is. We have a good, co-operative working relationship with the Queenslanders. I have said that this road will not proceed unless our environmental concerns are overcome. The Queensland Minister has told me that he believes all of those concerns can be overcome, and I am quite happy to give the Queenslanders the opportunity to overcome them. If necessary, I will go up there and have a look myself.

STAMP DUTY

Mr STEVE WHAN: My question is addressed to the Premier. What has been the effect of the abolition of stamp duty for first home buyers in rural and regional New South Wales and related matters?

Mr BOB CARR: Since I last reported to the House the total now stands at 3,230 first home buyers who have benefited from not having to pay stamp duty. That means that since I last reported to the House an additional 580 first home buyers have done well from a reform that came out of the mini-budget. That means savings of \$30 million.

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

Mr BOB CARR: What is particularly noteworthy—and this goes to the question asked by the honourable member for Monaro—is the extent of interest in non-metropolitan New South Wales. In fact, the latest data from the Office of State Revenue reveals that 40 per cent of first home buyers are buying in country New South Wales. That means that 1,287 beneficiaries live outside Sydney, which is more than double the number for the same period in March. For example, in Mudgee 21 first home buyers have enjoyed average savings of \$6,368. In Bathurst 29 first home buyers have enjoyed average savings of \$4,807.

Mr SPEAKER: Order! There is far too much audible conversation in the Chamber. Members are deliberately engaging in loud conversations in order to disrupt the proceedings of the House. I warn members that I will not be reluctant to call them to order. Some members are already on a number of calls. One member who is on three calls is one of the major offenders at present. The Premier will be heard in silence.

Mr BOB CARR: In that great inland city of Wagga Wagga 32 first home buyers have saved an average—

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

Mr BOB CARR: They have saved an average of \$4,883. Around Lismore 31 first home buyers have saved an average of \$5,145. In Tweed 11 first home buyers have saved an average of \$7,077.

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

Mr BOB CARR: In Albury 21 first home buyers have saved an average of \$4,511. In Broken Hill 15 first home buyers have saved an average of \$1,565. Of particular interest to the honourable member for Monaro, in Queanbeyan 28 first home buyers have saved an average of \$6,255 in stamp duty.

Mr SPEAKER: Order! I call the honourable member for Southern Highlands to order for the second time. I call the honourable member for South Coast to order.

Mrs Shelley Hancock: I never said a word.

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

Mr BOB CARR: Isn't she great? She is Amanda Vanstone without the charm. Interesting endorsements keep crossing my desk. For example, St George Bank took the unprecedented step—

Mr Brad Hazzard: Point of order—

Mr BOB CARR: I'm coming to you. St George Bank took the unprecedented step of apologising to customers last week.

Mr Brad Hazzard: Point of order: The standing orders state that the Premier and other members should refer to members in a reasonable fashion and every time—

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

[*Interruption*]

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

[*Interruption*]

Mr SPEAKER: Order! The honourable member for Wakehurst will resume his seat. I place him on three calls to order. I want him to understand that he is now on three calls to order.

Mr BOB CARR: St George Bank had to apologise to customers because:

[There has been] a doubling of volumes in the past three weeks. Increased volumes appear to be a result of various state government initiatives introduced to help first home buyers.

Ratings agency Fitch said:

The New South Wales government's proposed changes ... are likely to be well received by would-be first-time buyers—

As indeed they are.

Mr Ian Armstrong: Point of order: To assist the Premier, could he tell us how many first home buyers in Bribbaree have benefited?

Mr SPEAKER: Order! The honourable member for Lachlan is already on one call to order. I now place him on three calls to order.

Mr BOB CARR: I am absolutely unable to answer that interjection, but I assure the House I will waste no time in finding out. The rating agency continues:

The New South Wales Government's proposed changes are likely to be well received by would-be first home buyers for whom stamp duty has previously posed a significant barrier, meaning many more first-time buyers will not need to pay stamp duty for their purchases.

John Edwards, a real estate pricing expert from Residex, said on radio 2UE on Saturday:

There is nothing out there that is going to bring about a crash ... this is the end of a normal housing cycle.

I refer to praise for our initiative, which I suppose is the related matters to which the honourable member hinted when he asked his question. We visited an interesting web site from the New South Wales North Coast where there was a glowing endorsement, an embarrassing endorsement of what the Government had done. It is the web site of the honourable member for Lismore. Thomas, you have done it again!

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

Mr BOB CARR: As we all know, he is a reasonable bloke and we are still considering that transfer fee to come across to Country Labor. I am not going to hurt his standing with his own colleagues, but he was fair enough to say loudly and clearly, among other things:

Changes to stamp duty for first home buyers will see [wonderful] relief for first home buyers by the abolition of stamp duty up to \$500,000.

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

Mr BOB CARR: We want him to vote for the Government on this.

Mr SPEAKER: Order! The honourable member for Lane Cove will come to order and resume his seat.

Mr BOB CARR: Here is the honourable member for Lane Cove, back from the Gulf War, back from the war in Iraq, back from Falluja. Any worries I had about the state of the fighting and the trenches around Falluja were resolved last week when I knew the honourable member for Lane Cove was away, and there was only one place he could be—taking a field command in the desert with his manual typewriter, churning out the press releases.

[Interruption]

It was tough. There has not been a braver figure in the public relations unit of any Army since Alexander the Great. Welcome back!

Mr Anthony Roberts: Thank you.

Mr BOB CARR: And we will see your name up there, one day. The House will enjoy another very interesting endorsement from a Sydney legal firm, Bartier Perry Solicitors, in "Bartier Bulletin" in April. Bartier Perry Solicitors advised clients of "no stamp duty on purchases of dwellings up to \$500,000". Bartier Perry is an interesting firm, isn't it Brad! Because it so happens that its post office box number is the same as the one the honourable member for Wakehurst gives in his pecuniary interests statement for his consultancy work—he is on the phone to them now—in his private work as a solicitor. This is the firm that apparently, for reasons best known to it, has him on the books, but is out there endorsing our stamp duty cuts.

Mr John Brogden: Point of order: On a point of relevance, I quote from the Law Society data that says—

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

Mr John Brogden: I thank you for quietening down the Government.

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

Mr John Brogden: This says, "The Law Society anticipates the introduction of the new vendor duty will quickly develop into chaos".

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

Mr BOB CARR: The legislation before the Parliament is, of course, a package. When the Opposition says the legislation has to be cut in two, three or four it has got a little stumbling block, that is, the Constitution of New South Wales. We know that the Conservatives have no respect for institutions, but it is rare to see them take on the Constitution, a document not one of them has read. This is not an arcane legal argument or a mere constitutional argument, it is about sound financial management. One cannot fund \$30 million in stamp duty concessions so far—\$275 million over a full year—without raising other taxes.

Mr SPEAKER: Order! I have warned the Leader of the Opposition that he is on three calls to order. I will not warn him again.

[Interruption]

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

[Interruption]

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

Mr BOB CARR: One cannot fund \$396 million in pay rises for teachers and nurses after being savaged by the Commonwealth Government without reforming property taxes. The simple fact is this: given the Federal cuts, without the vendor duty and changes to land tax, there can be no relief for first home buyers. There can be no pay increases for teachers and nurses. Defeat, split or amend the bill, and the Leader of the Opposition can explain to the young families of this State why the Opposition will deny them their dream. Doing away with stamp duty relief for first home buyers was our idea, our policy and we will deliver it.

ULLADULLA HIGH SCHOOL

Mr ANDREW CONSTANCE: My question without notice is directed to the Deputy Premier, and Minister for Education and Training. Why have the Minister and his department ignored the repeated pleas of the 1,234 students and the Parents and Citizen's Association at Ulladulla High School to fix sewerage and drainage problems, when students have been forced on numerous occasions to walk through raw sewage in the playground?

Dr ANDREW REFSHAUGE: We have not. We actually have work going on. The work is to be completed on time. I thank the honourable member for raising the issue of capital works.

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

Dr ANDREW REFSHAUGE: I highlight the fact that when we came to government we had to double the level of maintenance we paid for education. The Coalition ran down the schools so badly that we had to double the budget for maintenance, and we still have to finish that work.

Mr John Brogden: You've had nine years.

Dr ANDREW REFSHAUGE: Yes, we are getting through it as fast as we can but if the Coalition stops the Federal Government from cutting our budget—

Mr SPEAKER: Order! Despite repeated requests from the Chair, a number of members have continued to disrupt the proceedings of the House. A number of members have been called to order. Those members are now deemed to be on three calls. Any member who is now called to order will be placed immediately on three calls. The remainder of question time will be conducted in silence. All members will show the House the respect it deserves and Ministers' answers will be heard in silence.

Dr ANDREW REFSHAUGE: We have been working with the school community of Ulladulla High School for the past year, particularly looking at long-term solutions. The cutting of maintenance for so long by the Coalition has undermined the integrity of the assets of the education system. With the increase of funding this Government has provided, and looking now for long-term solutions, we will be able to work our way through that. A further meeting of the school executive and the parents and citizens took place earlier this year to begin that master planning process which provides concept plans for the school, and we will work with the school community to look at the best options for that school.

Mr John Brogden: Point of order: The letter from Patricia White, the president of the parents and citizens association—

[Interruption]

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

Mr ANDREW CONSTANCE: I ask a supplementary question. Will the Minister now visit the school, meet with the parents and citizens association and see the raw sewage first-hand?

Dr ANDREW REFSHAUGE: I certainly will be in touch with the parents and citizens association to ensure that all the work that is to be done at the school is done effectively.

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

PUBLIC SECTOR SALARIES

Ms ANGELA D'AMORE: My question is addressed to the Premier. What is the latest information on public sector salaries and related matters?

Mr BOB CARR: I am pleased to report to the House today on the findings of a report from the Public Employment Office on front-line salaries. The report confirms New South Wales front-line staff—teachers, nurses and police—are the best paid in Australia. On 19 December 2003 the Industrial Relations Commission awarded teachers a 5.5 per cent pay rise. That puts the starting salary in this State at \$43,370 a year, the highest starting salary in Australia—\$2,800 more than Queensland and \$5,200 more than Western Australia. Following the Industrial Relations Commission's decision, the most senior classroom teachers in New South Wales now receive \$62,237 a year, again the top rate in the nation—\$6,400 more than in Victoria and \$5,100 more than in Queensland. Principals in the State's largest high schools hit the \$100,000 salary mark as of 1 January this year, placing them in the top 4 per cent of annual income earners in the nation. Apart from Victoria's decentralised system, where principals bear a heavier administrative burden than do ours, no other State pays its principals more than we do. Ours are \$3,353 ahead of Queensland and \$8,894 ahead of Western Australia. No, Jillian, unlike you, I think they are worth it.

Mrs Jillian Skinner: What about school administrators?

Mr BOB CARR: Oh, negative, negative, negative. Always harping, nothing positive to say. Always negative. Let us talk about nurses. Our hard-working nurses also scooped the pool. They have received pay increases of 18.5 per cent over the past 16 months. That means a first-year registered nurse now earns \$39,911, compared with \$37,000 in South Australia and \$38,000 in Queensland. But in their eighth year of nursing New South Wales nurses take home \$56,000—\$7,500 more than their Victorian counterparts and \$9,411 more than those in Tasmania. For our most senior nurses, the top rate of pay has jumped to \$113,050 in the past 16 months, and that is \$23,000 more than the top rate in Queensland and \$30,000 more than for Western Australia's top nurses. With police, the story is much the same. The first-year constable in this State now earns \$43,388—\$4,457 more than Federal police, and \$7,277 more than police in Queensland. In fact, New South Wales senior constables, sergeants and inspectors all top the pay scale nationally. With the top rate for a New South Wales superintendent now at \$123,500, police of this rank vastly outstrip Federal police superintendents on \$81,139 and those in Victoria, who are on \$95,967.

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

Mr BOB CARR: By the way, the salary rises that I have documented will cost an extra \$394 million next financial year. A Coalition government would have resisted, fought, appealed and held out. We accepted the umpire's verdict on these pay increases.

Mrs Jillian Skinner: You fought all the way.

Mr BOB CARR: Oh, don't say that! It is untrue, and it is bitter and it is negative once again.

Mrs Jillian Skinner: It is none of that.

Mr BOB CARR: It is, Jillian, and we expect more of you—not from the rest of Coalition members, but of you Jillian, we expect more. The salary rises I have documented will cost an extra \$394 million next financial year. That is a big sum of money. Add to that the money unfairly stripped from our budget to line the Queensland coffers—and we pay our people more than they—and you begin to understand why we applied \$365 million in cuts in the mini-budget; we had to, to pay our frontline people more. That is the reason the Government is restricted to offering a 3 per cent across-the-board public salary pay rise, which, if inflation remains at 2 per cent, still represents a real increase. Our respectful, but strong, message to the Industrial Relations Commission is that the taxpayers of New South Wales simply cannot continue to hand out unaffordable wage increases, given the savage Commonwealth cuts, Grants Commission funding and health funding. We have to remember that every 1 per cent rise across the public sector costs \$184 million. That means the very fair 3 per cent we are offering would cost \$552 million.

The Public Service Association's 25 per cent claim over two years would cost \$4.6 billion and is clearly not remotely affordable and is reminiscent of those days when Clive Cameron said in respect of the public sector pay movements, "Let her rip!" Well, that is not our approach. This Government will resist unrealistic and

unaffordable pay settlements—settlements that can only lead to higher taxes, higher debt or cutting programs, none of which we want to entertain beyond what we have been forced to do in the mini-budget. After a period of enormous advances we need consolidation in public sector salaries, so I call for moderation and restraint as the parties return to the bargaining table after some very successful outcomes in recent years. But we are not doing badly if we can accommodate those big increases in public sector salaries and still give out to first home buyers those terrific benefits. In Bribbaree, with the post code 2594—and the honourable member for Lachlan insisted on an answer to this—I am proud to report to the House from the Office of State Revenue that nine first home buyers in that area have received an average saving of \$4,577.

Mr Ian Armstrong: There are only eight houses, so you've done well!

Mr BOB CARR: He says there are only eight houses in the town—but they have all changed hands. And who has them? The first home buyers, whom we are proud to have helped.

SYDNEY WATER RESTRICTIONS

Mr GEOFF CORRIGAN: My question is directed to the Minister for Utilities. What is the latest information on Sydney's water supply, restrictions and related matters?

Mr FRANK SARTOR: I thank the honourable member for Camden for his question. The people of Sydney have shown good support for the water restrictions since they were introduced last October. So far, since the restrictions began, Sydneysiders have saved more than 42 billion litres of water. They have kept water consumption more than 10 per cent below the 10-year average. But our experience in recent years shows that our droughts are getting longer and hotter. Figures released last week show New South Wales is in the grip of one of the most serious droughts ever. This year Sydney experienced its fourth-hottest summer on record, since records commenced in 1859. Last month there were only 6 rainy days, down from 18 the previous year, and rainfall over the past 2 years has been about 70 per cent of the normal average.

These unseasonably dry and warm weather conditions mean that inevitably our dam levels will fall. We are close to reaching the point where our dam levels are nearer to being empty than they are full. At the end of last week storage levels were at 51.2 per cent. Our dam levels are dropping by about 0.4 to 0.5 per cent per week. As I announced last month, when our storage levels reach 50 per cent we will introduce level two restrictions. At this rate that is likely to be early in June. The goal of level two water restrictions is to reduce consumption by 12 per cent. Under level two restrictions hand-held hosing of lawns and gardens will be limited to three days a week and only during the nine-to-five period. The hosing of hard surfaces, including paths and vehicles, will not be allowed. Permits will be required from Sydney Water to fill new or renovated pools. Permits will be issued if the property owner agrees to retrofit water-efficient appliances throughout the rest of the property. Under the current program, this would cost only \$22. But the good news is that as we meet this great challenge for water supply in Sydney our stakeholders and businesses are co-operating. The Chief Executive of the New South Wales Swimming Pool and Spa Association, Mr Delahunty, called the new retrofit requirement:

... [a] commonsense and practical approach to swimming pools and water restrictions.

In relation to the level two restrictions he said that the swimming pool industry would:

... undertake an extensive awareness campaign ... via pool builders, pool shops and manufacturers of pool equipment to support the program.

I congratulate the swimming pool industry on its initiative, its understanding of the water conservation challenge that we face and its co-operation in working to achieve greater water savings. On a similar note, the Irrigation Association of Australia, the nursery and garden industry, the New South Wales Turf Growers, the Landscape Contractors Association and the Australian Institute for Horticulture have also joined the water conservation challenge and are co-operating through an outdoor water conservation reference group to reduce water use on gardens. Honourable members may not be aware of this, but water restrictions are now in place in Melbourne, Perth and Canberra. Since last October Adelaide has been subject to permanent—not the normal seasonal—restrictions. I advise the House that 70 out of 113 water utilities in New South Wales—two-thirds—have some form of water restrictions imposed. Drought and climate change in this State are major issues, and we are meeting that challenge. We now have water cartage in 8 towns because their water supply has failed, and my department is closely monitoring 52 other towns. We are meeting these challenges. Thankfully, the four million people of Sydney accept the challenge and are supporting the Government.

JUVENILE OFFENDERS RESEARCH

Ms CLOVER MOORE: My question without notice is directed to the Minister for Juvenile Justice. What action has the Government taken in response to the shocking research findings of the Australian Institute of Criminology that nearly every young person subject to juvenile justice orders will progress to the adult corrections system?

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

Ms DIANE BEAMER: After one year as Minister for Juvenile Justice, I am pleased to receive my first question without notice from the crossbenchers—the real opposition in this place.

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

Ms DIANE BEAMER: This is an important question that deals with juvenile justice issues that face this State. As I have reported to the House, we are greatly concerned about the rate of recidivism among those who appear before the courts. We have taken a number of steps—conferencing, cautions and warnings—designed to divert young people from the court process.

[Interruption]

This is a serious question that demands a serious response, not humming and not interjection. The steps we have taken to divert young people from the criminal justice system and from detention centres have had significant effects.

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

Ms DIANE BEAMER: It is important to note that since 1995, as a direct result of our diversionary tactics, we have reduced the number of detainees held within our detention centres by approximately 35 per cent. I agree with the honourable member for Bligh that if we use early intervention systems, such as youth justice conferencing, and if we explore circle sentencing and the journey to respect in the community, to divert young people from what is sometimes an aberrant part of their life, but sometimes not, we have a better chance of ensuring that they do not become recidivists.

COUNTRY ATHLETES SCHEME

Mr NEVILLE NEWELL: I direct my question without notice to the Minister for Sport and Recreation. How is the Government supporting country athletes?

Ms SANDRA NORI: As all honourable members know, in less than 100 days the Athens Olympics will begin. No doubt it will bring back memories of our successful Games in 2000. Even though we hosted the Games four years ago the legacy lives on, not just in sport but in many other areas. It is worth reminding ourselves that the Games generated \$6.1 billion in international publicity. Tourism expenditure of \$6 billion put this city in the limelight as a convention and conference city.

Our international visitation rate since and including 2000 has been higher than it was in 1999, despite all the global disasters that have beset the tourism industry in the past couple of years. It is worth remembering that the Games sent a very strong investment and industry capability message to the world. Business outcomes worth \$3 billion have included almost \$2 billion in post-Games sports infrastructure and service contracts. More than \$3 million has been secured in contracts, sales and investment by companies located in regional New South Wales.

For example, Multiplex is now building Wembley Stadium. There is no doubt that the London 2012 bid committee is looking to the Sydney Olympics as the benchmark. I am sure that companies and industries that offered their services to the Olympic Games bid in Sydney will be well placed to provide their services should the London bid be successful. The core business of the Olympic Games is sport, and there are many ways in which the State Government supports talented athletes to achieve their goals. The Country Athletes Scheme, a very successful program that is celebrating its twenty-fifth anniversary, provides talented country athletes with the same developmental opportunities that are available to their city counterparts. It is a great leveller between the city and the country. This year the scheme distributed \$230,000 to 311 athletes who represent 61 sports played in New South Wales.

Mr Barry O'Farrell: Name them!

Ms SANDRA NORI: I am about to. I will give honourable members the full list, if they wish. The mix includes archery, athletics, BMX, dance sport, fencing, gymnastics, karate, lawn bowls, disability sports, surfing, tennis, tenpin bowling, triathlon, volleyball, pony club and yachting. Thirteen young athletes from Tamworth, 10 athletes from Lachlan and 5 athletes from the Murray-Darling have benefited from the scheme. Previous recipients of the scheme include great Australian champions such as Petria Thomas, Zali Steggall and Melinda Gainsford-Taylor. Some 62 coaches and officials have been given a helping hand under the Country Coaches and Officials Travel Scheme to ensure that they have the best information and training possible to foster their sport in regional New South Wales.

Questions without notice concluded.

CONSIDERATION OF URGENT MOTIONS

Central Coast National Rugby League Team

Mr GRANT McBRIDE (The Entrance—Minister for Gaming and Racing) [3.19 p.m.]: My motion is urgent because the decision to admit a sixteenth team to the National Rugby League [NRL] competition for the 2006 season is imminent. The economic and social benefits that would flow from a Central Coast team will be lost if the NRL ignores the groundswell of support for a local team. Last Thursday representatives of all levels of government, including my colleague the honourable member for Gosford, packed down in a scrum to give the message to the community and to the State that they are committed to the urgency of an NRL team on the Central Coast.

Southern Area Health Service Budget

Ms KATRINA HODGKINSON (Burrinjuck) [3.20 p.m.]: My motion is urgent. For years I have been raising issues of concern about the Southern Area Health Service, but I have always been stonewalled by denial and lies in response from the Carr Labor Government—a Government that claims that it provides adequate funding, while at the same time threatens to sack whistleblowing staff. This motion is urgent because Labor's denials have been shown to be lies. The chair of the Southern Area Health Service board has resigned and the service has its fourth chief executive officer in just one year. This motion is urgent because today a great-grandmother, Jean Campbell from Goulburn, has told her story of the third world medical conditions that she was forced to endure because of inadequate funding by the Carr Government. The Goulburn Base Hospital was unable to afford sterilised bandages to dress Mrs Campbell's leg ulcer, so she was forced to take the used bandages home for them to be washed.

This motion is urgent because on Friday 13 February 58-year-old Michael Ferris was undergoing bowel cancer surgery at the Goulburn Base Hospital when the emergency generator failed during a blackout. The ever-resourceful staff at the hospital had to sew him up by torchlight. What a black Friday that was for the Goulburn Base Hospital, as I am sure honourable members can imagine! This motion is urgent because I spoke to a lady whose husband passed away at the Goulburn Base Hospital in January this year following a stroke. She wrote to me, but she does not want her name identified. The ward her husband was placed in had no airconditioning during a very hot summer, and the hospital had no portable fans. Temperatures regularly reached 37 and 38 degrees Celsius, but because the hospital had no portable fans this elderly lady was forced to bring her own fan into the hospital to try to keep her husband comfortable. That is something one would expect to happen in Bangladesh, not in Goulburn. This motion is urgent because the hospital did not have any swabs to clean this patient's mouth and swabs had to be borrowed from elsewhere.

Mr Steve Whan: Go and see a hospital in a third world country.

Ms KATRINA HODGKINSON: I expect the honourable member for Monaro to vote in favour of this motion. This motion is urgent because that very same gentleman had to undergo surgery to insert a peg tube into his stomach so he could be fed. That lady said:

They took him to theatre on Thursday morning only to find they didn't have the part. They sent him back to the ward until they received the part and inserted it on Friday.

This motion is urgent because earlier this year the maternity ward at the Goulburn Base Hospital had no nappies for several weeks. The community and I have a huge respect and great praise for the efforts of doctors, nurses

and other front-line professionals at the Goulburn Base Hospital and the other Southern Area Health Service hospitals. This motion is urgent because doctors and nurses should not have to work under additional and unnecessary pressures. This motion is urgent because Mr Michael Deegan, a registered nurse who has been corresponding with me regularly for several years, wrote to me in November 2001 and stated that he was compelled to write on behalf of his colleagues and other workmates about the subject that he has been raising with the office of the Minister for Health for 12 months or more concerning the financial management of the Southern Area Health Service. His letter stated:

... no local supplier wants anything to do with the Goulburn Base Hospital particularly and SAHS generally because of the non-payment of accounts. So what does SAHS do?—change suppliers and then doesn't pay them either.

This motion is urgent because Dr Ruth Edwards and Dr Tony Wheelen were featured on the ABC's *Stateline* program recently, reporting on shortages of medical equipment in operating theatres and in the emergency department. The starving of funds of the Southern Area Health Service by the Carr Government is affecting the delivery of many health services. For example, the Program of Appliances for Disabled People [PADP] is totally in crisis. This motion is urgent because after a stroke, Robert Luke needed a calliper to walk properly, but PADP just could not afford to pay for the appliance that was already made and waiting for him. There are many other concerns with PADP, such as the non-availability of lifesaving sleep apnoea products, shortages of lifting devices for stroke victims and a lack of wheelchairs. These are just a few of the many complaints that I have raised with the Minister for Health.

This motion is urgent because the Minister for Health has told me that there is no restriction of the number of pap smears—something that is essential for all women over the age of 18 years to detect cervical cancer—that the Southern Area Health Service can do. However, it is a fact that the Southern Area Health Service management has decreed that community nurses can do no more than five pap tests a week. They have been told that they will be fired if they complain about endangering women's lives because of this cost-cutting measure. This motion is urgent because mental health services are stretched to breaking point. A long-time worker with mental health patients, Reverend Bob Grey, has told me that it is only a matter of time before police will have to shoot and kill a mental health patient in Goulburn because of inadequate treatment that is provided by the area health service.

The problems are still about the area health service and still about its \$5 million debt. It is looking at staff cuts as a cost-saving measure. Those cuts must not come from front-line health professionals in the health service. This motion is urgent because the Southern Area Health Service has already closed the operating theatre at the Crookwell hospital and the Yass hospital's operating theatre looks set to follow. Labor is further centralising health care in larger centres to the great detriment of people who live in country areas. We need to maintain local hospitals and adequately fund rural public health. [*Time expired.*]

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

The House divided.

Ayes, 48

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

Noes, 34

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

Pair

Ms Saliba

Mr Hartcher

Question resolved in the affirmative.**CENTRAL COAST NATIONAL RUGBY LEAGUE TEAM****Urgent Motion****Mr GRANT McBRIDE** (The Entrance—Minister for Gaming and Racing) [3.33 p.m.]: I move:

That this House supports the inclusion of a Central Coast based team in the National Rugby League competition.

A National Rugby League [NRL] team based on the Central Coast would be a great opportunity for the region to develop a local NRL franchise; it would be great for locals, for tourism and for business, both big and small. Not only will local fans have an opportunity to see games played at the best regional stadium in Australia, but local business will have an opportunity to share in the success. Last year's success of the Rugby World Cup at the Central Coast Express Advocate Stadium put our region in the world's spotlight, and we are still seeing the benefits to local jobs and business opportunities. With our own team in the NRL that success will be repeated every second week. I join the Premier, my Central Coast Labor and Coalition colleagues, and the Central Coast community in calling for the NRL to recognise the groundswell of support that our region has for its own team.

Mr Barry O'Farrell: What did you do to the Bears?

Mr GRANT McBRIDE: Wait and listen. Last month the Premier wrote a letter to John Singleton, who is leading the push for a Central Coast team, which stated:

It's time for the Central Coast to take its rightful place in the world's most elite rugby league competition.

The Central Coast has all the critical infrastructure in place: it has a great stadium, the support base and the business plan to make a local team a success. Regarding infrastructure, the Central Coast stadium is rightfully known as one of the best regional stadiums in Australia. The stadium has proven itself time and again, including on the world's stage at last year's Rugby World Cup, last Friday night when we witnessed Country edge ahead of City in front of a great Central Coast crowd, in 2001 when Australia A defeated the British Lions, and at many other community and sporting events. In 2000 about 25,000 people attended the Olympic torch festivities at the stadium, with hundreds of local school students taking part. It was a personal highlight and demonstrated that the stadium has become a focal point for the Central Coast community.

Through the Olympic torch festivities at the stadium, and with local performers, the Central Coast showed it was capable of staging a world-class celebration. The event was organised by the Central Coast for the Central Coast. That event has been acknowledged as Australia's best non-metropolitan event associated with the Olympic torch relay. We would not have had an opportunity to host a celebration of that magnitude without the stadium. The premier NRL magazine, *Big League*, referred to the stadium as "the most intimate, spectacular, and high-tech venue in the NRL". The *Daily Telegraph* stated that the stadium is "considered one of the best viewing regional grounds in Australia". No-one who has visited that great facility would disagree. That view is

shared in this House by the honourable member for Lachlan, the former Leader of the National Party and sports fan emeritus. The stadium overlooks Brisbane Water. Few stadiums in Australia, or even the world, could match the views it provides for television cameras.

Since the stadium's opening in February 2000 it has played host to more than half a million visitors. It was funded jointly by the State and Federal governments and Gosford City Council. The State and Federal governments each contributed \$12.5 million and Gosford council contributed more than \$4 million. The Central Coast Leagues Club and North Sydney Football Club contributed to the \$32 million stadium, which was constructed on the basis of both the Super League and the Australian Rugby League incorporating a future Central Coast team in their business plan. When the two leagues were merged into the NRL, it was written into the business plan that the Central Coast was the location for a future team. The business plan recognised the value of the Central Coast fans to the future of rugby league, and that is why the North Sydney Bears decided to move from North Sydney Oval to what was then called Grahame Park, at Gosford. The Bears had a commitment that there would be a team at the Central Coast, and that was part of the business plan for rugby league at all levels.

It was originally intended that the stadium would be used as a home ground for the North Sydney Bears, but that was not to be. Instead, it was used as a joint home ground by the Northern Eagles. The marriage of the long-term rivals, the Bears and Manly, lasted two seasons before the Bears headed back to North Sydney Oval and first division, and the Sea Eagles headed back to Brookvale. The management of the Northern Eagles dropped the ball. In hindsight, it was always a marriage doomed to failure. That the management of the Northern Eagles fell over was no fault of the Central Coast. The average attendance figures at Northern Eagles matches for the first two years was between 15,000 and 16,000. The Brookvale attendance figures during that time were much lower. If Manly had chosen to maintain a commitment to the loyal league fans of the Central Coast, the attendance figures certainly suggested that the Central Coast was willing to support a team.

Fans at other league matches have shown the passion that the Central Coast fans have for the game. When Souths and Wests Tigers met in a trial game this season—a pre-season game—more than 10,000 fans attended. For those who are interested, I should mention that Souths won the game. On Friday night Country took on City at the stadium and 15,310 fans showed up to support local footy. Of course, Country beat City. Next Saturday Souths and the Cowboys will be playing at Central Coast stadium. I encourage all members to go along for what will be a great match at a great stadium. It would be a tragedy if NRL politics again disappointed loyal Central Coast fans. The NRL should not ignore its huge Central Coast league support base. For the health of the game the Central Coast should have its own team. We love our football on the Central Coast, from juniors through to the 2003 Jim Beam Cup Premiers, and to The Entrance Tigers in my electorate.

I am pleased to tell the House that The Entrance Tigers remain undefeated in this year's competition. The Central Coast is definitely a football town. The Central Coast, as an NRL franchise area, would be the fifth largest behind only Brisbane, Penrith, Melbourne and West Tigers. No other area of New South Wales of comparable size is without its NRL team. The support base for a Central Coast team is evident in the 31 local rugby league football clubs, 4,125 registered players and the kids at most of the 90 schools in the region who play rugby league. The Central Coast has over 3,200 junior rugby league players.

We have the third largest junior competition in the game, behind only Parramatta and Penrith. I understand that the honourable member for Gosford is a Parramatta supporter, as I am. The Rugby World Cup games were a huge success for local residents and local businesses. Imagine if that success were repeated every second weekend as the Central Coast Bears took the field at Central Coast stadium. Sports development on the coast would also get a boost if a local team was part of our community, visited local schools, inspired the sports stars of tomorrow—as we witnessed with Country and City prior to the game last Friday—moved around in our local community, promoted sport and provided leadership and opportunities to young people that they would not otherwise have had.

Recently the Premier visited the Central Coast to announce a major injection of funds into the new Central Coast Academy of Sport. The Premier announced an amount of \$380,000 in funding, exceeding the commitment that was announced prior to the 2003 election. One of the driving forces behind setting up an academy was to ensure that local kids and local talent were not forced to travel to Sydney, Newcastle or beyond to further their sporting careers and interests. Our team would stop the drain of local talent to Sydney, Newcastle and interstate. The Central Coast bid team has already stated its commitment to a youth development strategy and a player development program.

There is a wealth of football talent on the Central Coast. A Central Coast NRL team would give young local kids the hope that one day they could represent their region at the highest level of rugby league. Many league greats have grown up in that area and have played with local Central Coast teams. It would be great if those players could play for their own region in the national competition. Current first-grade players who have come from or who have played for Central Coast teams include Paul Stringer, who is now playing for South Sydney; Mark O'Meally, who is now playing for Canterbury Bulldogs; Matt Alford, the Melbourne Storm halfback; Ryan O'Hara, a standout new player for Canberra Raiders; Glen Morrison from North Queensland Cowboys, who we saw on the Central Coast on Friday night; Danny Williams, Melbourne Storm; Robbie Ross, Melbourne Storm; Ian Henderson, Easts; Brett Kearney, South Sydney; and Chris Heighington, Wests Tigers.

Former players from the Central Coast include, among many, Graham Eadie, David Fairleigh, John Moanie, Perry Haddock, Steve McKenzie and Peter Louis. I hope that the Paul Stringers, John Moanies and Ryan O'Haras of the future get a chance to play for their home towns. It would be a slap in the face to our local juniors if NRL politics, once again, denied them that chance. Another major benefit of a Central Coast NRL team would be the recognition on the national stage of the Central Coast as a region in its own right. Regional teams have worked incredibly well and have served to unite regions such as Newcastle and Townsville. The attendance figures for these teams and the passion of local fans are the envy of many of the metropolitan teams across the competition.

I also acknowledge the team behind the Central Coast bid led by John Singleton. The team includes: the Chairman of the Central Coast Stadium, Mr Russell Tate; the Chief Executive Officer of TAB Ltd, Warren Wilson; Graeme Campbell, Director, Ferrier Hodgson; Jim Henry, Chief Executive Officer, North Sydney Leagues Club; Garry Charny, Managing Director, Wolseley Corporate and Media; Gosford Councillor Chris Holstein; and Monique Marks, stadium managing director. The team has put together a bid that is hard to ignore. It is time for the NRL to give the Central Coast its own team.

Mr CHRIS HARTCHER (Gosford) [3.43 p.m.]: The Central Coast needs a rugby league team. It is entitled to a rugby league team. I, as the member for Gosford—and I am sure all members of the Coalition parties—support the Central Coast having the sixteenth team. The Central Coast, which now comprises some 300,000 people, is the third biggest region in the State after Sydney and the Hunter. It is bigger than areas such as the Illawarra, which has its own team. For many years people on the Central Coast have enthusiastically supported rugby league.

The attendance at matches by Central Coast residents both on the Central Coast and at matches away from the Central Coast is impressive. Every weekend there is vast participation in rugby league by thousands of young Central Coast residents—testimony to the strong support that our community gives to that sport. That strong support was evident in the bipartisan way in which Gosford stadium was constructed. It received a substantial grant from the Federal Liberal Government under Prime Minister John Howard.

Mr Ian Armstrong: A Liberal-Nationals Government.

Mr CHRIS HARTCHER: A Liberal-Nationals Government, as was stated by the honourable member for Lachlan. In January 2000 the Prime Minister, John Howard, opened the stadium with enormous fanfare and support. The stadium received a substantial grant from the New South Wales State Government under Premier Bob Carr. That magnificent stadium cries out for the establishment and location of a rugby league team. We support the idea of a team for the Central Coast ahead of Wellington and the Gold Coast. The Gold Coast has had a chance and it missed that chance. New Zealand already has a team. Surely the third biggest region in the State is entitled to a team.

A team would not only have a magnificent home ground and the support of the Central Coast community; it would also have the strong support of John Singleton, one of the driving forces behind this bid. As John Singleton has stated, it would have a guarantee of financial performance through Singleton backing and, as he has said, it would have a world-class stadium and facilities and the support of the STW communications group—the owners of Macquarie radio. So it would have the facilities, the community and the financial support. All that remains is for a decision to be made by the NRL. Last Thursday lower House politicians from the Central Coast and two of my Federal colleagues—Ken Ticehurst and Jim Lloyd from the House of Representatives—

Mr Milton Orkopoulos: And Jill Hall.

Mr CHRIS HARTCHER: And Jill Hall, the honourable member for Shortland—attended a public relations meeting at Gosford stadium and pledged their support for the NRL. We can confidently state that we

are united in our support for this important concept. I will not reiterate the arguments put forward earlier by the Minister for Gaming and Racing as they speak for themselves. He placed on record the names of those who comprise the management committee—the driving force behind this bid. Central Coast media have also enthusiastically supported this project. It is important to acknowledge that there are other issues on the Central Coast besides rugby league football. Rugby league football is certainly a part of the ethos and life of the Central Coast but other issues must be addressed. I move:

That the motion be amended by the addition of the following paragraph:

- (2) queries the commitment of the Government to the Central Coast beyond football in view of its downgrading of health and education services in the area.

We need a football team and we need a focus for our community. We all support that concept and we will all do our bit to ensure that it is achieved. But the Central Coast also needs services that the Government can provide. It is not enough for the Government to support private enterprise in securing a football team; it is up to the Government to do its part for the Central Coast and provide essential and necessary services. Those essential and necessary services for the coast include police, rail, health and education. Each of those services has been downgraded on the watch of the Minister for Gaming and Racing, the honourable member for Peats, the honourable member for Swansea and the honourable member for Wyong.

The Central Coast is reeling from a series of body blows dealt by the Carr Labor Government. While the community would rejoice in seeing a local team in the NRL competition and would stand united behind it, we are entitled to query the commitment of the Carr Labor Government beyond football. Let us consider police. Some 159 police graduated from the Goulburn academy last Friday week. How many of them have been stationed on the Central Coast? Zero. What happened the following week? Two police were taken from the coast. So the coast not only did not get the police it needed but lost more police.

Mr Grant McBride: Point of order: The honourable member for Gosford and I attended a meeting last week at which the local police superintendent indicated that there was an oversupply of officers on the Central Coast. The superintendent also explained that the constables that the honourable member for Gosford mentioned were only temporary.

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

Mr CHRIS HARTCHER: Zero police graduates came to the Central Coast and officers have since been removed. Nobody on the coast believes we have enough police. Last Saturday there was virtually a riot at Umina, in the electorate of the honourable member for Peats. Gangs of youths who had congregated in the street were dispersed by police using capsicum spray. That is an indication of this Government's lack of support for the people of Umina. The Central Coast is the largest rail commuter area not just in New South Wales but in Australia. We have a long litany of problems with late, dirty and overcrowded trains. Train after train runs late consistently but the Carr Government has offered zero responses to this problem. Local people are furious about the inadequate and poorly maintained rail service to the Central Coast. Yet State Labor members of Parliament never talk about it. They never mention trains. To them, the rail service does not exist on the Central Coast—it might as well be a foreign country.

What about health? Ambulances on the Central Coast wait for up to four hours to discharge their patients to emergency departments. The Carr Government has its axe poised over the Central Coast Area Health Service, which it plans to amalgamate with the Northern Sydney Area Health Service. The Government has even appointed the same chief executive officer to head those services. That is an example of the Carr Government's commitment to health on the Central Coast. We have an overcrowded and understaffed emergency department, ambulances waiting for up to four hours to discharge their patients and a planned amalgamation of the local health service with the Northern Sydney Area Health Service.

Let us talk about education. Until this year the Central Coast—the third largest region in the State—had its own regional office of the Department of Education and Training. But in 2004 that office was closed and the Central Coast was downgraded to a subregion. As the population on the Central Coast grows, the State Government removes and closes services. It has closed the service at the morgue—

Ms Marie Andrews: Point of order: The urgent motion is about the Central Coast fielding a team in the National Rugby League competition. The honourable member for Gosford is not relating his remarks to that motion.

Mr DEPUTY-SPEAKER: Order! The honourable member for Gosford has moved an amendment to the original motion. The honourable member for Gosford has the call.

Mr CHRIS HARTCHER: There is an amendment. The honourable member for Peats is regarded as being not necessarily the sharpest tool in the shed, and there is the evidence. I am in the final minute of my allotted speaking time and the honourable member for Peats does not even know that I have amended the motion. She should pay more attention. [*Time expired.*]

Mr MILTON ORKOPOULOS (Swansea) [3.53 p.m.]: What a disappointment that speech was and what a sad indictment of the honourable member for Gosford, the sole Liberal member to represent a Central Coast electorate in this place. What a disappointment he is! This motion, which has bipartisan support, calls for the Central Coast to be part of the National Rugby League [NRL] competition. The honourable member for Gosford said that the proposal was supported by members from both major political parties at all levels of government. But the sad honourable member for Gosford also told blatant porkies in his contribution.

Mr Chris Hartcher: Point of order: Was the honourable member for Swansea in the photograph last Thursday?

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

Mr MILTON ORKOPOULOS: I was performing my duties in the House last Thursday. Former councillor Bill Thompson represented me and the people of Swansea at that event. This pathetic Opposition has ignored the State Government's enormous investment in hospitals, schools, transport and infrastructure on the Central Coast. I support the original motion because I believe the NRL is deficient; it is looking only at the dollars. Mr Murdoch is urging the NRL not to include a Central Coast team in the competition. That is deplorable. In the North Wyong shire, in which the Swansea electorate is located, the Northern Lakes Junior Rugby League team—a single club—has 19 teams that are bursting at the seams to play rugby league. They are moving to first grade for the first time in many years. That is a clear example that Central Coast rugby league teams are bursting with talent and the desire to play rugby league at a higher level.

The Minister for Gaming and Racing said that the Premier has granted some \$320,000 to the Central Coast Academy of Sport. That is yet another example of the Government's investment in sport on the Central Coast to ensure that local sporting talent remains on the coast and is nurtured to mature into national sporting success. No member in this House takes the honourable member for Gosford seriously when he tries to turn a bipartisan motion such as this into a political point-scoring exercise to benefit the Liberal Party. It does Opposition members no good to tell appalling lies in the House. How can the honourable member for Gosford claim that the health system on the Central Coast is deficient when this Government has spent hundreds of millions of dollars at the two local hospitals—one of which is located in his electorate?

The Government has established services at Gosford Hospital that the honourable member for Gosford never even dreamed of as a Minister in the Greiner and Fahey governments nor as a desperate, longstanding member of the Opposition. I support this motion because it has bipartisan support and because it will not result in any financial burden to the NRL. Mr Singleton has guaranteed that he will put up the \$8 million that is required, and he deserves to be congratulated, together with every other supporter of this campaign to bring rugby league to the Central Coast.

Mr IAN ARMSTRONG (Lachlan) [3.58 p.m.]: I support the amendment moved by the honourable member for Gosford. Sport in general is one of the greatest assets any community can have. It is an exercise for juniors through to seniors, and is something people can enjoy for a lifetime. It brings character to a community. It is often not recognised that sport generates a lot of employment and economic activity in a community. This year rugby league has been through a torrid time. It has had problems with its image for a number of years. It would be good for it to have a new focus—a new team or, to use an old hackneyed saying, a new kid on the block. It would also create some excitement in the competition and help to improve the public perception of rugby league.

Rugby league has been the most popular sport played in this State for at least the past 60 or 70 years. It is played in almost every country town and village, many of which have their own teams. The gathering together of a community to watch a rugby league game creates a competitive, but responsible, atmosphere. It is good news all round, provided it is managed properly. The stadium on the Central Coast has enjoyed bipartisan

support, as was evidenced by the way it was financed. It has also enjoyed enormous support from the wider community on the Central Coast, which has one of the fastest growing populations in Australia, and from the business community. An eclectic group of people have supported the stadium.

John Singleton, together with other major financiers and the club movement, will give this campaign an enormous amount of credibility. Mr Warren Wilson, General Manager of TAB Ltd, is a most astute businessman—he knows where the dollar is, and rugby league is a TAB betting operation. The honourable member for Gosford referred to the run-down state of other services, but I will talk about the stadium. It is timely and appropriate that another New South Wales team is brought into the competition. It would be ironic if, instead of that happening, Wellington, New Zealand, were to join the competition. These days it is romantic to fly to a faraway place to play a game and return home by air, but we should not ignore what is at our own back door: an enormous number of young people on the Central Coast—which has the fastest growing population in Australia—whose numbers will continue to grow.

If the Central Coast had a good solid rugby league team it would give purpose and momentum to the social and sporting aspects of the community. It would also provide part-time employment for many people, including university students and the semi-retired, who, on weekends, would sell pies or soft drinks, print programs, look after the grounds or work as gatekeepers. This is an opportunity for all honourable members to say to the National Rugby League that it is time to open the doors and let in another team. It will be good for rugby league and it will improve its image. It is time we opened up our doors rather than looked after the cloudy island so far away.

Ms MARIE ANDREWS (Peats) [4.03 p.m.]: I wholeheartedly support the urgent motion moved by my colleague the Minister for Gaming and Racing, which calls for the inclusion of a Central Coast team in the National Rugby League [NRL] competition. The campaign for a Central Coast team to be included in the NRL competition has gained momentum over recent years. The level of support received from residents of both the Gosford and Wyong local government areas has been overwhelming. In fact, 61 per cent of the total population of more than 350,000 people support the campaign. That figure far exceeds the 55 per cent level of NRL support from the total New South Wales and Queensland population and clearly demonstrates the seriousness of this issue.

Adults and youngsters from the Central Coast are, in the main, passionate about their sport. A high proportion of the population of the Central Coast participates in a wide variety of sports, and rugby league is one of the most popular sports. It is worth noting that rugby league is one of the sports that will be given special attention under the recently launched Central Coast Academy of Sport, to be funded by the Carr Government to the tune of \$380,000. The Academy of Sport was promised by the Premier in the lead-up to the 2003 State election, and it has now been delivered. It will make a huge difference in promoting a number of sports on the Central Coast, including rugby league. I congratulate the Premier on enabling the academy to come to fruition.

In my electorate of Peats, this year the Brisbane Water Secondary College has included sports lifestyle and recreation as a subject for the Higher School Certificate. That subject focuses on refereeing rugby league matches, administration and coaching. It is supported by the Woy Woy Rugby League Football Club, the National Rugby League, and New South Wales Country Rugby League. This year the 15 students studying the course are predominantly in year 11 and a couple are in year 10. I commend the Brisbane Water Secondary College for including that very popular subject.

Mr Chris Hartcher: Point of order: Can the honourable member for Peats tell us why John Della Bosca did not attend for the photo?

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

Ms MARIE ANDREWS: Rugby league is, in many instances, a professional sport run by astute businesspeople, and if students show early promise of being able to excel at it and make a living out of it, the move by Brisbane Water Secondary College has been an enlightened one. Of course, studying rugby league encompasses much more than learning the techniques of the game: it also involves managerial skills, marketing aspects and so on. Attendance of Central Coast fans at NRL matches is extremely high: in fact, it is 43 per cent higher than for the average NRL game. There are three unique aspects in the case for a Central Coast franchise: the guarantee of financial performance, world-class stadium and facilities, and support of Australia's biggest advertising and marketing group.

The close association of STW Communications Group with Central Coast Stadium and Central Coast Bears will ensure that the client list of STW is continually exposed to, and invited to partner in, the development of the Central Coast Bears and rugby league generally on the Central Coast, which is one of the fastest growing

regions in the entire State. Honourable members might be interested to learn that the STW group clients include Qantas, Ford, MLC, IBM, Bunnings Warehouse, Sanitarium Health Food Company, American Express, Myers, Kimberly-Clark Australia Pty Ltd, News Ltd, Unilever Australia Ltd, Kellogg Pty Ltd, Telstra, Nestlé Australia Ltd, Kraft Foods Ltd and many other well-known companies.

The Central Coast bid to be included in the National Rugby League competition has many strong features, some of which I shall now outline. The Central Coast Express Advocate Stadium at Gosford is a first-class football stadium which is considered to be one of the best viewing grounds in Australia. It was endorsed by the thousands of visitors to the stadium last year who watched the three Rugby World Cup matches that were staged at Gosford. The stadium is ideally located within walking distance of Gosford railway station. It is adjacent to Brisbane Water, with ferry services and other boating transport availability, and it is near the Pacific Highway and the F3. The Central Coast is an established rugby league heartland, with 31 rugby league clubs and more than 4,100 players. It also has a strong junior competition, the third largest in the State, with 3,200 players. The community has an ongoing commitment to the development and growth of rugby league. I take great pleasure in commending the urgent motion to the House.

Mr GRANT McBRIDE (The Entrance—Minister for Gaming and Racing) [4.08 p.m.], in reply: I thank honourable members who participated in the debate. I note the support of the honourable member for Gosford for the establishment of the sixteenth National Rugby League [NRL] team on the Central Coast, and I note the bipartisan support of New South Wales political parties as well as the support of local, State and Federal governments for this team. However, the amendment moved by the honourable member for Gosford is disappointing. To seek to sour the bipartisan support for the motion reflects poorly on him, as no doubt will be recognised by Central Coast people, who regard this as a major issue. The honourable member's behaviour reflects poorly on him and brings into question his sincerity about the subject matter of the motion.

I thank the honourable member for Swansea for his contribution. Being a keen Newcastle Knights supporter, he knows that a regional team can play a unifying role in the community—an approach lacking in the honourable member for Gosford. It will be fantastic for all of our communities and for rugby league when Newcastle plays the Central Coast in the NRL competition. The honourable member for Lachlan made a splendid contribution. His leadership on sport and commitment to an NRL team on the Central Coast again reflects poorly on the stand taken by the honourable member for Gosford. Members should contrast the support of a member of the experience and standing of the honourable member for Lachlan with the lack of such support by the honourable member for Gosford, who lives in the region. The contribution of the honourable member for Lachlan is in stark contrast with the snarling, sniping comments made by the honourable member for Gosford, whose comments I hope are accurately reported by the Central Coast media tomorrow.

The honourable member for Peats made yet again a wonderful contribution in support of another major issue for the people of the Central Coast. The issue at stake here is a sixteenth rugby league team for the Central Coast and the benefits of that for our community. It has been demonstrated by the Townsville Cowboys, the Brisbane Broncos and the Newcastle Knights that a regional team is a unifying, character-building and community-building asset. The Central Coast has struggled to gain this asset. Unfortunately, we were let down by the efforts of the previous consortium. The NRL adopts the tactic of not making a decision. It can, and will, make a decision eventually, but if it continues to defer its decision the Central Coast will not have the lead time necessary to put together a team for the 2006 season. That would be another opportunity lost to the Central Coast.

The honourable member for Lachlan asked: Do we want the sixteenth team to go north and be established in Queensland or to go across the ocean to New Zealand? Of course we do not. We want a NRL team on the Central Coast. I, like every other person on the Central Coast, have been bitterly disappointed by the carping attitude of the honourable member for Gosford. Instead of taking this opportunity to praise the Central Coast and encourage recognition and unification, he went the other way, as he always does. It is obvious why he is not the Leader of the Opposition.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 30

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

Noes, 51

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

Pair

Mr J. H. Turner

Ms Saliba

Question resolved in the negative.**Amendment negatived.****Motion agreed to.****AUTISM AWARENESS WEEK****Matter of Public Importance**

Ms VIRGINIA JUDGE (Strathfield) [4.25 p.m.]: I ask the House to note as a matter of public importance Autism Awareness Week.

Every hour has 60 minutes when you have a child with autism.

They are the words of Adrian Ford, the Chief Executive Officer of the Autism Association of New South Wales, who agreed to have a chat with me on the weekend about autism spectrum disorders. Adrian is a member of the Autism Council of Australia. He has been involved with many organisations that deal with mental illness, including the New South Wales Child Protection Council and the Association of Children's Welfare Agencies. As he has such a distinguished career in caring for people with mental illnesses and disorders, one would assume he has a profound understanding of the effect of autism spectrum disorder on individuals, their families

and the broader community. He has met enough parents of autistic children to know how it feels to be conscious of every minute of every hour.

With many illnesses, once the damage has been done the hurt begins to heal. If you break a leg or an arm it can be set in plaster and, following physiotherapy, you can then get back to normal. If you are unfortunate enough to suffer a stroke, perhaps the effects of the stroke can be treated and you might regain some of your lost abilities following physiotherapy and other forms of rehabilitation. However, the only cure for autism is a lifetime of care. Autism affects about one in 100 Australians: 433,000 people feel its effects. Mr Ford described the complete devastation parents often feel when they discover that their child is autistic. A substantial part of the devastation is lack of understanding of what autism means for the child, the family, the uncles, the aunts, the grandparents, the teachers and the broader community.

The community has many misconceptions about the exact nature of autism. Some people confuse autism with schizophrenia, dyslexia and other illnesses. Autism is an abbreviated term for autism spectrum disorders, which typically affects the three areas of social interaction, communication and behaviour. Sadly, many people do not realise that people with autism spectrum disorders can experience a wide variety and degree of symptoms. Many people with autism may also suffer from an intellectual disability. However, a small group of people with autism have average or above-average intelligence. Members of this group may have a specific area of interest in which they excel beyond average. These are referred to as splinter skills.

All honourable members would be familiar with the movie *Rain Man*, in which Dustin Hoffman exhibited extraordinary savant-type skills in mathematics. Most children who have autism spectrum disorders are born with the condition, but it is not easy to identify autism before a child is two years of age. However, parents instinctively know that something is wrong. Some parents think that their child has a hearing disorder because the child does not respond when they try to communicate. In the early stages of a child's life we communicate not only by using oral and aural skills—tone and metaphors, et cetera—but also by visual cues, such as the raising of an eyebrow and the way we move our bodies. But children with autism relate literally so that metaphors have no meaning to them.

It is vital that the condition be diagnosed as early as possible to allow effective intervention treatment of the condition through special education, speech therapy, occupational therapy and behavioural intervention. The success that can be achieved by early intervention was demonstrated by a young man who attended this Parliament last week. Jarrod Moore's autism was diagnosed early and he was able to attend an Autism Association school in preparation for attendance at a mainstream school. His success through the program was so profound that he is now proudly studying chemical engineering at the University of New South Wales.

Sadly, Autism Awareness Week is about not only celebrating the achievements of people such as young Jarrod but also acknowledging the strain that families of autistic children may feel if they are not properly supported. Imagine for example the stress and strain placed upon a family that is already disadvantaged and has an autistic child—perhaps a family that struggles with substance abuse, domestic abuse, poverty or a non-English-speaking background, as is the case in the Strathfield electorate, where 60 per cent of families have one parent who was born overseas. How much more difficult would it be for a child with autism to find the constant attention and nurturing and support that he or she requires when the family is perhaps already dysfunctional or already experiencing stress or turmoil? The strain upon families who devote themselves entirely to their autistic children is already immense. I have three daughters and I cannot imagine for one moment how difficult life could be if only one of them had a disability, such as an autism spectrum disorder to which I have referred.

It is common for children with autism spectrum disorders to be highly sensitive to bright lights, sharp sounds or other commonly occurring sensory experiences that I, my family members or anyone else would not even pay attention to or notice. Parents sometimes struggle to realise why their autistic child is becoming so upset. Mr Ford from the Autism Association related a story of one family with an autistic child who frequently became upset whenever he went anywhere in a car. The story illustrates several aspects of autism. First, it is understandable that many parents would despair because, despite their best efforts, it can sometimes be impossible to understand why a child seems to be isolated, how they feel, or why they may be unhappy. The parents of any child would feel like that, but those faced with the problem several times a day may view the strain particularly keenly.

Mr Ford's story also shows the completely original way in which people with autism approach the world. We should not regret diversity of thought and experience. There is undeniable beauty in every new mind. But to appreciate this beauty and its originality, parents must be given the support of the community and be able

to trust that others will take the time to know and understand people with autism. Helping people with autism to understand and relate to the world around them may indeed be a complex process that takes many years as well as the support of many people. One of the programs that children with autism go through relates to their comprehension of everyday activities. Most autistic children learn, not through listening or reading, but through looking, as I mentioned earlier. The teachers use visual guides to assist the children to understand the process of simple tasks through pictures that break the activity down into many component parts. For example, for us, it is a simple exercise to teach our children to brush their teeth, but for autistic children the activity has to be broken down into its finer components.

Processes and techniques have not been discovered overnight but, rather, have been developed over many years through patience, commitment and kindness. The organisations that have devoted themselves to understanding autistic children and helping their families and communities understand them better are incredible assets to our society. The work of the Autism Association of New South Wales and organisations like it worldwide make priceless contributions to our neighbourhoods and communities. The heart of Labor Party ideology is that, given the opportunity, we should reach out to everyone so that together, in collaboration, we can build a successful society. Only then will we build a truly civil society—a civilised society, one that respects the inherent dignity of each of us with all of our special differences.

A successful society is measured by how it treats and nurtures those who have a so-called disorder or who are underprivileged—in this case, someone who, sadly, has an autism spectrum disorder. During Autism Awareness Week we celebrate the work of autism support groups and awareness organisations as well as the achievements of those who commit their lives to understanding people with autism. We also commend the bravery of people with autism—children, young adults and older people—who live with the disability every minute of the day and who are determined to achieve their goals. They add to the rich and wonderful fibre of our community.

Mrs JILLIAN SKINNER (North Shore) [4.35 p.m.]: It was a great privilege to attend the launch of Autism Awareness Week in the Parliamentary Theatre, but it was somewhat disappointing that only two members of Parliament were present, given that all were invited. For many years I have taken a great deal of interest in autism. A close friend of mine has an autistic child. Many years ago, long before I was elected to Parliament, I visited the Vern Barnett School for Children with Autism at Belrose, which is run by the Autism Association. I was absolutely amazed at the wonderful work being done at the school and the fantastic achievements of the school in the interests of developing very young students who were fortunate to be attending. The good works of the school are evident when one considers the achievements of the young adults and older people who have participated in community life since leaving the school.

A number of matters were raised at the launch of Autism Awareness Week. The chairman of the board of the Autism Association, Peter Werner, identified that there are 43,000 people with autism spectrum disorder in New South Wales: 3,300 of those are aged from zero to five years, while 7,700 are of school age. Out of every 93 children who are born with autism spectrum disorder, 55 will require significant assistance for most of their lives. Autism is more prevalent in males than females and affects one in 100 families, hence the theme of Autism Awareness Week—"One in 100". One young man who addressed the forum, Jarrod Moore, was an absolutely wonderful speaker. He was featured in a story in the *Daily Telegraph* on 7 May, which was the day after the forum. Unfortunately, the article does not capture the energy and wonderful achievements of that young man. Jarrod, who is now 18, had the good fortune to attend an Autism Association school as a young child.

It is evident that he has the most amazing parents, who never accepted anything other than that he would go on to a university. It was through their support, the support of friends and the support of his teacher, who was alongside him when he addressed the forum, that he achieved university enrolment. After attending the Autism Association's school, he attended mainstream schools and was dux of his high school. He went to a selective school and is now enrolled in first year chemical engineering.

Mr Frank Sartor: I did chemical engineering.

Mrs JILLIAN SKINNER: It is a wonderful course. Many years ago my sister was the first female graduate in chemical engineering from the University of Melbourne. Obviously, this course suits Jarrod very well and is of particular interest to him. During his speech he mentioned some of the things that have made a difference. A point that came across clearly was the non-judgemental nature of computers. He was asked what had helped him most and his response was "A computer", because it never answered back and was never

disparaging when he had to ask a question 20 times before he could get the right answer. His speech was truly a highlight of the launch of Autism Awareness Week.

The director of education research for the association, Trevor Clarke, pointed out during his speech that there is an increasing demand for services for people with autism because better diagnosis is currently available. Thirty-five years ago a partnership was formed between the Autism Association and the Department of Education and Training. As I mentioned earlier, many years ago I visited the association's first school at Belrose. There is also a satellite program that began under the Coalition Government in 1992 as well as 38 classes, 22 of which are held in the government schools and 16 in Catholic schools. The University of Canberra recently commenced a specialist teachers course. Mr Clark pointed out that there still exists an urgent need for research into the causes of autism, as well as intervention and services associated with the disability.

I was pleased to learn that the University of Sydney, Westmead Hospital and the Autism Association have conducted their first research project. Since this matter was listed on today's agenda, a number of honourable members have spoken to me about issues raised with them, to which I will now refer. For quite some time the honourable member for Wagga Wagga has lodged petitions in relation to autism in this House on behalf of local residents. He has received a letter from the Minister for Education and Training in response to those petitions. Sadly, the letter does not really say much except to reiterate the general information one could find on any government web site about programs. The letter does not address the specific issues raised by the honourable member for Wagga Wagga.

I will spend some time on those issues because correspondence was sent to the Minister through the honourable member for Wagga Wagga. The correspondence requested the Department of Education and Training to act immediately to provide an autism support class in the Wagga Wagga area so that children could access the specialist education required to assist them to overcome learning difficulties. A letter, signed by a number of parents, was sent to the honourable member for Wagga Wagga, a number of other people and the department. The letter states:

Statistics from Kurrajong Early Intervention Service in Wagga support the view that there is an increase in the incidence in autism in the Wagga Wagga region. They report a five fold increase over a five year periods which is in line with national statistics ...

Unfortunately the nature of the assessment—

that is, the assessment of how well the children can perform—

is such that a single "score" determines the eligibility of the individual for placement in the NSW Education Department schools. This "single score" approach typically results in the autistic child being allocated to a "mainstream" class at their local or zoned school.

In the "mainstream" class the teacher has to cater for the needs of the overall class and usually has little knowledge of the specific issues facing children affected by autism.

In this situation, the needs of the individual becomes suppressed due to the requirement to cater for the needs of the majority. Additional stress is placed on the classroom teacher and the child with Autism becomes a behaviour problem. The consequence is that little learning takes place.

We have investigated the availability of specialist education facilities in the region. Whilst the NSW Education Department makes available the "Emotionally Disturbed (ED)" class, this class is only available on a "session" basis. That is, the child can only attend the class for particular sessions during the day and must return to the "base" school for the rest of the time. This means that the child is given appropriate attention only during a relatively restricted period of the day ...

That matter is still outstanding. The honourable member for Wakehurst also raised autism with me. He has handed me copies of correspondence from Mr Iain Glover, who contacted him after writing to the Department of Ageing, Disability and Home Care some time ago in relation to his autistic child. The response from the department, dated 5 December 2003, is very much a bureaucratic letter, in that it spells out the various government provisions but it does not really answer the questions put directly to it. In response to the request for a review of services for children with autism, the letter stated that inquiries by the Legislative Council's Standing Committee on Social Issues provided advice and guidance on improving services to people with a disability. Mr Glover's letter in response stated:

With regards to the content of this letter, I feel that the letter itself, has been written to another Bureaucrat and not to the parents of autistic children ...

The letter referred to the 18-month waiting list for services and stated that he waited 12 months to receive speech therapy and 18 months to receive occupational therapy from the department. He concluded his letter by stating:

I trust that my letter and others will prompt the government to provide:

- 1) more funding for the Autistic spectrum,
- 2) more qualified Professionals & Therapists for the Autistic Spectrum
- 3) an inquiry to identify the needs of Autistic children and the services required.

Last week at the launch of Autism Awareness Week in the Parliament House Theatre Trevor Clarke, the Director of Education and Research at the Autism Association, outlined the urgent need for more research into the causes of autism, as well intervention and services. I urge the Government to take his recommendations on board.

Ms TANYA GADIEL (Parramatta) [4.45 p.m.]: I thank the honourable member for Strathfield for bringing this important matter to the attention of the New South Wales Parliament. I am pleased to speak in further support of Autism Awareness Week. The Government funds a wide range of services for children with autism and their families through the health and disability service systems. Those services include early childhood intervention, therapy, behaviour intervention and counselling programs. The Government provides more than \$2.3 million in recurrent funding to the Autism Association of New South Wales to support the provision of accommodation and community integration services, behaviour intervention and family support counsellors. That funding also allows the Autism Association to act as a central resource for families seeking information and advice about autism spectrum disorder.

The Department of Ageing, Disability and Home Care [DADHC] funds a range of other services that are available to children with autism and their families. With autism, as with many other forms of disability, early intervention is important to effectively support families. In recognition of that fact, the Government provides more than \$12 million per annum to support the delivery of early childhood intervention services for children aged 0 to 6 years. The funding provides for services such as early childhood special education, therapy, information and referral, and assistance for children to be integrated into other specialist and mainstream services in each local area such as preschools, schools and respite services. More than 80 non-government organisations across the State receive funding for early childhood intervention services.

The DADHC provides approximately \$6.6 million a year for therapy services, in addition to the range of services provided by the department's community access stream. Each year \$1 million is allocated for early intervention and family disability support services to assist families who have a child or young person between 6 and 18 years of age with a disability. Six services have been funded so far. The allocation will be expanded by \$4.2 million, bringing the total to \$5.2 million a year in four years. I am sure that that will please the honourable member for North Shore. The services include individual planning and service co-ordination, sibling and parental support, and support in accessing mainstream community activities.

Children with autism and their families are able to benefit also from the Government's increased commitment to the Behaviour Intervention Service, a statewide service provided by DADHC. This service provides specialist advice and treatment to address behaviour issues. The service receives more than \$3 million per annum, following an increase of \$2.8 million in 2002-03. Funding will increase further over the next four years. The expansion of funding for the Behaviour Intervention Service includes the development of a specialist children's team, which will better support families of children with autism and other diagnosed disabilities. DADHC has created additional behaviour support co-ordinators in each region to provide support and expertise to services in the area of behaviour management. Another key area of support for families of children with autism is respite care. In 2003-04 the total investment in respite services through DADHC will be \$122.5 million. The Government has recognised increasing demand for respite services by allocating an additional \$11.2 million over the next four years for the provision of flexible respite for young people with a disability and their carers, including \$1.6 million in 2003-04.

These initiatives sit within the Government's broader commitment to improve support to families through programs such as Families Support. Access to appropriate support is an important concern for families of children with autism. These Government initiatives will have a significant impact on access to support, which is vital. A facility in the Parramatta electorate assists children with autism. I have listened to parents talk about how the help that they receive is a source of great comfort. Sometimes that support is what keeps them going. It is appropriate that, in Autism Awareness Week, I place on the record our thanks to the wonderful people who assist children with autism and their parents. They do a great job.

Ms VIRGINIA JUDGE (Strathfield) [4.50 p.m.], in reply: I thank all honourable members who contributed to debate on this matter of public importance for their thoughtful comments. In particular, I thank the honourable member for Parramatta for her thorough and compassionate speech about autism spectrum disorders. All honourable members should remember that Autism Awareness Week is about supporting people with autism, their families and their communities. Children and young adults with autism spectrum disorders need and deserve our patience. They can be helped to achieve their potential only through long-term support and understanding.

Earlier the honourable member for North Shore referred to a good article in the Sunday papers about Jarrod and his family. I am glad she agrees with what I said. Jarrod said that he was not upset about the judgmental attitude of people towards him; he was more upset about their lack of patience. When he was developing his skills one of the tools that he used was a computer. The program that he used involved matching one shape with an identical shape on the computer screen. Apparently he was tireless in his attempts to master that program. He tried, time and again, to place a circle on top of a square. It was a difficult task but he did not become frustrated. Every time he tried to match a circle with a square, the computer displayed the words, "Please try again."

We must be patient with people who suffer from this disorder. A calm response helped Jarrod to cope with a difficult process. Many autistic children respond best to patience. They should not be struck or punished when they fail to complete a task such as matching a square on a computer screen. If they are they become cynical and it makes it difficult for care workers to help them. Autistic children need our full-time care and support. The honourable member for North Shore referred also to collaboration. I agree with the honourable member: There has been collaboration with the Department of Ageing, Disability and Home Care, the Department of Education and Training, and the Autism Association of New South Wales.

In 2003 the Carr Government allocated \$6.3 million to the Department of Education and Training to support people with autism. This Government, which is committed to assisting people with autism, is prepared to put its money where its policies are. That enormous contribution was used to fund supervised classes, textbooks and intervention programs. I acknowledge this Government's outstanding commitment to that issue. We always need additional resources to deal with those who suffer various disabilities or disorders. The Government is aware of that and it is working closely with relevant organisations.

The honourable member for North Shore referred also to Trevor Clarke and to the tremendous amount of work he has done. I am advised that he has established that between 30 and 40 per cent of people with autism spectrum disorders display interesting splinter skills. Quite a high percentage of people with autism have extraordinary abilities in the area of mathematics, music and numerology. When dealing with young people who have this disorder we should remember that they have specialist skills. I commend the hundreds of unpaid volunteers who are members of the association. They do that work because they are passionate about helping and supporting one another and they want to give these young people the best possible chance in life. They are to be commended for their dedication, selflessness and compassion.

Discussion concluded.

BUSINESS OF THE HOUSE

Private Members' Statements: Suspension of Standing and Sessional Orders

Motion by Mr Frank Sartor agreed to:

That standing and sessional orders be suspended to permit the taking of private members' statements forthwith.

PRIVATE MEMBERS' STATEMENTS

BENDIGO BANK MILLER BRANCH ESTABLISHMENT

Mr PAUL LYNCH (Liverpool) [4.56 p.m.]: I draw to the attention of the House the ongoing campaign to establish a branch of the Bendigo community bank at Miller, which is in my electorate. The campaign to establish a community bank in Miller, which is of great interest to my constituents, has much

popular support within my electorate. The latest event in the campaign was a public meeting held last week, on the evening of Thursday 6 May. I was able to attend that meeting but only after the Parliament had risen for the night. The meeting was held in the Liverpool Christian Life Centre on Hoxton Park Road. A number of speakers attended the meeting. One of the speakers was Todd Phippott, a disabled athlete who spoke about realising dreams and overcoming adversity. Other speakers included Wendy Waller, a well-known figure in Liverpool; Rob Stalley, who works at Liverpool City Council and who, since its inception, has been an integral part of the campaign; Michael Wood from Bendigo Bank; Noah Roet from the community bank steering community and the Christian Life Centre; and Geoff Taylor, chair of the steering committee.

A local community bank will be established as a franchise of Bendigo Bank—that is, Bendigo Bank will allow a local community to use the Bendigo name and to run a local bank branch. The local community has to undergo a rigorous and formal process in order for that to occur, which partly explains why no Bendigo franchise has collapsed. Bendigo Bank has set up 127 community banks and not one of them has closed. The first stage of the process is to collect pledges from the local community. Pledges are non-binding promises that residents will purchase shares in a future local branch. When enough pledges have been obtained the next stage is a feasibility study to gauge the financial viability of the project. If that stage is successfully passed the next step is the prospectus stage. If that is successful, the next part is employing staff, fitting out a shop and opening for business.

The proposed Miller bank has now reached the pledge stage. To date the process has been conducted by a steering committee that was established by Liverpool council on the initiative of former councillor Cecilia Anthony. The steering committee, Geoff Taylor and Noah Roet have already done a great deal of work. The steering committee includes locals such as Margaret Parker, Irene Macnamara, Ali Karnib and Neville Johnson, amongst others. Much of the work that has already been done can be seen in the level of pledges that have already been raised. In a community without great financial resources about \$618,000 in pledges has already been raised.

In June last year, when I last referred to this matter in the House, the community had pledges in the vicinity of \$450,000. Therefore, an additional \$170,000 has been raised in the past 11 months or so. The Bendigo requirement is for \$600,000, so that part of the equation has been solved. Bendigo also requires a total of about 400 individuals to pledge. To date the community has about 317 pledges, so another 80 or so pledges are all that is required to complete the pledge stage. I take this opportunity to urge residents in Liverpool to become involved in this great campaign and to consider making a pledge to the community bank in Miller.

The need for a community bank in Miller is glaring. Miller shopping centre is located in the heart of Green Valley Estate, which was developed in the 1960s. At one stage there were three separate banks with branches in Miller shopping centre. In July 2001 the last of the banks in Miller—the Commonwealth Bank—closed its doors. From that point on there were no banks in Miller. There were, of course, automatic teller machines. They were fine when they operated and if one knew how to use them. Many people in the Miller area either did not know or did not want to know how to use them. What was particularly galling about the Commonwealth Bank's decision was that the Miller branch was profitable. However, because it did not deal with many home loans it was not profitable enough to satisfy the greedy money-hungry tsars in the leadership of the Commonwealth Bank. The Commonwealth Bank was making money out of Miller, and had made plenty of money over the years. But it simply put profits before people and was happy to condemn the residents of this area to being without banking services in a bank branch.

A Bendigo community bank is the obvious community-based solution to this problem. The Bendigo Bank originated in 1858 as the Bendigo Building Society and its headquarters are still in Bendigo. In 1998 it launched a community bank and it now has more than 200 branches throughout all States of Australia. Because it is a community model it does not have to behave in the same way as other banks. The Miller franchise can make its own local decisions about local issues, responding to the local community. The franchise directors will be members of the local community, not remote, alien econocrats, with no sympathies for local aspirations. Profits can be returned to the local community. For example, at the meeting on Thursday night there were suggestions about investments in youth employment strategies and examples were given of how other community bank franchises had invested in their local community. Some of the literature handed out on the night stated:

By supporting community bank, you are directly supporting your community. Banks make profits from the difference in interest rates between deposits and loans, called a 'margin'. Whenever you save or borrow, the bank earns a margin which of course usually goes straight to head office. The difference with community bank is that your community directly shares this margin income. Any profit the community bank makes after deducting operating expenses can then be ploughed straight back into supporting local business and community needs.

I urge support for the bank.

SEA RESCUE TUBES

Mr MALCOLM KERR (Cronulla) [5.01 p.m.]: Tonight I shall talk about—

Mr Frank Sartor: How is the water?

Mr MALCOLM KERR: We will test the water. That interjection is appropriate to the subject of my speech tonight: rock fishing. The Minister for Energy and Utilities may be aware that rock fishermen have an association with water. There was some debate about rock fishermen a couple of days ago in the *Daily Telegraph*, which carried an article that put the case for and against rock fishing. Rock fishermen frequent a number of areas in my electorate, including Potter Point. I refer honourable members to a press article from August 1992, which states:

One of the most thrilling moments of Ron Siddons's career happened when the veteran lifeguard wasn't even around.

A few months ago a rock fisherman was swept into the water off the notorious Potter Point near Cronulla.

What saved him was the use, by another fisherman, of the Ron Siddons-designed rescue tube, which kept the man afloat until he was brought back to shore.

Not only was the rescue made possible by the tube, but the idea of having one permanently stationed at this danger spot was an initiative which Mr Siddons, Sutherland Shire's chief lifeguard, pushed for and found the sponsorship to fund.

"We were ecstatic," Mr Siddons said of the rescue. "Now people are going to demand it [permanently placed tubes] and there are companies which love to sponsor things like that."

The Westpac Helicopter Rescue organisation commended Mr Siddons on the tube, saying it was what had made the difference in the rescue of the fisherman.

That incident occurred 10 years ago. I have a letter dated 5 May 1998 from Paul Newland, crew chief of the Westpac rescue helicopter. I am glad that the honourable member for Lismore is in the Chamber as he has had a long association with the helicopter rescue service. The letter states:

Dear Ron,

The purpose of this letter is to praise you for the effectiveness of the rescue tube boxes you have installed along the various locations in the Sutherland Shire.

More recently on Saturday 25th April—

which of course is Anzac Day—

at around 13:13 hours, the helicopter was called to rescue a man from the water at Cape Solander.

On arrival at the scene the crew observed the man being kept afloat by the rescue tube and in a reasonably calm state awaiting rescue.

There is no doubt in my mind that the "tube" was the difference between life and death for the man and many others who all owe their lives to your initiative and actions.

The placement of more tubes at other locations (particularly on the southern end of the headland projection, eg "Suck Rock") can only result in more lives being saved, both in the Sutherland Shire and in other municipalities.

I assume that Rockdale may be one of those municipalities.

Mr Frank Sartor: The waves aren't quite so big there.

Mr MALCOLM KERR: Nevertheless I am sure that the Minister, as a humanitarian, is interested in this issue.

Mr Frank Sartor: That's me.

Mr MALCOLM KERR: Yes, it is—despite a heavy disguise. I am sure the Minister will agree that this is a very important issue. Ron Siddons has now retired as chief lifeguard. Some years ago I was in Botany Bay National Park when a rock fisherman was drowned in the area. The former Minister for the Environment, the honourable member for Gosford, was extremely helpful in stationing the tubes in national park areas. The honourable member for Kiama helped by putting one at Kiama. I ask the Government to consider this issue. A

number of rock fishermen have been lost at sea recently and we should do everything we can to prevent further loss of life. I call on the Government and the Minister at the table, the Minister for Energy and Utilities, to take an interest in this matter.

PORT STEPHENS YOUTH PROGRAMS

Mr JOHN BARTLETT (Port Stephens) [5.06 p.m.]: On 6 April this year I made a private member's statement about Port Stephens youth programs during which I mentioned the volunteers in the Port Stephens community who are doing good things for young people in the area. I said that if everybody does a little work—even though people may not think they are doing much—when we put it all together we find that a great deal is happening. I also talked about the Tomaree Workplacement Committee, Better Futures Committee, Tomaree Machismo and Mayfield Machismo. Today I shall refer to further programs and opportunities available for young people in Port Stephens. Several years ago the Williamstown Rotary Club established the Grahamstown Sailing Club, which offers summer sailing activities to both able-bodied and disabled people. The rotary club and Grahamstown Sailing Club now have care and control of the facility, which is staffed by volunteers. The use of catamarans and disability sailing boats is free to those who utilise the facility.

The club has almost 600 sailors, about 504 members and 302 volunteers. Last year about 280 people visited the facility. The club accepts participants from all over, including able and disabled pupils from Raymond Terrace High School and Irrawang High School. On their first day sailors must sign an indemnity or membership form. They receive sailing training sessions in the clubhouse, which cover safety, boat skills and the parameters of the sailing area, and include a demonstration by an instructor using model sailboats. Participants then go to the pontoon to receive instruction on mechanics and watch demonstrations of sailing, launching and docking. Volunteers receive training in handling disabled people, using hoists and harnesses, and rigging and de-rigging the craft. They also launch and dock boats and return them to the shed. It is a wonderful community activity for young people and has a host of local sponsors.

The 1st Medowie Scout Group is the largest scout group in the Hunter coastal region, and has been so for the past 15 years. The group averages annually more than 120 members and 25 leaders, with an average leader life of five years when the average across the movement is less than one year. The group has comprised boy and girl members in every section from the day it opened its doors, including a joey mob, cub packs, scout troops and a Venturer unit for young people aged 15 to 18 years. I commend Geoff Dingle and those volunteer groups who have worked with him. Geoff has been a group leader for 15 years and an active scout leader for more than 30 years. The group embodies the strong sense of community involvement in youth matters in Medowie.

Another local group is the Riding for the Disabled Association, which is based just outside Raymond Terrace. Sailing for the disabled takes place during the summer months, and riding for the disabled takes place during the winter months. The Riding for the Disabled program has about 140 riders and approximately 70 volunteer helpers each week. Its aims are to promote the activity of riding for disabled members of the public and to provide rehabilitation, therapy and sport in a safe environment. Approximately 31 per cent of the volunteers who assist in the programs and 20 per cent of those who participate in the riding programs come from the Port Stephens area. There are 15 patient, gentle horses trained to work in the programs.

Riding for the Disabled has a waiting list of approximately 60 people. The facility boasts an Olympic-size covered area, a fully fitted kitchen and lunch room, toilet blocks, works rooms, tack rooms and a huge common room with a viewing area for parents and carers of riders. Riding for the Disabled also provides a caretaker's cottage on the site. I congratulate all volunteers who look after the young people of the Port Stephens area.

RURAL PUBLIC TRANSPORT SERVICES

Ms KATRINA HODGKINSON (Burrinjuck) [5.11 p.m.]: Unlike the benefits enjoyed by the residents of Sydney and the other larger coastal metropolitan areas, public transport is very thin on the ground in regional New South Wales. Long distances, higher country fuel prices and a relatively small passenger base mean that profitability will always be difficult to achieve. However, there is a real and often unmet need for public transport in rural areas. Elderly people who are unable to drive, people with a disability, those too young to drive and many others all need to go shopping, see doctors and so on. Public transport is a vital necessity, yet the actions of the Carr Government seem to be aimed directly at making it as difficult as possible for companies who operate passenger bus services.

One such company in my electorate is Transborder Express Pty Ltd, which is one of the oldest passenger transport businesses in the Canberra region, and one which I have to thank for safely delivering me to and from schools for approximately three hours a day for many years. It is also the most experienced rail feeder coach operator in southern New South Wales, and a major private sector school bus operator in the Canberra region. Transborder operates regular scheduled runs between Yass, Canberra, Goulburn and the Snowy region, and also CountryLink feeder services to Cootamundra, Bombala, Eden, Tumbarumba and Condobolin. Doug Hjort from Transborder recently sent me some information about difficulties that the passenger bus industry in New South Wales is facing because of the actions of the Carr Labor Government.

The Unsworth and Parry reports have been on the table for upwards of six months yet the Carr Labor Government has not yet issued a response. This has created significant uncertainty in the industry, and that uncertainty has created significant problems for bus operators as they are unsure of the future. Orders for new buses and coaches have declined significantly. Every school bus operator needs to know what changes the Carr Labor Government will make to the School Student Transport Scheme, but all it has done so far is cut back capital investment in the industry in New South Wales.

Another concern of which I am aware is the new guidelines for rural school bus stops, which have been introduced by eastern Riverina councils with the support of the Carr Labor Government. If, as is feared, these guidelines become mandatory for the rest of New South Wales, buses will not be able to stop at most farm gates. A recent survey by Yass Shire Council found that the application of these guidelines to the proposed extension of a Yass school bus run to Sutton Road, Gundaroo would mean that the bus would be able to stop only twice on the 16-kilometre route. Many existing bus stops would have to be eliminated without replacement, further increasing the difficulties that many rural families face in getting their children to school.

I have also been informed about concerns with what has been described to me as incompetent behaviour on the part of RailCorp and CountryLink senior management. As I said earlier, rural New South Wales is heavily dependent on CountryLink train and coach services. However, I am aware that there has been a delay in processing tenders for the supply of CountryLink coach services. These tenders were called for in September 2003, and some of them feed into a network that spans the Burrinjuck electorate, yet there is even more uncertainty in the industry with the continued failure of senior management to process the tenders.

There are also major problems in south-east New South Wales as a result of amendments by the CountryLink train division to rail timetables for services to and from Canberra, which were not passed on to the coach division. There is clearly a left-hand, right-hand problem in CountryLink which has resulted in CountryLink coaches arriving in Canberra to connect with cancelled train services. A further concern is the delay in the introduction of an incentive scheme to increase patronage on country coach services. CountryLink specified this scheme as a feature of its 2002 tender specifications, and it was to start in February 2003. Now, 15 months after the scheduled starting date, no work has started even on the development of this scheme. It is little wonder that the New South Wales rural bus and coach industry is shaking its collective head in disbelief at the actions of the Carr Labor Government.

I draw the attention of honourable members to an editorial that was published on Monday 10 May in the *Goulburn Post* under the heading, "A Promise that Failed to Deliver". The editorial referred to an answer by the Hon. Michael Costa, Minister for Transport Services, to a question in the other place, which it labelled as blatantly rude in the extreme. The editorial stated:

This silly and inept outburst sells the people on the corridor all the way through to Marulan and Goulburn short. Minister Costa and his seemingly arrogant ilk—

the editorial thundered—

probably think that they can get away with this type of pomposity, particularly in respect of the Southern Highlands ... but further down the Goulburn line is another matter for talking down to the many very loyal train customers will not win any friends.

These comments are just as applicable to the many CountryLink coach passengers in the rest of the Burrinjuck electorate. The Carr Labor Government, and Minister Costa in particular, need to get off their collective behinds and actually start supporting public passenger transport in rural areas. [*Time expired.*]

GOROKAN MARKETING COMPANY DIRECT DEBIT ACTIVITIES

Mr PAUL CRITTENDEN (Wyang) [5.16 p.m.]: I draw to the attention of the House the practice of a direct marketing company that approaches people door to door rather than on the phone. Mrs Lorraine Griffiths of Gorokan, in my electorate, was approached by a man who was canvassing door to door for, perhaps, a very

worthy charity. Mrs Griffiths is alleged to have agreed to have money deducted from a bank account by way of direct debit. It transpired that at no time did she give permission for a direct debit from her account. When Mrs Griffiths investigated the matter she ascertained that the subject of the direct debit is a company that was operated by her husband until he suffered a stroke on 7 December 2003. She discovered that the bank account details, including the BSB number and account number, came into the hands of this marketing company.

When Mrs Griffiths challenged the marketing company she was sent a two-page document that showed a number of discrepancies. Mrs Griffiths' christian name was incorrectly spelt, her date of birth was incorrect—it showed her as six years older—Gorokan was incorrectly spelt, no home telephone number was provided, the signature of the consultant was missing, and it was not her signature on the document. Mrs Griffiths told me that she always signs her full christian name, middle initial and surname. This matter has been forwarded to Toukley police to investigate the anomalies. Furthermore, Mrs Griffiths has documentary proof from two nursing homes that at the time of the alleged discussion at her house she was in Sydney looking for a nursing home in which to place her husband. I have been provided with a copy of those letters, which give the times and dates of her visits to those nursing homes.

When Mrs Griffiths contacted neighbours in Suffolk Street, Gorokan, she was informed that a shiftworker had been woken by a person canvassing door to door for a direct debit donation. The shift worker said he was happy to make a donation, but would not do so by way of direct debit. This made the canvasser quite irate because he had filled out the paper work, even though the shiftworker had made it abundantly clear he would not agree to a direct debit donation. The incident indicates that residents were put under some pressure. I am concerned that many elderly people, especially elderly women who live by themselves, may have been placed under undue pressure to sign up for ongoing commitments which they may not be able to afford.

Many honourable members who have doorknocked would know that it is very confronting for people to be approached on the doorstep of their homes. It can be very stressful for the elderly, especially women living by themselves, and they may well be pressured into signing up. I hope the police investigation proceeds forthwith and that the people of the Gorokan area especially, but of my electorate generally, are alerted to this undesirable direct-marketing activity that is taking place.

LUNA PARK NOISE LEVEL COMPLAINTS

Mrs JILLIAN SKINNER (North Shore) [5.21 p.m.]: I raise a question of noise associated with the operation of Luna Park. Honourable members would be aware of recent comments made in radio, press and television reports. I have received letters of complaint about noise levels, as has North Sydney Council and the operators of Luna Park. At the outset I might say that residents want the Luna Park rides to continue to operate; there is no suggestion to the contrary. I certainly support those rides. However, I think the concept of Luna Park as a fun park has been set aside and it is now more of a commercial development.

I would support retention of the rides and fun park aspects of Luna Park at all costs, but they should not operate in way that makes it impossible for my constituents to lead normal lives. I am sure all honourable members would make similar representations on behalf of their constituents. The problem stems from relocation of the rides to a part of the Luna Park site where the noise most affects residents. On 5 April—a day or so after the park was reopened—a resident wrote:

The extension north of Coney Island has been a covert development and is best described as an extension by stealth. This extension is not within the original boundaries of Luna Park and, as you would be aware, the area was originally covered with bush. The noise from the Ranger and the operator(s) of the Spider on the loudspeakers is causing us undue stress and we have been unable to sleep ever since it opened.

That is the sort of comment made by many residents. The council has received more than 100 letters from some 65 residents, who talk particularly about the noise from the Ranger, the Spider and the Tango Train. Complaints are expected to increase when the Wild Mouse roller-coaster ride becomes operational a bit later on. Luna Park managing director, Peter Hearne, is quoted as saying that he is "unaware" of any spruiking on loudspeakers. That is not the advice I have received, and it is not consistent with comments made by local residents today on radio and elsewhere in the media. They say that people using the public address system are encouraging ride users to scream louder, no doubt to build up enthusiasm in young visitors to the park to go on the rides. We must co-operate with local residents who want Luna Park to succeed, but that seems a fairly confrontational approach.

I urge the Minister to ask the Luna Park operators to talk to constituents in a meaningful way, not from an attitude of "we will tell you how it is going to be," and insult residents, as they have been insulted on a

regular basis. A short while ago a local resident said in an interview that the issue for residents is that the Minister's June 2001 determination on Luna Park stated that any development should seek to minimise noise through the location of rides. The resident said the issue is to do with the three thrill rides that I have identified, which previously were located right up against the cliff, with trees therefore absorbing the noise. Those rides have now been placed right under the balconies of residents, in direct contravention of the Minister's determination. I ask the Minister for Tourism and Sport and Recreation, who I acknowledge responds reasonably on these issues, to look into this matter and see whether the rides can be relocated in accordance with the Minister's original determination.

Anyone who looks at the television footage will know that the rides are right under the balconies of residents. It is worth noting that two of the thrill rides have been placed in the children's playground, north of Coney Island, which is not the most appropriate place. As I have said, my constituents are writing to tell me that they cannot open their windows or sit on their balconies because of the noise. The problem is bad enough now, but it will be even more problematic on hot summer nights. Their sleep already is disturbed. They want Luna Park to be a fun park, but they do not want it to make their lives a misery.

Ms SANDRA NORI (Port Jackson—Minister for Tourism and Sport and Recreation, and Minister for Women) [5.26 p.m.]: I understand that the honourable member is in a difficult position. No doubt she has been petitioned by residents regarding this matter. But I have to say there are times when we all have to show a bit of courage. One cannot support an attraction like Luna Park in one breath and then say the operators must do A, B and C—often to the exclusion of any commercial reality. There have to be some trade-offs in this life. If you want young people to have jobs and the income that an attraction like Luna park generates for this city, there have to be trade-offs.

My understanding is that 200,000 people have been to Luna Park, an exceptional tourism attraction. It adds diversity to the city. I am also informed that about 111 complaints have been received from 65 constituents. Though I am not the consent Minister or an affected councillor, I am informed that the noise levels have been well within the limits set by the local council. It may disappoint the honourable member for North Shore to learn that only today I sent a letter of congratulations to Luna Park for the contribution it has made. I am sure Peter Hearne and others would be happy to release that letter.

I ask the local member to exercise her judgment carefully regarding this issue because it goes beyond a local electorate. It is about adding substantially to Sydney's value as a tourism destination, and there have to be some trade-offs. I well recall the earlier proposals. Everyone wanted to support the retention of Luna Park when it was thought that a whole lot of apartments were to be built on the site. The other point I would make is that those who buy properties near Luna Park—and I understand many of the complaints are from people who recently became residents—have to accept that it is a great location but that there must be a small trade-off for the greater good.

LIBERAL PARTY PUNCHBOWL MEETING

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [5.28 p.m.]: Last Thursday evening an important fight for the World Super Middleweight title took place at the Sydney Entertainment Centre. Unfortunately, Anthony Mundine lost that fight against the Puerto Rican contender, Manny Siaca, I understand on a split points decision. It was an exciting fight. But not far away—in Punchbowl, in my electorate of Bankstown—a probably even more important fight was taking place, one that I gather was more exciting to watch. It involved about 230 people. The several thousand people at the Entertainment Centre, along with the millions of people who viewed the title fight on television, probably would have been better off buying their popcorn, going to the Croatian Club and watching what unfolded there—an absolute all-out brawl, a real blue. It is of concern to me because we in Bankstown do not want dirty politics moving into our area. We certainly do not want this image of hard-line and ferocious politics being forced into our arena.

This event is not indicative of the greater Bankstown area. It is a shame and a tragedy that the Liberal Party would choose to start a new branch in such a strong Labor stronghold, although as the member for Bankstown I do not take it for granted. The question is why, which is something we can examine later. The fight at the Croatian Club at Punchbowl involved about 230 Liberal Party supporters who were attempting to start up a new branch, some say a Young Liberals branch but I am not sure. The matter first came to my attention on Thursday evening at about 10.30 p.m. when I was listening to the Stan Zemanek program, as I sometimes do. An irate, desperate caller with a tense-sounding voice rang and said, "Stan, there is a terrible argument taking place, a brawl at the Croatian Club in Punchbowl." Stan was amazed to hear that a fight could be taking place in Punchbowl, but he was even more amazed to hear that it involved Liberal Party members.

The next day the media reports indicated that a full-blown brawl had erupted between the 230 Liberal Party supporters who attended the Punchbowl club. I am advised by insiders that approximately 80 hard-line Liberal right wingers, led by the already infamous Liberal member of the Legislative Council David Clarke, were fighting with the other 150 moderates who were led by ex-Liberal member of State Parliament and shadow frontbencher Michael Photios, and Sam Witheridge, who has occasionally floated in and out of Punchbowl—and now I know why: he was on a reconnaissance mission. It appears that the so-called Liberal uglies—the hard-line, right-wing conservatives—were knocked off on the night. I hope that they were knocked down.

Unfortunately, three or four squad cars and police dogs were required to attend the fight. Police officers were stunned to see Liberal Party members openly slapping each other. It was not a nice scene. I understand that closed-circuit television [CCTV] footage backs up what the police officers saw. It is pleasing to note that the Liberal Party executive has asked for the CCTV footage, if one can believe media reports. I understand that it was quite exciting and that it rivalled the Mundine fight because the end result demonstrated that the enemy could be beaten. It seems that the Liberal Party right wing was prevented from forming a new branch. Stay tuned!

What took place between David Clarke and the conservatives who met him on the night is undesirable. I plead with the Liberal Party to take its politics back to Mosman or Vacluse, and to keep them out of Bankstown. Bankstown is an egalitarian community. We do not mind people with Liberal perspectives. We work together in harmony. What happened on this night is not indicative of Bankstown. We do not want it to recur. They should pick another area if that is how they want to behave, but that sort of behaviour is not acceptable anywhere. I am surprised that David Clarke was out of the Parliament on that evening without the permission of his whip. However, I am not so surprised when I find out that the whip, Don Harwin, and John Ryan and Patricia Forsythe are on David Clarke's knock-off list, if one can believe what David Clarke says.

KEMPSEY POLICE STATION

Mr ANDREW STONER (Oxley—Leader of The Nationals) [5.33 p.m.]: Previously I have referred in this House to the deplorable state of the police station at Kempsey. In 1999 I advised the House of the substandard conditions then endured by both police officers and prisoners at Kempsey. At that time I said that the station was cramped, antiquated and riddled with structural problems such as large cracks in the walls. The cells were spartan, to say the least. Subsequently they were condemned for the overnight occupation of prisoners. Kempsey police have been required to transport prisoners to and from Port Macquarie for court appearances, a 1½-hour round trip, which takes officers and vehicle away from normal patrol duties in Kempsey. Following my initial representations the then Police Association occupational health and safety co-ordinator stated in an article in the wonderful broadsheet, the *Macleay Argus*, of 5 November 2002:

"The station itself just needs to be replaced," he said.

"It is a tired, old police station."

He likened it to a rabbit warren and said there were problems with sewerage and drainage, security at the rear of the station, uneven and cracked cement, lack of lighting and inadequate air conditioning.

The problems also spread to the general layout of the building, the lack of space, sub-standard cells and cramped conditions.

[He] said that in 1999 he had presented a report on the station's condition to the then regional commander, based at Port Macquarie, and to date had not received a reply.

When contacted by the *Macleay Argus* a spokesman for the Minister for Police, Michael Costa, said:

... the State Government was currently developing a strategic plan for the replacement or upgrading of a number of police stations and Kempsey was under consideration in that context.

In November 2002 it sounded as though the Labor Government had at least acknowledged the problem and that some action might be pending. In May 2003 the Assistant Commissioner for the Northern Region announced that the police station would be upgraded, at least so far as the cells were concerned. I quote from the *Macleay Argus* dated 2 May 2003:

After inspecting the cells, Assistant Commissioner Parsons told The Macleay Argus he had a commitment from properties that the upgrade would commence at the start of July.

He said the upgrade would include painting and a possible increase in the cell numbers from three to four.

"The cells would be made more user-friendly for police and corrective services," he said.

Finally, it looked as though some action would be taken in July last year. I visited the station in mid-March this year and, guess what? Nothing had changed since 1999, with the exception of a coat of paint for the cells. I refer to the *Macleay Argus* dated 5 March 2004, which states:

A Kempsey branch Police Association official said on Wednesday the association was bitterly disappointed that promised renovations at the police station had not begun.

He says the general condition of the police station was a concern for officers and a meeting would be held in the near future to discuss strategies to address the outstanding issues.

Despite these matters having been raised all we have had is a review and some words. In response the new Minister for Police, John Watkins, established a committee, as reported in the *Macleay Argus* dated 5 March:

Police Minister John Watkins has established an inter-departmental committee to examine custodial facilities at police stations and courthouse across NSW, including Kempsey.

The committee's report is being finalised and its recommendations will contribute to an overall strategic plan for police stations across NSW.

We have seen no action for just on five years. Why is this so, as Professor Julius Sumner Miller was wont to ask? We have had a change in Ministers, but nobody wants to be accountable. The Government has had budget problems and it has deferred capital projects in the Police portfolio. I ask the Government to allocate substantial funding in this year's State budget to upgrade the Kempsey police station. The Government must allocate sufficient funds for police officers and the Kempsey community to resolve this problem.

PROSTATE CANCER INSTITUTE BALL

Mr KEVIN GREENE (Georges River) [5.38 p.m.]: Honourable members may be aware that last week, when I referred to the St George Relay for Life for the Cancer Council of New South Wales, I said that I would attend the Prostate Cancer Institute Ball last Friday evening. My wife, Frances, and I attended the function at the Shangri-La Hotel at The Rocks, where we had a most enjoyable evening in supporting an important cause. We were welcomed on the night by Brian Langton and his wife, Elizabeth, at whose table we sat. We also shared the evening with Vince Badalati, a councillor on Hurstville Council, and his wife, Angela. We were also accompanied by Mal and Debbie Chung, and Peter and Tina Colagiuri. Both couples were excellent company, and my wife and I certainly enjoyed the evening.

Peter Hadfield, a former Olympian and well-known sportsman, was the master of ceremonies at the ball. Peter's one drawback is that he is employed as a trainer with the Penrith Panthers. As I keep reminding him, that is not the best club with which to be involved, even though it was successful last year. I am certain that much of the work he did for that team led to its success. Representatives from the Hurstville City Council, the Rockdale City Council, and the Sutherland Shire Council attended the function, as did members of the Hurstville-St George Lions and the Rotary Club of Hurstville. It is great that there is so much community support for this important community project.

The auction was very successful. Two items that came to my notice were an opportunity for someone to be part of the Alan Jones Breakfast shift and sit through a session with Alan on air—a novel auction item for which I thank Alan Jones, and for his support of the Prostate Cancer Institute—and an opportunity for someone to be an acting trainer for the St George-Illawarra team under the watchful eye of Peter Doust. Those auction items were very well received and more than \$40,000 was raised at the function. That says a great deal about the people who attended and the organisers of the function. The Prostate Cancer Institute's committee has raised in excess of \$450,000, which will enable the institute to undertake stage one of its building program to move office accommodation and construct new treatment rooms for chemotherapy, radiotherapy and brachytherapy as part of the St George Hospital complex.

One of the most impressive speakers at the function was a gentleman by the name of Peter Jamieson, who had suffered from prostate cancer. He spoke about his illness, his involvement with the institute, and his gratitude for the work that the institute has done. He was very complimentary—in fact, inspiring. Another main speaker was Professor John Kearsley, to whom I have referred previously in this House. Professor Kearsley is the director of cancer services at the St George Hospital and he praised the work of Joe Bucci, Kiran Phadke, Bill Lynch and the nursing staff for the holistic approach that his team adopts to the treatment of prostate cancer. The function was organised largely by three gentlemen—Brian Langton, Ferdi Dominelli and Phill Bates. Brian, to whom I have referred previously in this House, is a former member of this House for the electorate of Kogarah and a former Minister of the Crown.

Ferdi Dominelli is a well-known and extremely generous local businessman in the St George district. I thank Ferdi for his continued contribution to the community. I particularly highlight the work of Phill Bates, who took on most of the responsibility for the function. Phill attended the ball with his wife, Barbara. Phill is one of the community's great citizens. In 1999 Phill was voted the Hurstville Citizen of the Year. As I have said at a number of functions recently, Phill Bates could be Citizen of the Year for the Hurstville City Council, the Rockdale City Council and the Sutherland Shire Council every year because of the numerous contributions he makes to the Georges River community. Phill owns a business in Hurstville, but I am not sure how it manages to operate because Phill generously gives so much of his time to community events.

The Prostate Cancer Institute is one of the organisations that is very fortunate to be the worthy recipient of Phill's enormous contributions. The ball is only one event in which he is involved. As recently as yesterday I chaired a meeting for the upcoming Hurstville Mayoral Golf Day. The recipient of the funds raised at that event will be the Prostate Cancer Institute. Phill Bates is very much involved in that committee, as he is with many other committees. I thank him and all those who gave so generously to make the Prostate Cancer Institute ball such a successful event.

HORNSBY KU-RING-GAI LIFELINE AND COMMUNITY AID

Mrs JUDY HOPWOOD (Hornsby) [5.43 p.m.]: It gives me great pleasure to draw to the attention of the House the work of the Hornsby Ku-ring-gai Lifeline and Community Aid organisation, for which I have a great deal of respect. Lifeline Australia's mission statement is to provide high-quality 24-hour counselling nationwide and associated community services. Lifeline's services express the Christian vision of caring for people of all backgrounds and circumstances. Hornsby Ku-ring-gai Lifeline and Community Aid aims to be a highly effective Lifeline counselling and community service by being out there—listening, hearing and supporting—for its community, callers, clients, volunteers and staff.

Lifeline first began as a telephone counselling service in Sydney on 16 March 1963. Hornsby Ku-ring-gai Lifeline and Community Aid commenced operating as a telephone counselling service in October 1968 and recently celebrated its thirty-fifth anniversary of operations. Lifeline is now an international organisation with 300 centres in 11 countries. In 2003 there were 42 accredited centres in Australia. As is the case with many Lifeline centres, the Hornsby Ku-ring-gai Lifeline and Community Aid group has developed and evolved to provide a range of other services to the community in addition to telephone counselling. Lifeline was founded by the Reverend Alan Walker at the Methodist Central Mission in Sydney as an expression of Christian ministry, providing counselling help over the telephone to people in need. Since that time, Lifeline services have been established and have grown throughout Australia and many parts of the world. Today, people who view Lifeline's work as a Christian ministry and those who share compatible beliefs, values and qualities are part of the covenant.

Some of the services that Lifeline provides include telephone counselling, which is a 24-hour counselling service and support; financial counselling, which is face-to-face counselling by appointment; personal counselling, which is face-to-face generalist counselling, offering caring support without judgment or religious or cultural bias in a safe and respectful environment, by appointment, for couples and individuals; gambling counselling; community aid, which involves transporting, shopping, visiting for the frail, aged and disabled in consultation with a co-ordinator; welfare, incorporating general emergency assistance in such matters as food, electricity, water and phone bill vouchers, and rent assistance; a support line, which encompasses regular care calls for people who are lonely and isolated; a suicide buddy program, which is a crisis telephone support service; and training, which involves a variety of programs that are available to the community and workplace, for example, the Certificate IV in Telephone Counselling, Suicide Awareness, Applied Suicide Intervention Training, Suicide TALK and Depression Awareness.

Lifeline has four shops and all are in the Hornsby electorate. They offer for sale clothing, bric-a-brac, a range of second-hand books, furniture and children's clothes, toys, books and accessories. Lifeline also offers referrals. Lifeline's chief executive officer, Lindy McGregor, has celebrated 10 years of service in her position. She is a hard worker for Lifeline and the community is lucky to have her. Recently she was asked to go to Scotland. She travelled to Edinburgh and Glasgow to talk to mental health workers about suicide prevention. She manages a successful LivingWorks program. My electorate staff have attended the Applied Suicide Intervention Skills Training [ASIST] program, which is a two-day workshop for community care givers. The brochure for the training course states that 50 Australians die by suicide each week, including young people and adults of all ages, and the challenge is to prevent that occurring. The course offers the opportunity to recognise that most people who are considering suicide signal their distress and their intention, and the training course assists care givers to respond positively to those invitations to provide help.

The tragedy of Lifeline is that it receives only a miniscule level of government funding, hardly anything at all. The clubs movement in New South Wales supports Lifeline, and I particularly thank clubs in my electorate. I urge the Government to consider giving this fantastic community organisation more funding. Information for access to various services listed by the Department of Health includes the Lifeline telephone number as the after-hours contact, which is a contradiction, given the Government's attitude to funding Lifeline. It should be recognised that Lifeline offers a valuable service without assistance from any government funding whatsoever. Lifeline has certainly been responsible for turning around the lives of many people in the community.

MANLY VALE BUILDING WORKS CERTIFICATION

Mr DAVID BARR (Manly) [5.48 p.m.]: I wish to provide the House with another example from my electorate that illustrates the problems being faced by the community in dealing with the system of private certification for building works. I recently received representations from the Manly Vale Residents Action Group with concerns about a development in their local area at 42-48 Burchmore Road, Manly Vale. The group maintains that the private certifier for this development has approved work that fails to comply with the orders of the Land and Environment Court. Specific issues of concern include the construction of a basement 10 metres further north than ordered by the court and various incidents of non-compliant work, such as thickness of walls, drainage, extra rooms, changed windows, changed driveway and changed building levels, relocated stairs, and removal of a tree that the court said had to be retained.

Under the system as it currently operates, the only avenue available to the group was to make a formal complaint about the certifier. After seeking advice from the Department of Infrastructure, Planning and Natural Resources, the group learnt that the complaint had to be made to the certifier's accreditation body, which in this case is Engineers Australia. On 1 April the group wrote a detailed letter to Engineers Australia outlining its complaint. On 15 April the group received a response from Engineers Australia that noted that the certifier had been informed of the complaint, but there would be no further action while the matter was the subject of legal proceedings. Warringah Council is currently engaged in legal proceedings concerning a second-stage development application for the site. The group was told also that it would need to complete a statutory declaration and inform Engineers Australia of the group's incorporated status.

The group's concerns are founded on evidence obtained from proceedings in the Land and Environment Court relating to the second stage of the development, and a consultant's report prepared for Warringah Council. It is unclear why a statutory declaration should be necessary, as the group is not making any particular allegations of fact of its own. Similarly, it does not wish to go through the expense of incorporation merely to lodge this complaint. It is also unclear why Engineers Australia can refuse to proceed with the complaint on the basis that legal proceedings are under way. The certifier is not a party to the proceedings and it is difficult to understand what issues of contempt would stand in the way of the organisation performing its statutory duty to process the complaint.

The Manly Vale Residents Action Group has understandably formed the view that the tone of the response it received and the weight given to the issue of contempt being an obstacle to processing the complaint suggest that Engineers Australia is acting to protecting one of its own rather than in the public interest. The Manly Vale Residents Action Group is small and loosely organised. At the root of its complaint is a simple concern to ensure that the building work being undertaken complies with the court's order. Under the current system, the only way for the group to take action on this issue is to enter into an arduous complaints process.

I have written to the assistant planning Minister for advice on the contempt issue and asked her to consider having her department undertake a separate investigation of the private certifier. Ideally, a public body would supervise the work of the public certifiers. Members of the public would simply need to raise issues of concern to the supervising body to attract its attention. As a community, we are fortunate that groups such as the Manly Vale Residents Action Group are willing to pursue these matters and take an active interest in the goings-on in their neighbourhood. They need more support and assistance to enable their voices to be heard.

ISOLATED PATIENTS TRAVEL AND ACCOMMODATION ASSISTANCE SCHEME

Mr PETER DRAPER (Tamworth) [5.52 p.m.]: I raise problems with the New South Wales Isolated Patients Travel and Accommodation Assistance Scheme [IPTAAS] at both the local and health industry levels. The scheme supposedly has the interests of patients in rural and regional New South Wales at its heart, being funded by the Department of Health to provide financial help for travel and accommodation costs incurred in

accessing specialist medical services that are not available within 200 kilometres of their homes. As with any scheme, IPTAAS has a range of eligibility criteria that aims to ensure those who use the system do not abuse it and that resources are appropriately distributed. But a recent case involving a constituent from my electorate, coupled with representations from the community and the health sector, has led me to believe the criteria do not go far enough.

Last year Mr Keith Peck, a resident of Werris Creek, which is near Tamworth, lodged an application for financial assistance with IPTAAS after suffering a heart attack. Mr Peck was not in his home town when the unexpected took place; he was in Ballina taking care of a family-related matter. Fortunately, he was quickly assessed and transported to a Brisbane hospital for specialised treatment. The hospital staff assured Mr Peck he was eligible for IPTAAS assistance and told him a family member was needed to help with his recovery in Brisbane and when returning home. Accordingly, Mr Peck lodged an application with IPTAAS but was advised that he was unlikely to receive any assistance as he did not meet the eligibility criteria. The so-called problem was that he did not suffer the heart attack at or near his home at Werris Creek. Of the scheme's eligibility criteria the section relevant to Mr Peck is section 3.2.10, which states:

Eligibility for NSW IPTAAS refers to usual place of residence at the time of illness or injury in NSW. Therefore, it does not cover illness incurred during business or recreation travel.

I believe that to be grossly unfair and contrary to the fundamental purpose of this scheme. Mr Peck lives 40 kilometres from Tamworth and more than 400 kilometres from Sydney. Had he suffered his heart attack in Werris Creek, the costs incurred would have been much higher as he would have been transferred from Tamworth to Newcastle, which is significantly further than the distance from Ballina to Brisbane. Furthermore, Mr Peck was not in Ballina for business or recreation purposes; he was attending an urgent family matter. I acknowledge there must be criteria for such schemes to ensure genuine cases receive attention. However, surely such criteria are not put in place to prevent individuals such as Mr Peck from receiving assistance.

In a similar vein the New South Wales Cancer Council has discovered IPTAAS does not always serve the people it is supposed to. Valid problems raised by the council, and which I endorse, include the fact that the nearest treatment centre in many rural areas might be 100 to 190 kilometres away, making the trip not claimable but the distance and cost so prohibitive that patients might not be able to undertake the required treatment. Patients are able to claim under IPTAAS only once per treatment cycle, meaning that patients are not able to go home to see their families during treatment, and that could take up to six or eight weeks. Some patients experience financial hardship because IPTAAS is a reimbursement scheme and they have to wait weeks for payments to be processed.

In October last year the Vision New England Summit convened in Armidale by Federal Independent member of Parliament, Tony Windsor, passed a five-point resolution asking the New South Wales Minister for Health to increase funding for IPTAAS to enable increased reimbursement for travel, accommodation and living costs, to introduce components into IPTAAS that recognise the increased financial and physical burden associated with repeated episodes of outpatient treatment, to reduce the distance requirement to 80 kilometres one way and provide sufficient funding to enable discretion to be exercised in favour of a patient's claim, to allow the area health service chief executive officers to receive delegation to vary eligibility criteria for people experiencing hardship or when considering people within the 70 kilometre limit when exceptional circumstances exist, and to examine better co-ordination between IPTAAS-funded transport and community transport services so patients not eligible for IPTAAS may automatically access community transport.

This is an important issue for residents of rural and regional New South Wales. I continually receive representations from people who are adversely affected by the current regulations. I ask the Minister for Health to act on the recommendation of the Vision New England Summit. We need to increase funding and address the well-documented problems associated with IPTAAS. Hopefully, we can develop a better scheme.

Private members' statements noted.

[Madam Acting-Speaker (Ms Marie Andrews) left the chair at 5.57 p.m. The House resumed at 7.30 p.m.]

BUSINESS OF THE HOUSE

Bills: Suspension of Standing and Sessional Orders

Mr CARL SCULLY (Smithfield—Minister for Roads, and Minister for Housing) [7.30 p.m.]: I move:

That standing and sessional orders be suspended to permit forthwith:

- (1) the resumption of the adjourned second reading debate on General Business Order of the Day No. 11: [Constitution Amendment (Pledge of Loyalty) Bill]; and

- (2) the resumption of the adjourned second reading debate and passage through all remaining stages at this sitting of the State Revenue Legislation Amendment Bill.

I understand that the Opposition will object to this suspension of standing and sessional orders. These two bills are significant and should be properly debated this evening. They are different bills, and standing orders must be suspended to bring them on for discussion. As the proponent of the Constitution Amendment (Pledge of Loyalty) Bill, Mr Acting-Speaker would share my view that this matter should be discussed. Whether we pledge loyalty to Australia and the people of New South Wales, or to the Queen is important, and it is appropriate for the House to discuss it. I propose that debate on that bill take place for approximately one hour; then the House will debate the State Revenue Legislation Amendment Bill, which is significant legislation that abolishes stamp duty on properties valued at up to \$500,000 for first home buyers. I have not heard the arguments of the honourable member for Epping, but I heard a whisper that he had an issue with this motion. The two bills referred to in the motion are vital, although quite different, and it is appropriate that they be debated this evening. Whatever the honourable member's views, he is wrong.

Mr ANDREW TINK (Epping) [7.34 p.m.]: The Coalition opposes the suspension of standing and sessional orders to permit these bills to be dealt with outside the ordinary course of business. No case has been made as to why the Constitution Amendment (Pledge of Loyalty) Bill, which is a private member's bill, should not be dealt with on Thursday. On a day when we heard about a woman in Goulburn having to wash and re-use bandages, I would have thought other matters with higher priority should be debated before what is essentially a private member's bill. I can only assume that the private member's bill is nothing of the sort in reality, that indeed it is settled government policy and that Mr Acting-Speaker, wearing another hat, is the front person for what is a rats and mice attempt at amending constitutional arrangements.

We have seen other elements of this take place. Crown lands have been renamed State lands, and there is a proposal to remove the emblems in this Chamber, no doubt at inordinate expense. It is a mice-like gnawing away at longstanding constitutional arrangements. It would be a lot more creditable if honourable members put up substantial proposals for change and we debated them. However, the constitution amendment bill is like nibbling away at the cheese by the back door, and I do not think it does any credit to its proponent. Indeed, Mr Acting-Speaker, in your second reading speech you almost apologised for what is almost an extraordinarily modest proposal.

Mr Alan Ashton: Point of order: Under the standing orders it is improper to reflect on the Chair, and the honourable member for Epping knows that.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! Can I say—

Mr ANDREW TINK: Please let me speak. Frankly, I do not think you should be in the chair.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I was about to say that I rule against the point of order because the comments were clearly made against me in my capacity as the member for Liverpool and not as the Chair.

Mr ANDREW TINK: I will make this point before we go any further. Mr Acting-Speaker, I trust that you will reconsider your position in the chair before we get to the substantive debate on the bill because a clear conflict of interest has arisen from precisely the point of order raised by the honourable member for East Hills. Mr Acting-Speaker, you should suggest to the Leader of the House that someone else should be in the chair while the House debates the bill that you have proposed. I cannot remember another occasion when the honourable member who introduced a bill has occupied the chair during debate on that bill. It certainly would not happen during debate on a Government bill because Ministers and Parliamentary Secretaries do not sit in the chair. I suggest that, between now and the time the bill is debated, you vacate the chair and someone else take the chair. There could not be a better example of a conflict than that raised by the honourable member for East Hills, stumbling into a point of order, which has embarrassed you.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I call the honourable member for Epping to order. He has now breached the standing orders by reflecting on me in my capacity as the Chair. I ask him to return to the question before the Chair, which is a motion to suspend standing and sessional orders.

Mr ANDREW TINK: I suggest that you leave the chair before the substantive debate on the bill is brought on. To sit in the chair and adjudicate on debate on a bill and then speak in reply to the debate is out of order, unparliamentary and a disgrace.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I have called the honourable member for Epping to order. I suggest that he return to the substance of the motion before the Chair.

Mr ANDREW TINK: I turn now to the State Revenue Legislation Amendment Bill but I will return to the Constitution Amendment (Pledge of Loyalty) Bill later. The State Revenue Legislation Amendment Bill is being rushed through, although it is of fundamental importance to people throughout the State. For example, an article in today's *Daily Telegraph* demonstrates yet another disaster because it has been revealed that this bill will have unintended consequences for first home buyers.

Mr Carl Scully: Point of order: Mr Acting-Speaker, I cannot let rest what I believe is a complete misconception of your role and that of individual members of Parliament who, whether as Ministers or backbenchers, bring legislation before Parliament. The argument advanced by the honourable member for Epping is absolutely farcical. He should know that matters before this House are in the possession of the House and not of an individual member of Parliament. Mr Acting-Speaker, I think the honourable member's reflection upon you is wrong, unfair, and unreasonable. The Constitution Amendment (Pledge of Loyalty) Bill and the State Revenue Legislation Amendment Bill are before the House. They are not owned by the individuals who bring them before us.

Mr ACTING-SPEAKER (Mr Paul Lynch): I point out that the Speaker presides over censure motions.

Mr ANDREW TINK: To the point of order: Mr Acting-Speaker, you do not own the Chair. One of your bills is before the House for debate. I do not accept that you can rule impartially from the Chair on points of order relating to a bill that you put before the House. You cannot do that.

Mr ACTING-SPEAKER (Mr Paul Lynch): I can, and I have done in this debate so far.

Mr ANDREW TINK: The Government has the numbers in this House so it can—and no doubt will—do what it likes. The Government always does what it likes. But I state here and now that you should not be in the Chair adjudicating on a bill in which you have a vested interest. If you are aware of proper procedures and conflict of interests—regardless of how the numbers fall and regardless of the fact that the Leader of the House can do what he likes as a result—you will know that you should not be in the Chair. Somebody else should be in the Chair.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I am reluctant to allow these comments to continue. I suggest to the honourable member for Epping that his remarks are an absolute disgrace. They are not only an adverse reflection upon me and the Chair—

Mr ANDREW TINK: Your presence in the Chair is an absolute disgrace.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I propose to put the question.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 49

Mr Amery	Mr Greene	Ms Paluzzano
Ms Andrews	Ms Hay	Mr Pearce
Mr Bartlett	Mr Hickey	Mr Price
Ms Beamer	Mr Hunter	Dr Refshauge
Mr Black	Ms Judge	Mr Sartor
Mr Brown	Ms Keneally	Mr Scully
Ms Burney	Mr Knowles	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	Ms Moore	Mr Yeadon
Mr Debus	Mr Morris	
Ms Gadiel	Mr Newell	<i>Tellers,</i>
Mr Gaudry	Ms Nori	Mr Ashton
Mr Gibson	Mr Orkopoulos	Mr Martin

Noes, 32

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

Pair

Ms Saliba

Mr J. H. Turner

Question resolved in the affirmative.**Motion agreed to.****CONSTITUTION AMENDMENT (PLEDGE OF LOYALTY) BILL****Second Reading****Debate resumed from 6 May.**

Mr ANDREW TINK (Epping) [7.49 p.m.]: Mr Acting-Speaker, I place on record my objection to your being in the chair during debate on the Constitution Amendment (Pledge of Loyalty) Bill, your private member's bill. In your second reading speech you said:

Our allegiance is not to a head of State, or even to the State itself, but to the people who elect us and whom we represent.

Mr Acting-Speaker, your conduct in relation to that suggestion bears scrutiny. You say that your loyalty is to the people you represent. If that is to be your test, it is interesting for us to look at the way you have conducted yourself and some matters relating to your electorate.

Mr Gerard Martin: Speak to the bill.

Mr ANDREW TINK: I am speaking to the bill. I am speaking about the Acting-Speaker's second reading speech in support of this bill, and that is relevant to consideration of the bill. At the end of the first paragraph of his second reading speech the Acting-Speaker said:

Our allegiance is not to a head of State, or even to the State itself, but to the people who elect us and whom we represent.

I am testing that proposition in relation to the way the Acting-Speaker has worked on issues to see whether that test is valid. The Acting-Speaker has made this an issue in this debate. It is entirely relevant to be testing the very arguments he has put in support of the bill. I go to what I am sure we all agree is the No. 1 issue of the year: the on-time running, or otherwise, of trains. The *Liverpool Leader* of 18 February reported that that week no less than 51 trains that would have stopped at Liverpool had been cancelled. Where was the Acting-Speaker representing his constituents in this regard? The last time he talked about trains in relation to his electorate was on 19 June 2002. Guess what he did? He praised the roll out of the Millennium train. In 2004 they are running off the rails! What has he said on behalf of his constituents about that? Not a thing. Not only have the trains to Liverpool been cancelled; the Millennium trains have been cancelled.

Mr Acting-Speaker, you are saying that we should do away with the pledge to the Queen and replace it with a pledge to the people we represent. Guess who is missing in action in relation to the most important local issue to face his electorate, my electorate and the electorate of every member in this House? When it comes to oaths of office, the Acting-Speaker wants to have an oath to his constituents. I will tell you what: His constituents want to have an oath to him—and it would not be pretty! In the *Liverpool Leader* of 18 February a

Mr Rogers is quoted. He is no doubt one of the people you would like to swear an oath to: "Mr Rogers, I swear I'll do my best for you, but for Heaven's sake do not mention the train drivers, Mr Costa or the Millennium trains." I am sure that Mr Rogers would like to swear an oath to his local member. Mr Rogers is quoted as saying:

This is the price we have to pay for being such a strong Labor Party area.

Not only has Mr Rogers put you in the spotlight on the Millennium train issue, Mr Acting-Speaker, he understands that your oath is not to the people you represent or to the Queen; your oath is to the Labor Party. Perhaps it is not even to the Labor Party, but to the Premier of New South Wales. Guess what—Mr Rogers, your constituent, understands that point only too well because he says:

This is the price we have to pay for being such a strong Labor Party area.

Mr Acting-Speaker, you want to swear an oath to Mr Rogers. I am sure he would like to swear an oath right back. It gets worse. I take an example concerning wider policy. Let us move away from your role as honourable member for Liverpool and look statewide. I well remember a debate in this place on the Freedom of Information Amendment (Terrorism and Criminal Intelligence) Bill in which you made a speech. You did everything you could to pour cold water on that bill, except vote against it. On 18 February you said:

I find it incongruous that extra protection from scrutiny is being provided to the Crime Commission, of all bodies ...

I also find it curious that we are providing further protection from scrutiny for the Counter Terrorist Co-ordination Command ...

You went on to say:

I should add that a committee that I chair has resolved to conduct a parliamentary inquiry into the jurisdiction ...

And you went on to note other curious aspects of the bill. When we move beyond the interests of the honourable member for Liverpool in Liverpool—where, plainly, he does not want to know about the problems of his commuters—to issues in a statewide context, we find that he is missing in action when it comes to casting a vote on where he plainly believes the vote should be cast in the interests of the people of New South Wales, and that would have been against this bill. Mr Acting-Speaker, if you were, under your bill, swearing an oath to the people of New South Wales you would have broken that oath and committed an offence under the Oaths Act. It would not have been the first time, and it will not be the last!

Mr Acting-Speaker, in relation to the Millennium trains and the late-running trains to Liverpool you would have committed another offence under the Oaths Act if the oath that you want—that is, swearing an oath to the people you represent—were in place. I reckon if we went to the Local Court and took out of a summons against you for breach of the Oaths Act we would have you on toast if we showed the court that the last word you ever mentioned on behalf of the constituents of Liverpool about trains was in praise of the Millennium trains. The court would have you up for six months for breach of the Oaths Act on that count.

Mr Acting-Speaker, I have tried to take just one example of your role as member for Liverpool to the people you represent, and you would have committed an offence under the Oaths Act. I will cast that aside. I will give you the benefit of the doubt. I will look at a wider public issue of great interest and import across the State—the rights of citizens affected by a bill introducing significant penalties. Again, there would have been a breach of the Oaths Act, and exhibit 1 before the Local Court would be your speech—it speaks for itself! It does not stop there. On 3 September 2003 the *Daily Telegraph* reported on the caucus revolt in relation to the poker machine tax crisis. It stated:

Liverpool MP Paul Lynch told the caucus that the Government seemed to be happy to tax non-profit organisations like clubs but was "leaving the Macquarie Bank alone".

Here is another exhibit for another summons in the Local Court at Liverpool, another breach of the Oaths Act—plainly, another failure to properly represent your constituents. You have a large number of clubs in your electorate. You ought to follow through on what you have said in caucus. You would have dissented in caucus, so you should have come in here and crossed the floor. That is the third offence under the Oaths Act committed by you in relation to positions you have taken.

Mr Acting-Speaker, to make the point clearer, according to the *Daily Telegraph* you said that two local clubs had given \$100,000 to fund a community bank in the south-west suburb of Miller after government departments had refused funding. You felt so strongly about that you took it up with the Government and the

Premier in caucus and you made a distinction between what your local clubs were doing—who, under this oath, you say you represent—and what the Government was doing: screwing your clubs. What did you do at the end of the day? You came into the Chamber and voted against your clubs and for the Government. Under your oath, you would be back before the beak at Liverpool again. You would be a serious repeat offender for breach of the Oaths Act. Even under the Attorney General, Bob Debus, you would be lucky to get bail!

Another example arising from this glorious period was when the Minister for Police, John Watkins, despite telling his local newspaper that he wanted the poker machine tax to be reconsidered—the honourable member for Lane Cove is well aware of this—voted to oppose the motion. Mr Acting-Speaker, your colleague the Minister for Police told his local paper that he had this matter reconsidered. I think it was the honourable member for Strathfield who moved the motion in caucus to have the matter reconsidered. Of course, after the vote they all went missing. Exhibit A—

Mr Paul Lynch: Point of order: My point of order is that this intellectually corrupt contribution from the intellectually corrupt member for Epping has utterly nothing to do with the bill. It would be nice if he just occasionally came back to the leave of the bill. In fact, he should try to deal with the substantive arguments. If he will not do that, one can only assume that he has no argument against the bill.

Mr ANDREW TINK: To the point of order: I refer you to the first paragraph of the second reading speech of the honourable member for Liverpool in support of this bill, which states:

Our allegiance is not to a head of State, or even to the State itself, but to the people who elect us and whom we represent.

I am entitled to respond to and debate at length the principal basis for this member introducing his bill. If it is to have an oath sworn to the people he represents, I am entitled in debate to look at the way in which some of the things he has done would not stack up to that test. I am entitled to put to the House that, based on his prior conduct, he would be in breach of the very bill he now wants to put through Parliament. Mr Acting-Speaker, if you want to uphold the point of order of your fellow Acting-Speaker then, I am sorry, you are not only wrong but you are a suspect!

Mr Paul Lynch: Further to the point of order: The honourable member for Epping has said nothing about the bill in half an hour. He cannot justify his contribution today by referring to nothing in the bill. In addition, his last comment was clearly an attack upon you and your position as chair. He ought be brought to order for that.

Mr ANDREW TINK: Further to the point of order—

Mr ACTING-SPEAKER (Mr John Mills): Order! I will hear the honourable member for Epping, but he is using up his own time.

Mr ANDREW TINK: The clock is not running.

Mr ACTING-SPEAKER (Mr John Mills): Order! I know, but irony does not always show up in *Hansard*.

Mr ANDREW TINK: I would not have made the last point if the honourable member for Liverpool, who is sponsoring this bill, had not been in the chair at any time during debate on this bill.

Mr Carl Scully: To the point of order: I will try to be brief. The honourable member for Epping has been very amusing, and he did go to the National Institute of Dramatic Art. I give him 9 out of 10 for the great act and for feigning indignation. We are all amused. However, he needs to keep within the leave of the bill. The bill proposes an oath of allegiance to the people of New South Wales—not to people who are catching trains to Liverpool, you dill! The honourable member should keep within the leave of the bill.

Mr ANDREW TINK: Further to the point of order: I am entitled to respond to that. The logical conclusion from the point of order taken by the Leader of the House is that the honourable member for Liverpool would have been out of order in paragraph one of his second reading speech of his own bill. That is a farce and it is pathetic. It is the sort of pathetic logic that we have come to expect and love from the Leader of the House.

Mr ACTING-SPEAKER (Mr John Mills): Order! Honourable members will forgive me for pointing out that I came into the chair four minutes ago in accordance with the duty roster. It is the duty of any member speaking to a bill to remain within the leave of the bill. I have no knowledge of the way in which the honourable

member for Epping was addressing the question before the Chair because I was not in the Chamber at that time. I ask the honourable member for Epping to ensure that he directs his remarks to the leave of the bill.

Mr ANDREW TINK: It is important for there to be consistency in the oaths that are taken by people who are involved in every aspect of the making, administration, adjudication and enforcement of law in this State. One way or another, the police, the officers of the Department of Corrective Services, the judiciary and the Governor all swear allegiance to the head of this State: the Queen of Australia. If this bill were to excise those who make the laws it would remove us from tradition and precedent—precedent that is required for everybody else who serves the State in the execution and enforcement of those laws. To cut to the chase, the people who make laws should be swearing exactly the same oath as the people who adjudicate laws. It is absolutely absurd for the judiciary to be swearing one oath and for legislators to be swearing another. It is downright dangerous and it should not happen.

We should all be swearing allegiance in the same manner and to the same person: the head of State. That is a fundamental point and a fundamental problem conceptually with this bill. During debate on the motion to suspend standing orders I said that the Government seems to be intent upon nibbling away at things—like a little bunch of mice running around, having a furtive grab at the cheese and nicking back in the hole, and then having another go a few weeks later. The mice were out the first time in relation to the coat of arms and emblems debate. At a time when the Government does not have enough money to provide bandages for a woman in Goulburn, it seems to have money to conduct heritage reports in relation to symbols and emblems. The Government can spend an inordinate amount of money on that sort of thing, but it expects a woman in Goulburn to wash her own bandages. The Government will spend an inordinate amount of money conducting a survey of the Goulburn court emblem, but some poor woman in Goulburn has to put her hand in her pocket to buy bandages. Talk about the mice nibbling at the cheese!

The second example is the Treasurer putting in a great deal of effort to move from Crown land to State land. It does not matter what mayhem he wreaks with taxation, provided he gets the name of the land right. He says, "Let's not worry about land tax or what vendors or purchasers are being slugged, let's just get the name right and make it State land and not Crown land." The mice were out for a second bite—let's hope they got indigestion. The mice are now out for a third bite. They are not prepared to go any further than bite the institution here, bite the Executive there, which they feel they have tight control over. They will not take it any further and make an attempt at comprehensive change; they will just nibble away at the stuff they can control. It is a furtive, nibbling, mice-like effort to change things by degrees.

When we look at the underlying motivation, what is the great Jeffersonian principle behind this change? What is the great spellbinding, lightning rod, constitutional principle behind this change? The honourable member for Liverpool wants to swear allegiance to his constituents, who would like to swear at him for the outrageous state of trains in Liverpool and the fact that the only issue he has talked about in Parliament over the past two years is the Millennium trains. They hope he did not praise them. That is the spell-binding, constitutional arrangement that underlies this legislation.

I refer to one final example, that other great constituency of the Labor Party, the union movement. At pages 215 and 216 of the book *Bob Carr—The Reluctant Leader*, an extract from the Premier's diaries provides the most extraordinary revelation about how the Government really runs. John Robertson of the union movement, referring to workers compensation reforms, has the Premier's measure when he says, "You'll just whack it through." The union movement, one of the great and shining constituencies that the honourable member for Liverpool wants to swear allegiance to, is a wake-up to them. John Robertson is a wake-up to them when he says, "You'll just whack it through." But the honourable member for Liverpool wants to swear allegiance to John Robertson of the union movement. Not even the unions believe that rubbish.

Over the page an extract from the Premier's private diaries refers to my old mate Paul Whelan, God bless him. This is an example of how the test of allegiance would really work. At page 216 of the book we see an example of the Labor Party's allegiance to the union movement: their great supporters, the people they represent. The extract quotes Mr Whelan speaking to Labor Party members: "Listen, you knuckleheads, he's the best leader we've ever had." He is talking about the Premier. They want to swear allegiance as knuckleheads to the biggest knucklehead of the lot. No more, no less. With this lot, the only safe thing to do is to stick with the status quo.

Mr MATT BROWN (Kiama) [8.12 p.m.]: I have heard many debates in this place, but that was the worst contribution I have ever heard. It was a pathetic attempt at persuasion. This debate highlights the major

difference between the conservative side and this side of the House. We are debating a very serious issue about whom we swear allegiance to, and they mock it, poke fun at it and think it is a waste of time. There are symbols throughout our State and commerce that are very important; they are relevant and deserve proper debate. There has been no better statement on this subject than that of Ruth Shanks of the Country Women's Association [CWA] when she said:

The changes to the constitution are in effect just changing not what the CWA is all about but the administration and how we run the organisation and making it relevant for the 21st century.

The pathetic, miserable, conservative misfits on the other side ought to take a leaf out of the CWA's book and try to make themselves a little bit more relevant. Rather, they make a hotchpotch effort at debating this bill. It should be noted that their leader is a committed republican who does not want to say to the people of New South Wales, "I pledge my loyalty to you." He does not want to pledge his loyalty to them, nor does any member on the other side. They want to pledge their loyalty to the Queen who lives on the other side of the world, whom probably most of them have never seen and who can never enter this Chamber.

Mr Ian Armstrong: Why not?

Mr MATT BROWN: If members opposite think that the royal family can enter this Chamber, they obviously have no idea of or respect for the history of this Chamber or the standing orders. The aim of this bill is to give relevance to what we say. I have been elected twice to this place and each time I have had to make a pledge to Queen Elizabeth II, her heirs and successors. I have felt uncomfortable in doing so, not because I have anything against the Queen. I acknowledge the excellent work she does. But my motivation for community service is to represent my electorate, to come into this Chamber and make laws that are relevant and responsible to the people we represent in this State. The reason I will support the bill introduced by the honourable member for Liverpool is because it makes this Chamber relevant and makes our oath of allegiance relevant to the people. It is a sensible and logical movement towards the relevance of our oath.

Mr Ian Armstrong: Point of order: I refer to Standing Order 138, relevance. The honourable member for Kiama talked about the debate being relevant. There is nothing more irrelevant than his debate. The bill that has been brought before the Parliament is irrelevant to the good conduct of this Parliament.

Mr ACTING-SPEAKER (Mr John Mills): Order! That is a cheeky point of order. I do not uphold it.

Mr MATT BROWN: Opposition members hold their electorates and this State in such contempt that they mock this important debate.

Mr Anthony Roberts: We are not taking it seriously.

Mr MATT BROWN: There is no end to the lack of intelligence on that side of the House. This debate has occurred in other parliaments in Australia. It has taken place in the Australian Capital Territory Parliament where the members of the Legislative Assembly can faithfully serve the people of the Australian Capital Territory and discharge their responsibilities. It has been debated in the lower House of the Western Australian Parliament, where members can swear allegiance and loyalty to the people they represent and to their State. It has been said by previous speakers that this is a republican push. It is not a republican push. The bill does not refer to swearing allegiance to a republican head of State. The bill refers to pledging allegiance to the people of this State—not one person, whether he or she is a republican head of State or an hereditary monarch head of State. That is an important aspect to keep in mind when considering this bill.

Mr Wayne Merton: The people in the gallery are laughing.

Mr MATT BROWN: The people in the gallery would be laughing at those clowns opposite because they are irrelevant. That is why the people in the gallery never voted for them. They are a pathetic, minority number, their polling is shocking and they have no leadership. The reason the people vote for the Labor Party in this State is because we are relevant and progressive.

Mr ACTING-SPEAKER (Mr John Mills): Order! The level of interjection is making it difficult for those in the public gallery to hear the honourable member for Kiama. Opposition members will cease interjecting. They may seek the call at the appropriate time.

Mr MATT BROWN: When I bring school groups into Parliament, or go to schools to meet and talk to pupils, I tell them about democracy and the parliamentary system. Many students are amazed that members must pledge loyalty to the Queen and her successors. Last week I was at Jamberoo Public School talking about those matters when the question came from these inquisitive minds, "What is the relevance of the Queen to your oath?" That is a very sensible question. Other smart students asked, "What relevance do members of the Liberals and The Nationals have to the system of intelligent debate?" Because I am not political in schools, I cannot tell students that those members are a bunch of misfits who have absolutely no idea and do not take these debates seriously. Section 12 of our State Constitution is in these archaic terms:

And whensoever the demise of his present Majesty (whom may God long preserve) or of any of his successors to the Crown of the United Kingdom shall be notified by the Governor to the said Council and Assembly respectively, the members of the said Council and Assembly shall, before they are permitted to sit and vote therein, take and subscribe the like oath of allegiance to the successor for the time being to the said Crown.

Try to make sense of that! Not only are we required when elected to pledge allegiance to the current Crown but, should that Crown change during the term of the Parliament, we have all got to rock back in here and pledge allegiance to the new Crown. Talk about wasting time! I have never heard of such a ridiculous waste of time. That section does not make sense because we have already pledged loyalty to heirs and successors, so why when there is an heir or successor must we come back and pledge loyalty to the heir and successor? I would have thought that was covered in the initial pledge of loyalty. I cannot believe that so much silly comment has come from Opposition members who addressed this important bill. Our symbols and loyalties are important. I am committed to representing the views of my electorate and advancing the welfare of New South Wales, and I would like that to be the oath of allegiance that I swear in this Parliament.

Debate adjourned on motion by Mr Ian Armstrong.

STATE REVENUE LEGISLATION AMENDMENT BILL

Second Reading

Debate resumed from 7 May.

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [8.23 p.m.]: This bill represents the clear difference between a tired, clapped-out Labor Government and the Liberal-Nationals Coalition. The bill gives the people an insight into how the New South Wales Labor Government operates after nine years of record revenues, of \$8.3 billion revenues over and above budgeted revenues—wasted by the Government, which has forced the people of New South Wales to be subjected to government by the only Australian government that is increasing taxes. The Carr Labor Government is the only administration in Australia presently increasing taxes. Just before this debate was called on we were listening to the concluding stages of the Federal budget being delivered by the Howard Government. In its ninth budget, it has delivered comprehensive tax relief to families in New South Wales.

What better contrast could the people of New South Wales ask for? The Federal Liberal-Nationals Coalition is about cutting taxes, but the State Labor Government is about increasing taxes. That is the clear contrast. And what a contrast it is with this State Parliament, whose Treasurer was forced to recall the House to listen to him speak for about forty minutes, and not even deliver a piece of legislation at the end of that speech. Despite having experienced the same economic conditions as the entirety of Australia, New South Wales will go into deficit in its upcoming budget, with this Government lifting taxes but continuing with declining service delivery outcomes. We should not be fooled. This is not a Robin Hood mini-budget. It is not taking from the rich and giving to the poor. Abolition of the land tax scale means that 540,000 investment properties not before caught up in the land tax net, now will be. And, for the first time, people who rent those properties will be subject to land tax, with the almost certain likelihood of significant rental increases in New South Wales over coming years.

As I said in my budget reply last year, Bob Carr has not seen a tax he did not like, and Michael Egan has never seen a tax he did not hike. This is a Government that has built a record on increasing taxes. Let us look at stamp duty. Prior to the last budget the Coalition started a campaign for a dramatic stamp duty relief. Whilst house prices in Sydney had doubled since the election of the Carr Government, stamp duty has tripled. In over 115 suburbs in Sydney the average stamp duty paid was in excess of \$20,000. That is \$20,000 over and above the amount borrowed to pay for the house; that is, it is just a tax to be given to Carr and Egan. The only reason we have seen the Carr Government provide concessions on stamp duty is because the Government was

hurting under the pressure of the campaign that was run by the Coalition to reduce stamp duty in New South Wales. And it continues to hurt, because this legislation increases the Government's dependency on stamp duty and land tax, and it massively increases the land tax base with at least 300,000 additional individual taxpayers. Now the Government wants to make a virtue of giving back a small part of what it has taken in stamp duty over the past nine years.

We welcome any stamp duty relief for first home buyers. We have been campaigning for stamp duty relief for more than a year. However, it should be noted that, if you own a home, or if you want to upgrade your home, or if you want to move to a smaller home as you retire, you get nothing from this Government—that is zilch, zero, nil, no matter what language is used. Let us look at the legislation as it relates to first home buyers—through land tax and the new vendor tax, or exit stamp duty. The Coalition supports the provision of stamp duty relief for first home buyers. The \$500,000 threshold is a welcome initiative, and we support that change. Let it be noted for the record that the Coalition supports this provision 100 per cent. Every member of the Coalition, every member of the Liberal Party and The Nationals, supports the \$500,000 threshold for first home buyers.

Let it be noted for the record that I support the \$500,000 threshold for first home buyers. Also let the record read that Greg Aplin, the honourable member for Albury, supports the \$500,000 threshold for first home buyers. Gladys Berejiklian, the honourable member for Willoughby, supports the \$500,000 threshold for first home buyers. Andrew Constance, the honourable member for Bega, supports the \$500,000 threshold for first home buyers. Peter Debnam, the honourable member for Vacluse, supports the \$500,000 threshold for first home buyers. Shelley Hancock, the honourable member for South Coast, supports the \$500,000 threshold for first home buyers. Brad Hazzard, the honourable member for Wakehurst, supports the \$500,000 threshold for first home buyers. Judy Hopwood, the honourable member for Hornsby, supports the \$500,000 threshold for first home buyers. Malcolm Kerr, the honourable member for Cronulla, supports the \$500,000 threshold for first home buyers. Chris Hartcher, the honourable member for Gosford, supports the \$500,000 threshold for first home buyers. Andrew Humpherson, the honourable member for Davidson, supports the \$500,000 threshold for first home buyers.

Daryl Maguire, the honourable member for Wagga Wagga, supports the \$500,000 threshold for first home buyers. Wayne Merton, the honourable member for Baulkham Hills, supports the \$500,000 threshold for first home buyers. Barry O'Farrell, the honourable member for Ku-ring-gai, supports the \$500,000 threshold for first home buyers. Steven Pringle, the honourable member for Hawkesbury, supports the \$500,000 threshold for first home buyers. Michael Richardson, the honourable member for The Hills, supports the \$500,000 threshold for first home buyers. Anthony Roberts, the honourable member for Lane Cove, supports the \$500,000 threshold for first home buyers. Peta Seaton, the honourable member for Southern Highlands, supports the \$500,000 threshold for first home buyers.

Jillian Skinner, the honourable member North Shore, supports the \$500,000 threshold for first home buyers. Andrew Tink, the honourable member for Epping, supports the \$500,000 threshold for first home buyers. Andrew Stoner, my colleague the Leader of The Nationals and honourable member for Oxley, supports the \$500,000 threshold for first home buyers. Don Page, the honourable member for Ballina, supports the \$500,000 threshold for first home buyers. Andrew Fraser, the honourable member for Coffs Harbour, supports the \$500,000 threshold for first home buyers. Katrina Hodgkinson, the honourable member for Burrinjuck, supports the \$500,000 threshold for first home buyers.

George Souris, the honourable member for Upper Hunter, supports the \$500,000 threshold for first home buyers. Ian Armstrong, the honourable member for Lachlan, supports the \$500,000 threshold for first home buyers. Steve Cansdell, the honourable member for Clarence, supports the \$500,000 threshold for first home buyers. Adrian Piccoli, the honourable member for Murrumbidgee, supports the \$500,000 threshold for first home buyers. Thomas George, the honourable member for Lismore, supports the \$500,000 threshold for first home buyers. Ian Slack-Smith, the honourable member for Barwon, supports the \$500,000 threshold for first home buyers.

John Turner, the honourable member for Myall Lakes, supports the \$500,000 threshold for first home buyers. Russell Turner, the honourable member for Orange, supports the \$500,000 threshold for first home buyers. Every member of the Coalition supports the \$500,000 threshold for first home buyers. However, all those honourable members oppose the exit tax on investment properties. The Hon. Michael Egan said he wanted to cool the property market. Well, he has killed the New South Wales property market. It was clear when he delivered his speech in this House that the property market had cooled 6 or 12 months previously. His exit tax on investment properties will punish people for working hard and investing in their future.

Mr Milton Orkopoulos: Rubbish!

Mr JOHN BROGDEN: The honourable member for Swansea says that is rubbish. I am not surprised because he has not worked hard for one day in his life. He would not know what it is like.

Mr Milton Orkopoulos: I didn't get \$100,000 from PricewaterhouseCoopers for nothing.

Mr JOHN BROGDEN: They would not have him. This Government is punishing people in this State for doing nothing more than working hard to invest in their retirement. In doing so, it will bring 300,000 mum and dad investors into the land tax net for the first time. Treasury estimates that this measure will generate \$690 million in revenue next financial year. It is the worst of all taxes: a retrospective tax. It is unfair to people who have bought property for their retirement. It does not matter whether they bought their investment property last year, 10 years ago or 30 years ago, they will now pay tax when they sell that property. New South Wales has the dubious honour of being the only State in the country in which people are taxed when they buy an investment property, taxed while they own it, and taxed when they sell it.

Every day I receive letters from New South Wales residents who wanted to improve their lives by investing in property and who must now pay this new tax. They are retirees and families trying to get ahead. They believe in the great Australian dream of buying one's own home, but they are also looking for opportunities to extend their wealth and to work hard for their future. They are the people this Government will slug. The Premier, Michael Egan and the Labor Party want us to think that these people are millionaires. The changes to land tax, in particular, will slug mum and dad investors with a humble investment portfolio, in many cases involving no more than one or possibly two investment properties. They have budgeted and planned for their investment property to be valued less than the \$317,000 threshold, but that threshold has now been abolished.

This legislation will kill the property market stone dead. However, it is good news for those who own property in New Zealand. It is good news for the Premier, the man who has so much faith in rural New South Wales that he has bought a farm in rural New Zealand. He has so much faith in his own State's economy that he has invested not in New South Wales but in New Zealand. His pathetic excuse is the amount of tax he has already paid. He chose not to invest in his home State or country, but in New Zealand. Perhaps it is part of a tragic third world investment program he is undertaking out of the goodness of his own pocket. My father may never speak to me again after that comment.

It is great news for Queensland and Victoria that the Premier has decided to invest outside this State and country. One of the Government's reasons for handing down this mini-budget is that the Commonwealth Grants Commission has stripped money from New South Wales and delivered it to Queensland. This measure will simply encourage New South Wales residents to continue to invest outside the State. There will be a flight of capital from New South Wales to Queensland, Victoria and Western Australia, which have much more attractive investment climates. As a consequence, jobs will be lost to country and regional New South Wales and suburban Sydney. Construction and property industry jobs will disappear.

It is not the Government's job to decide whether property prices are too high or not high enough. It should create a situation in which people and their investment decisions thrive. On that count this Government and the new exit tax fail. People now pay stamp duty when they buy property, land tax while they own it and stamp duty when they sell it. Indeed, New South Wales investors will even pay the 2.25 per cent exit tax if they lose money. An investor might buy a property for \$300,000 and spend \$50,000 on kitchen, bathroom or other renovations or extensions. The cost, not including transfer fees, legal costs and loan fees, would be \$350,000. If the property is sold for \$340,000, the investor has satisfied the Government's 12 to 15 per cent increase but lost \$12,000. The Government still imposes a 2.25 per cent on the entire \$340,000 regardless of any loss. That is a massive disincentive to spend more money on investment properties and the consequence will be a flow of investment funds north and south of this State.

Last week the Premier invited into the gallery dozens of young home buyers who qualify for the \$500,000 stamp duty threshold relief, which the Coalition supports. I challenge him to pack the gallery with people who qualify for the exemption from this tax. I want him to find people who will make less than 12 per cent. He will not find them because, like the honourable member for Tweed and Labor members representing the inner west, they are an endangered species. According to the Valuer-General, an additional 540,000 properties will now be subject to land tax. That is about 300,000 new taxpayers. Do not believe the Treasurer when he says that this new tax will be revenue neutral, because it will not be. I am sure that honourable members remember Michael Egan coming in here saying that a change to the land tax would be revenue neutral.

I guarantee, and a briefing by Treasury confirms, that in years two, three and four of this tax it will not be revenue neutral but will be a massive source of new revenue for this Government. It is an absolute certainty that the land tax will be passed on to tenants. Members of the Labor Party are quiet because they know that struggling families and individuals who rely on the private rental market to put a roof over their heads will pay more rent as a result of tax increases. It is a fact they cannot deny. The removal of the \$317,000 threshold will catch investment property with an unimproved land value of \$317,000. In other words this tax hits every investment property, every apartment or unit at the lower end of the market, the people who rent, the people who are least able to afford a rent increase. The same Labor Government that delivered nine years of a massive stamp duty impost on young families is now delivering a new tax slug to every rental property in New South Wales. If you rent you pay, no ifs or buts.

Ms Tanya Gadiel: He's clutching at straws, he's clutching at the leadership. There he is, he's clawing on to it.

Mr JOHN BROGDEN: I think there is a stranger in the House. I do not know who she is. Who is that? Is she Eddie Obeid's sister-in-law, daughter-in-law or cousin-in-law, or his chief of staff's sister? Can she please identify herself by her relationship to a Minister in this Government?

Ms Tanya Gadiel: Show us your \$100,000 a year!

Mr JOHN BROGDEN: I will show her mine if she shows me hers.

Ms Tanya Gadiel: I don't have \$100,000.

Mr JOHN BROGDEN: She is not worth it. She is paid \$102,000 a year, and she knows it. Rent will be increased, whether it is directly as a result of the change to the land tax scale or investors taking into consideration the extra 2¼ per cent they will have to pay when they sell. Not one New South Wales rental property will escape this tax. Let us look at what the commentators have said about this tax. Rowen Kelly, the President of the Real Estate Institute, said:

The NSW economy will be the big loser of this week's mini-budget.

.... while the new land tax system did spread the burden of land tax over more investors, it will hardest hit the backbone of the NSW economy—small investors and small-business owners.

These people can least afford to shoulder the burden of the Carr Government's budget mismanagement.

Ken Morrison, the Executive Director of the New South Wales Property Council, said:

Victoria is cutting its taxes to create a more competitive business environment and provide benefits for investors and self-funded retirees.

In New South Wales the government is taxing businesses and families out of the State.

Michael Egan has said he doesn't care if the new stamp duty on property sales drives investors out of New South Wales.

Steve Bracks understands lower taxes are good for business, jobs and investment. I wish he'd tell Bob Carr.

The people of New South Wales have not missed the point that two weeks after the Carr Government increased property taxes the Bracks Government in Victoria reduced property taxes. Once again, the only Government in the country increasing taxes is the New South Wales Government following its bonanza of stamp duty and other tax revenue during the past five years. Mark Bethwaite, Managing Director of Australian Business, said:

This week's economic statement by the Victorian Government, in which Premier Steve Bracks announced over \$1 billion worth of tax cuts over five years, confirms the need for New South Wales to reconsider its tax policy.

Commenting on the Victorian announcement Mark Bethwaite said:

The Victorian decision highlights the very real need for the Carr led New South Wales Government to move away from its complacent attitude to business taxes and charges.

New South Wales does not operate in a vacuum. It has the highest tax take of all the Australian States and Territories.

That is the point: the New South Wales Government is increasing taxes when we are already the highest taxed State in the Commonwealth. We are debating the legislation now because the Government is seeking to hide its

tax policies among the good news of the Federal budget delivered in Canberra. For all we hear of the Government trumpeting in question time what it regards as the benefits of this mini-budget, it brings on this legislation when the Federal budget is dominating the news cycle. Honourable members will recall that the mini-budget was delivered because the Commonwealth is taking money away from New South Wales. I have something to tell this Government: the mini-budget was so poorly drafted that it could not wait to take into consideration the likelihood that the overall GST pie has increased. Therefore New South Wales will receive more revenue than it has budgeted for.

In the coming financial year the net gain to New South Wales in GST revenue will be \$113.7 million; in 2005-06, \$89.2 million; in 2006-07, a massive \$319.9 million; and in 2007-08, \$620 million. We have an entire mini-budget based on the wrong premise from the outset. The challenge for this Government now is to give back some of this money. Cut this tax. These figures make it clear that the entire premise of the mini-budget has been a farce. I notice Treasury officials in the Speaker's gallery—imagine working for Michael Egan for years, you get less for life—who know as well as I do that Michael Egan thought up and drew up the mini-budget on the back of an envelope the weekend before he delivered it. We know that the Office of State Revenue had not been consulted about how the tax would be collected. We know that his Cabinet colleagues had no idea, and we know what caucus is saying in the most unkind language, about its effects on hard-working members of the ethnic communities of New South Wales who invest—

[Interruption]

I withdraw that attack on the honourable member for Fairfield. He is not a hard-working member of any ethnic community that I am aware of. Hard-working members of ethnic communities in New South Wales who have worked hard to buy their own homes and invest in property for their future will be attacked disproportionately by this tax. The position of the Opposition is very clear: we support the abolition of the \$500,000 threshold for first home buyers.

Mr Joseph Tripodi: What about the stamp duty exemption?

Mr JOHN BROGDEN: It is often the case that when people rise from their sleep they are still a bit dizzy. Does the honourable member for Fairfield want to repeat that?

Mr Joseph Tripodi: The stamp duty exemption, do you support it?

Mr JOHN BROGDEN: That is what I just said, but I will say it again for him. If you keep this up, napping Neville will be at risk of losing his crown!

[Interruption]

Thanks, Joe. As usual, it was a stunning contribution to the Chamber. Our position is very clear. We oppose the massive tax increases on New South Wales investors—people who have done nothing more than work hard to build their own wealth; people who are not multimillionaires or millionaires, as Bob Carr would have us believe; people who, unlike the Premier, have the faith to invest in their own State, and who, we believe, ought to be rewarded. Unlike the Labor Party, the Liberal Party and The Nationals believe in reward for everything. We believe that if you work hard, pay off your mortgage, and decide to buy an investment property, you ought to be rewarded and not punished. But this Labor Government wants to punish people who work hard. It wants to punish people for investing in their own retirement. This tax will cost jobs, it will unnecessarily dull the property market and it will see people in the private rental market paying rent increases.

This is a government that after nine years has no excuses when it comes to the need for tax increases. There is no reason why a single person in New South Wales should pay 1¢ extra in tax. Not a single resident in this State should be paying 1¢ extra in tax. The Government has had nine years of economic sunshine. It has had nine years of a massive flow of revenue through the door, and it has wasted all of it. No matter where I go in New South Wales, the one cry from the people of this State with respect to this Government's management of the budget is, "Where has all the money gone?" It is a tragedy. Only a Liberal-Nationals government in three years time can set the record straight again. Only a Liberal-Nationals government will be in a position to get this State moving again, because we believe in a low-tax climate in New South Wales. We believe that lower tax means more jobs, more opportunities, and reward for effort.

Let me make it clear that in Committee the Opposition will oppose clauses 2 and 4 of the bill. We oppose the increases in this tax. We believe that those who work hard and invest in property deserve to be

rewarded. We support the abolition of the threshold for new homebuyers for properties under the value of \$500,000, but we oppose the Government's slugging of mum and dad investors and renters.

Mr GEOFF CORRIGAN (Camden) [8.53 p.m.]: In his final comments the Leader of the Opposition said that the Opposition supports property investors. I wonder whether the Opposition also supports investors in the stock market. Property investors will pay about 36 per cent tax, whereas those who invest in the stock market will pay about 50 per cent tax. I support the State Revenue Legislation Amendment Bill and read onto the record comments made by independent commentators in relation to the bill and the measures announced in the mini-budget. First I quote the respected commentator Ross Gittins from the *Sydney Morning Herald*. As to how the money that was raised from the property boom over the past seven or eight years has been spent, Ross Gittins wrote on 7 April 2004:

But, for the most part, the property boom proceeds were spent on increasing and improving the basic public services that are the state government's responsibility: law and order, education, hospitals and all the rest.

So don't be impressed by those who try to tell you none of yesterday's nasties—

that is, when the mini-budget was announced—

would have been necessary had the Government kept control of its spending from the outset.

What they're really saying is that the cost-cutting should have begun years ago and that the increased spending on schools and hospitals shouldn't have been allowed.

They are also saying the Government should have continued screwing down the wages of nurses and teachers.

Mr Adrian Piccoli: Who wrote this?

Mr GEOFF CORRIGAN: Ross Gittins. If you bothered to listen, you would know. He went on:

(I'm not sure how it was supposed to do this, since the big rises for these groups were imposed on it by the Industrial Relations Commission.)

Wage costs account for almost half the Government's recurrent spending. So the big rises for these groups represent another of the financial "setbacks" the mini-budget's measures have been responding to.

But paying professional nurses and teachers a half-way decent salary is hardly a setback.

I am sure we all agree with that.

[*Interruption*]

The honourable member for South Coast is a former teacher; surely she would agree with this. Ross Gittins continued:

Taxpayers couldn't have got away with exploiting their labour for much longer. And teachers' salaries probably have a lot further to go if mass shortages are to be avoided as the baby-boomer chalkies start retiring.

I raised that point in my maiden speech. In addressing the GST, an issue raised by the Leader of the Opposition, Ross Gittins wrote:

Under a changed formula adopted by the Federal Government's grants commission, NSW's share of the revenue expected to be raised by the GST in 2004-05 is \$376 million less than under the old formula.

It's true. Whereas total GST collections—

Mr Barry O'Farrell: Point of order: It is incumbent upon members to tell the truth. The honourable member for Camden should read the Federal budget papers, because what he has said is a lie.

Mr DEPUTY-SPEAKER: Order! That is not a point of order. The honourable member for Camden has the call.

Mr GEOFF CORRIGAN: It is the usual interjection from the Deputy Leader of the Opposition. I am quoting Ross Gittins here; not myself.

Mr Andrew Stoner: You're quoting the budget papers.

Mr GEOFF CORRIGAN: I am quoting Ross Gittins, an independent commentator, whom you choose to quote when you feel like it. Ross Gittins wrote:

It's true. Whereas total GST collections are expected to grow by 5 per cent, NSW's share will grow by only 1 per cent. And while it's true the grants commission has been giving NSW and Victoria a bad deal for decades, this is an extra turn of the screw that was formally accepted by the Federal Government only a fortnight ago.

So welcome to the joys of being a taxpayer in the most populous State. Your duty is to subsidise all other state and territory governments bar Victoria.

I note that the Leader of the Opposition quoted Rowan Kelly, the President of the Real Estate Institute, who on 6 April 2004 said that stamp duty was "a great initiative ... that will really help first homebuyers". Last week I was pleased to have in the public gallery first homebuyers from the electorate of Camden. I was very pleased to welcome them to the Parliament. I note that two weeks ago 12 young singles and families in Camden received stamp duty benefits. To date 47 first homebuyers in Camden have saved \$561,000 in stamp duty, an average of \$11,936 each. That is great news for first homebuyers. The aim of the measures announced in the mini-budget is to help first homebuyers. I am proud to be part of a government that is helping first home buyers.

Mr Thomas George: What about mum and dad investors?

Mr GEOFF CORRIGAN: I note the comments about mum and dad investors. It is an absolute disgrace that members opposite are categorising all mum and dad investors in the same way. Some mum and dad investors will benefit.

Mr Andrew Stoner: You're taxing them all.

Mr GEOFF CORRIGAN: Some people in Currans Hill paid \$150,000 for their properties three years ago and those properties are now worth \$350,000. I think they can afford to put in a little bit to help the first homebuyers of New South Wales. I am proud to be part of a government that can do that.

Mr Andrew Stoner: What about the renters?

Mr GEOFF CORRIGAN: Ross Gittins said that renters can only pay what they can afford to pay and that landlords can only get what renters can afford to pay. The bill is an integrated and indivisible package. It contains a major tax cut for young people and families who are buying their first homes. It also contains tax increases and a sweeping change to the land tax system. The Treasurer went on to state:

Taken together, this is the most profound reform of State property taxes seen in Australia for decades.

What is more, it has been applauded by independent commentators in the press, such as Ross Gittins and Peter Martin in the *Sydney Morning Herald*.

Mr Andrew Stoner: What do the people of Camden think?

Mr GEOFF CORRIGAN: They agree with me. A lot of young people in Camden come to see me, and they agree. Peter Martin, who is the Special Broadcasting Service [SBS] economics correspondent, stated in the *Sydney Morning Herald* under the headline "Outrage over Carr taxes is misplaced":

Looked at that way, the real question isn't "how did the taxes on trading in property ever get to be so high?" but "how did they ever get to be so low?"

Most of the blame (or credit) belongs to two people: the Treasurer, Peter Costello, and John Ralph, the doyen of Australian company directors, at present chairman of both Telstra and the Commonwealth Bank.

Realistically, the boom in property has been taking place since changes to taxation were introduced as a result of the Ralph inquiry, which changed capital gains tax. Peter Martins went on to state in his article in the *Sydney Morning Herald*:

Borrowing to buy property became the "smart" thing to do, even for Australians who had never borrowed before except to buy their home. As Macquarie Bank's Rory Robertson told his clients: "It is almost as though the Australian tax system has been screaming at taxpayers to gear up to earn increased capital gains rather than to work harder to earn increased wages or salaries.

Or to make money renting out the properties they bought. The Tax Office says six out of every 10 of Australia's landlords actually lose money on an operating basis.

That is why people opt to borrow money. The Leader of The Nationals would know perfectly well that people borrow money to pay less tax. I am sure that honourable members on both sides of this House have taken advice and are doing that. The article also states:

This tax-driven diversion of money and effort away from work, away from small businesses, away from productive investments, is without recent precedent. It has helped push property prices into uncharted territory and may have brought on our last two interest rate increases.

Later on in the article Peter Martin states:

By rushing in and taxing where our federal leaders are scared to tread, Bob Carr and his Treasurer, Michael Egan, may have done the nation a favour.

I cannot help but agree with that statement. I fully support the measures provided for in the State Revenue Legislation Amendment Bill.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [9.02 p.m.]: The Nationals in New South Wales strongly oppose the tax increases unveiled by the Carr Labor Government in the recent mini-budget and provided for in the Government's State Revenue Legislation Amendment. However, The Nationals do support stamp duty relief for first home buyers because The Nationals and the Liberals, in coalition in New South Wales, are all about lower taxes for the residents of New South Wales, unlike the big taxing and big spending Carr Labor Government.

Mr Brad Hazzard: Wasteful!

Mr ANDREW STONER: As the honourable member for Wakehurst says, this Government is wasteful as well. Labor's new tax regime targets mum and dad property investors who are trying to provide for their own future. It also targets renters onto whom the added property taxes will be passed, and it targets small businesses, many of which will be forced to pay land tax for the first time. Through the introduction of this bill, the Labor Government seeks to abolish the land tax threshold, which stands currently at \$317,000. Small-scale property investors and small businesses no longer will be protected from the land tax burden and will, in one fell swoop, become entrapped in Labor's land tax net. The Sydney Labor Government may not be aware that a higher proportion of small businesses in country New South Wales own some property that is associated with the business.

Mr Geoff Corrigan: They benefit.

Mr ANDREW STONER: This bill will hurt rural and regional businesses.

Mr Geoff Corrigan: If their property is associated with their business, they benefit. Read the bill.

Mr ANDREW STONER: This bill is an added impost—an additional land tax—for businesses that are still suffering from the effects of the worst drought in 100 years. In response to the interjections made by the honourable member for Camden, I point out that he does not seem to be aware that the threshold for land tax will be removed. Most small businesses have property valued at less than \$317,000 and they therefore will pay land tax although they do not, as matters presently stand. I suggest that the honourable member for Camden would benefit from taking a close look at the legislation. The bill represents an additional impost for small businesses, particularly those in country areas. It also represents a major disincentive for small businesses that want to set up or relocate to country areas. In short, this new tax on country businesses is a tax on jobs.

The introduction of stamp duty at the rate of 2.25 per cent on the sale of investment properties, combined with land tax changes, will put the brakes on construction and property investment in country areas. Although a resurgence in real estate and property markets occurred in regional areas during the past 12 months—when towns such as Gunnedah experienced a minor boom in property values as investors sought a better return for their investment dollar—that is no longer occurring. Just the other day I received a telephone call from an agent in Gunnedah who said that the money flow, inquiries and sales have already started to decrease. New South Wales people who want to invest in bricks and mortar are switching to shares or are looking at property in other States for investment. The minor boom that took place in country New South Wales is already beginning to abate as a result of this Government's legislation.

New South Wales is the only State in Australia to charge vendor duty on sales as well as on purchases. In New South Wales, a tax in the form of stamp duty is applied when the property is purchased, and land tax is

imposed for each year an investment property is held, and upon sale of the investment property, regardless of when it was purchased—even property that was bought in the 1970s or the 1980s, which I am sure members opposite can relate to—there will be a further tax. The retrospective element of this bill is that people who invested their hard-earned cash decades ago would have been completely unaware that in 2004 this Government would tax them on their investment. The property tax system in New South Wales represents a triple whammy for investors.

Essentially, country people will be taxed for buying or selling a business or investment property. The Treasurer was running around saying that he was doing everybody a favour by tempering the property market. However, he has ignored advice from every quarter that recent interest rate rises had already quelled the market. He has not cooled the property market in New South Wales; rather, he has deep-frozen it. He has cut deeply into the equity of every hardworking family in New South Wales that has invested in property. This bill will drag an additional 540,000 properties into the State Labor Government's land tax net. As a result, there will be approximately 300,000 additional land tax payers. Treasury expects to raise land tax worth an additional \$275 million from investors who own property below the \$317,000 threshold, and the changes will be revenue neutral overall in 2004-05. Beyond that, however, land tax will be quite revenue positive for this Government. The changes outlined by the Government will result in mum and dad investors being taxed when they buy property, when they hold property, and when they sell property.

In electorates in New South Wales represented by The Nationals, there are 74,800 renters and 52,500 property investors. Farmers in electorates represented by so-called Country Labor members—such as the Murray-Darling electorate—who own a second property which they use when they come to town while shopping and banking will be hit by an additional tax. Sadly, these are the farmers who are struggling against the hardest and worst drought in the history of New South Wales. In the Tweed electorate, many mum and dad investors have sought to invest in bricks and mortar, and that has been a good thing for the electorate. It has resulted in the creation of housing and construction jobs and the provision of low cost rental accommodation for low income earners, but those days soon will be gone.

The Premier was boasting about the number of first home buyers receiving stamp duty relief, but the figure for Tweed was very low because home buyers have moved to Queensland—a State that has a much lower tax regime than applies in New South Wales. This has had a very negative effect on electorates that are represented by the so-called Country Labor faction in New South Wales. In my electorate of Oxley there are 5,800 renters and 4,400 property investors who will be hit by the Carr Labor Government's new slug on property. Far from being a party representing low-income families and the so-called aspirational voters, Labor in New South Wales is a government which is all about taxing first and asking questions later. This a slug has been brought about because Labor cannot manage the New South Wales economy. Its waste and mismanagement is astonishing in its scale and stupidity. Billions of dollars in revenue from the property boom have been squandered by a spendthrift Labor Government.

That is even more remarkable because the State Government has allowed it to happen against the backdrop of an excellent national economy provided by the Federal National and Liberal Coalition. The Howard-Anderson Government has provided prolonged low interest rates and a low inflation environment. That makes the incompetence of the Premier and the Treasurer even more breathtaking. The Nationals support the stamp duty exemption for first home buyers on properties valued up to \$500,000, phasing out at \$600,000. This is why we will seek to amend the bill and to have separate votes taken on the individual schedules to the bill.

While New South Wales is seeking to abolish the tax-free threshold in respect of land tax, Victoria has recently raised its tax-free threshold from \$150,000 to \$175,000. In Queensland owners of land valued at less than \$275,997 pay no land tax. That is yet another example of the New South Wales Labor Government putting this State at a disadvantage when compared with other States and Territories. In response to the New South Wales mini-budget, the Queensland Premier, Peter Beattie, said:

The New South Wales Treasurer, Michael Egan, has today made Queensland an even more attractive place to invest and do business.

By abolishing the land tax threshold and introducing a new stamp duty of 2.25% for people selling investment property, Mr Egan will make Queensland real estate even more attractive for small investors in particular.

That is the take on the new taxes of the Queensland Government, which, of course, stands to reap dividends from investors flocking into that State. This is not to mention the workers compensation and payroll tax disadvantages suffered by New South Wales in comparison with Queensland and Victoria. I urge all Labor

members of this House, particularly those representing country electorates, to forget their Australian Labor Party faction meetings and get out of their offices and talk to the people in their electorates. They are hurting those who have worked hard and who are seeking to provide for their future. Labor is crippling regional businesses, investors and renters. In conclusion, I call on the so-called Country Labor members of Parliament to join with The Nationals and the Liberals to provide country New South Wales with a commonsense approach to this matter.

Mrs SHELLEY HANCOCK (South Coast) [9.12 p.m.]: Before I speak on the State Revenue Legislation Amendment Bill, I draw attention to the comments made by the honourable member for Camden, who talked about the Government providing record wages for teachers and nurses. I have to remind him that his Government had to be dragged kicking and screaming into giving better wages to teachers and nurses. In relation to the bill I state at the outset that I support the provision of stamp duty exemptions for first home buyers. As the Leader of the Opposition previously stated, we all support that provision of the bill. However, undoubtedly some first home buyers will not benefit if their house prices are above \$500,000. In my electorate there are many homes priced above that figure—and, believe it or not, South Coast is not a silvertail electorate!

The bill will not assist first home buyers whose houses fall into that category. Nevertheless, I support the provisions of the bill that give some assistance to first home buyers. It should be noted that the Coalition has a record of supporting stamp duty relief, consistently arguing for a stamp duty cut. It is good to see the Government following our lead on this issue. However, in my view the Treasurer and the Government are hiding the bill's other insidious provisions behind the first home buyer provisions. It must be highlighted that the proposed changes to land tax and the introduction of the vendor stamp duty will hurt the people of New South Wales, particularly the people in my electorate of South Coast.

In respect of the land tax provision relating to investment properties the bill proposes to remove the tax-free threshold, which was previously \$317,000. That will, of course, affect a number of people in my electorate who have worked hard during their lives and saved to provide themselves with an income in their retirement. This provision will bring an additional 540,000 properties into the land tax net throughout New South Wales, many of which will be in the South Coast electorate. That will devastate the small investors who voiced their anger about this issue prior to the March State election in a public meeting held at Culburra, where property valuations have soared over the past two years. Land tax bills will be beyond the ability of these people to pay.

The residents of Mollymook, Narrawallee, Callala Beach, Currarong, Greenwell Point—to name just a few of the villages in my electorate—have repeated the same sentiments as those expressed by Culburra residents at the public meeting. These latest proposals will have an even more devastating effect, and the anger in my electorate is continuing to grow on this issue. I will, of course, vote against that aspect of the bill. The flow-on to renters in my electorate will also have serious ramifications. There are 6,000-odd renters in my electorate who will undoubtedly face considerably increased rents.

[Interruption]

It is not rubbish, that is what is happening. Anecdotal advice suggests that some renters have already been placed on notice that their rents are about to rise. This is the reality of the bill. It will lessen the ability of renters to save and perhaps purchase their first home. The vendor stamp duty is a new 2.25 per cent tax on the sale of investment property. It should be noted that New South Wales is the only State in Australia to charge vendor duty on sales as well as purchases. That is made even worse by the fact that the tax will be retrospective. There is nothing new in the assertion that the State Government is the highest taxing in Australia, but what is new is the ability of the Government to invent new taxes. The Treasurer's addiction to tax is simply astounding. I will vote against the 2.25 per cent stamp duty on the sale of investment properties, and my colleagues and I will outline the approach we will take in government regarding this and other related matters.

Ms GLADYS BEREJIKLIAN (Willoughby) [9.16 p.m.]: At the outset I reaffirm, in the same way as the Leader of the Opposition, that I wholeheartedly support the stamp duty exemptions for first home buyers on properties purchased for less than \$500,000. However, like previous Opposition speakers, I strongly oppose both the abolition of the land tax threshold and the 2.25 per cent exit tax imposed by the Government. With the abolition of the land tax threshold an additional 540,000 properties will be taxable, contrary to the Government's earlier assertion that it would impact on fewer properties. That will result in approximately 300,000 additional people in New South Wales paying land tax.

That extra impost will impact on investors planning for their retirement. It will impact subsequently on renters, who will face higher rents. These ill thought out changes to land tax regime will severely impact on the

constituents of the Willoughby electorate. There are 7,700 investors in the electorate. These are people who have worked hard to invest in the property market to ensure their self-sufficiency in retirement. For the first time, they will now have to pay land tax on the first \$317,000 of the value of their investment property. In addition, they will also face the prospect of paying a 2.25 per cent tax when they eventually sell the investment property. New South Wales is the only State in Australia to charge the vendor duty on sales as well as purchases.

The vendor tax will be retrospective: investors did not know they would be taxed on the sale of their properties when they bought them. The operation of the 12 per cent exemption is also questionable as it takes no account of any investment in or renovation of the property. In addition to the 7,700 property investors in the Willoughby electorate there are 8,600 renters, who face the prospect of rental increases as a result of this tax. One obvious consequence of increasing rents will invariably be that many renters will take longer to save deposits to purchase their first homes.

I want to place on the record comments that were made during a recent Chatswood Chamber of Commerce lunch, which I attended. Many investors, small business people and members of the public who were in attendance were completely confused by the statements made in the mini-budget, given that the Office of State Revenue web site was saying one thing and the Treasurer and the Premier were saying another in relation to the specific details of it. There were people in the audience who had exchanged contracts but were informed by the web site that they might be able to discuss changing circumstances with the prospective vendors, and vice versa. That brought home to me how highly ill thought out the land tax provisions are. In conclusion, I assure the many Willoughby constituents who have written to me about this issue that I will oppose both the abolition of the land tax threshold and the 2.25 per cent exit duty on the sale of property.

Mr STEVE CANSDELL (Clarence) [9.20 p.m.]: I fully support the \$500,000 stamp duty threshold for first home buyers. I will repeat that: I fully support the \$500,000 stamp duty threshold for first home buyers. But I fiercely oppose the abolition of the land tax threshold. Because of waste and mismanagement the Carr Labor Government has brought in another major impost that will hit hardworking families. I am told that this tax will hit an additional 540,000 properties, those mostly owned by small investors, mum and dad investors, who are being penalised for doing nothing more than working hard, planning for their retirement and trying to lighten the load on other taxpayers by self-funding their retirement. They plan to receive a lesser pension or no pension and not be burdens on society.

I will also vote against the 2.25 per cent stamp duty, the get-out tax on the small investors. There is now a tax on the way in, a tax while we are there, and a tax on the way out. I have been approached by many investors and developers in the Clarence Valley, who, at the mention of these taxes, talked about taking their money to Queensland. They will go to a government that encourages investment with less tax, and places a lesser impost on business. The taxes of the Carr Labor Government encourage a complete population shift to Queensland. Although it is a Labor State, Queensland has provisions that the Premier and the Treasurer should look at and follow. Instead of making New South Wales the highest-taxed State in Australia, the Premier and the Treasurer should encourage people to stay in this State. I strongly oppose the new taxes.

Mr ANTHONY ROBERTS (Lane Cove) [9.22 p.m.]: The New South Wales Liberal-Nationals Coalition wholeheartedly supports the \$500,000 stamp duty threshold for first home buyers. For the record I state that again: I support the \$500,000 stamp duty threshold for first home buyers. The Coalition has a longstanding record in supporting the stamp duty relief; we forced the Government to provide stamp duty relief. We constantly argued for a stamp duty cut and, as a result, we support this stamp duty exemption. Along with my colleagues, I will vote against the abolition of the land tax threshold. I will vote against the 2.25 per cent stamp duty on the sale of investment properties. That retrospective tax will only increase the Government's addiction to property taxation. I will join my colleagues and vote against these tax increases. In the coming weeks the Liberals and The Nationals will detail the approach we will take to bringing in good government in three years time.

Every person in the electorate of Lane Cove who rents, owns or wants to buy an investment property will pay these new taxes and tax increases. In Lane Cove there are 7,400 people who live in rented properties and another 7,000 who own investment properties. A person who buys or owns a \$300,000 investment unit in a suburb such as Lane Cove can expect to pay almost \$9,000 stamp duty on the purchase and almost \$7,000 stamp duty on the sale. On a \$700,000 town house, the stamp duty on purchase will be almost \$27,000 and the stamp duty on sale will be almost \$16,000. Instead of cutting waste, which is documented at \$3.3 billion in the past year alone, the Premier and his Treasurer mate have decided to increase property taxes again.

Along with my colleagues I will vote against these new tax measures. Along with the Leader of the Opposition, I am committed to scrapping them when the Coalition comes to government. The changes outlined by the Premier will result in mum and dad investors being taxed when they buy a property, while they hold the property and when they sell the property. These tax increases will hurt the people who can least afford them. Increased rents will make it even harder for young people and families to get off the rent cycle. The Government will be responsible for that and the people will not forget it. The massive tax increases represent more of the same from the Carr Government. The Government has received more than \$4.7 billion from unbudgeted stamp duty windfalls. The new property taxes in the mini-budget will only worsen the Government's addiction to such windfalls. Members should not only take my word for that. I have received a ream of letters from my constituents, one of which stated:

As an investment property owner in your electorate, I write to obtain your reaction to the recent NSW State Government's Mini-budget ...

I am opposed ...

As a voter and property owner I am keen to obtain your position on the ... two proposals.

The media release of the Real Estate Institute of New South Wales stated:

The REI would like to know where those billions have gone. We've seen no detail of how that windfall was spent and the government now expects NSW property owners to cop a further slug to pay for continued increases in government spending.

The message that the Government is sending to the last mum and dad investors leaving New South Wales is: Please turn out the light.

Mr CHRIS HARTCHER (Gosford) [9.26 p.m.]: My colleagues and I are concerned about the stamp duty increases and the ongoing dependence of the Government on property tax. The people of New South Wales are entitled to better. We have had nine years of a Government that has reaped an enormous economic bonanza from stamp duty and land tax and which has become heavily dependent upon hitting the property industry. We now have further legislation that is designed to hit the property industry and thousands of investors even further. Thousands of people will be hit by vendor stamp duty when they sell and, according to the Valuer-General, it is estimated that 540,000 properties in New South Wales will now be caught by land tax for the first time.

On the Central Coast, the postcode area 2250, which is mainly in the Gosford electorate, has the fifth highest number of investment property owners. In my electorate, some 3,146 investment property owners in that postcode area will be hit and will pay land tax for the first time. In the postcode area 2261, The Entrance, which has the thirtieth highest number of investment property owners, some 2,246 investment property owners will be hit and will pay land tax for the first time. In the postcode area 2259, Wyong, which has the fifty-first highest number of investment property owners, some 1,895 investment property owners will be hit and will pay land tax for the first time. According to the Valuer-General's figures, in the total Central Coast area there are 14,070 investment property owners who will pay land tax for the first time. Those people, including thousands of people who migrated to the Central Coast, have saved for their retirement and are anxious to build up a small nest egg for themselves and their families.

They are literally the mums and dads, the workers, the shopkeepers, the semi-professionals, and the tradesmen who have come from Sydney to live on the Central Coast. They own a small amount of property and now, for the first time in their lives, they will pay land tax. When they go to sell their property they will pay stamp duty. I will vote against this legislation. I pledge to my electorate and the people of the Central Coast that we will rescind this legislation when we take office in 2007. The people should know that the Coalition parties are on their side and support the first home owners purchase concession. There is sufficient money in the enormous bonanza reaped over the years by this Government in stamp duty to subsidise and pay for the first home owners concession. There will be sufficient money in the GST revenue that flows to New South Wales to finance the first home owners concession. There is no need for these property taxes, but there is every need to support the battlers of the Central Coast and New South Wales who have sought to provide for their own retirement.

Mrs JUDY HOPWOOD (Hornsby) [9.29 p.m.]: People in the Hornsby electorate certainly will suffer under the Carr Government's new tax regime. The Government has had nine years of massive tax intake and this new tax will be a terrible impost on the people of my electorate and those across New South Wales. People continue to ask where all the money collected over the past nine years has gone. Carr's mini-budget will have a dramatic impact on the property market in the Hornsby electorate by penalising renters and ordinary investors.

Hundreds more Hornsby residents will now pay tax, purely as a result of the waste and irresponsible financial management of Bob Carr and Michael Egan. Rents will increase to cover the additional land tax, and investors who sell their properties will be slugged with a new stamp duty.

New South Wales is now the only State in Australia to impose a tax on the purchase and sale of investment properties. This will make it even more difficult for Hornsby residents who dream of getting into the property market and those who have invested to provide for their future. There are 5,400 people who rent in the Hornsby electorate and the reality is that their rents will rise. My electorate has 6,300 investors, who are already suffering under the suffocating planning policies of this Government—and in some areas this is particularly apparent. People who work hard to plan for their future and retirement will have to pay a 2.25 per cent stamp duty on the sale of their investment properties. This stamp duty is retrospective and is totally unfair. It completely disregards any renovations carried out to properties. I have received considerable feedback from constituents who have expressed their alarm at these new taxes. Labor has put fear into the community, small investors, and local businesses, including real estate agents and builders.

I agree with the Leader of the Opposition in his arguments and state that the New South Wales Liberal-National Coalition wholeheartedly supports the \$500,000 stamp duty threshold for first home buyers. I support this initiative to encourage young people and others to purchase their first home—and my daughter will shortly be in that category. The Coalition has a longstanding record of supporting stamp duty relief and has consistently argued for a cut in stamp duty. Therefore, the Coalition supports the exemption. However, I shall vote against the abolition of the land tax threshold. The Valuer-General has said that this will bring an additional 540,000 properties into the land tax net. I shall also vote against the 2.25 per cent stamp duty on the sale of investment properties. This is a retrospective tax that will only increase the Government's addiction to property taxation. All Coalition members will vote against these tax increases, and in the coming weeks we will detail the approach we will take in government. The people of New South Wales have a long memory and they will take this impost to the ballot box.

Ms KATRINA HODGKINSON (Burrinjuck) [9.32 p.m.]: I support the stamp duty threshold for first home buyers, but I oppose the new 2.25 per cent vendor sales tax. Last week in question time the Premier viciously and unfairly attacked and maligned the hardworking entrepreneur real estate agent John McGrath. Mr McGrath has spoken out quite rightly for his industry. As the shadow Minister for Fair Trading, I state that real estate agents have every right to speak out against unfair new taxes that will heavily impact on their industry and those they try to help with sales—their bread and butter. It is extremely unfair of the Premier to have done that during question time, when Mr McGrath has no right of reply. The Premier should apologise to Mr McGrath for his vicious and shocking comments.

In the electorate of Burrinjuck 5,200 renters will be affected by increased rents as a result of this bill, and 4,500 investors will be hit by stamp duty. This is a very unfair tax. One of the problems with the new vendor tax is that it will apply retrospectively: it will unfairly hit people who have already invested in properties. When they bought their investment properties they did not know that a vendor tax would be imposed upon the sale of the property. The tax was introduced overnight—and that is what we have come to expect from the Carr Labor Government, the highest taxing State Government in this country. One wonders what will be taxed next. The Government will dream up taxes for all sorts of things. New South Wales is the only State in Australia to have a vendor sales tax. I must admit that it is creative of the Treasurer; he can think up taxes for anything. Quite simply, the Opposition will oppose the bill. The vendor tax, in particular, is appalling, and the Government should move to split the bill so the measures can be voted on separately. The Coalition supports the stamp duty exemption for first home buyers. However, vendor stamp duty is a despicable tax and should not be tolerated by anyone.

Mr WAYNE MERTON (Baulkham Hills) [9.35 p.m.]: I oppose the abolition of the land tax threshold and the iniquitous exit tax of 2.25 per cent. All Coalition members support the exemption from stamp duty for first home buyers on properties under \$500,000, although in my electorate there would not be too many available in that category. Nonetheless, we support that initiative because it is consistent with our policy of seeking to reduce stamp duty. However, people will have to pay this iniquitous tax of 2.25 per cent even though they may not have made a capital gain. Federal Labor introduced the capital gains tax and now New South Wales Labor has imposed its own form of capital gains tax—although even if people do not make a gain they could be liable for that tax. The 2.25 per cent exit tax will be imposed on people who may have purchased a property for \$300,000, carried out renovations that cost \$100,000, and sold the property for \$400,000. This is because the tax is on the sale price and does not take into account any money spent on improving the property. The tax will apply even though people may not have made a profit.

The Coalition supports 100 per cent the concept of helping young people to buy their first homes but we believe that the land tax threshold should not have been abolished. Everyone who owns a second property will now be liable to pay land tax. This State Labor Government should not impose this iniquitous exit tax on hardworking Australian families who have gone the extra mile and worked overtime to buy a second property. However, the Coalition does support the abolition of stamp duty for first home buyers.

Mr GREG APLIN (Albury) [9.38 p.m.]: The Coalition has a stated policy of reducing stamp duty, so it will come as no surprise that I support the \$500,000 stamp duty threshold for first home buyers. Also, the Coalition has had a longstanding record of supporting stamp duty relief; we have consistently argued for stamp duty cuts and therefore support the stamp duty exemption. However, I will vote against the abolition of the land tax threshold. The Valuer-General has said that this will bring an additional 540,000 properties into the land tax net. I will also vote against the 2.25 per cent stamp duty on the sale of investment properties. It is a retrospective tax, which will only increase the Government's addiction to property taxation.

This new tax and the removal of the threshold will have a devastating impact on the border region that I represent. It will cause investors to consider investment across the border in Victoria and businesses to reconsider their position in New South Wales. Even the mum and dad investors will get a kick in the gut from these taxes. No wonder Bob Carr buys investment properties in New Zealand—he cannot afford his own taxes! In a press release issued days after the mini-budget, Paul Gibney, President of the Albury and District Law Society, stated:

Vendor Transfer Duty and Land Tax Changes announced in the recent mini budget in New South Wales will hit investors hard ... This is a new tax which is not charged in any other State in Australia ... It will drive investors out of New South Wales and into the other States, and create an additional burden on business in New South Wales.

It is different from the Capital Gains Tax in that account is not taken of improvements ... It is conceivable that a Vendor may have lost money on the transaction and still pay the tax once the cost of improvements made on the property, stamp duty, commission and legal fees on the sale, and even goods and services tax are taken into account. No credit is given for these in the proposed new tax.

Mr Gibney went on to state:

Details on the new tax are still scarce—the office of State Revenue has not offered comprehensive guidelines, and the legislation has not yet been introduced to the State Parliament. If the new tax is introduced, however, investors will look to other States where it does not exist ... This tax does not just apply to commercial properties ... It applies to investment residential properties as well.

The land tax laws have also been revised, and a whole range of investors who previously were exempt from land tax will now be caught ...

He then stated:

This will apply from 1 January 2005, and virtually every property investor in New South Wales will be caught by this new tax ... This will involve them having to file an initial return with the State Revenue Office for their land tax, and many Landlords will seek to pass the cost of this additional tax onto tenants.

New South Wales has suffered a double blow because Victoria has cut its land taxes. The Treasurer's shameful mini-budget, with increased land taxes and stamp duty, is compounded by the tax cuts in Victoria. Perhaps the Premier, the Hon. Bob Carr, could rename Sydney as Nottingham and he could call himself the sheriff. Over the next few weeks my colleagues and I will vote against these increases and we will announce the approaches that we will take when we are in office.

Mr ANDREW CONSTANCE (Bega) [9.41 p.m.]: The State Revenue Legislation Amendment Bill is in no way designed to further stimulate or enhance economic growth in this State. The bill is simply a government cash grab. The Government has not undertaken any proper social or economic assessment of its impact. The Coalition's position on the legislation is clear. It opposes the tax increases announced by the Carr Government in its mini-budget, it opposes the new 2.25 per cent stamp duty on the sale of investment property, and it opposes the changes to land tax.

That having been said, the Coalition supports the \$500,000 stamp duty threshold exemption for first home buyers—and I emphasise that. We have heard much about this mini-budget and the impact it will have. As I said earlier, this Government has undertaken no social or economic assessment of the impact of the bill. It has undertaken no assessment of its policies in relation to the bill. That became clear 24 hours after the mini-budget was handed down when I received a phone call from a high-profile Australian who has two investment properties in the Bega electorate. He told me he had decided to increase the rent paid by his tenant by \$20 a week.

So 6,200 tenants in the Bega electorate have been subjected to rent increases by their landlords. They are looking to recover increased costs as a result of the introduction of the land tax. The Coalition stands firm in its opposition to land tax changes and to the vendor tax because of the impact they will have across the board on renters in this State. People who are most vulnerable in this State, who struggle to save to buy a home, will now be subjected to an unfair tax that will be heaped on them by a Labor Government that simply does not care.

Mr TINK (Epping) [9.44 p.m.]: I support the \$500,000 stamp duty threshold for first home buyers but I will vote against the 2.25 per cent stamp duty tax on the sale of investment properties. K. G. Hurst Real Estate is located in the electorate of the honourable member for Ryde and has a huge rent roll. In a letter to the Treasurer dated 30 April, Lyn Tamsett, the managing director of that firm, said:

Our property investors are expressing real anger at the Carr Government's proposed changes to the property investment market. The majority of our property owners are investors who are aiming to superannuate themselves by owning an investment property. You should be aware that this requires some sacrifice on behalf of the property investor—in many instances a tenant paying rent late causes real hardship to the investor meeting his commitments. They are now instructing us to increase their rents immediately.

I have also had many calls from our clients seeking an updated value of their property so that they can sell the property as quickly as possible—before the property sellers' tax comes into effect. They have had enough of the property investment market with properties showing a very poor return on the amount invested. Be aware that many property investors have had no rent increases over the last four years due to the state of the rental market.

In our area over 50% of all of our sales are made to property investors because of the needs of students at Macquarie University. Immediately on your government's announcement of the changes applying to property investment, all investment enquiry ceased. We had two investment sales with contracts unexchanged, and these two investors pulled out of the transactions as a result of your government's announcement.

Treasurer, make no mistake, the Carr Government is creating a housing crisis with this policy.

That letter was written by a real estate agent who resides in the electorate of the honourable member for Ryde and has a rent roll of about 1,500 people. Gordon Salier and Mark Richardson from the Law Society came to see me this afternoon about a number of concerns relating to the vendor duty provisions in the bill. In a letter to the Treasurer dated 10 May 2004 the society said:

The Bill provides for the payment of duty on or before settlement of the sale transaction (section 153). This will mean, in practice, that the duty will be paid at the time of settlement. It is most unlikely, to understate the point, that vendors will either be in a position, or agree to pay the duty prior to settlement.

Just in case the point was missed, that letter was written by the New South Wales Law Society, which represents all lawyers and professional conveyancers who are lawyers in this State. The letter states:

... the Law Society anticipates that the introduction of the new vendor duty will quickly develop into chaos because vendors will not be persuaded to pay duty before settlement and there will simply be insufficient places where payment can be made at the time of settlement.

I have it on good authority that a number of people in the Office of State Revenue also believe that the enforcement and administration of this legislation will be a complete shambles. The Government is governing through the Treasurer's press release. The Office of State Revenue, which was told about this bill only after it was introduced, does not have a clue as to how it is to collect this tax. I repeat that the letter from the Law Society states:

... the Law Society anticipates that the introduction of the new vendor duty will quickly develop into chaos.

For that reason alone the vendor stamp duty provisions in this legislation should be opposed. New South Wales is the only State in Australia that has vendor stamp duty provisions. It is a disgrace that the Treasurer introduced this bill without consulting the Law Society or the Office of State Revenue.

Mr BRAD HAZZARD (Wakehurst) [9.47 p.m.]: I state at the outset that I wholeheartedly support the Coalition's position in relation to stamp duty concessions for first home buyers. The Government must offer first home buyers any assistance it can. However, the Coalition is extremely concerned about the provisions in the legislation that widen the land tax net. From now on everybody who owns a property in New South Wales—including those who own only one small property as part of their nest egg—will be stung by this land tax.

Members of the Labor Party think this is some sort of a joke. I know quite a number of senior citizens—people who have served in World War II and in World War I—who have one or two small investment

properties that they have accumulated during their lives as security for their old age. Those people will now be forced to pay an ongoing land tax. On top of that they are facing the payment of a 2.25 per cent exit tax, which is appalling. As was pointed out earlier, anyone who pays \$300,000 for a property and spends \$100,000 on it will still have to pay tax on the sale price of that property. If \$100,000 is spent on a property that cost \$300,00, and the property is sold for \$350,000, the purchaser will lose on the deal but will still have to pay 2.25 per cent exit tax, and that is a rip-off.

This Government is drunk on the tax dollars it receives from New South Wales residents. I refer to the way in which this legislation was introduced as it relates to first home purchasers. As the honourable member for Eastwood said, it is a disaster. The Government obviously did not consult with the Office of State Revenue about its introduction or methodology. Many people have indicated to me that they have not been given any concessions. A couple of weeks ago I raised an issue in the *Manly Daily* on behalf of Rejinder and Mamta Mehta of 3/28 Clarence Avenue, Dee Why, who had a contract that was predated 3 April 2004.

The Treasurer delivered his mini-budget on Tuesday 6 April. On the afternoon of 13 April, one week later, the Office of State Revenue published a notice on its web site to clarify what the Treasurer meant when he referred to vendors and purchasers simply tearing up contracts. They have been caught. They had to sell, and they lost a small fortune by first home owners standards. I have written to the Treasurer asking him to review that situation. I am sure many other members of Parliament are experiencing this situation. Many first home purchasers are doing what the Treasurer said. They are approaching the vendor and saying, "Can we tear up the contract?" However, they are being told, "No, you can't tear up the contract unless you give us a proportion of the money that you were going to save on stamp duty."

Donko Skokandic and Ivana Copo of 4 Alua Close, North Manly, purchased their first property, unit 31 at 28-32 Brookvale Avenue, Brookvale, for \$530,000. Obviously, they had to borrow a lot of money. They signed the contract on 10 March 2004, and they expected to pay \$19,000 in stamp duty, which they knew would be difficult. Under the Government's stated position as qualified the week after the announcement was made, these purchasers could have saved between \$12,000 and \$13,000, and they should have been paying only \$6,000.

I will name the vendors, because they should be named: MRJAC Pty Ltd, Zafir Plastering Pty Ltd, John Peter Sassen, Jodi Lee Sassen, Joseph Frederick Sassen, Ramsy Sassen, Tony Hayek, Joseph Nouh, Rita Nouh, John Paul Sabat, Lichaa Nouh, Margarita Theresa Nouh and MGFT Pty Ltd. They have decided to put their hands in the pockets of the purchasers. They are saying, "You split the money with us and we will let you have a new contract." Mr Egan's poor, shabby way of introducing this legislation has meant—and this is being repeated with first home purchasers across the State—that vendors are able to put their hands into the pockets of purchasers and demand a share of the money they should be saving. Effectively, Mr Egan and the Premier are aiding and abetting the blackmail of first home purchasers, and these poor people have not even had their property built yet. It is a rip-off. The Opposition will be opposing this rip-off, and we oppose the shambles in which it has been introduced by the Government.

Mrs JILLIAN SKINNER (North Shore) [9.50 p.m.]: While I strongly support the concessions for first home buyers and changes that will seek relief from the premium property tax, I am vehemently opposed to the new taxes, which will disadvantage thousands of people I represent. In relation to First Home Plus, I have regularly raised concerns about the effect of the Carr Government's overdependence on property taxes on the ability of young people to purchase their own home. So I wholeheartedly support the \$500,000 stamp duty threshold for first home buyers. I have always regarded the premium property tax as inequitable and have lobbied consistently for its abolition. I have no objection to concessions in relation to the obligation of people to pay to live in their own home. I believe that the Government has moved in this direction only because it has been well-endorsed and well-accepted Coalition policy for the past two elections.

However, I totally oppose schedules 2 and 4 to the bill. Schedule 2 relates to the abolition of the land tax threshold, which the Valuer-General says will bring an additional 540,000 properties into the land tax net. Schedule 4 imposes an additional vendors tax at a rate of 2.25 per cent, and I will be voting against that. This is a retrospective tax which will only increase the Government's addiction to property taxation. The impact of these new taxes will be strongly felt by my constituents. According to the census data analysis done by the New South Wales Parliamentary Library, North Shore has the third largest number of renters of any electorate in the State. There are 14,900 renters, which is the largest number of renters in any Coalition electorate. I repeat: 14,900 renters live in my electorate, most of them in the suburb of Neutral Bay, where my electorate office is located.

This legislation will have the effect of increasing rents as property owners are forced to pass on the increased costs of taxation. As well, according to publicly available Australian Taxation Office data, North Shore has 7,400 constituents who invest in property—the sixth largest number of any Coalition electorate. Those 7,400 investors should be congratulated on saving and investing, and taking responsibility for their own retirement income. My colleagues and I will vote against these tax increases, and in the coming weeks we will detail the approach we will take in government.

Mr MICHAEL RICHARDSON (The Hills) [9.54 p.m.]: I support the first home buyers stamp duty exemption for properties of less than \$500,000, but I will vote against the abolition of the land tax threshold and the 2.25 per cent exit tax. And I will do this for some very good reasons. The Liberal Party and The Nationals are low-taxing parties, and this position is absolutely consistent with our philosophical beliefs relating to taxation. My electorate of The Hills has some 9,000 property investors—people who have been saving for their retirement and their future, mums and dads—and the Government wants to tax them when they buy a property, while they hold the property and when they sell the property. As we have heard, the Government even wants to tax them if they do not make a profit when they sell the property.

For example, people who buy a property for \$200,000, invest \$80,000 or \$90,000 in the property and then sell it in a falling market, created by this Government, for only \$260,000 or \$270,000 they will still pay the exit tax. My constituents are extremely angry about this. Many of them have rung me since Michael Egan came in here and made his infamous statement. They are saying to me, "What is the point of us saving for our retirement? What is the point of us doing the right thing and not being a drain on the public purse, a drain on taxpayers? What is the point of us saving to look after ourselves in our retirement, because the Government will get us every time?" That is an absolute disgrace. It impacts on investors, retirees and the growing number of renters in my electorate.

A significant number of new units and town houses are being built in Castle Hill in my electorate. They are being built under this Government's urban consolidation policies. Many people are trying to get ahead and are probably saving to buy a home. That is why we support the first home buyers stamp duty exemption. However, they will find that they will be paying more rent, and it will be harder for them to save for that property. It is absolutely outrageous that any government should levy a 2.25 per cent tax on someone who sells a property, regardless of whether they made a profit on that property. It goes against all the tenets of justice and fair play, and of good government. I repeat: I support the first home buyers stamp duty exemption but I will vote against the abolition of the land tax threshold and the 2.25 per cent exit tax.

Mr STEVEN PRINGLE (Hawkesbury) [9.57 p.m.]: I, too, wholeheartedly support the \$500,000 stamp duty threshold for first home buyers, which is a major improvement. Nonetheless, it is the sheer magnitude of the other tax changes that concerns me, and it is the number of electors who are affected that counts. Some 12.5 per cent of my electorate are renters, and 24.5 per cent are investors as well. So nearly 40 per cent of the electorate are affected by these tax changes. Add that to the Government's failure to help self-funded retirees and to match what the Federal Government has had on offer for a long time—that is, free registration of single motor vehicles, the yearly rebate on electricity bills, discounts on council rates, rebates on water and sewerage, which are all things that the Federal Government has offered but the State Government has failed to match—and it is yet another attack on self-funded retirees. This Government, like all governments, needs to support self-funded retirees if the economy is to support them and if we are to have a growing economy and fewer people on pensions. These tax changes, which are well and truly retrospective, should be rejected so that the mum and dad investors get a fair go.

Mr DARYL MAGUIRE (Wagga Wagga) [9.59 p.m.]: I put on record my support for the stamp duty threshold of \$500,000 for first home buyers. Let there be no mistake: I support that measure. I will vote against the abolition of the land tax threshold and the 2.25 per cent stamp duty on the sale of investment properties. I have received an enormous amount of correspondence on this issue from my constituents. In fact, a telephone call to my office this afternoon revealed that the electorate office fax machine is working overtime. Typical correspondence states:

As an investment property owner in your electorate, I write to obtain your reaction to the recent NSW Government's Mini-budget.

That is the tone of most of the correspondence that I have received. I have received letters from Edward Scott, Simon Freemantle and Bruce and Gail Duff. They are just some of the many people who are concerned about their investments and the fact that this new tax will be an impost on renters and the property market. These people have battled, scrimped and saved to fund their retirement and to provide investment income for their

families. I know that families across all electorates are in the same position. They are dismayed at this Government's action.

I wholeheartedly support the notion of giving first home buyers the opportunity to share in the Australian dream. However, I cannot support an increase in taxes by this Government, which has continually displayed its mismanagement of the Treasury portfolio. Time after time we have pointed out in this House that the Government has squandered opportunities for New South Wales, and it is now making the very people whom it should support pay more taxes. The Government is taxing the battlers, the renters and those whom we should be encouraging to provide for their retirement.

Ms PETA SEATON (Southern Highlands) [10.01 p.m.]: New South Wales has never before seen a government so addicted to tax and waste. We all ask: Where has the money gone? I support provisions for first home buyers—especially those in the Southern Highlands who are struggling to get a foothold in the property market—on homes costing up to \$500,000. The average price of the family home in Bowral is \$501,000. The question is: Why has it taken Labor so long to understand the crippling impact of stamp duty? The Government strangled land release in the greater Sydney area, forced up house prices and then refused to accept that crippling stamp duty would impact on those struggling to buy their first home.

I oppose new taxes on investors in the Southern Highlands and across New South Wales—people who work incredibly hard to buy a stake in their future, to be independent and to get ahead. The Liberal Party is about encouraging people to set aside money, to save and to make provision for their future. This is a black and white difference between Labor and the Liberal Party. The Carr Government apparently thinks property investment is a dirty word. We certainly do not: we want to encourage people to buy their own home and to invest in their future, which might include buying other property for family members or for rental accommodation for others. We believe home ownership and investment is fundamental to the security of families and jobs.

There are 4,300 renters in my electorate. Each of those people will face rent increases due to the vendor tax and the increased land tax on investment properties. There are 5,000 property investors in my electorate. These people have struggled and worked hard to buy an investment property, and in many cases are providing much-needed rental stock in the area. Many builders not only across New South Wales but in the Southern Highlands particularly will be unable to maintain their present staffing levels, let alone build their businesses and take on new staff, as the vendor tax will impact adversely on people's capacity and willingness to make much-needed investment in property. In the past two years the renovation market has grown by 17 per cent per year. That is a lot of growth and many jobs have been generated. However, that growth will be stopped dead by the vendor tax and the new taxes on investors and renters introduced by Michael Egan and the Premier. I support provisions for first home buyers on homes worth up to \$500,000 but I oppose new taxes on investors in the Southern Highlands and in New South Wales as a whole.

Mr PETER DRAPER (Tamworth) [10.04 p.m.]: I put on record my opposition to the State Revenue Legislation Amendment Bill. Much concern has been conveyed to me and I have received many representations—as previous speakers have said, correspondence is coming in daily—about these proposals. Major concerns are expressed by independent retirees, who have planned for their future and made a conscious decision to provide for themselves in retirement and not be a burden on government. They are watching their carefully planned investment strategies disappear before their eyes.

I welcome the fact that the Government has recognised that stamp duty was a major impost on first home buyers. It is important to welcome this initiative. Since its introduction some 30 people in the electorate of Tamworth have taken advantage of the fact that stamp duty no longer applies on the purchase of a first home to the value of \$500,000. Some 22 people in Tamworth, six in Gunnedah and two in Walcha have saved a total of \$115,000. I applaud this initiative, which gives people an opportunity to break into the property market. The problem is that people who are saving to seize this home ownership opportunity face the burden of additional rent as a result of this legislation. I believe this issue will impact severely on the Government, which is underestimating the likelihood of public protests at the ballot box in the next election. I think this will be a big issue. I record my strong opposition to this tax.

Mr RICHARD TORBAY (Northern Tablelands) [10.06 p.m.]: Like other honourable members, I welcome the relief offered to first home buyers in the State Revenue Legislation Amendment Bill. That is universally applauded. A number of first home buyers in the electorate of Northern Tablelands have expressed to me their appreciation at being able to get into the property market. However, there are also many renters in

my electorate, in which the University of New England and a number of other educational facilities are located. This had created rental opportunities for investors. But the community recognises that rents will increase when this legislation is enacted.

I have listened carefully to all contributions to this debate but no-one has commented that governments today appear to be obsessed with debt reduction. We often hear Treasurers, both Federal and State, say that they have shaved so much off debt. It is important to have enough money coming into the system to service the needs of the community. This includes maintaining existing infrastructure and investing in new infrastructure. Governments cannot simply pay off debt and hail it as a wonderful achievement. They must retain enough money to fund basic community services. I am concerned that people will ask: Where does government get the money to do this? We must analyse and rethink debt reduction practices that involve Treasurers throwing money at debt and hailing it as wonderful financial management.

The Leader of the Opposition talked about taxing people for having a go. That is the point with which I agree most in this debate. It is important to reward people for taking risks and having a go. We can do that through proper fiscal management. I believe there should be much more scrutiny in that area. This bill was certainly not scrutinised properly. Many members on both sides of the House commented to me that they learned about its provisions when they were announced by the Treasurer. That denied members any opportunity to go to their constituents and discuss potential impacts. Like other honourable members, I support the relief that the bill offers to first home buyers. However, like many members on this side of the House, I will not support the additional taxation measures for the reasons that I have outlined.

Mr RUSSELL TURNER (Orange) [10.09 p.m.]: I support everything my colleagues have said tonight against this iniquitous tax. I have received a letter from Chris Willis, a real estate agent, who represents basically every other real estate agent in Orange. He is concerned for his and other businesses. He highlights the fact that many of his clients are rural producers who have small investment properties in Orange and other areas throughout New South Wales, even some in Sydney, for small off-farm income. Farmers are reeling from the drought and for many their only income is from their investments. They will now be faced with this extra tax. Some of these farmers will have to sell their properties to get through the drought and when they do they will be hit with this extra tax. They have scrimped and saved over the years for these very conditions. This tax will affect not only city investors but country investors and, most profoundly, the rural producers who have done the right thing and put some of their savings into investments. The Government will now take 2.5 per cent away when they are forced to sell their properties.

Mr GRAHAM WEST (Campbelltown—Parliamentary Secretary) [10.10 p.m.], in reply: At the beginning of the speech of the Leader of the Opposition he said that all Coalition members supported the stamp duty reductions for first home buyers. The Leader of the Opposition named them one by one. I reiterate to Opposition members that if they support the changes to the first home buyers grant they have to support the whole bill. It is one indivisible package, one balanced affordable package made in the face of Federal cuts to New South Wales. It is indivisible because it funds further pay rises to teachers and nurses, together worth nearly \$400 million a year. Tax rises help to fund a major tax cut for first home buyers. There is one choice only for the Opposition tonight. That is to back New South Wales first home buyers or condemn an entire new generation to never owning their own homes and denying teachers, nurses and doctors the pay rises they deserve. That is the choice tonight—back the whole bill or condemn them. Tonight the Government will be moving a number of minor amendments to improve the operation of the bill. They are on the table.

Motion agreed to.

Bill read a second time.

In Committee

Clauses 1 to 4 agreed to.

Mr GRAHAM WEST (Campbelltown—Parliamentary Secretary) [10.12 p.m.]: I move Government amendment No. 1:

No. 1 Page 4, schedule 1 [3], line 20. Omit all words on those lines. Insert instead:

Omit section 73 (3)-(5). Insert instead:

- (3) A purchaser or transferee under an agreement or transfer who is under 16 years of age is not eligible.

- (4) Despite subsection (3), the Chief Commissioner may determine that a purchaser or transferee under 16 years of age is eligible if the Chief Commissioner is satisfied that:
 - (a) the home to which the agreement or transfer relates will be occupied by the purchaser or transferee as his or her principal place of residence in accordance with the residence requirement under section 76, and
 - (b) the application does not form part of a scheme to circumvent limitations on, or requirements affecting, eligibility under the scheme.
- (5) A purchaser or transferee under an agreement or transfer is not eligible unless the person is an Australian citizen or a permanent resident, subject to subsection (6).
- (6) If an application under the scheme is made by joint purchasers or transferees and at least one (but not all) of the applicants is an Australian citizen or permanent resident, the other applicant or applicants are exempted from compliance with subsection (5).
- (7) In this section:

Australian citizen means an Australian citizen as defined in the *Australian Citizenship Act 1948* of the Commonwealth.

permanent resident means:

 - (a) the holder of a permanent visa within the meaning of section 30 of the *Migration Act 1958* of the Commonwealth, or
 - (b) a New Zealand citizen who holds a special category visa within the meaning of section 32 of the *Migration Act 1958* of the Commonwealth.

This amendment introduces a minimum age requirement of 16 years into First Home Plus to bring it into line with the requirement already existing in the first home owner grant legislation, a requirement the Federal Treasurer recently insisted all States introduce. It introduces a requirement that first home owners benefiting from the First Home Plus concession be Australian residents or citizens. Again, this merely aligns First Home Plus with the first home owner grant legislation.

Amendment agreed to.

Schedule 1 as amended agreed to.

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [10.14 p.m.]: As indicated earlier, the Opposition opposes schedule 2, which changes the land tax scale. As I indicated in my substantive speech on the second reading, the change of the scale brings in potentially 300,000 new individuals who will be paying land tax for the first time. It brings in more than 500,000 properties. As the honourable member for Tamworth said, it will result in rent increases against those who can least afford it—people renting in the private rental market. Second, it has the bizarre outcome of lowering taxes at the higher end of the investment scale from 1.7 per cent to 1.4 per cent, and the benefactors will be people with large property investments. Those on the lower scale will for the first time, through the abolition of the threshold, pay land tax. As a consequence, those mum and dad investors who have structured their investments to avoid paying land tax by buying properties under the \$317,000 land value will now be caught up for the first time. These are matters of enormous concern. It is ridiculous that small investors will be paying to benefit large investors. One can only think that a government like this did not think through the consequences of its actions with the introduction of the schedule. It is appalling. It will deliver rent increases and slug mum and dad investors.

Mr Milton Orkopoulos: Not true.

Mr JOHN BROGDEN: I am concerned about the fascination of the honourable member for Swansea to enter the Chamber only when I am speaking, but it is great to see him here.

The TEMPORARY CHAIRMAN (Mr Paul Lynch): Order! I suggest both sides of the Chamber come to order so that the Leader of the Opposition will not be distracted.

Mr JOHN BROGDEN: When the Treasurer delivered the mini-budget he made it very clear that the changes to the land tax threshold would be revenue neutral. The indication from the Treasury briefing to the Opposition is that that will be the case for one year only, that is, the first year of operation of this new Act. In subsequent years the Government will begin to reap more money. It will make more money out of this. The

Treasurer's whole selling point was that this change is revenue neutral, but he will be getting more money all over again. The Coalition opposes the amendment because we believe it will adversely affect mum and dad investors and those who rent their homes in the private rental market.

Mr ANDREW FRASER (Coffs Harbour) [10.17 p.m.]: I support the leader of the Coalition in this regard. A number of mum and dad investors who have retired to Coffs Harbour from the metropolitan area have deliberately structured their investments in the lower end of the market to avoid land tax. They will now be caught up with a tax on their investment year in and year out. It will make a huge dent in the value of their investments. Regional areas survive not on big business but on small businesses such as those run by the local motor mechanic or the fellow who owns a boat repair yard, and many of those businesses own or buy property. The legislation will apply a tax to those businesses over and above all the other taxes and the occupational health and safety and other requirements this Government has forced on them in the past nine years.

This measure imposes a tax on small business. It is a tax on mum and dad investors and all small investors in regional and rural New South Wales. The Premier has the audacity to crow about what a great job this tax will do for the top end of the property-owning market, but the reality is that the lower end of that market will now subsidise the top end. The big property owners will enjoy reduced tax but the mum and dad investors and small business owners will make up the gap and will pay more tax. How many small investors who divested themselves of large properties because of the increase in land prices, in order to stay under the land tax threshold, will have to pay land tax on their investment in holiday units and houses in my electorate? It is disgrace that they will have to pay a penalty because of their investment strategy. It is also a disgrace that members of the Australian Labor Party hail this tax as a benefit to New South Wales.

Mr THOMAS GEORGE (Lismore) [10.20 p.m.]: I do not support the widening of the land tax base. It is the Government's job to encourage employment and investment, especially in regional and rural New South Wales. The Government is ruining mum and dad investors and that will have untold effects in country areas where people endure long waiting lists for housing. The Government will take out of the housing market the mum and dad investors who provide houses for rent in country and regional areas. At present the Department of Housing has a waiting list of many years.

Mr Milton Orkopoulos: Eight years.

Mr THOMAS GEORGE: It is 12 or 15 years in my electorate. What will people in country and regional New South Wales do to obtain housing?

Mr Brad Hazzard: Rents will go up.

Mr THOMAS GEORGE: Members of the Government have made many comments in this debate that this tax will not cause rents to go up. Have they not heard that outgoings are charged in rent? This tax will increase the outgoings.

Mr Milton Orkopoulos: Haven't you heard of tax deductions on outgoings?

Mr THOMAS GEORGE: Members of the Government need to realise that house rent payers do not get a tax deduction. I am very proud to be a licensed real estate agent in this State. The Government should talk to real estate agents in country and regional New South Wales. They can selectively quote different bodies but they should hear what is being said at the grass-roots level. I support what the Leader of the Opposition and other Coalition members have said. I forewarn that interfering with the private rental of houses in country and regional areas will be devastating to the mum and dad investors who provide much needed private accommodation.

Mr MALCOLM KERR (Cronulla) [10.22 p.m.]: I support what other honourable members of the Opposition have said in this debate. The bill is a tragedy because it places an increased burden on people who have worked hard to provide their financial stability after their working life. For example, I refer to a case that could be multiplied by tens or hundreds of thousands not only in the metropolitan area but in the country. Shire resident Len Pascoe, a quite famous Australian cricketer, said that he did not have superannuation but instead had a house down the coast that, following the Government's announcement, would now be caught in the widening of the land tax base. He will be forced to increase the rent paid by tenants of that house. The future that he has worked hard to secure is now under threat. The people who can least afford it, that is, the tenants, will bear the pain and suffering as a result of this ill-thought out piece of legislation.

A number of Coalition speakers have said that they support the relief given to first home buyers, and that is the culmination of the campaign by the Opposition for stamp duty relief. Members of the Government may laugh, but this was Opposition policy at the last election, and for months since, but the Government said it was not interested in providing relief. It has now pulled this stunt on the people of New South Wales. Even the honourable member for Northern Tablelands spoke about the effect of this tax on decent hardworking Australians. He said that it will create additional suffering for those who can least afford it, for the people that the Government purports to represent, that is, the renters. I place on the record that the Opposition supports the relief that is belatedly provided for first home buyers, but it will fight to prevent what is being done to the people who have worked so hard to secure their financial future.

Mr IAN ARMSTRONG (Lachlan) [10.25 p.m.]: I support the relief for first home buyers that will assist young people who want to make an investment to improve their lives, but by the same token I roundly condemn the philosophy of widening the tax base to include rental accommodation. We are currently in a very bad drought, and whether it is the worst or second worst drought in history makes no difference because the bottom line is that the economy in rural New South Wales has contracted significantly. In the past three to four weeks I have found that retailing particularly in the so-called non-essentials—clothing, jewellery, furniture, et cetera—has dramatically contracted. Essential services are going along reasonably well. Machinery and motor car sales for the first time in three years are starting to contract.

Some commentators have said that farmers once again have their hand out seeking assistance from government. Governments of all persuasions over the years have said that people have to be weaned off the expectation that government will bail them out in difficult seasonal or economic circumstances or during market changes. Most governments—I am not sure about this Government because I have difficulty understanding its philosophies—advise people to make some tactical investments in different areas of the economy, and indeed the Commonwealth provides taxation concessions to encourage people to do so. People can negatively gear rental accommodation to generate another income—not their core income from their farm or business—to soften the impact of negative times and to provide for themselves and the education of their family, or to assist family members to buy their first home.

Alternatively, they could be socialists and expect government to do the lot. I give credit to the Government for its act of pure socialism, in taking from the rich and giving to the poor. It props them up so that they will vote for the Government. This Government has embarked upon a contractionary policy that will discourage people from investing in the community and looking after themselves. Communities in this State need investment in infrastructure, that is, streets, shops and service facilities. It is unfortunate that Government policies do the direct opposite. The Government had an opportunity to demonstrate that it has some imagination and flair and that it would help people to be self-sufficient.

The Government is sending a message that it does not want people to be self-sufficient or to provide for a rainy day, for market downturns, for an escalation in fuel prices, or for whatever will affect their businesses or living conditions. It does not want people to provide for the education of their children or grandchildren. It is not worried about whether people can afford to send their children to university. The Government will give them a few handouts to help them through. Members of the Government may laugh but they have a fundamental problem and a lack of understanding about how society works. The honourable member for Swansea has a lack of understanding. He should duck down the street in his electorate for the first time and talk to people. They might be able to tell him. I bet that the cake shop operator in the main street could tell him more than he knows.

Mr Milton Orkopoulos: About cakes.

Mr IAN ARMSTRONG: The honourable member may sling off at the cake shop operator if he wishes. I condemn this policy, which works against those who wish to look after themselves and penalises those who are making an investment for their own future. This is a negative policy against the interests of the individual and the State.

Question—That the schedule be agreed to—put.

The Committee divided.

Ayes, 46

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

Noes, 35

Mr Aplin	Mr Hazzard	Mr Roberts
Mr Armstrong	Ms Hodgkinson	Ms Seaton
Mr Barr	Mrs Hopwood	Mrs Skinner
Ms Berejiklian	Mr Humpherson	Mr Slack-Smith
Mr Brogden	Mr Kerr	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 Hartcher	Mr Richardson	Mr Maguire

Pair

Ms Saliba

Mr J. H. Turner

Question resolved in the affirmative.**Schedule 2 agreed to.****Schedule 3 agreed to.**

Mr GRAHAM WEST: [10.38 p.m.], by leave: I move Government amendments Nos 2 and 3 in globo:

No. 2 Page 46, schedule 4 [3]. Insert after line 34:

162V Land subject to conservation agreement

- (1) This section applies to a vendor duty transaction if the Chief Commissioner is satisfied that the land-related property transferred is land that is wholly or partly the subject of a conservation agreement entered into under the *National Parks and Wildlife Act 1974* and the primary purpose of the agreement is the maintenance of threatened species, populations or ecological communities (within the meaning of that Act) to assist their preservation.
- (2) No vendor duty is chargeable in relation to the land-related property transferred if it is land that is wholly the subject of a conservation agreement referred to in subsection (1).
- (3) If the land-related property transferred is land that is partly the subject of a conservation agreement referred to in subsection (1) then, for the purpose of charging vendor duty on the transaction, the dutiable value of the land-related property transferred is to be reduced by the conservation apportionment factor.

- (4) The conservation apportionment factor is the proportion that the area of the land that is the subject of the conservation agreement bears to the total area of the land transferred.

No. 3 Page 51, schedule 4 [7], line 25. Insert "within 12 months" after "was completed".

Amendment No. 2 introduces a concession for vendors who are selling a property that is wholly or partly the subject of a conservation agreement entered into under the National Parks and Wildlife Act 1974. The primary purpose of the agreement is the maintenance of threatened species, populations or ecological communities within the meaning of the Act to assist their preservation. The concession reduces the dutiable value on a pro rata basis to reflect the proportion of the property covered by the agreement. Amendment No. 3 clarifies the provisions extending the exemption from vendor duty for newly constructed buildings or substantially new buildings constructed prior to commencement of the tax only to new buildings or substantially new buildings constructed within 12 months before the commencement of the tax. I commend the amendments to the Committee.

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [10.39 p.m.]: The Coalition opposes schedule 4 because it will make the New South Wales property investment market the most unattractive market in Australia. We oppose the schedule because it will punish people for doing nothing more than working hard. It will punish them by making New South Wales the only market in which people pay stamp duty when they buy, land tax when they own and stamp duty when they sell. It must be recognised by the Government that this, along with the land tax scale changes, will force rent increases upon those who can least afford them and penalise people who have done nothing more than work hard and invest in their own future. It is a retrospective tax: whether you bought your property a year ago, 10 years ago—

Mr Thomas George: Or last century.

Mr JOHN BROGDEN: —or, as the honourable member for Lismore would have me say, in the last century, it will punish you, if you seek to sell investment properties, to the tune of 2.25 per cent. Another relevant point is that this tax will punish people whether or not they have made a profit after making other investments in a property. I cite the example again that if a person purchases a property for \$300,000, spends say \$50,000 on its refurbishment, and subsequently sells the property for \$340,000, the property will have exceeded the 12 per cent to 15 per cent provisions of this legislation and, even though the investor will have lost \$10,000, he or she will still pay tax at 2.25 per cent on the entire \$340,000. I am being distracted by the honourable member for Newcastle, who said recently in an ABC interview about a local issue that the people in the electorate should contact their local member—only to discover he was their local member!

Mr Bryce Gaudry: Point of order: The Leader of the Opposition purports to speak on an issue relevant to the debate but has deviated far from it.

The TEMPORARY CHAIRMAN (Mr Paul Lynch): Order! I am sure the Leader of the Opposition was making only a minor detour.

Mr JOHN BROGDEN: The Newcastle *Herald* then attacked the honourable member, and he responded by blaming the council. However, when the mayor of Newcastle admitted that it was the council's fault, Labor Party councillors who voted on the problem were led by—guess who—the wife of the honourable member for Newcastle, who is a Newcastle councillor. Mate, if I were you I would keep a low profile in this Chamber from now on. Anyway, I come back to the bill.

Mr Bryce Gaudry: Point of order: I wish to correct *Hansard*. The Leader of the Opposition referred to me as "mate". I ask that he withdraw that assertion.

The TEMPORARY CHAIRMAN (Mr Paul Lynch): Order! There is no point of order. I am sure the Leader of the Opposition had finished his detour.

Mr JOHN BROGDEN: Back to the bill. The Coalition opposes schedule 4 because of the enormous effect it will have on the property industry. I remind honourable members of one very important fact: the Treasurer told this Chamber that his measures were designed to cool an overheated property market. He had not listened to the advice of his own Treasury, which knew that at the time the Treasurer made that statement the New South Wales property market had well and truly cooled. This is a grossly unfair impost to the extent that it is retrospective: people who bought investment properties with the expectation that they would have the same tax regime in place over a long period will be unfairly treated by this Government. There is every chance that

this impost on the vendor will be passed on to the person buying the property. This measure has been very poorly thought out by the Government. The Liberal-Nationals Coalition opposes schedule 4.

Amendments agreed to.

Question—That the schedule as amended be agreed to—put.

The Committee divided.

Ayes, 46

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

Noes, 35

Mr Aplin	Mr Hazzard	Mr Roberts
Mr Armstrong	Ms Hodgkinson	Ms Seaton
Mr Barr	Mrs Hopwood	Mrs Skinner
Ms Berejiklian	Mr Humpherson	Mr Slack-Smith
Mr Brogden	Mr Kerr	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 Hartcher	Mr Richardson	Mr Maguire

Pair

Ms Saliba

Mr J. H. Turner

Question resolved in the affirmative.

Schedule 4 as amended agreed to.

Schedule 5 agreed to.

Bill reported from Committee with amendments and passed through remaining stages.

SPECIAL ADJOURNMENT

Motion by Mr Carl Scully agreed to:

That the House at its rising this day do adjourn until Wednesday 12 May 2004 at 10.00 a.m.

The House adjourned at 10.53 p.m. until Wednesday 12 May 2004 at 10.00 a.m.
