

LEGISLATIVE ASSEMBLY

Thursday 2 September 2004

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

Mr Speaker offered the Prayer.

SAVE ORANGE GROVE BILL

Bill received and read a first time.

RURAL COMMUNITIES IMPACTS BILL

Bill introduced and read a first time.

Second Reading

Mr ANDREW STONER (Oxley—Leader of The Nationals) [10.00 a.m.]: I move:

That this bill be now read a second time.

It gives me great pleasure to introduce this important bill. It continues the great tradition of The Nationals of placing the needs of country and coastal people foremost in the minds of legislators. In 1996 the Premier promised that any major changes proposed by government departments in rural New South Wales would be subject to a rural communities impact statement. At the time the Premier said:

I want to make sure that the potential economic impact of any changes is fully understood before State Cabinet makes a decision.

Clearly, that promise has fallen by the wayside. An instance of that is found in a recent document from the Department of Primary Industries called "A Proposed Work Force Management Plan". The document has several pages dealing with the carve-up of agriculture, fisheries and forestry in New South Wales, the proposed sale of a number of agricultural research stations and the loss of literally hundreds of jobs in the new Department of Primary Industries. As for the impact on rural communities, on page 3 it states:

Economic and employment effects

As Orange has been announced as the head office of the Department of Primary Industries with the majority of corporate services staff located there, and Mineral Resources staff moving from Sydney to Maitland, both of these rural areas should benefit from increased employment.

If that is supposed to be a rural communities impact statement, it is an absolute joke. It does not mention the devastating effect of these proposed changes on towns such as Grafton, Temora, Trangie and Deniliquin, and on the agricultural research station at Narara on the Central Coast. I will come back to the impact of these changes. I merely highlight what the Premier's grand plan has come to in terms of rural communities impact statements. It is pathetic. The depth of fury in regional New South Wales at the earliest decisions of the Labor Government forced the Premier to promise in August 1996 that, to use his words, "any major changes proposed by government departments in rural New South Wales will be subject to a rural communities impact statement".

Here we have an opportunity for the Labor Party and, in particular, the so-called Country Labor faction to support legislation which ensures that rural communities impact statements are not only done properly but are also available to the public and to the communities that would be affected by any proposed changes. That would hold true for a Coalition government as well as the Labor Government. This legislation is essential in terms of ensuring probity and transparency, and that the needs of rural and regional communities are taken into account by all governments. The bill codifies obligations that must be included in the government decision-making process. It will mean that the most Sydney-centric Labor Government in our history will no longer be left to brush aside the needs of country people.

The bill will ensure that the Government is fully aware of the impact of its decisions on some of our most vulnerable communities and country people before decisions are made. It will require that a rural

communities impact statement be prepared for any bill, regulation or environmental planning instrument that can affect rural communities. Part 1 of the bill defines "rural community" as the part of the State outside Sydney, Newcastle and Wollongong. As I travel around country New South Wales, I hear people continually say that according to this Government NSW stands for Newcastle, Sydney and Wollongong. So it is appropriate that there be legislation that protects the interests of communities outside those metropolitan areas. This simple definition allows for the rural community to be considered either the whole of the State outside Sydney, Newcastle and Wollongong or any parts of that whole that are the subject of proposed government policies and laws.

Part 2 lists the factors that must be considered in each impact statement, including impacts on businesses, employment and services. It also expects that a model be developed to consider the long-term impacts of any proposed law so that, for example, restrictions on development opportunities that may have minimal immediate impact are also considered for their effect as populations shift or technologies advance. Part 2 demands that any law that affects the natural environment be scrutinised for the way that it also affects the economic and social wellbeing of rural communities. That is the triple bottom line that people often talk about—social, economic and environmental. This will ensure that the needs of the environment and the people who live in it will be considered equally.

Conservation laws that destroy the equity of landholders and slash job opportunities and deliver dubious environmental outcomes have been a hallmark of the Carr Labor Government. Part 2 also contains a provision for a rural communities impact statement to conclude that a proposed law will have "no likely impact". This provision allows for quick consideration of laws that are not likely to affect rural communities. Part 3 requires Ministers and Government members who wish to introduce bills into the Parliament to ensure that a rural communities impact statement has been prepared and considered by Cabinet. The current 21-member Labor Cabinet, which boasts only three so-called Country Labor members, could certainly use, and take heed of, specialist advice about the impact of its decisions on country communities before those decisions are made.

Part 3 also contains the critical provisions of clause 10, which ensure that the details of the impact statement that were put to Cabinet are tabled in the Parliament before the second reading speech for a bill commences. Country people deserve a guarantee that the Government has taken their interests into account before making key decisions. By implication, the disclosure rules in this bill will reveal any occasions when Cabinet disregards the advice that it receives and, in so doing, decides to threaten further our most vulnerable rural communities. This disclosure should not trouble a responsible Government because the tabling of the details would act to strengthen the case for the legislation whenever it shows due regard to the impact statement.

Part 4 requires similar treatment of statutory rules. Under this part, the relevant Minister must first consider the findings of a rural communities impact statement before making a statutory rule. Clauses 13, 14 and 15 demand that the impact statements are published or available to the public at the same time that the proposed statutory rules are released either for public exhibition or via the *Government Gazette*, whichever is appropriate for the rule involved under the existing provisions of either the Subordinate Legislation Act 1989 or section 40 of the Interpretation Act 1987. Part 5 ensures the bill applies specifically to environmental planning instruments and will go a long way to preventing nasty surprises like the now infamous State environmental planning policy 46 that banned many routine land management practices overnight.

Clauses 16, 17 and 18 require that the relevant Minister receive and consider an impact statement before making a State environmental planning policy, a regional environmental plan or a local environmental plan. The clauses also oblige the Minister to make the impact statement available to the public at the same time and in the same way that the Environmental Planning and Assessment Act 1979 requires exhibition of the planning instrument itself. Part 6 deals with Cabinet policy decisions. The Premier is obliged under this part to ensure that any proposed government policy that would result in the introduction of or increase in taxes, charges and fees should first be the subject of an impact statement before being considered by Cabinet. Cabinet is then obliged to consider the statement. I would imagine the honourable member for Tweed would support that clause following the introduction of the new property taxes in the last State budget, which has seen property investors flee the Tweed and head north to Queensland. New South Wales is now the only State where property investors are taxed when they buy, taxed for every year they own—with the removal of the land tax threshold—and taxed with the new exit tax when they sell.

Part 7 of this bill stipulates that the Cabinet Office establish a specialist Rural Communities Impact Assessment Unit to co-ordinate all rural community impact statements. This unit will have power to second

specialists from any government department as required. By being named in this bill, the work of the unit becomes an integral component of government that cannot be brushed aside or used selectively like the current, and usually non-existent rural impact statements, such as has happened with savage cuts to the Department of Primary Industries. Under part 8, the Premier is afforded the right to waive the demands of this bill in cases of emergency such as when the safety of people or property is under threat and the Government is forced to act swiftly. Despite this necessary flexibility, clause 24 (3) still requires that an impact statement be prepared and tabled or published retrospectively. This will allow for later refinement of emergency laws if any unintended consequences are identified in the impact statement.

In March the Ignatius Centre for Social Policy and Research released its report on the distribution of social disadvantage in Victoria and New South Wales. The report, authored by Professor Tony Vinson, is a comprehensive and independent study examining trends in early school leaving, disability and sickness support, mortality, unemployment, child abuse, birth weights, court convictions and household income. Professor Vinson devised a "disadvantage factor" to model each of these trends and reported his findings for each postcode in the State. Of the 40 most disadvantaged postcodes, 31 are in rural areas. While only 30 per cent of the State's population lives in country areas, 78 per cent of our most disadvantaged areas are country locations. Alarming, 9 per cent, or 175,000 people, are living in extreme disadvantage. This compares to 2.5 per cent in urban areas.

I imagine that I would have massive support from the left wing of the Australian Labor Party, which always supports the disadvantaged, as we know, and Country Labor, for this bill. Clearly this State has an uneven and great divide in relation to social advantage and disadvantage, which is what the bill addresses. The bill is designed to ensure that these characteristics are not exacerbated by government policy, as is the case now. Country people are four times more likely than city people to be living in a disadvantaged community. I must say that these findings steered my resolve to pursue this bill. Such statistics place grave responsibility on governments to be especially careful in their dealings with country communities. Unfortunately, this Labor Government has contributed to the disadvantage revealed by Professor Vinson.

Labor's actions rarely have regard for their impact on rural communities: they are more often than not actions that would have benefited from substantial advice of their impact before they were made. How many vain attempts has this Government had at native vegetation and water management laws? Community outrage at each attempt has eventually forced another. Even now, the substance of the new land clearing laws remains the subject of regulations that are yet to see the light of day. We were critical of this secretive approach at the time that the laws came to Parliament last year because they left so much to the Minister's discretion. We might have been more confident to accept this wait-and-see approach had the regulations been the subject of a specialised impact statement. All that we can expect at present is another experiment at the expense of our farmers and their communities.

It is worth noting that the only recent progress on water reform has come after the intervention of my Federal colleague the Deputy Prime Minister, John Anderson. The Minister for Natural Resources regularly expresses his gratitude to John Anderson for getting the New South Wales Government out of trouble in relation to water and for the principles of sustainable water management for this State and the nation. In 1995 the Labor Government introduced the Threatened Species Conservation Act. The Act requires landowners to jump through hoops and transforms bushfire hazard reduction into a bureaucratic process for landowners. It also gives unfettered power to a group of scientists and bureaucrats to constrain farming and development by listing any species as vulnerable without first considering the wider consequences of such a listing.

The Nationals and farmers support preserving our threatened species. Farmers are willing to work with the Government to put wildlife corridors in place and to rehabilitate watercourses and wetlands. We all love the Australian bush and our plant and animal life, and farmers want to work with the Government. But the Government must not introduce draconian legislation without any consideration of its impacts on farmers, as happened with the threatened species legislation. Many communities are threatened, yet we have no legislation to protect them, but we do have legislation that protects threatened species. If this bill gets support in the other place, it will go a long way to protect some of those threatened communities.

Labor has ignored the democratic rights of country and coastal communities with its forced local government amalgamation agenda. Councils such as Murrurundi, Hume and Barraba have been wiped out by a stroke of Labor's pen. Preconceived outcomes were delivered by regional reviews of Peel, Clarence, the Australian Capital Territory, Macquarie and Hume to justify their amalgamation. Most of the studies have been discredited, all lacked widespread community support and none considered the place of local government as an employer in small towns. Now the plan is unravelling. The new Yass Valley local government area, for

example, was to be hit with rate increases of 19 per cent despite the claims of operational savings of \$183,000 a year that were used by Labor to justify the forced amalgamation of local councils.

Only a determined and vocal campaign by The Nationals and local ratepayers stopped Labor in its tracks. North Coast communities also lose out from Labor's forced amalgamations. The newly created Clarence Valley mega-council is so large that its subsidy has been cut under the vital Country Towns Water Supply and Sewerage Program. As a result, the Coffs Harbour/Clarence regional water supply at Shannon Creek will cost ratepayers an estimated additional \$10 million. I can think of few better examples of the need for co-ordinated and transparent impact studies in advance of government decisions.

The Premier failed to provide a guarantee that ratepayers of shires that are proposed for amalgamation would have their council services retained, just as he failed to rule out ongoing rate increases. Yet, despite communities being left worse off by the changes, the Government pushes forward. The huge impact of the new property tax regime that is rolling through the bush is yet to take full effect. In the Tweed electorate, 4,885 property owners will be hit with a 2.25 per cent tax if they sell their properties. The Government knew that a slump in the property market was coming in the March quarter yet still introduced this tax that will add to the losses investors will now suffer. These taxes also impact on the costs to tenants, whose rents will rise as property owners are forced to recover some of the costs imposed by the land tax and the stamp duty in this State. This Labor Government does not speak up for the people on lower incomes or who rent. These costs will flow through to the people who are typically some of the most vulnerable members of our rural community—7,648 in Tweed, 6,255 in the Tamworth electorate and 5,323 in Murray-Darling. Honourable members should stick up for their constituents.

For regional businesses, the removal of the threshold on land tax, so that all non-residential property is now subject to the annual charge, means more taxes on small regional businesses such as mechanics, doctors' surgeries and corner stores. They are already doing it very tough as a result of the worst drought in more than 100 years. When their custom and trade is down, along comes the Premier and the Treasurer, who say, "If you own any property we will slug you again." It is a kick in the guts for country people and country small business. That is why we need impact statements into the effects on rural communities.

The May business index report of business analyst Sensis Pty Ltd found that small businesses in New South Wales had already reacted to the April mini-budget. It found that only 8 per cent of small businesses thought the State Government was supportive of them, a decline of 18 percentage points since February. Against this, all other States experienced a rise in business confidence, with Queensland performing best. The honourable member for Tweed really ought to do better. The New South Wales Government's decision has put Queensland in a stronger position to poach New South Wales businesses.

Our Premier has been gazumped by his Queensland counterpart on a number of occasions. In July a project earmarked for the Hunter Valley, Boulder Steel's specialty steel plant, was lost to Queensland. Despite the hard work of Muswellbrook Shire Council to secure a stainless steel plant at the Liddell-Bayswater industrial zone between Singleton and Muswellbrook, it simply could not compete with the level of support the Ipswich City Council received from the Queensland Government. The loss of this project follows the loss of similar projects to Queensland, such as the Lithgow aluminium and silicon smelters and the headquarters of Virgin Blue. The Sensis report concluded:

The level of taxation in NSW was seen to be too high ... and there was a ... belief that there were too many taxes.

Those are not my words, but the comments of New South Wales small business. Maybe if the Labor decision makers who imposed these taxes had been informed of the impact, the Government might have found other ways to recoup money from the State taxpayers to recover its losses. Before the Government spins out its line about the Grants Commission as its defence for these taxes, I remind the House again that the Grants Commission rules were set by the State Premiers—all Labor men—including this Premier. I also remind the House that over the next few years the Government will get \$1.1 billion over and above the old Grants Commission grants to New South Wales by way of the GST. It is rolling in dough. All of this is just a furphy and a red herring designed to cover up the Government's pathetic financial management and incompetence in running the State's budget.

Rural business conditions are disastrous. The Government rates up there alongside the drought as the cause. A recent Rabobank survey of confidence in the rural sector showed that 64 per cent of farmers said that their gross income in the first quarter of 2004 was either worse or no better than for the corresponding quarter last year. Both quarters were affected by the same drought conditions and commodity prices. Of the 622 New

South Wales farmers surveyed, 79 per cent also expected to pay more for farm inputs. Yet, in these times, the Government is about to close several rail branch lines, as revealed by a 21 April memorandum to all southern managers of the Rail Infrastructure Corporation. The farcical nature of the consultations designed to cause the closure of these lines is now revealed, as each of the industry participants in the Grain Industry Advisory Committee has progressively walked away from closure plans. This issue would make a perfect subject for a rural communities impact study.

Also at this time, the very department that supports farmers has been singled out for amalgamation with others. Worse still, it must give back nearly 20 per cent of its budget as the largest contribution by any government agency to paying for the Government's waste and mismanagement—\$37 million this financial year out of the new Department of Primary Industries, rising to \$58 million next year. That is appalling. This Government will go down in history as the most city-centric government ever. It will go down as a government that presided over the death of agriculture in New South Wales. Murrumbidgee college has been closed. Shannon Vale research station has been sold. Pearce's Creek research station is on the market and the Trangie station will be soon. Old Macdonald is selling the farm and plans to close down Grafton, Temora, Deniliquin and Narara agricultural research stations.

Mr Peter Black: That is not right.

Mr ANDREW STONER: You put in a moratorium just until after the Federal election, because you know that the Labor Government in New South Wales is on the nose so much that Mr Latham's chances are going down the gurgler with each passing day. So the Government imposes a quasi moratorium, a clayton's moratorium, so these can be flogged off after the Federal election. Just two days ago hundreds of affected Department of Primary Industries staff rallied outside Parliament House warning of the savage impacts these cuts will have on country towns and on the future of agriculture, fisheries and forestry in this State.

In the case of Grafton, there was a rally at which the honourable member for Clarence spoke, along with people from those affected agencies, along with the Australian Workers Union and cleaners from schools. Labor is losing support in its heartland. They were decrying the impact on Grafton of the proposal—42 direct jobs gone, and with the multiplier effect, using government figures, a total of 192 extra jobs are going. That is 232 jobs out of the Clarence economy, or 4 per cent of the total workforce. If 4 per cent of the total workforce of Sydney were being slashed, it would be 52,000 jobs. What a great hue and cry we would have if that were to occur. But here the city-centric Labor Government says it is okay to hack into 4 per cent of the workforce in Grafton.

What will that mean apart from all those jobs going? Extrapolating the figures, it will mean 532 fewer children at Grafton schools, which will then mean 20 fewer teachers. It will mean a downgrade to the hospital. It will mean fewer police. This savage cut to just that one local economy will affect all services, and I have already talked about Deniliquin, Temora and Trangie. This Government is treating country people like second-class citizens and is making a mockery of the Premier's promise in 1996 to consider the impact on rural communities. In relation to Grafton, 50 railway jobs will be lost, 15 Department of Environment and Conservation jobs will be lost, as well as cutbacks to District Court services, and the list goes on. That is just one locality. I daresay any country member, including the so-called Country Labor faction, could talk of similar cutbacks to services and jobs in their regions.

Again, competent analysis of the impact of these cuts to the regional communities that they have purportedly served for years might have seen a different outcome. It would certainly have seen the disclosure to this Parliament of the full impact of these decisions. The sale of the State's softwood forests is on the agenda. The *Sydney Morning Herald* of 1 June revealed that the objectives of the review of State Forests—the precursor to their sale—looked only at the way that profits will be used and the value optimised. No thought is being given to long-term impacts on regional communities—positive or negative.

Ms Katrina Hodgkinson: They don't want it.

Mr ANDREW STONER: As the honourable member for Burrinjuck says, "They don't want it." Recently we were in Oberon, where the community is very strongly opposed to Labor's plans to sell off plantations or to corporatise them.

Pursuant to sessional orders business interrupted.

GOVERNMENT SCHOOL ASSETS REGISTER BILL**Second Reading****Debate resumed from 1 April.**

Mr BRAD HAZZARD (Wakehurst) [10.30 a.m.]: I started to speak to the Government School Assets Register Bill on 1 April. Under the Carr Government, there is a complete lack of transparency in the system about what will and will not happen with our schools. As a consequence, schools and school communities have no idea when buildings will be renewed or maintenance will be undertaken. It appears that this system has been set up by the Carr Government to hide exactly what is going on, providing an opportunity for the Government to use sleight of hand regarding maintenance of school assets and asset renewal where it suits it to do so. In other words, the Government either does these works for politically opportunistic purposes or it does not do them at all.

On a previous occasion I talked about Narraweena Public School and Wheeler Heights Public School needing school halls. I place on record that in my area is another magnificent government school, Brookvale Public School, which is about 117 years old. For 117 years it has been waiting for a school hall. Over the past few years enrolments have increased. This is a school in a low socioeconomic area and children of about 30 different nationalities attend it. Yet it has no school hall. It is about time the Carr Government became a little more transparent and delivered on reasonable facilities for this school. Similarly, Collaroy Plateau Public School is also deserving of a school hall.

A school for which I still have great fondness but which is no longer in my electorate is Curl Curl North Public School, which has a magnificent principal in Trish Kavanagh and a very active parents and citizens representative in Lee Wye. This school also needs and deserves a hall. Some years ago parents put considerable effort and money into the conversion of an old weather shed for a school hall. If there were a government school assets register, at least schools would know when their turn was coming.

I want specifically to address one major issue. That this Government hides things, is tardy and slow and does not have the bureaucracy working properly is particularly manifest at Beacon Hill Public School. The local school community has done its bit, and continues to do its bit. But not long ago a ridiculous stage in the process was reached. The canteen needs renewing. The school community got together and as a result the school has a new canteen worth about \$100,000. Carolyn Watkins, president of the local parents and citizens group, advises me that the school actually arranged for the building of the canteen using Progroup, the Department of Education and Training recommended contractor. A few months ago I visited the school and saw this magnificent facility. The parents who serve lunches there regard it as an excellent facility.

But how ridiculous is this? We know our schools have security problems and we know that the Government Architect put forward a proposal for security for canteens. But when I visited this quite valuable canteen at Beacon Hill Public School there were wires hanging from the building. When I inquired why wires were hanging from the building, and why the building did not have activated security, I was told that Progroup, the Government's own contractor, had installed the wrong system in the canteen, with the result that the equipment installed does not marry with the rest of the school's security systems.

For the best part of 12 months the parents have been trying to get someone in the Department of Education and Training to listen. It is time the Minister for Education and Training intervened and told the department to get on with fixing the problems at this school. It should be saying, "The parents have done their bit. It is time for the Government to do its bit and fix the problem." The canteen will be at risk of damage by vandals and others unless the Government fixes the problem. That is but one problem that could be addressed if there were a reasonable government school assets register and there were some transparency about if or when these sorts of works would be done. [*Time expired.*]

Mrs SHELLEY HANCOCK (South Coast) [10.37 a.m.]: It is with great pleasure and enthusiasm that I support the Government School Assets Register Bill 2003, the purpose of which is to require the Director-General of Education to keep a register of government school assets. The register is to comprise reports on the status of capital assets of government schools, called school status reports, and three-yearly plans on building and maintenance works in those schools, called school building plans. The status reports and building plans will then be included in the Department of Education and Training's annual reports. I support this bill because, simply put, it makes sense. It embodies the principles of sensible strategic planning and a responsible approach to asset maintenance in government schools throughout New South Wales.

The inclusion of the register in Department of Education and Training annual reports also embodies fair principles of openness and accountability. School communities are entitled to this information as so often they raise much-needed funding for either the purchase of new capital assets such as COLAS—covered outdoor learning areas—kitchen or canteen equipment, or indeed for contributions to minor maintenance works around their schools. Parents and citizens groups throughout this State contribute enormous amounts towards the assets and maintenance of their schools and are entitled to a more accountable system so that they might know what the Department of Education and Training has in mind for their schools and can plan for their funding targets in a more appropriate manner.

One example of the effects of a lack of openness and accountability is the case of the Havenlee school debacle, which in fact made the front page of the *Sydney Morning Herald* some months before the State election. Havenlee school is a school at Nowra for moderately and severely disabled children in my electorate. The parents and citizens organisations had been asking for many months for the classrooms to be airconditioned to give greater comfort for the kids already suffering serious disabilities. The then local member did not respond to those requests. Nor did he even visit the school over all those months. Meanwhile, the parents and citizens, who had virtually given up getting government assistance, raised the funds themselves and airconditioned the classrooms.

Then, surprise, surprise, just before the March State election the Labor member turned up with a cheque for the airconditioning. The left hand obviously did not know what the right hand was doing. This embarrassing situation for the Government could have been avoided if it had approached the issue of assets and maintenance with a strategy and some sense of responsibility. This bill is not just a whim of the shadow education Minister or of the Opposition. It has evolved from the Vinson inquiry into public education and, in particular, is a response to a number of his observations about the deficiencies of maintenance and capital infrastructure in government schools throughout New South Wales. Part of his report stated that "maintenance and refurbishment of the education estate has been neglected and fitfully managed" and also refers to "substandard conditions in which teaching and learning are being attempted."

The independent Vinson inquiry into public education in New South Wales was wide-ranging and involved a number of local meetings throughout the State at which teachers, parents and students were asked for their comments on a number of issues so that submissions could be prepared for Professor Vinson. I was asked to chair one of these meetings in Milton. The majority of comments reflected the problems with basic infrastructure and a litany of problems with maintenance of assets within our schools. The comments that night at Milton were apparently typical of comments around the State and resulted in the final comments of Professor Vinson to which I referred earlier. As I have said, this bill is a reflection of the Vinson inquiry and has evolved from the professor's clear criticisms of problems in schools within this State.

As many members know, I was an elected councillor with Shoalhaven City Council for 16½ years and chairman of the council's works and finance committee for most of that time. That council, together with, I suspect, most others in New South Wales, has taken an increasingly strategic approach to the maintenance of its assets. It is required to advertise its plans for capital works so that communities are included in the process and consulted about capital works and maintenance projects into the future. Good strategic planning means that maintenance is carried out at the most opportune time, which avoids deterioration of assets and their ultimate, perhaps premature, replacement, and prolongs the life of the assets.

It seems to me that local government behaves much more sensibly with regard to the maintenance of its assets, whilst the Carr Labor Government sits back and watches, seemingly without concern, the buildings and infrastructure of our government schools crumble around it. Schools such as Ulladulla High School, which I have spoken about in this House many times, has crumbling assets. Milton Primary School has holes in walls. Stories about collapsing roofs and sewage bubbling through gates are repeated many times in this place. All too often the Government's response is reactive, rather than proactive. Sadly, it seems the Government is afraid of community consultation, it is afraid to advertise its proposals, and it is afraid to work with its school communities.

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

Mrs SHELLEY HANCOCK: It is disappointing that the Government continues to alienate the people who are willing to raise funds and provide much-needed works for their schools. The Government should not have any objections to this bill—unless, of course, it has something to hide or it does not want the co-operation of its school communities. The bill merely requires that governments are accountable to their communities and

are open and honest with those who work so hard in so many ways for the schools in their areas. The bill is sensible and will result in better strategic planning for and better economic management of schools in this State. Both sides of the House should support the bill. But, sadly, the Government seems to be more intent on taxing clubs, wasting taxpayers' money and acting irresponsibly on a number of matters.

I note that last year the Minister for Police was asked a question about a problem with white ants at a police station in New South Wales. The Minister stated his intention to undertake an audit of police stations in New South Wales, which, effectively, is an assets register. The Minister seems to have wisely accepted that good strategic planning of the Police assets is the sensible way to behave. I would now expect that every Minister would behave in that manner, especially the Minister for Education and Training. He does not seem too enthusiastic about his portfolio of Education—one of the most important portfolios of government. Schools are in crisis in New South Wales. They are overcrowded, falling down and generally in an appalling state. The bill will begin to overcome many of those problems and all members should support it in good conscience if they genuinely desire a better outcome for their constituents.

Ms PETA SEATON (Southern Highlands) [10.43 a.m.]: It is my pleasure to speak in support of the Government School Assets Register Bill, which was introduced by the honourable member for North Shore. I congratulate the honourable member on introducing this important legislation to ensure that a strategic approach is taken to the provision of much-needed facilities and capital works in our schools. The bill will establish a requirement for the Director-General of the Department of Education and Training to keep a register of government school assets. It will comprise reports on the status of the capital assets of government schools and three-yearly plans on building and maintenance work in those schools.

The school status reports on school building plans will be prepared by the director-general and included in each of the annual reports of the Department of Education and Training. It is a most sensible principle that will see the return of transparency and commonsense in the way capital works are planned and delivered in our schools. It also means that for the first time the Government will be forced to be accountable in the way it allocates assets and prioritises its spending. The bill will see an end to the wheel-of-fortune approach, which many schools and school communities believe the Government takes to the way it funds essential school infrastructure. Every year when the budget is delivered we line up like children around a Christmas tree hoping that when the Government spins the wheel it will stop at our schools.

That is because there is no publicly accessible register of the assets and needs of schools in New South Wales and no strategic plan, publicly committed to by the Government, to prioritise school projects. People in my community want to see improvements made at their schools and the construction of much-needed facilities. They want larger halls, upgraded plumbing, new classrooms—all sorts of things. If it can be proved that another school has a greater need, the people in my community will accept that. They simply want to know the level of need of their schools compared to the level of need of other schools. They do not want more than their fair and just entitlement from a budget that everyone knows is finite. They want priority of schools ranked fairly and the information made publicly available. From such a list they will know when their turn comes up. All they want is honesty, transparency and a commonsense approach. Once again I congratulate the honourable member for North Shore on introducing this bill.

I will give some examples of the pressing need for capital works at local schools in my community. I suspect that very few of these projects, when ranked against other schools across New South Wales, would not rank highly on a priority list. Moss Vale High School is a classic example. It has two demountable classrooms, which are used for art classes. Those demountables are dangerous: they have been condemned by people who have expertise in occupational health and safety. There are leaks from the electrical outlets and for some time there were no barriers between the hot kilns and the students' workstations. The latches on the windows are ineffective and slam shut on people's fingers. The demountables should be condemned, but they are still being used.

The hall at Moss Vale High School is out of date and does not suit the school's needs. In recent times bits have fallen off and the hall has received some cosmetic attention. But the school has not received the overall reconfiguration it needs. The school needs a master plan that incorporates entertainment, theatrical and sports facilities in a new, upgraded, purpose-built public space for the students. The Carr Government has no concept of master plans for our schools to give a sense of priority and goals to work towards. Moss Vale Public School, which is one of the most wonderful schools in the Southern Highlands, needs more permanent classrooms. Bowral High School, which I have spoken about on many occasions in this Chamber, has one of the hardest-working parents and citizens associations, which raises hundreds of thousands of dollars.

Because of delays in assessment by the Government of proposals for covered outdoor learning areas [COLAs] and other projects, such as separating the toilets from the canteen area—which, I am sure, all members would want to see occur—the cost of the projects has increased and the money the parents raised at sausage sizzles and other fundraising activities purchased less than it would have if the Government had got its act together and made its assessment sooner. Under this bill assessments will be made as part of the plan, the school community will know the priority of projects, and it will simply be a matter of ticking the box and commencing the project. Bowral Public School is one of the most historic schools in New South Wales. In fact, it was attended by Sir Donald Bradman. This small school, which is landlocked in the central business district, has a great need for upgraded demountable classrooms, improved access and playground facilities and expansion across the road.

We also need a commitment from the Government to do what the former Minister for Education, Virginia Chadwick, had already understood was a priority, and that is to provide an additional primary school in the east Bowral area, which is a growing area, to remove the pressure from Bowral Public School and provide room for children to move around, which is what we expect for all of our children. Mittagong Public School, another wonderful school, is undertaking a great art project: the children are working with some of our Aboriginal community members to produce mosaic tiles to cover what was an ugly brick wall.

Although Mittagong Public School has a couple of new additional classrooms, it still has a lot of demountables. It needs more permanent classrooms. When it was found that one of the main historic buildings of Mittagong Public School was completely infested with white ants the department did not rebuild or refurbish it properly; it removed all the timber in the expectation that the white ant problem would be solved. Imagine what would happen if we removed all the timber architraves in our homes because they were infested with white ants and carried on business as usual. The building is absolutely substandard.

Bargo Public School, which is in a fast-growing town, has a wonderful school community that takes a great deal of pride in its surroundings. They desperately need a permanent library and a proper hall. On speech days when I have sat with the school community under the COLA we have had to literally hold our feet above the ground because of the rivers of water flowing through the school grounds, and all the kindergarten children have had to pick up their carpet mats and move out of the assembly area to avoid being drowned. It was completely unacceptable in 2001 or 2002, and it is completely unacceptable in 2004, to expect schools to operate in those conditions. Picton Public School and Picton High School are outstanding schools in my area. Recently I visited Picton High School with members of the parents and citizens association, who gave me a list of their priorities, and I have made representations to the Minister about them. I look forward to working further with the parents and citizens association on those issues.

Last week I attended an outstanding primary school concert at which the Picton High School band was the host band. The students produced a wonderful standard of music. Mrs Brandstater is one of the most inspiring music teachers in New South Wales, and we are lucky to have her. She has done an amazing job with the band, as have her colleagues who have started a jazz band component. Any of the primary schools involved on the night would remember the Picton High School band and use it as an inspiration and motivation for their musical development. Picton High School desperately needs improvements to a wide range of facilities. Picton Public School, another wonderful school, was damaged by fire a couple of years ago. It has been like pulling teeth to have the remediation work done, which highlighted the school's lack of electrical facilities. At the height of summer, in 40 degree heat, the kindergarten and year 1 students were forced to leave their classrooms during lunchtime and early afternoon because their classrooms were too hot.

The *Daily Telegraph* published a photograph of one of the teachers with a group of kindergarten children sitting outside, trying to escape the heat. The department failed to plan ahead and provide sufficient electricity infrastructure to Picton Public School, and many of the other schools in the Highlands, to cope with things like airconditioners and the growing burden of information technology that our schools are correctly taking on. The situation at Picton Public School has been unacceptable for some time. It will cost the school, not the department, an enormous amount of money to carry on the day-to-day business of walking into a classroom, turning on the lights and turning on the computer without fear of failure or electrical hazard.

Not long ago I visited Tahmoor school, where I spoke with parents who showed me some of their priorities. I have made representations to the Minister in that regard, and I will work further with the parents and citizens association on those representations. If we had a register that showed all of the assets, where Tahmoor's needs were in relation to any other school in the State, the parents would be satisfied because they would know that their needs had been understood and that a genuine attempt had been made to prioritise them on merit. A

register would give parents certainty as to when their concerns might be addressed rather than having to resort to the old wheel of fortune every year at budget time and hope that their number comes up. Last week I visited Appin Public School. After many years the school has managed to get a permanent library. Members in this Chamber might recall my talking about Appin Public School's demountable library, which was leaky and wet. Many precious books bought by the community were mouldy and had to be thrown out.

The school now has a permanent library as a result of a lot of hard work, but it still needs a hall. I have mentioned only some of the schools in my electorate. Every single school in my electorate has a need of some sort, whether it is a major hall construction project, an electricity upgrade, plumbing repairs, a classroom upgrade or simple maintenance. All these things are vital to the public face that the public education system presents to the world. They add to the pride that teachers, students and parents have in sending their parents to school. I want public education in my area to be the first choice of parents. I want them to want to send their children to our local public schools. Thankfully, for all sorts of reasons, people are making that choice in many ways. But facilities in many of our schools do not reflect the high standards of teaching, citizenship and parent commitment that they should. I commend the bill.

Mr THOMAS GEORGE (Lismore) [10.56 a.m.]: I support the Government School Assets Register Bill. I thank our shadow Minister and congratulate her on providing the sort of responsible leadership that a Minister should provide to his or her department. Every member who has spoken on the bill has listed school priorities throughout their electorate, and I am no exception. Richmond River High School has had continual problems for many years for which it has sought support, and for the past couple of years I have continued to seek that support. The Wyrallah Public School needs a multipurpose unit.

Casino Public School has had a list of priorities for some years and has been working towards dealing with those priorities, but it needs a great deal of support to secure funding to do that. Most of the schools in my area do not have a school hall, which means that students are out in the hot weather that we experience in the Northern Rivers region. Everyone today is conscious of making children wear hats and stay out of the sun. Sadly, we do not have the facilities to keep them indoors when necessary. Representatives from the Casino West School have been on my doorstep reinforcing their needs. On Saturday I will have the pleasure of attending the Manifold Primary School to celebrate 75 years of education at the school. Earlier this year I received a letter from the school, which states:

Our school, Manifold Public has experienced an ongoing problem of termite infestation in our toilet building over a number of years. The termites have caused extensive damage to the structure of the toilet block as well as other buildings. The termites have been treated a number of times by professional pest control company's at a cost of several hundred dollars so far, but obviously the treatments have not been overly successful with the consistent return of the termites.

It has also been stated by a number of parents that they feel it is a health hazard and do not agree to the positioning of the toilet block onto the only covered area that our school has. This is the only area covered for the students to eat their recess and lunch and to play in when the weather is hot or raining.

That is the only covered area in which students can eat during recess and lunch. The letter continues:

One suggestion to resolve these problems would be for the demolition of the current toilet block and a less termite affected building to be placed as a replacement. We have recently heard of a school that has a demountable building as their toilet block.

Perhaps the Minister will give me letter of approval to present on Saturday at the seventy-fifth anniversary celebrations. Eltham Public School—another wonderful school—will celebrate its 120th anniversary in three weeks. The schools at Bonalbo and Old Bonalbo need airconditioning. However, the department requires that the average temperature be 30 degrees before it will be installed. The average temperature recorded at the schools is 0.05 degrees below that. Because the schools do not have an official temperature recording station, the readings taken at Casino and Tenterfield are averaged. Staff at the schools and parents in the towns have been recording the temperature daily and have produced a graph of their readings that I will present to the Minister. He may have seen it already. The graph proves that the area is often hot and humid and that the temperature is well above the required average for airconditioning to be installed. In fact, on one day the temperature exceeded 45 degrees.

However, because there is no official reading, the schools do not qualify. I draw that to the Minister's attention. Those schools need airconditioning. I get telephone calls every day during summer from parents telling me that the schools are so hot that the children cannot concentrate. The parents are trying to raise funds to buy airconditioning equipment, but they need the Minister's support. I am pleased to support this bill introduced by the shadow Minister for Education and Training, and I congratulate her. It is about time we had a proper school assets register to enable schools' needs to be prioritised appropriately.

Mr GREG APLIN (Albury) [11.03 a.m.]: I support the Government School Assets Register Bill, which requires the director-general to keep a register of school status reports prepared by each school summarising capital assets and the state of repair of those assets at the end of each financial year. It also requires the preparation and submission of a school building plan, which will contain capital works to be carried out in government schools during the period to which the plan relates. This is an important bill because it goes to the heart of planning and maintenance. No longer will we be forced to face the litany of lost opportunities that is a hallmark of this Government. One need only visit schools around the State, particularly in my electorate, to notice areas of concern in which little progress has been made. It gives me great pain that when school representatives in my area ask for a copy of the priority list for hot spots slated for airconditioning it is not provided. We are told they will have to take their turn.

Across the border in Victoria, and particularly in north-east Victoria, 17 schools are to be upgraded with airconditioning prior to summer. That is painful to the students and staff of Billabong High School, who have been waiting for airconditioning on the upper floor of the school for many years. Given the hot summers we experience in the Murray area it is a very uncomfortable area in which to work. During a recent visit to the school a teacher ran out and asked me to do whatever I could to persuade the Government that the upper floor needs to be airconditioned before summer. I have written to the Minister and I have had a response, but I am afraid that airconditioning for the area does not appear on the capital works program for the 2004 calendar year.

I visited Albury Public School and found that it has been chasing the Government for several years, having written first in August 2002 and subsequently in November 2002, very concerned about the state of a building known as "the Annexe". The building dates from 1861 and is heritage listed. However, it does not meet the standards required for today's teaching approaches and certainly does not provide an ideal learning environment. There are approximately 180 children in years 5 and 6 at the school and their classrooms are in the Annexe. The small classrooms result in cramped conditions for both teachers and children and there are virtually no storage facilities. That makes it difficult for appropriate resources to be easily accessed for different lessons. There is only one suitable wet area with a sink and a tap for use during art and craft activities. That means one class, or sometimes only part of one class, can participate in those activities at any one time. The classrooms do not have any designated computer spaces to allow children to be away from their teacher when using the equipment. That makes it difficult for the teachers to assist children when required. In fact, some computers are located in the old cloakrooms, which are little cupboards in the main vestibule area. There are no withdrawal areas for small group activities, which limits the range of teaching approaches available and the learning opportunities that can be provided.

As I said, letters have been sent to the department and heavy lobbying was effective in achieving a meeting at the school in March 2003 to consider what needed to be done. It was agreed that refurbishment of the Annexe should be afforded high priority for consideration in the 2003-04 minor capital works funding program. Sadly, the school has had no information, no contact and no results since that time. That illustrates the necessity for this bill, and particularly the status report. It will identify problems and allow strategic planning to take place rather than the students, staff and members of the parents and citizens association having to face strain and stress while going through what is normally a logical and sensible procedure. That is the reason for the introduction of this bill.

I have a case that would be picked up by a status report and dealt with in a timely fashion involving the Culcairn Public School. The parents and citizens association wrote to me detailing major concerns about the toilet facilities. The original facility built for Culcairn Central School, as it was known, was constructed in 1965 and 1966. The president of the Culcairn Public School Parents and Citizens Association, Mr Webster, has written detailing the association's concerns. The letter states:

- Toilet bowls now permanently rusted with the many years of Culcairn hard bore water.
- Cisterns, the same vintage, now chipped and rusted...
- Floors, original cement surface.

I do not need to remind honourable members what that can mean when little boys use the toilets for 40 years. The odour would turn most people away from the toilets. Mr Webster continues:

- Due to age, the floor has a permanent odour in the cement surface especially in the urinal area.
- The appearance and especially the odour in the boy's block would turn anyone away wanting to use these facilities.

In addition to this sorry state of affairs, only one toilet is provided for male and female staff and visitors. Clearly the existing toilets and cisterns must be replaced with new dual-flush toilets. The urinal should be replaced with privacy stalls and the area must also be washed, and hot water should be provided for that purpose. This whole sorry saga is compounded by the fact that there have been visits to the school by the Department of Education and Training and, more recently, the Department of Commerce, which decided to take to task the cleaner, of all people, suggesting that he had not been cleaning the school toilets sufficiently. The school cleaner was most upset to receive this notification, and stated:

The current school toilet block has been in use for over 30 years, dating back to when the school was a central school in the late seventies. Many of the toilets and the cisterns are original components. The staining in the bowls is impossible to remove given their condition, and the cleaning solutions supplied by the contractor have little effect.

The school cleaner stated to me:

The inspection took place around lunchtime on a Thursday, the toilets had been in use for over five hours. It has long been a concern of the staff, the parents, the school council, the P&C and the wider community that these toilets are in a poor physical state after years of continued use with little upgrade and the conditions have deteriorated substantially.

These are just a couple of examples of the problems that bring about this Government School Asset Register Bill. I commend the bill to the House because it would identify these problems and would result in a timely and orderly system of ensuring that schools do not fall into a state of disrepair, which is currently the status of so many schools.

Mrs JILLIAN SKINNER (North Shore) [11.11 a.m.], in reply: I thank my colleagues the honourable members representing the electorates of Bega, Hornsby, Hawkesbury, Willoughby, Wakehurst, South Coast, Southern Highlands, Albury and Lismore for their contributions to this debate. I note that the Parliamentary Secretary at the table, the honourable member for Newcastle, is the only member to have responded on behalf of the Government. It is a very sad indictment of the Government that so many of its members failed to stand up for the schools in their electorates. The fact that the Government does not support this bill demonstrates its lack of commitment to ensuring that the school communities of our State understand when their schools will be upgraded and what the priority will be, so that parents, teachers and principals alike understand that the work that is so urgently needed is being planned in a proper and orderly way. The Government's wheel-of-fortune approach to this issue—a phrase used by my colleague the honourable member for Southern Highlands—summarises it precisely.

In introducing this bill I have referred to the practice of the Department of Education and Training and of Ministers, both current and previous, of leading people along, raising their expectations that work will be carried out. As shadow Minister for Education and Training I have seen many letters written back to principals and school parents and citizens associations regarding this issue, and I have noted that the same phrase always seems to appear. Indeed, the phrase was repeated in a letter to my colleague the honourable member for Davidson in December 2002, which read:

I am advised that all funds have been allocated for the 2002-03 financial year

That year is replaced by whatever year is relevant. The letter continued:

The issue you have raised will be considered along with other priorities across the State when finalising the next year's capital works program.

That is the letter that everyone gets! The computer contains a macro for the phrase to go at the end of letters to do with requests for maintenance or capital works. It leads to tremendous frustration on the part of principals, teachers and parents. I know that the honourable member for Newcastle is aware of this, because his local newspaper runs these stories all the time. In fact, just last week I visited some schools in that part of the State.

Mr Milton Orkopoulos: Did you go to Newcastle Grammar School?

Mrs JILLIAN SKINNER: No, I did not go to Newcastle Grammar School; I went to Raymond Terrace primary school, in the Port Stephens electorate. As far as I am aware, the honourable member for Port Stephens has never raised in this House any such matter to do with that school. On my visit to Raymond Terrace primary school I spoke to the principal, I walked around the school grounds with teachers and the president of the parents and citizens association, and they showed me the library, which is located in a demountable building. I have photographs of the building, should anyone doubt what I am saying. One of the walls has rust all over it, and the rain that has come into the building has caused buckling of the materials that make up the wall. I am told

that when it rains—fortunately that has not happened for some time—the water runs down inside the wall and the desks on which the computers sit have to be moved, otherwise the computers get wet.

Later that afternoon I visited Belmont North primary school and had a cup of tea with the parents. The honourable member for Newcastle will recall, if he reads his local newspaper, that last year after I raised this issue, and after I had met with the parents from that school and pointed out that there was a health risk associated with the school canteen, the school then got a new canteen. For seven years they had been asking their local member for a new canteen, but he had ignored them. I raised the matter, pointing out that the canteen was a health risk and that because of the very serious occupational health and safety issues—

Mr Bryce Gaudry: I just can't believe that. It is just slander.

Mrs JILLIAN SKINNER: Go and have a look at it; it is in your area. Speak to the deputy principal and the parents. I can assure the honourable member for Newcastle that the only reason the canteen was renovated is that it was a health hazard. I admire the parents of Belmont North, an area where many children come to school without having had breakfast. The mums get to the school early and make breakfast for those children. Indeed, one of the mums then goes off to do her own job for the day. I believe that in many cases the mums fund the children out of their own pockets. They do a fabulous job.

I have nothing but admiration for these women, who dedicate so much of their time to the children of that school, who would be terribly disadvantaged without their assistance. It is all very well to make fun in this place about the school getting a new canteen. To them, it is everything. It really was a magic moment for them, and I congratulate them. But why did they have to wait so long? If we had had a school asset register, it would not have happened. In his comments on this issue in October last year the Parliamentary Secretary referred at length to new maintenance contracts. He said:

New maintenance contracts will go to tender shortly and will commence from July 2004.

The maintenance contracts still have not been signed. Many parents, principals and teachers have phoned me to express their great concern about that fact. The problem is that what was fairly minor maintenance to start off with is now turning into major work, and in many cases poses a real danger. I have raised in this place previously a very good example of this in my electorate, at North Sydney Demonstration School. At the request of the parents and citizens association and staff, the Department of Commerce visited the school to inspect the wiring. In March this year the department determined that the wiring was unsafe, and it recommended that it be replaced immediately. Needless to say, that work still has not been done—which puts paid to any suggestion, promoted by the Government frequently, that urgent maintenance is addressed within 24 hours.

The Coalition members who have spoken to this bill have raised numerous examples of schools in their electorates that require upgrading and replacement of facilities. This is but a sampling of the work that is needed to be done. I know that many other Coalition members would have liked to speak about this, the honourable member for Wagga Wagga being one of them. However, they have allowed this motion to proceed to a vote because the Coalition wants to ensure that Government members are given the opportunity to come on board and vote with us on this. If they have any commitment to their local schools, they will support the motion.

I now refer to a couple of issues raised by my colleagues. The honourable member for Bega began his contribution by referring to a public meeting held in his electorate organised by the parents and school community of Merimbula Public School. The honourable member quoted from the *Merimbula News Weekly* of 31 March this year regarding that public meeting. The parents in attendance at the meeting spoke about the school grounds being a dust bowl when it does not rain and a mud heap when it does rain. They said the toilets are so dark and dingy that some students refuse to use them. One parent said that when contractors were brought in to clean up a disused toilet for disabled students they discovered a rat's nest. And so it went on.

Mr Milton Orkopoulos: Sounds like the Prime Minister's office.

Mrs JILLIAN SKINNER: Sounds like a Minister's office, quite right.

Mr Milton Orkopoulos: The Prime Minister's office I said.

Mrs JILLIAN SKINNER: A Minister's office. The Speaker actually asked the honourable member for Bega to verify this newspaper report. I can tell the House that every word of it was accurate because I was at that meeting, I heard the anger of not only the parents but also the teachers at the school who spoke out at this

public meeting, and I heard the Department of Education representatives and bureaucrats who were present who had to get up and defend their position on it. So this is not just some fictitious exaggeration on the part of a few parents. These were teachers, people actively involved every day in that school. I visited the school and saw the wonderful things being done by the teachers. I congratulate them. But it is absolutely disgraceful that the Government should expect them to do their work in such an environment.

As I said, there were many such examples raised during this debate. I note that the honourable member for Lismore, who was one of the last speakers, spoke about the need for a new toilet block at Manifold Primary School because the toilet block is currently infested with termites. What government allows primary school children to go to a toilet block infested with termites? This is absolutely extraordinary. There is a risk that bits of floorboard will fall out or pieces of timber will fall off the wall.

Mr Thomas George: The roof might fall in.

Mrs JILLIAN SKINNER: The roof might fall in, as the honourable member for Lismore says. Today is the school's seventy-fifth birthday. I think at the very least Government members should support the bill to make sure that we get this kind of work on the agenda and, in the meantime, give that project to the school as a seventy-fifth birthday present. The honourable member for Lismore would be very happy to turn up with a cheque to build a new toilet block for Manifold Primary School as a contribution to the children's good health, because we have been told often that the children refuse to go to the toilets because they are dingy, dark and in such disgraceful order. It is absolutely outrageous that we have to get up in this place and talk about this kind of deterioration of school buildings.

The honourable member for Albury spoke about schools in his electorate, and I had the great good fortune to visit some of those schools with him earlier this year. I also accompanied the honourable member for Murrumbidgee on a visit to some of the schools in his electorate. The honourable member for Albury and I had been invited to go to Albury High School—a very fine school—because the parents were particularly keen to get covered walkways so that the students would not have to walk in all kinds of weather from the school buildings to the bus stop, which is quite a long walk. During that visit I spoke about my experience the day before when I had been at Narrandera High School with the honourable member for Murrumbidgee and had had a look at the boys toilet block there because I had received many letters in relation to it. Frankly, it was so bad I would not use the word to describe it in this House. It was enough to make me want to gag and run out. The president of the parents and citizens association and the president of the school council, who were there with us, came into the boys toilet and were shocked, as was the honourable member for Albury.

For the Government now to suggest that this is the fault of the cleaner is simply scandalous. The reality is that these facilities have been neglected for so long that it is not a matter now of cleaning, it is a matter of major maintenance and capital works. As I was told, and it was demonstrated by the principal in one of the schools I went to, when there is uric acid leeching into concrete it is not a matter of washing it and cleaning it—that makes it worse—it is a matter of treating the concrete and in some places replacing it. So to suggest that the cleaner is somehow at fault is just another example of this Government trying to blame somebody else for the things that it should do.

The reality is this Government has no real plan as to which school major works, or even minor works, take priority. It has a whole department with reams of paper about what school work needs to be done, but there is no open and transparent plan to show schools when work on them will be done. The bill will make sure that school capital works are done in an orderly and fair fashion, that work is prioritised according to need and that there no longer needs to be this panic by parents to try to make sure that their voices are heard in striving to get their share of funding for capital works to make sure their schools are brought up to date. I know the members opposite would like to support the bill. I invite them to come and join us. I am happy to have them cross the floor and join us on the bill. I know that their constituents will be very disappointed if members do not stand up for their schools and no doubt will make sure that members hear about it. I commend the bill to the House.

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

The House divided.

Ayes, 36

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

Noes, 48

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

Question resolved in the negative.

Motion negatived.

Pursuant to sessional orders business interrupted.

DESIGNER OUTLETS CENTRE, LIVERPOOL, CLOSURE

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [11.35 a.m.]: I move:

That this House condemns:

- (1) the Premier's decision to favour retail giant Westfield over the 450 workers thrown out of work at the Orange Grove outlet centre;
- (2) the continuing deceit and cover-up by the Government over the Orange Grove affair;
- (3) the refusal of the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) and the member for Fairfield to tell the truth about their conversations about Orange Grove; and
- (4) the Government's failure to secure new jobs and business opportunities for the workers and business owners at Orange Grove.

Four hundred and fifty people have lost their jobs due to this Government's failure to rezone the Orange Grove factory outlets centre at Liverpool. Sixty businesses, which spent millions on fit-outs and stock, have been forced to close because the Government chose to support Westfield over Western Sydney. The Premier, the assistant Minister, the Minister for Infrastructure and Planning and the member for Fairfield all betrayed the 450

workers and 60 businesses. They had the opportunity to choose between Westfield and the workers, and they chose Westfield. Westfield plays hard. When Westfield wants something, it will threaten, bully and use its connections to get its way.

My office has experienced this sort of bullying from Westfield. On 14 July my chief of staff, Peter Fraser, received two telephone calls from Mark Ryan of Westfield. I remind honourable members that Mark Ryan is a former chief of staff to former Victorian Labor Premier John Cain and a former press secretary to Paul Keating. Suffice it to say, from these revelations today, he learned much at the knee of Paul Keating. During the first telephone conversation, Mark Ryan asked to speak to me. When he was told that I was out of the office, Mr Ryan said in an aggressive manner, "Are you telling me that the Leader of the Opposition is unavailable all day to take calls?" He also said that Orange Grove was "a complete up and down case". My chief of staff took a message that Mr Ryan was keen to discuss the Orange Grove issue and my media comments on the issue with me. Earlier that morning I had undertaken an interview with John Laws on 2UE.

Mr Ryan said that Westfield was sick and tired of the issue and that Westfield was not prepared to cop it in relation to my comments in the media. Later that day Mr Ryan called my staff again. He said that he was more upset than when he had last called. He stated, "We are big boys" and that I should put up or shut up on Orange Grove. We know the way Westfield wins in this town. Mark Ryan got his appointment months ago with the Premier's chief of staff and Westfield got a win at the expense of 450 workers at Orange Grove. This sort of thuggery, this sort of bullying, from Mark Ryan on behalf of Westfield displays exactly how this State operates under the Premier and the Labor Party. It shows just how it operates: \$230,000 in political donations from Westfield gets you an appointment to see the Premier's chief of staff and bullying our office.

I want to make it clear that, unlike the Premier and the Labor Party, I did not back down to Westfield. I backed the workers of Orange Grove. Throughout the Orange Grove scandal the Labor Party and Westfield have tried to wreck the reputation of Mr Gazal. However, when we look at Mr Gazal's history and involvement with the Labor Party, it is very interesting. We have heard from the Premier that Mr Gazal had a relationship with convicted murderer Phuong Ngo. What the Premier forgot to mention was that Nabil Gazal was introduced to Phuong Ngo by the member for Fairfield and the Minister for Fair Trading. If Mr Gazal is suspicious or dodgy due to the fact that he had an association with Phuong Ngo, what does that say about the other Ministers and backbenchers who also associated with Phuong Ngo?

I have heard a story that some years ago Mr Gazal had an option to buy property from Mr Ngo. There was a question about the future zoning of the land. Mr Phuong Ngo knew how to get answers for those kinds of questions. He took Mr Gazal where? To the ministerial office of the Minister for Infrastructure and Planning to meet him. So the man that Minister Knowles has spent days attacking was introduced to him in his own ministerial office years ago by who? Phuong Ngo. To solve the issue, the Minister for Infrastructure and Planning apparently produced a letter from Gabrielle Kibble, the former head of the planning department, which provided details of what would happen to the land.

So that is how business is done in the Labor Party. Phuong Ngo simply walks straight into the Minister's office to get the answer that someone else needs. Let us hear the real facts from the Minister for Infrastructure and Planning on that issue. He should come down here today and explain the issue to the people of New South Wales. The assistant Minister has said time and time again that she made her decision on strong planning grounds. Let us look at what the strong planning grounds were for Liverpool council and, indeed, for the Labor Government appointed administrator of Liverpool council and former head of planning, Gabrielle Kibble. She said:

As administrator I took the decision to support the rezoning of the Orange Grove centre for what were predominantly social and economic reasons, that is to say, there had been decisions and there was employment there and I thought these were significant issues for Liverpool.

What does the Environmental Planning and Assessment Act say should be taken into account in making a planning decision? The Act states:

... the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Indeed, the objects of the Act are:

... to encourage the proper management, development and conservation of natural and artificial resources... for the purpose of promoting the social and economic welfare of the community and a better environment.

Gabrielle Kibble understands the planning laws but the Minister for Western Sydney does not. The Department of Infrastructure, Planning and Natural Resources [DIPNR] section 69 report, signed off by the most senior DIPNR official with planning qualifications, Gary Prattley, states:

On balance, the Department considers that the community benefits of a factory outlet on the site at Orange Grove Road outweigh the community disbenefits.

That was the planning advice to the Minister. DIPNR's corporate counsel, Michael Astill, said:

Departmental planning advice is to the effect that the draft LEP can be justified in planning terms...

Particularly there is no factory outlet site currently available in the catchment, and the potential adverse effects on existing shopping centres are considered to be low.

Laurel Cheetham from the planning department, who is a planner with 20 years experience, wrote the section 69 report and said:

The office gave proper and careful consideration to all the planning issues that related to this draft LEP and the Department's responsibilities in reporting on it to the Minister.

All State and regional policies and plans (including draft ones), all s.117 directions and s.71 determinations were considered. We were satisfied that the draft plan was consistent with these.

Even the Minister for Western Sydney, before she was heaved by the Premier's chief of staff, Graeme Wedderburn, on behalf of Westfield, supported the rezoning. A departmental briefing note to the Minister states:

The Minister would need to approve the plan by Wednesday 21st April if it is to be gazetted in time to avoid the closure of the centre and the associated loss of jobs. The Minister has indicated this is her preferred position.

As this issue continues, it is clear that there have been problems with the Labor Party's handling of it from day one. The Premier knows that everyone in New South Wales is aware of the scandal and the stench of corruption surrounding the Labor Government over this matter. What sort of Labor Premier stands by and allows 450 people in south-western Sydney to lose their jobs and lets a big player win? A bad one—and one whose time is up! It becomes clearer every day that it is the opinion of most people in New South Wales that this deal stinks, these jobs should have been saved, and the Government should have acted.

Take this into consideration: The Opposition's bill that passed the Legislative Council last night was supported not only by members of the Liberal Party and The Nationals but also by every member of the crossbench, from the Greens to David Oldfield. It is abundantly clear that most people in New South Wales believe that the Government should have acted. It is clear on the planning advice that this project should have been approved. Mark Latham wants it approved. It is a great embarrassment to the Labor Party.

It is clear also that there is a great contrast of events between the advice given by the Premier's chief of staff and the advice received by the so-called Minister for Western Sydney. She would be better off being called the Minister for Westfield than the Minister for Western Sydney, considering the deal she has done with that large corporate donor to the New South Wales branch of the Australian Labor Party. This deal stinks. The Minister for Western Sydney would be better off coming clean, telling the truth and offering up the Premier on this occasion. We know where this direction came from: it came directly from the Premier. The Government's behaviour has with it a stench of corruption, and the losers in this are the 450 workers who have lost their jobs. It is a tragedy that the Minister for Infrastructure and Planning is not here to defend himself. [*Time expired.*]

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [11.45 a.m.]: The Government opposes this motion. General Purpose Standing Committee No. 4 has heard extensive testimony in recent weeks that indicates there is no special case for Liverpool council to receive a retrospective rezoning. This motion is a stunt. It needs to be borne in mind that Gazcorp has repeatedly frustrated efforts to find the Orange Grove employees new jobs in legal centres. The Government moved quickly to put in place assistance networks. Staff from the Premier's Department were put onto the case full time, and Drake was engaged to start identifying alternative jobs and suitable placements. These efforts have been frustrated at every turn by Mr Gazal.

Mr Gazal has professed concern for the ongoing employment of staff. The reality is that all he has ever been concerned about is the ongoing lining of his own pockets. He stood to gain a windfall profit of \$5 million if this rezoning proceeded. That is why he has been cynically manipulating employee disappointment. It is important that the full extent of his obstructions be revealed. On 21 July 2004 a telephone offer was made to Mr

Gazal to meet with Loftus Harris of the Department of State and Regional Development and the jobs co-ordinator to discuss potential bulky goods operations. This was rejected.

On 22 July a formal letter was sent to Mr Gazal by the jobs co-ordinator seeking a meeting to discuss bulky goods operations and protocols to access employees. This was faxed at 4.00 p.m. At 4.55 p.m. that day a follow-up phone call from the jobs co-ordinator was made. He was advised that Mr Gazal was busy and would return the call shortly. The call was not returned. On 23 July a follow-up phone call was made to Mr Gazal's mobile phone. It was answered by Nicholas Gazal, who said that his father was busy but that he would pass on a message to return the call. The call was never returned. On 26 July at 11.00 a.m. a follow-up call was made by the jobs co-ordinator. On this occasion Nabil Gazal took the call but advised that he was not interested in a meeting and that the caller "should talk to Mr Knowles".

On the same day a letter was faxed to Mr Gazal by the jobs co-ordinator setting out attempts to organise a meeting and advising that the jobs co-ordinator would be visiting the centre and repeating the offer to meet. The jobs co-ordinator visited the centre at about 2.50 p.m. on that day to distribute letters of introduction to the jobs co-ordinator and a small survey form for centre traders. In response to this attempt to assist workers, what happened? The jobs co-ordinator was intercepted by centre management and security, and asked to leave the premises after only four letters had been distributed.

On 28 July at 1.15 p.m. the Orange Grove centre manager rang the jobs co-ordinator to check a rumour that the co-ordinator was to visit the centre that afternoon, and the jobs co-ordinator was advised that he was not welcome at the centre. On 2 August Drake called the centre manager to arrange a meeting to discuss access to employees. A meeting was agreed for 11.00 a.m. the next day. Later that evening the centre manager called the meeting off and said he would call Drake the next day. No call was received. Instead, Drake rang the centre manager regarding a meeting. The centre manager advised he would call back. The call never came. On 4 August at 10.30 a.m. Drake personnel arrived at the centre with envelopes containing pamphlets for staff. Some 250 pamphlets were handed out, and all but six outlets were visited. What was the Gazcorp response? Shortly after Drake's arrival, centre management and security requested Drake to leave the premises.

On 12 August, a letter was sent to Mr Gazal requesting co-operation in facilitating meetings with staff and traders in order to arrange alternative employment offers. The letter also advised Mr Gazal of the appointment of the Australian Retailers Association to represent traders. No response was received. On 20 August, at about 3.00 p.m., a telephone call was made from the jobs co-ordinator to Orange Grove centre management seeking access for Drake to employees in the last week of trading. The centre manager undertook to talk to the owners and called the jobs co-ordinator back. No return call was made.

On 25 August, at 2.00 p.m., a telephone call was made from the jobs co-ordinator to Orange Grove centre management seeking access for Drake to employees following the Court of Appeal's decision that the centre cease to trade at close of business that day. Access was sought for 26 August, with the Government to publicise to employees that Drake would be at the centre. Following no response to a 2.00 p.m. voice message, a further call was made at 2.58 p.m. and another message left. At 3.35 p.m., the centre manager returned the call, advising, one, it was not his decision and that the owner would need to agree; two, that it would not be a good time tomorrow, 26 August, as emotions are high; three, it was not a good time tomorrow as nobody would be there; and, four, he would agree to speak to the owners and ring back if access was granted. Guess what? There was no return call as at 2.00 p.m. on 27 August.

They are 14 documented attempts to get Gazcorp's co-operation. Every single attempt was obstructed, delayed, not passed on or downright ignored. Mr Gazal's professed concern for staff lies in tatters. It is rubbish, and was rubbish from day one. He deliberately set out to mislead tenants about the legality of the activities of the centre and he knew all the while that people were being employed by tenants, based on his deception. He wanted this to happen so that he could attempt to blackmail the Government into agreeing to his rezoning. Mr Gazal, and only Mr Gazal, has brought about this sorry state of affairs. This motion should be opposed.

Mr ANDREW TINK (Epping) [11.53 a.m.]: There is a good reason why the honourable member for Newcastle is replying to this motion. If any members from Western Sydney replied to this motion, you could bet the bank they would further incriminate themselves. The honourable member for Newcastle is also Parliamentary Secretary for Education, Training and Aboriginal Affairs. In those portfolio roles, he would have as much expertise in planning matters as the people in the planning department who signed off on this matter. Three statutory declarations signed on 10 July bespeak allegations of corruption that are as bad as any allegations of corruption that have ever been aired since the creation of the Independent Commission Against Corruption [ICAC] in 1989. Samir Bargshoon says:

Tripodi told me that Dianne Beamer told him that she had received a call from Premier Bob Carr instructing her not to sign the rezoning of the Liverpool designer outlets.

Frank Mosca says in a statutory declaration:

Tripodi ... replied ... "Carr rang Beamer and asked her to screw it over".

Nabil Gazal says on the same date:

... Tripodi told me that the Minister ... Beamer told him that Premier Bob Carr rang her and told her not to sign the rezoning of the designer outlets Liverpool. Joseph went on to explain that ... Carr is doing a favour for his mate ... Lowy.

They are amongst the worst allegations of corruption since the formation of the ICAC. On the documents that have already been released about the planning decision, the question that comes to my mind is this: Is there any basis for thinking that those planning instruments suggest that the fix was in, as these statutory declarations clearly indicate? I say there is. We have a director-general's report under section 69 of the Act dated 3 June, done under delegation, 13 pages including attachments, where clearly the making of the plan—that is to say, to allow the traders to continue—is recommended. That is given a tick in a 13-page report signed off, after legal advice, by Laurel Cheetham, the senior environment planner, David Birds, the team leader, who was acting as the delegate of the Director-General of Planning, and finally by Gary Prattley, the most senior planner in the department, a master of town planning and a certified town and country planner. In other words, all the senior people in the department signed off on giving these traders at Orange Grove a break. It was within the law, it was within planning instruments and it was reasonable. They went so far as to provide the assistant planning Minister with a draft press release saying that she:

... today approved an amendment to the ... Liverpool Local Environmental Plan ... enabling Liverpool Council to approve the continuing operation of an outlet centre on Orange Grove Road.

Obviously, something went wrong in the Government after that. Because the Premier had made his promise to Lowy, the fix was going to go in and somebody had to do something about the planning documentation to enable that recommendation to be reversed. So, Westacott, the head of the department, who has no planning qualifications whatsoever—apparently she used to run the housing department—puts up a bodgie little memorandum of 25 June, stating:

Purpose

To outline some comments on the proposed ... LEP ...

... possible consequences ...

... in my view the contrary conclusion ... will also be reasonably open ...

... could reasonably conclude ...

These are wishy-washy, weaselly little phrases, obviously suggesting that a not unreasonable public servant has been pushed unmercifully behind the scenes, as only this Government knows how to push public servants behind the scenes, to do its dirty work and fix things for the Premier. When that memorandum was fired across somebody's desk, it was not good enough. Westacott was told to go away and do something better. She came up with a memorandum of 8 July providing, "additional information as requested". No doubt somebody in the Premier's office was going off his face, saying "Don't give me one page of crap to respond to 13 pages of a properly considered memorandum. I want something better." She came back with two pages, again doing nothing to reverse the 13 pages of the section 69 report, but at the end, no doubt after some final bullying by somebody in the Premier's Department, a miracle occurs and she suddenly discovered very strong planning grounds on which to support the decision of the Minister. The fix went in on that basis, and if the ICAC is serious about getting to the bottom of this, it has to work through these documents signed by Westacott and figure out who spoke to whom, who bullied whom, who directed whom to get from 13 pages of "Yes" to two pages of "No". [*Time expired.*]

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [11.58 a.m.]: In the shower this morning I was humming to myself *Goodbye Yellow Brick Road*. I am a great Elton John fan. I remember some of the words of that song are:

Maybe you'll get a replacement,
There's plenty like me to be found.
Mongrels, who ain't got a penny,
Sniffing for tit-bits like you on the ground.

If ever there is a description of the assistant planning Minister and the Minister for Infrastructure and Planning, that is it. They are doing whatever they have to do to pursue their advance under the Carr Government. This episode is like a morality tale about this Government. It involves arrogance, it involves lies, it involves the politicisation of public servants, but most of all it involves the peddling of influence in this State in exchange for political donations. I cannot believe that we are in the middle of a serious debate involving 450 jobs in Liverpool, yet not a single representative of Western Sydney has come into the Chamber to seek to explain their actions. If ever there was an example of arrogance, it has been displayed today. The only response we have heard from the honourable member for Fairfield was a seven-sentence statement. Despite all the claims and the damaging information about the allegations he made about the Premier stopping this development on behalf of Westfield, he will not speak in this place, even under privilege, to seek to explain himself. He put more defence into the allegations that he mishandled a woman upstairs than he is prepared to put into these allegations, and this matter is far more serious.

The Minister for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning is not prepared to appear before the parliamentary committee to try to explain herself. It is a case of arrogance from start to finish. It is arrogance about Labor's heartland. It is arrogance about an area of high unemployment. It is complete and utter disregard for people's jobs and their livelihood. It sums up what is wrong with this Government. It is an episode characterised by lies, and those lies have started at the top, with the Premier's claim to the media when this story first broke that he had no contact with Westfield. That claim has been utterly blown away.

He continued it this week in this Chamber, and it does the Speaker no good to have let him get away with it. On Tuesday in this House the Premier made false claims about events that were alleged to have occurred in a parliamentary committee. No document, no minutes, no recollection of that parliamentary committee suggests that what the Premier or the Minister for Infrastructure and Planning said ever went on. Yet the Parliament was allowed to hear it. Despite the lies the Premier was telling, the Speaker would not entertain a claim of breach of privilege.

Once again, this is proof positive that the Government will say anything to get itself out of trouble. The Leader of the Opposition and others have said that is true. Whether it is Minister Knowles or Minister Beamer, whatever comes into their heads—and there is a lot of room up there—will come out of their mouths to get them out of trouble. They are simply not prepared to tell the truth because that is the lesson the Premier has given them over nine years of stewardship of this State. As the honourable member for Epping has just demonstrated, we have politicised public servants who are afraid, by and large, to do what is right. They understand that their promotions and continued success in the public sector depend on them keeping their political masters happy.

It is clear from what the great old Labor staffer, John Menadue, said about the Health department: too much political managing up towards the Minister and not enough managing of the patients' needs down. What is true in Health, and what led to deaths in Health, is equally serious when it comes to these issues. Clearly, the public servants are trying to protect the backsides of Ministers like Minister Beamer and Minister Knowles by taking into consideration other factors beyond planning issues when making decisions.

When we see that Gabrielle Kibble—someone who in the last nine years has not been friendly towards this side of politics—is prepared to support this development and then bureaucrats with absolutely no planning experience, unlike Gabrielle Kibble, are prepared to put up memoranda defending their Ministers, we understand how politicised this outfit has become. The worst condemnation out of this affair is its confirmation once again that this is the best government that money can buy. This is a Government that for nine years has sought to centralise planning powers in the hands of successive planning Ministers. Why has it done so? Has it done so to deliver better planning outcomes?

When we look at the North Coast and the suburbs of Sydney, the answer is absolutely not. It has done so to raise money from developers in the city to finance its campaigns. If people want to get access to a Minister in this State, they go and see Mark Arbib. He looks up the ledger and if they have given sufficient donations, they get in to see the Minister. In this case they actually get decisions changed. This is the Roozendaalisation of the Labor Party. At least John Della Bosca could almost spell ethics; under Roozendaal, it was all about money first. The Government went from having a \$10 million deficit to being able to spend \$12 million in the last election campaign. How? From influence peddling and the purchase of decisions like this one. This episode sums up what is wrong with the Government and why it is going to lose: arrogance, lies, politicisation and, most of all, selling influence in this Chamber, not on behalf of the public but on behalf of sectional interests like Westfield.

Mr ANTHONY ROBERTS (Lane Cove) [12.03 p.m.]: What a tangled web we weave! Let me set the scene: It is a fine autumn day in Sydney's south west. Amid the gentle rustling of branch membership forms, the regular jingle of pieces of silver going to and fro and the reassuring whispers of promises, there came the sharp sound of a telephone call. It was a call that was to cost the jobs of 450 individuals, ruining their lives and ruthlessly destroying some 60 small businesses in an area that has the highest level of unemployment in the nation, an area that can least afford it. Let me put the facts on the record.

The Orange Grove direct factory outlet was approved by town planners at Liverpool City Council. Liverpool council received no objections to the development application for the centre when they were sought from the public. The Minister for Infrastructure and Planning opened the centre, knowing it was under legal challenge from Westfield. What a great day! Following a legal challenge not based on planning grounds, the court ruled that Liverpool council had not followed due legal process. In order to allow the centre to be approved, the council needed to rezone. Town planners and council administrator Gabrielle Kibble reviewed the court's decision and recommended that on planning grounds the centre should be allowed to operate in its present location. All town planners in the Department of Infrastructure, Planning and Natural Resources—all of them—recommended that on planning grounds the centre should be allowed to operate in its present location.

The department was confident, before it was sat on and the deal was done, that Minister Beamer would approve the centre and, as we know, drafted a media release announcing the benefits of the centre being located at Liverpool. Following the decision to close the centre, with the loss of 450 jobs, Gazcorp is expected to sue Liverpool council for more than \$80 million in damages. As most members would know, because of the insurance arrangements of Liverpool council, all councils in Western Sydney are expected to share the costs, should Liverpool council lose. The exposure is enormous. We are talking about child care centres, footpaths, and facilities for the aged, which this Government has sold out for 30 pieces of silver.

Let me refer to the facts about the political interference. Westfield and its associated companies give more than \$200,000 a year in political donations to the Australian Labor Party. Former Keating staffer and Westfield troubleshooter Mark Ryan met with the Premier's chief of staff, Graeme Wedderburn, and lobbied him not to approve the rezoning of Orange Grove. The Premier misled the public by saying his office did not meet with Westfield representatives. In fact, by his own admission in the *Sydney Morning Herald*, he had spoken to Frank Lowy himself on several occasions during the past few months. We know that Minister Knowles met with Westfield about Orange Grove. Westfield has a history of using its political connections in the Labor Party to win favours from this Government. In this case, 60 businesses are going down the drain and 450 jobs are lost for a \$200,000 a year donation. It is an absolute disgrace!

We keep hearing from the Premier that the Government refused the rezoning so as not to create a precedent. In fact, as we have seen, the Department of Infrastructure, Planning and Natural Resources completely contradicts the idea that spot rezoning cannot be made because it will create a precedent. On 22 June Mr Michael Astill, corporate counsel, stated in item 9 of his report that there were a number of spot rezonings of land to regularise a use that already existed. The Premier's statement was completely misleading. It is not just the Opposition that is condemning the Government. The stench is in the air. Mark Latham has been drawn in and has been applying pressure to do the right thing.

Mr Andrew Fraser: Bob's old staffer.

Mr ANTHONY ROBERTS: Bob's older staffer. He has come in because he knows what is right. Various Federal Labor members are horrified about what has gone on. They are horrified about the influence peddling that is occurring at Sussex Street. They are horrified about the effect this will have on the voters in Western Sydney—their voters, or former voters—in the upcoming election. They are deserting the Labor Party. It is no longer a party that looks after workers, and people realise that. The Labor Party has cuckolded them for too long. Even George Paciullo, mayor of Liverpool council and a former Labor Minister said:

Mr Carr needs to explain why his real problem is with the centre remaining in its present location.

He also said:

The only reason there is an \$80 million claim against Liverpool council is because Premier Carr has chosen a political decision and thereby ignoring the advice of all the professional planners.

A lot of people's lives have been ruined. On behalf of the people of New South Wales, I quote Cromwell:

You have been sat too long here for any good you have been doing. Depart, I say, and let us have done with you. In the name of God, go!

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [12.08 p.m.] in reply: The most damning indictment of this Government is the failure of any senior Labor figure to defend himself today. Where is the Minister for Infrastructure and Planning? Why is he not here defending himself about a meeting he had with Phuong Ngo and Mr Gazal? Why did he open the Orange Grove centre?

Mr Alan Ashton: He was invited.

Mr JOHN BROGDEN: Thank you! We have had some of the greats mentioned today, including Cromwell. It is good to see that Einstein is also here. If I had known this would be on offer, I would have let the honourable member have this five minutes. The Minister was invited to open the centre by Frank Mosca. Who is he? He is the developer. What is the project? According to the Minister it is a dodgy, illegal development. The man who invited the Minister to open the centre is the developer of the project, which the Minister says is dodgy. Therefore, he is directly associated, by his own words, because his friend is the proponent of an illegal development in south-western Sydney.

This Government is corrupt to the core. As the honourable member for Epping said, this is the greatest revelation of corruption since the establishment of the Independent Commission Against Corruption in 1988. This is a demonstration of a Government that is up for sale to the highest bidder. When Westfield's \$230,000 cheque was delivered, the company expected something in return, and it got it from the Premier and the Labor Party. It effectively ensured that its development was in no way hampered by the unequivocal statements in the planning advice from the Government-appointed administrator and former head of planning, Gabrielle Kibble, and most particularly from the professional planners in the Department of Infrastructure, Planning and Natural Resources that it was a proper development and beneficial to the economy and the social fabric of south-western Sydney.

We have witnessed a tragedy in recent weeks. This is an arrogant government led by an arrogant Premier. It no longer cares about jobs in Western Sydney, but it does care about the source of funds. We now know how the system works; it has been revealed today. The route for planning approvals to Governor Macquarie Tower is via Sussex Street. One must visit Mark Arbib and deliver a cheque to ensure a meeting at Governor Macquarie Tower. That is how it works in New South Wales. Unfortunately for the Labor Party, Phuong Ngo is now in prison, so he cannot facilitate any more meetings. Phuong Ngo was convicted of the murder of a former Labor member of Parliament. He was still enjoying access to the Minister's office and was appointed by the former Minister for Health, the Hon. Andrew Refshauge, to the board of a local area health service after John Newman's death.

He was a personal friend of the honourable member for Cabramatta and the honourable member for Fairfield. He had significant influence; indeed, he was at the epicentre of Labor politics in south-western Sydney. He took Mr Gazal to a meeting with the Minister for Infrastructure and Planning. That is the type of person with whom we are dealing in this place; that is, a person who allowed a convicted murderer through his door to peddle influence and to do deals. The fact that the Minister has not rushed into the Chamber to defend himself or to attempt to set the record straight demonstrates only one thing: He has no way to defend himself.

I will return to the central issue: 450 people are without jobs and 60 proprietors have gone out of business. They had jobs and businesses last week. That situation could have been avoided by a simple rezoning on the recommendation of the professionals. However, because of influence peddling and donations to the Labor Party, the Government has favoured the big boys rather than the workers. This is a scandal of the highest order and it demonstrates the Premier's level of corruption.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 36

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

Noes, 51

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

Question resolved in the negative.

Motion negatived.

PORT MACQUARIE ELECTORATE PACIFIC HIGHWAY UPGRADE

Mr ROBERT OAKESHOTT (Port Macquarie) [12.24 p.m.]: I move:

That this House urges both the State and Commonwealth governments to complete all Pacific Highway upgrades in the Port Macquarie electorate by 2006.

This debate is long overdue in this place. Although reports have been done; statistics, both good and bad, have been compiled about the Pacific Highway; and summits have been held, such as the Country Roads Safety Summit that was held in Port Macquarie earlier this year, it ultimately comes down to the will, or lack thereof, of both the State and Federal governments in committing to genuine dual carriageway works completed within set time frames. In 1996 there was what many people on the North Coast considered to be an historic agreement between the State and Federal governments to have dual carriageway works completed from Hexham to the Queensland border by 2006. Unfortunately, as that date approaches it is obvious that only 50 per cent of that work will be completed by 2006.

I remind the State and Federal governments of some very simple and compelling statistics. Indeed, the *Questions and Answers* paper circulated in this place yesterday referred to some interesting statistics relating to the number of deaths that have occurred on the Pacific Highway between 2000 and 2004. Referring to the number of deaths on the Pacific Highway from Taree to Port Macquarie, the document revealed that 9 deaths occurred in 2000, 5 deaths occurred in 2001, 15 deaths occurred in 2002, 5 deaths occurred in 2003, and 2 deaths have already occurred in 2004. These are compelling statistics when one considers the economic impacts alone, given that road deaths on the Pacific Highway cost the State approximately \$1.5 million a year.

Last week the NRMA released what I consider to be another vote of support for dual carriageway completion as a matter of urgency. In its survey on motoring and services for safer roads the NRMA identified the Pacific Highway as the worst road in the region and the second-worst road in New South Wales. Statistics compiled by the NRMA identify that over the past 10 years the Pacific Highway has averaged approximately 1,000 crashes a year, or almost 3 a day, resulting in approximately 680 injuries and 43 deaths. Again, it is compelling evidence of the need for urgent upgrades to the Pacific Highway. The NRMA survey identified that making the Pacific Highway a minimum four-lane divided carriageway from Hexham to the Queensland border would almost entirely eliminate black spots, increase overtaking opportunities, reduce the number of dangerous curves, increase the protection of poor shoulders by using crash barriers, remove dangerous objects from roadsides, and provide more turning lanes and town bypasses.

At the time the NRMA survey was released the Coroner who inquired into the Kempsey bus crash spoke about the survey and indicated that his key recommendation from that coronial inquiry was that a dual carriageway be constructed from Hexham to the Queensland border. The Coroner further stated that in his opinion the work conducted on the highway thus far had been a failure in that governments, both State and Federal, have been able to achieve only a 50 per cent outcome on his key recommendation following that inquiry. The statistics that have been compiled and released over the past fortnight reveal matters that everyone should be aware of, but the problem continues to raise its head on the mid North Coast and North Coast.

As reported in the *Daily Telegraph*, the Transport Workers Union [TWU] quite openly said that one in three truck drivers on the Pacific Highway takes speed. When one considers the type of road usage that takes place on the Pacific Highway—the large number of local residents who use it as a local road, the interstate traffic, and semitrailers and B-doubles that use the highway for freighting cargo—it is a very dangerous mix when thrown in with the fact that, according to the TWU, 30 per cent of truck drivers openly confess to using amphetamines to stay awake and get the job done. Last week ABC radio on the mid North Coast reported that 80 per cent of semitrailers are fiddling with their speed limiters. The Australian Design Rules clearly provide that the maximum speed for any semitrailer is 100 kilometres per hour. However, people who live on the mid North Coast and North Coast and use the Pacific Highway regularly would scream from the rooftops that many trucks on the Pacific Highway travel at well over 100 kilometres per hour.

These are all things that I hope this House knows already. This is an opportunity to reinforce that knowledge. Even the Government's own Pacific Highway safety review makes very clear that it is aware of these issues. The review's main recommendation is that the upgrading of the Pacific Highway to a dual carriageway should be expedited and funding commitments should continue to be sought from the Federal Government. It is very clear from that recommendation in the Government's own Pacific Highway safety review—adding to that mix the fact that 50 per cent of fatalities are from head-on crashes, again according to the Government's own report—that if a dual carriageway is completed and the recommendations in all the reports are carried out, half the fatalities that are currently occurring will be immediately wiped out. That would be a significant win for safety in both the mid North Coast and North Coast regions.

In pure economic terms, given the Government's estimated cost of \$1.5 million for each fatality and the fact that, on average, 43 fatalities occur on the Pacific Highway each year, there is an economic argument for carrying out the upgrade as a matter of urgency. Once again, the message is: get this job done and get it done now. Those in the local area are extremely concerned that only 50 per cent of the work has been done. There is a general frustration about what has happened over the past 10 years: State and Federal governments of all political persuasions have been scrambling to claim credit for what was an historic agreement at the time. I think it is broadly recognised that the historic 1996 agreement was something for which everyone, of all political persuasions, could receive a pat on the back. But we are now seeing a shift on Pacific Highway issues. It is a source of concern and frustration for many people that this has become a ducking-for-cover exercise and that State and Federal governments of all political persuasions are starting to finger-point, which is happening in far too many areas in the delivery of government services.

The State Government is saying that the Federal Government has not provided enough money; the Federal Government is saying that the State Government has blown the money it has been given. Many local residents on the mid North Coast and North Coast are really starting to get sick of this frustration and want answers. Also, there is a local issue about the potential design of the upgrades in that the cheaper option rather than the safest option is being taken. One example I will mention in this debate is the Coopernook-Harrington intersection. That area has a population of about 1,700 people, and during the holiday season the population easily doubles. Given that about 11,000 vehicles a day use the Pacific Highway, we are pleased to see the Coopernook bypass going in. However, what is proposed for an intersection between Harrington and Coopernook is a graded intersection when what the local community is desperately seeking is a grade-separated interchange or an overpass.

The point is made quite regularly that an underpass was put in for cattle just down the road at a cost of half a million dollars, yet there seems to be a resistance to spend money on building an overpass for humans for safety reasons. For example, a school bus driver in the area says that he will resign unless design improvements are implemented and that people will be playing Pacific Highway Russian roulette if they try to cross that highway when the designed works are completed. There are issues not only about the dual carriageway but also about the design of the upgrade options that are being put in place. I would hope that at all times safety is the main driver of these improvements and that money and cheaper options come a long way second. [Time expired.]

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [12.34 p.m.]: I move:

That the motion be amended by leaving out all words after "That" with a view to inserting the following words:

"this House:

- (1) notes that a significant length of the Pacific Highway through the Port Macquarie electorate will be dual carriageway by the end of the 10-year program in 2006;
- (2) calls on the Commonwealth Government to co-operate with the State Government to enable the finalisation of a new Pacific Highway agreement, so that important projects, including Coopernook to Moorland and Moorland to Herons Creek can be undertaken; and
- (3) the Roads and Traffic Authority notes the unanimous motion from the Harrington public meeting regarding the Harrington/Coopernook intersection and will review the intersection design."

I understand the reason for the motion of the honourable member for Port Macquarie, and he is right to want the best Pacific Highway for the people of his electorate. It is also important to consider the history of that highway. The Pacific Highway is now of infinitely better quality than it was when the Government came to office in 1995, but there is, of course, much more still to be done, and that is acknowledged. When the Carr Government came to office in 1995, the Pacific Highway was a dramatically substandard piece of road. Some even went as far as to describe its condition in 1995 as a goat track. On 25 January 1996 a 10-year Pacific Highway Reconstruction Program Agreement was signed between the Commonwealth and New South Wales governments, and the Pacific Highway was declared to be a road of national importance, otherwise known as a RONI. This \$2.2 billion program has already achieved some important milestones, with 21 major projects and 19 minor projects already opened to traffic.

There have been major improvements north of Newcastle, including the Raymond Terrace bypass, the Taree bypass, the Bulahdelah to Coolongolook freeway and the Karuah bypass—which is currently well under way. I recently inspected that bypass on behalf of the Minister. Further north, in the Coffs Harbour electorate, the Government has spent millions upgrading the highway between Lyons Road and Englands Road, Bray Street and Arthur Street, and at Korora Hill. Further north again, the Government has completed the \$348 million Yelgun to Chinderah freeway, which bypasses the notorious Burringbar Range—a very important achievement. The percentage of four-lane divided carriageways on the Pacific Highway has increased from 9 per cent in 1995 to a whopping 32 per cent—from less than one-tenth to one-third. So that is a very important milestone that has already been achieved in the work that has been put in place through this Government, in co-operation with the Commonwealth Government, on the Pacific Highway. The Government has also ensured that as far as possible the upgrade projects are consistent with the need to protect the natural environment on the North Coast. It is a beautiful region and we acknowledge the importance of ecological needs along that coast.

The extensive consultative processes that the New South Wales Government undertakes as a fundamental part of the upgrading process focus not only on the needs of motorists and road users, but also on the needs of the communities that live alongside the highway. I have been part of that extensive consultative process in my role as Parliamentary Secretary on behalf of the Minister. I know the Minister has done it extensively and hands-on, together with the Road and Traffic Authority [RTA]. That is how we work: in consultation and co-operation with local communities. The Pacific Highway stretches along a beautiful stretch of the Australian coastline, and there are many such communities to consult with. When major road works are proposed nearby, the communities need to be included in the planning processes.

The 10-year Pacific Highway upgrading program has evolved since the joint funding agreement was signed in January 1996. Community expectations about the upgrade have changed significantly since the program began. When the agreement was signed in 1996, 160 kilometres of the highway were planned to be duplicated by building another carriageway next to the existing highway. But the communities made it very clear that they wanted towns bypassed, and we as a government have responded to their needs.

Because of the unsuitable alignment of the existing highway in many locations and the high design standards required, only 11 kilometres have been built by this method. We now have a freeway-standard highway in line with community standards and environmental requirements that successfully bypasses towns. However, this has had an impact on the cost of the project, but the benefits of the upgrade have been enormous. Unlike when the Opposition was in office, this Government consults closely with communities; it does not disregard them. The Government listens to community views, liaises with the various stakeholders and obtains ideas so that the necessary environment and community measures can be put in place to the benefit of road users and communities.

North Coast communities have clearly highlighted that they require extensive environmental measures to be incorporated in the upgrading of projects. The Government has acknowledged those concerns and has responded by successfully implementing compensatory habitat, fauna underpasses and fencing, and noise abatement measures such as noise walls. The Opposition has claimed that too much money is being spent on upgrading the Pacific Highway—although that is hard to believe—so I challenge it to answer the following questions. First, which community concerns raised in the consultative processes would the Opposition have simply ignored? Second, which of the towns that successfully lobbied for a bypass would the Opposition have ignored and which environmental measures—which fauna underpass, animal fence or noise wall—would the Opposition not have built? These questions need to be answered when such criticisms are made.

It is easy to make such claims but when one scratches beneath the surface it is obvious that the money has been used for the benefit of local communities and to meet the requisite environmental standards. There is good news for the Port Macquarie electorate. Currently, the dual carriageway is in place at the northern end of the Taree bypass on the Herons Creek deviation from Blyths Road to the Oxley Highway. It is expected that by the end of 2006 the Taree to Coopernook project and the Coopernook bypass project will be completed—projects that will be of enormous benefit to local communities and create a further 13.1 kilometres of dual carriageway in the Port Macquarie electorate.

The remaining length of highway is covered by the Coopernook to Moorland and Moorland to Herons Creek projects, which have not yet commenced. The Federal Government's recent decision under Auslink to match the \$160 million a year commitment by the New South Wales Government to the Pacific Highway is very welcome but long overdue. I should point out that the Federal Government collects more than \$13 billion a year in fuel taxes yet only returns \$160 million for this important stretch of highway. Even though we are not receiving an equitable amount, we are pleased to receive the \$160 million to match State Government funding. However, why has it taken the Commonwealth Government so long to respond to our funding levels and why have we had to wait another two years for the increased funding? Local communities are unhappy with that delay, which is not a suitable standard for the progress of upgrades.

I point out also that the increased funding is still a long way short of the amount required to construct the highway dual carriageway all the way to the Queensland border by 2016, a date set by John Anderson. At this level of funding, duplication will not be completed until 2020. It is pleasing to note that the Federal Labor Party recently announced that, when in government, it will commit an additional \$15 million each year for 10 years to the Pacific Highway upgrade program. That is realistic and will achieve our goals. The State Government is committed to ensuring that the entire length of the Pacific Highway from Hexham to the Queensland border is upgraded to dual carriageway beyond the 10-year agreement with the Federal Government that ends in 2006. The State Government looks forward to signing a new Pacific Highway agreement with the Commonwealth starting from 2006, so that important projects like Moorland to Herons Creek and the Coopernook to Moorland can be undertaken.

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [12.44 p.m.]: The Liberal Party and The Nationals support the motion moved by the honourable member for Port Macquarie. We do not have a difficulty with the amendment moved by the Government, although I foreshadow that, in the interests of bipartisanship and commitment to the expedition of the upgrade of the Pacific Highway to dual carriageway from Hexham to the border, an amendment will be moved by the Coalition to ensure that the upgrade is completed as soon as possible. The intent will be to increase the funding levels from both the State and Federal governments to ensure the Pacific Highway dual carriageway is completed inside the current time frame, which is estimated by the NRMA to be some 17 years, but that is quite unacceptable.

An unacceptable level of accidents and deaths occur on the Pacific Highway. Last year 56 lives were lost. The Pacific Highway last year took almost as many lives as all other major highways in New South Wales combined and 20 more than in 2002. In the past 10 years there have been 425 fatalities, 6,700 injuries and more than 10,000 accidents. Interestingly, 85 per cent of the accidents occur on those sections of the highway that have yet to be upgraded. That is a powerful argument for expediting completion of the dual carriageway. The honourable member for Port Macquarie referred to additional dangers on the Pacific Highway in relation to heavy vehicles. I support those comments. The present situation with heavy vehicles is quite unacceptable. They constitute about 15 per cent of the actual traffic on the Pacific Highway but they are involved in 33 per cent of the fatalities. Quite clearly, they are overrepresented in the fatality statistics. We must ensure that the dual carriageway is completed as quickly as possible to remove heavy vehicles from facing oncoming traffic. The likelihood of a fatality increases when heavy vehicles are involved in accidents.

I make a couple of points in relation to the funding arrangements that have been set in place in the past and continue into the future. The funding agreement was for 10 years, from 1996 to 2006, so we are in year eight of a 10-year agreement. That involved the State Government putting in \$100 million each year and the Commonwealth Government putting in \$60 million a year. That was significant at the time but more funding is required. A recent media release by the Federal Minister for Transport and Regional Services notes that he has committed the Federal Government to \$160 million a year over the next five years—an increase of \$100 million a year. I ask the State Government to give a commitment to increase its funding level from \$100 million to \$200 million each year. Communities along the highway and users of the highway would be grateful if such a commitment were given.

I make a point in relation to what the Parliamentary Secretary said about the additional \$15 million a year funding for the Pacific Highway under Federal Labor. My understanding is that that funding is coming to the Roads budget in New South Wales so that it can be freed up for the reinstatement of the Casino to Murwillumbah train service. That announcement does not appear to include additional money for the Pacific Highway from the Federal Opposition's commitment. My argument is supported by a press release from Jenny Macklin and Martin Ferguson following their visit to the Tweed on 20 August, which states:

It locks in the upgrading program for the Pacific Highway at current funding levels.

It is quite clear that the Federal Opposition is committing itself only to the existing levels; the Federal Government will provide \$300 million more over the next five years than that envisaged by the Federal Opposition.

Mr ANDREW FRASER (Coffs Harbour) [12.49 p.m.]: I move:

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

- (4) calls on the Government to expedite completion of dual carriageway on the Pacific Highway between Hexham and the Queensland border.

Earlier this week in the House I discussed the Bonville bypass or Pine Creek deviation—it is the same piece of road but is known by different names. The Bonville bypass first appeared on the budget papers in 1997 with, from memory, an allocation of \$81 million and a completion date of 2003. It was then added to and added to and deferred and deferred until this year, when the budget papers show that almost \$12 million has been spent on planning—not one sod has been turned. Indeed, this year's budget papers do not have an estimated total cost; last year it went to \$127 million. Seven lives have been lost on that section of road in the past two years.

Only on 10 July a woman from the Central Coast, her niece and her daughter, aged 16 and six, were killed on that section of road. The other night I said that I was absolutely disgusted that on 12 July the Premier had the Roads and Traffic Authority [RTA] web site changed to reflect that the Pacific Highway upgrade was no longer a fully funded State Government project. That web site now states that "planning is fully funded by the State Government". That is wimping out. That piece of road has cost seven lives and maimed I do not know how many people in the past two years, yet the Government is not attending to it. The Parliamentary Secretary talked about the \$13 billion a year that is collected by the Federal Government. However, he failed to tell us about the \$8.5 billion in surpluses and the \$1 billion overrun in costs and estimated costs on the Pacific Highway in this 10-year project. I am unsure why this is happening, but I know that there are 8,600 bureaucrats in the RTA.

I call on the Government to complete not only the Bonville section but all the other sections of dual carriageway. At present it is a terror to drive from Coffs Harbour or Macksville through to Ballina, going through such areas as Iluka, and along the river bank. Some 3,000 trucks use the highway every day. Since completion of the Chinderah bypass uncorked the highway there has been a huge increase in trucks and heavy vehicles. Since the terrorism acts overseas we have had a huge increase in domestic tourism on the North Coast. There are problems on the highway every day. There are near-misses, deaths and people being maimed on this section of the road on a daily basis.

It goes way beyond the politics, as indicated by the Parliamentary Secretary, who said that this or that should happen. The Federal Government provides funding for the Pacific Highway on a casual basis, when the Minister for Roads requests funding for certain areas. I do not know whether he has rushed into the Chamber because he is worried about my amendment. The Parliamentary Secretary told us that the Government is interested in expediting the dual carriageway. That is all I am calling on the Government to do. At the end of the day we want the Pacific Highway upgraded and the deaths to stop. We want to ensure that people can travel safely on the Pacific Highway in the knowledge that they will not die in a head-on collision.

The honourable member for Port Macquarie said that 50 per cent of the deaths on the Pacific Highway are caused by head-on collisions. A dual carriageway would get rid of head-on collisions. The number of deaths on the sections of road that have been upgraded have basically reduced to nil, and the accidents on those sections that result in deaths are normally related to speed or vehicle defects. Accidents resulting in death and injury are occurring on those sections of the highway that have not been upgraded. I appeal to the Parliamentary Secretary and the Minister to accept my amendment, which purely calls on the Government to expedite the completion of this road. As the honourable member for Port Macquarie and the honourable member for Ballina said, we are well and truly outside the timetable. We want to see the upgrades completed. We want the carnage to stop. We want to know that our constituents and everyone in New South Wales can travel safely on this road.

Mr CARL SCULLY (Smithfield—Minister for Roads, and Minister for Housing) [12.54 p.m.]: I am inspired to respond to the honourable member for Coffs Harbour. I was listening for his generous thanks to the Government. I believed that we had a good working relationship to date. Over the years I have been a regular visitor to Coffs Harbour. I know that the honourable member expects the entire roads budget to be earmarked for the Coffs Harbour electorate to the detriment of everyone who lives along the length of the Pacific Highway.

Mr Andrew Fraser: That's a cheap shot. Bonville has been on the budget papers since 1997. Will you accept responsibility for those deaths?

Mr CARL SCULLY: The honourable member for Coffs Harbour had his go. Let me have mine! The Raleigh deviation, Korora Hill, Lyons Road to Englands Road, and Bray Street to Arthur Street are all projects that the honourable member and I opened. That is hundreds of millions of Federal and State dollars spent in the Coffs Harbour electorate. I am a little disappointed. The honourable member wants to go back to his electorate on Friday and give the pretence that this Government is not serious about expediting Commonwealth-State investment in the Pacific Highway. Nothing could be further from the truth. So I will not oppose the honourable member's amendment; I will not allow him the opportunity to give that pretence. I know he has his press release ready, hoping that I would say, "No, we will not entertain an Opposition amendment like that. We will not allow that." The honourable member would have said, "You little beauty. I have managed to procure a stunt out of the House's processes." I am sorry but the honourable member is denied that opportunity. However, when the honourable member issues his press release congratulating the Government on supporting his amendment I want him to note all the projects that the Government has funded in his electorate—hundreds of millions of dollars.

Mr Andrew Fraser: What have you done about Bonville?

Mr CARL SCULLY: There are many projects that need to be funded. Over the past two years I have almost pleaded with the Commonwealth Government and John Anderson to give commitments to renew the Pacific Highway agreement. Finally, John Anderson came out with Auslink—and I give him credit where it is due. There is significant extra funding from the Commonwealth, and I welcome that. However, I have said that we need to sit down—

Mr Andrew Fraser: Point of order: My point of order relates to relevance. I ask the Minister to tell the House why he had the RTA web site changed after three people were killed.

Mr ACTING-SPEAKER (Mr John Mills): Order! There is no point of order. The Minister may continue his speech.

Mr CARL SCULLY: I did not ask anyone to put anything on a web site. I did not ask anyone to change anything on a web site. I do not know what web site the honourable member is referring to.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Coffs Harbour will cease interjecting.

Mr CARL SCULLY: What a load of nonsense! I am sorry but it is yet another cover-up that is not in existence. I am sorry to disappoint the honourable member.

Mr Andrew Fraser: Deny that you changed the web site the day the Premier made the statement!

Mr CARL SCULLY: I did not change anything.

Mr ACTING-SPEAKER (Mr John Mills): Order! I call the honourable member for Coffs Harbour to order.

Mr CARL SCULLY: I do not know what the honourable member for Coffs Harbour is talking about. I accept the amendment, but it must be clear—

Mr ACTING-SPEAKER (Mr John Mills): Order! I advise the honourable member for Coffs Harbour that his disorderly behaviour is being recorded on the sound and camera system of the House. The Minister has the call.

Mr CARL SCULLY: I want the House to be clear that, in the Government accepting the Opposition's amendment calling for expediting the dual carriageway on the Pacific Highway, it must be clearly understood that that depends on the Federal Government settling negotiations with the State Government and we finally settle a new 10-year, 15-year or potentially 17-year agreement. Auslink is committed to only the next 10 years. I have told John Anderson that if he were to match what we are already doing on the Pacific Highway each and every year for that full 10 years we would need another 17-year agreement. It will cost about \$5,000 million to complete a divided dual carriageway all the way to the Queensland border. Indeed, it will cost more than that; it will cost about \$5.5 billion and take 17-plus years after the current agreement finishes on 30 June 2006.

The Federal Minister for Transport and Regional Services lives partly in fantasyland, but I give him credit. It is promising; it is extra money. He is saying the Federal Government will do a deal that will get us a divided dual carriageway in the next 10-year agreement. I am happy to say, "Yes, we need to expedite it", but in moving his amendment the honourable member for Coffs Harbour has supported my case to get a 17-year agreement. If the Federal Government wants to expedite it, it can give us more money. I will not let the honourable member for Coffs Harbour try to trick me into opposing this amendment so he can rush to the people of Coffs Harbour with a press release saying "Peace in our time". [*Time expired.*]

Mr ROBERT OAKESHOTT (Port Macquarie) [12.59 p.m.], in reply: I thank all honourable members who took part in the debate: the honourable member for Ballina, the honourable member for Coffs Harbour, the Parliamentary Secretary and the Minister. I acknowledge there are genuine concerns by all about the state of the Pacific Highway. The reason for bringing on this debate was the frustration felt by many people about the politics being played with regard to the Pacific Highway. The last three or four minutes of the debate demonstrated exactly what many people on the North Coast and the mid North Coast are saying. They are frustrated that the historic 10-year agreement from 1996 is being turned into a political finger-pointing exercise between the State Labor Government and the Liberal-National Federal government.

The State Government makes the point that the Federal Government is not providing enough money but will not sign a new agreement, and the Federal Government claims the State has blown its budget and that is why enough work has not been done. It is frustrating for everyone that the debate has come down to this. I do not want to be churlish, but lives will continue to be lost on the Pacific Highway. There will continue to be many accidents at black spots or on single-lane carriageways that should be dual carriageways or, at least, the subject of plans on the drawing board.

I accept the amendments to my motion. I note there is a commitment to review the Harrington-Cooperbrook intersection. About 2,000 people in those communities will be happy with that review process. Once again, I make the point that has been made by many people over the past decade—and it has been made in the Government's own planning documents, such as the Pacific Highway safety review. The number one priority in the roads budgets of the State and Federal governments should be the completion of the dual carriageway on the Pacific Highway. By leaving the job half done, they have created an argument that the highway is a more dangerous road. Traffic has increased, B-doubles have been approved to use the highway and there has been significant population growth on the mid North Coast. Unless that work is completed as a priority, the Pacific Highway will remain an extremely dangerous road.

Amendment of amendment agreed to.

Amendment as amended agreed to.

Motion as amended agreed to.

[*Mr Acting-Speaker (Mr John Mills) left the chair at 1.03 p.m. The House resumed at 2.15 p.m.*]

INDEPENDENT COMMISSION AGAINST CORRUPTION**Report**

Mr Speaker tabled, pursuant to the section 78 of the Independent Commission Against Corruption Act 1988, the report entitled "Report on Investigation into the Introduction of Contraband into the Metropolitan Remand and Reception Centre, Silverwater", dated September 2004.

Ordered to be printed.

PETITIONS**Murrumbateman Public School**

Petition requesting re-establishment of Murrumbateman Public School, received from **Ms Katrina Hodgkinson**.

Baulkham Hills TAFE Japanese Language Courses

Petition requesting the continuation of Japanese language courses at Baulkham Hills TAFE, received from **Mr Wayne Merton**.

Skilled Migrant Placement Program

Petition requesting that the Skilled Migrant Placement Program be restored, received from **Ms Clover Moore**.

Hobartville Public School

Petition requesting the construction of a hall at Hobartville Public School, received from **Mr Allan Shearan**.

Gaming Machine Tax

Petitions opposing the decision to increase poker machine tax, received from **Mr Greg Aplin, Mr Steve Cansdell, Mrs Judy Hopwood, Mr Malcolm Kerr, Mr Steven Pringle and Mr Andrew Tink**.

Willoughby Traffic Conditions

Petition requesting a regional traffic plan for the Pacific Highway at Willoughby, received from **Ms Gladys Berejiklian**.

Pacific Highway Speed Limit

Petition requesting reduction of the Pacific Highway speed limit at Wardell to 70 kilometres per hour, received from **Mr Steve Cansdell**.

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**.

Heavy Vehicle Speeding and Tailgating Penalties

Petition requesting amendments to the Motor Traffic Act to penalise heavy vehicle speeding and tailgating, received from **Mr Andrew Fraser**.

Public Housing Tenants Rights

Petition requesting amendments to the Residential Tenancies Amendment (Public Housing) Act to provide public tenants with the same rights as other tenants and to protect their security of tenure, received from **Ms Clover Moore**.

Cross-city Tunnel Local Area Traffic Management Plan

Petition requesting a comprehensive local area traffic management plan for all suburbs affected by the cross-city tunnel, received from **Ms Clover Moore**.

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 road works program, received from **Mr Steven Pringle**.

Old Northern and New Line Roads Strategic Route Development Study

Petition requesting funding for implementation of the Old Northern and New Line roads strategic route development study, received from **Mr Steven Pringle**.

Albury Bridge Closure

Petition opposing the closure of the Dean Street Bridge in Albury, received from **Mr Richard Torbay**.

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**.

Breast Screening Funding

Petitions requesting effective breast screening for women and maintenance of funding to BreastScreen NSW, received from **Ms Gladys Berejiklian**, **Mr Steve Cansdell**, **Mr Andrew Fraser**, **Mrs Judy Hopwood** and **Mr Adrian Piccoli**.

Mental Health Services

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

Alcohol and Drug Services

Petition requesting increased and expanded inner city alcohol and drug services, received from **Ms Clover Moore**.

CountryLink Rail Services

Petitions opposing the abolition of CountryLink rail services and their replacement with buses in rural and regional New South Wales, received from **Mr Andrew Fraser**, **Mr Andrew Stoner** and **Mr John Turner**.

Broadmeadow to Newcastle Rail Services

Petition opposing the proposed closure of the railway line from Broadmeadow to Newcastle, received from **Mr Bryce Gaudry**.

Newcastle Rail Services

Petition requesting the retention of rail services to Hamilton, Wickham, Civic and Newcastle stations, received from **Mr John Mills**.

Bus Service 311

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

Armidale and Moree Rail Services

Petition requesting continuation of CountryLink rail services from Sydney to Armidale and to Moree, received from **Mr Richard Torbay**.

Albury Electorate Policing

Petition requesting an increased physical police presence in the Albury electorate, received from **Mr Greg Aplin**.

Horticultural Industry Water Restrictions Assistance

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

Water Carting Restrictions

Petition opposing the decision by Sydney Water Corporation to restrict the operating times for water carters and not allow Sunday cartage, received from **Mr Steven Pringle**.

Water Tank Subsidy

Petition requesting that the water tank subsidy be extended to rural residents of Baulkham Hills, Hawkesbury and Hornsby local government areas, received from **Mr Steven Pringle**.

Hawkesbury Electorate Sewerage

Petition praying that funding be provided to construct a reticulated sewerage system for Glossodia, Freeman's Reach and Wilberforce, received from **Mr Steven Pringle**.

Isolated Patients Travel and Accommodation Assistance Scheme

Petition objecting to the criteria for country cancer patients to qualify for the Isolated Patients Travel and Accommodation Assistance Scheme, received from **Mr Andrew Stoner**.

Lismore Fire Service

Petition requesting the provision of a permanently staffed fire service in Lismore, received from **Mr Thomas George**.

Social Program Policy Subsidy

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

Local Government Amalgamation

Petition opposing any forced council mergers, received from **Mr Andrew Stoner**.

Business Enterprise Centres

Petition requesting the reinstatement and funding of business enterprise centres, received from **Mr Steve Cansdell**.

Small Business Overregulation

Petition opposing the over-regulation of small business, received from **Mr Andrew Fraser**.

Temora Agricultural Research and Advisory Station

Petition opposing the closure of the Temora Agricultural Research and Advisory Station, received from **Mr Ian Armstrong**.

Grafton Agricultural Research and Advisory Station

Petition opposing the closure of the Grafton Agricultural Research and Advisory Station, received from **Mr Steve Cansdell**.

Department of Primary Industries Budget

Petition requesting support for primary producers and opposing Department of Primary Industries budget cuts that may affect key field staff, front-line services and research and development, received from **Mr Thomas George**.

State Forests

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

Sow Stall Ban

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

Pet Sales

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

Hawkesbury-Nepean River System Weed Harvester

Petition requesting the purchase of a weed harvester for the Hawkesbury-Nepean river system, received from **Mr Steven Pringle**.

Alcohol Wet Centres

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

PUBLIC ACCOUNTS COMMITTEE**Report**

Mr Matt Brown, as Chairman, tabled report No. 5/53 entitled "Review of Fire Services Funding", together with associated minutes of proceedings.

Report ordered to be printed.

QUESTIONS WITHOUT NOTICE

DESIGNER OUTLETS CENTRE, LIVERPOOL, CLOSURE

Mr JOHN BROGDEN: My question without notice is directed to the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration). Does the Minister have full confidence in her most senior bureaucrat, Jennifer Westacott, who provided the Minister with the advice she wanted to override the rezoning of the Orange Grove outlets centre?

Ms DIANE BEAMER: I have full confidence in the director-general.

JURY SERVICE

Mr ALLAN SHEARAN: My question without notice is addressed to the Attorney General. What is the latest information on juries in New South Wales?

Mr BOB DEBUS: Participation in the jury system is the most crucial way in which ordinary citizens may participate in the operation of the criminal justice system. When citizens undertake jury service, they bring their inherent sense of fair play to aid in the dispensation of justice. In fact, the jury is one of our most ancient civic institutions. A number of recent cases have highlighted the risk that actions of individual jurors, often either unintentionally or from the purest of motivations, may taint the progress of the trial process and, in some cases, lead to a retrial. Retrials are costly in dollar terms. However, the personal cost to complainants required to undergo the trial process for a second time is more important.

In considering how best to protect and reform the jury system the Government has had regard to the need for better education and information of jurors, as well as the need, in extreme cases, for penalties for those who wilfully transgress against the directions laid down for juries by judges. Fundamentally, we must seek to support and encourage the participation of jurors in the trial process, and we must continue to research the obstacles that lead to jurors being confused about the boundaries of appropriate conduct. To this end, my department is actively co-operating with two separate current research studies. First, the University of New South Wales and Charles Sturt University are examining the influence of particular judicial directions on juries. Second, the Bureau of Crime Statistics and Research will survey jurors as part of the evaluation of the pilot child sexual assault specialist jurisdiction, which we have recently set up.

These researchers, under tight safeguards, are exploring the otherwise cloistered world of the jury. We will use the results of this research to improve the quality of the directions given to juries and the educative process. However, following consultation with the jury task force it has become clear that in some cases jurors and potential jurors require the deterrent effect of a penalty when the clear directions of a judicial officer are flouted. The actions of a few renegade jurors have jeopardised the trial process. Put simply, there is no room for a Columbo-type character in the jury room. Watching a few episodes of *Blue Heelers* does not equip a juror to act as an amateur detective.

The Government will, therefore, proceed with the introduction of a new offence to prohibit jurors from conducting their own inquiries during trial proceedings. The creation of this offence will provide a deterrent to jurors. It will remind them that they must not go outside the courtroom. They must not do their own experiments or investigations, or consult material, for example via the Internet, that is not part of the evidence before the court. This offence will carry a maximum penalty of two years.

The Government will also amend the Jury Act to make it an offence to solicit information from a juror or to harass a juror, in all activities undertaken by the jury, rather than the narrower provision that currently exists. We will give an express power to the Office of the Sheriff to investigate and report back to the court where a serious irregularity is suspected. These reforms are based on recommendations made by the Chief Judge at Common Law in two recent cases involving jury misconduct. They were considered and endorsed, as I have said, by the jury task force, which is chaired by Justice Greg James, and advises the Chief Justice on the jury matters.

My department has consulted extensively with a number of the justice agencies, the Chief Judge of the District Court, and the Chief Justice of New South Wales. The Office of the Sheriff is finalising a jury handbook which will explain these responsibilities to juries in a very clear manner. The standard directions a judge may give to a jury are also being remodelled by the Judicial Commission to clarify the role of the jury. With all these enhancements, it is hoped and expected that there will be few, if any, prosecutions under this new law. The Government believes that the combination of research, improved education and, in the ultimate case, the exercise of a deterrent penalty, will strengthen and support the jury system, which is so fundamental to our democracy.

BSR SOLUTIONS GOVERNMENT CONTRACT

Mr JOHN BROGDEN: My question without notice is directed to the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration). In the light of the Minister's earlier answer expressing full confidence in Ms Westacott, how does she explain her decision to pay BSR Solutions, a company part-owned by Ms Westacott's former Department of Housing workmate Sharron Kennedy, \$2.1 million in less than one year, which an internal audit report says breached both the Public Sector Management Act and the Independent Commission Against Corruption guidelines?

Ms DIANE BEAMER: I will get a full report—

[Interruption]

When in doubt, just shout loudly and besmirch! I will get a full report on that matter.

DESIGNER OUTLETS CENTRE, LIVERPOOL, CLOSURE

Mr GERARD MARTIN: My question without notice is addressed to the Premier. What is the latest information on the Opposition claims concerning Gazcorp's unlawful development?

Mr BOB CARR: The issue of political interference in the planning process ensured that I read closely the letter that the Property Council sent out to its members inviting them to a \$1,000-a-head dinner tonight with the Leader of the Opposition at Elizabeth Bay House to express appreciation for his promise to lift the vendor duty. The invitation reads:

Thankfully the Coalition gave a strong commitment to abolish this tax if it assumes government in 2007. In the light of this commitment, it is my pleasure to invite you to discuss taxation with the Coalition's leadership team.

Just so they get value for money, the next Leader of the Liberal Party is on the list as well—Spiderman is one of the guests of honour. That function is on tonight; \$1,000 a head at Elizabeth Bay House, 7 Onslow Avenue, Elizabeth Bay, one of the marvellous properties managed by the Historic Houses Trust in New South Wales. I want to say something about Mr Nabil Gazal and Mr Bargshoon because we stopped Mr Gazal getting a \$5 million windfall gain through a retrospective rezoning.

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

Mr BOB CARR: I want to say something about what these documents reveal about his links with the Liberal Party Opposition because these documents only an hour ago came to my attention. But before we come to them, it is very clear that the Opposition leader has tied himself to Mr Nabil Gazal. He has staked his reputation on the character of Mr Nabil Gazal.

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

Mr BOB CARR: He has tied himself to the man who deliberately deceived 60 tenants, offering them leases knowing those leases were doomed.

[*Interruption*]

I would not leap in too quickly about whose mate he is; wait until we get to the documents. The Opposition leader has put all his support behind Mr Gazal, who stood to make a million-dollar windfall gain from a retrofit rezoning.

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

Mr BOB CARR: The Opposition leader is siding with Gazal, who used other people's jobs in an attempt to blackmail the Government. He has tied himself to Gazal and his associates who staked out the planning Minister's home at midnight and at 6.00 a.m. the next day, like a scene from *The Sopranos*. He has tied himself to Gazal's highly questionable engagement of the former Liverpool council planner who had approved the dodgy development application [DA], and then ended up working for Mr Gazal. He tied himself to Mr Gazal against the weight of a Land and Environment Court judgment and he has backed him against the collective wisdom of three judges of the Court of Appeal. In this House he is Gazal's mouthpiece. I will establish that.

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order. I call the honourable member for Kiama to order.

Mr John Brogden: Point of order: You should provide the honourable member for Fairfield with an opportunity to make a personal explanation. He is Nabil Gazal's mouthpiece.

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

Mr BOB CARR: What happened this week in Parliament? For weeks the Opposition has been saying the Government would be under pressure; the Premier would be under such pressure. Round three, and the only bloke who is pale-faced and strident is the Leader of the Opposition. So the Leader of the Opposition supports Mr Gazal and endorses his complicity with the disgraced and dismissed Liverpool council. He tells the Property Council, "We sacked them." He tells the Property Council that he supports centres policy, that it is very important, that it is the only way the Sydney basin can work. "We have done a metropolitan strategy based on

centres policy," he says to the Property Council, but then he says to Mr Gazal, "We will make an exception in your case, but only in your case". Not in the case of that other development in Liverpool at Warwick Farm, outlined by the Minister for Infrastructure and Planning and mentioned in the House yesterday, but an exception will be made in the case of Mr Gazal's development, an exception in the enforcement of centres policy. The one exception he would endorse is an exception for Mr Gazal. There has always been a substantial closeness between the Opposition and Mr Gazal. They have met often, they have teamed up—

Mr Barry O'Farrell: Give us a break! Look at your team!

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

Mr BOB CARR: Spiderman has come to life!

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

Mr BOB CARR: I have all the time in the world. Members want to hear it and I want to hear it. It was touching the other day when the people who came into the gallery—I think motivated by the issue of the Casino to Murwillumbah rail link—got so emotional during my account of the perfidy of the Federal Government that they began, against the rules I must say, shouting their support. I thought it was a very emotional moment.

Ms Katrina Hodgkinson: You are a liar.

Mr BOB CARR: How dare you say that! What a vulgar person the honourable member is to shout out an insult like that. As I say, certain documents have come into my possession today from Gazcorp Pty Ltd. And I do not think this is behaviour becoming of an officer of the Army Reserve. Members know whom I am talking about. I never make much of my military background but when I was on the general's staff this is the sort of thing I would never have engaged in. But here is a note addressed to the honourable member for Lane Cove—and we will find out why in a moment—from Gazcorp, from our old friends Gazal and Bargshoon. This is the note:

To Anthony Roberts, MP

This is the timeline as requested. thanks.

It is dated 2 September 2004 from Mr Nabil Gazal—

Mr John Brogden: Point of order: Is that Bargshoon there? That's Bargshoon next to Bob. He's right there next to Bob!

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

Mr BOB CARR: The fax arrives with a little friendly note that says, "as requested thanks." And what follows is, of course, all Mr Gazal's arguments, all his lies and all his lame defences neatly laid out to aid the member's "representations" in this place.

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

Mr BOB CARR: It is not just the opposition member close to Mr Gazal, encouraged by the Leader of the Opposition, but there is also a range of other material here which makes interesting reading.

Mr SPEAKER: Order! I call the honourable member for Coffs Harbour to order. During the past five minutes the standard of behaviour in the Chamber has dropped remarkably. All members who have been called to order are now deemed to be on three calls. Although proceedings in the Chamber on Thursday afternoons are normally a little lighter than those on other days, I expect members to maintain the decorum of the Chamber, to ask questions in the proper way and to allow Ministers to answer them in silence.

Mr BOB CARR: There is a note in this material from a Mr Jeff Egan of Flagship Communications.

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

Mr BOB CARR: This is the firm from which the member for Lane Cove drew money a short time ago. In fact, a company search today confirms he was once a director of that very firm. Jeff Egan: that is a name that ought to ring a bell. He is a former Liberal Party councillor in the Blue Mountains who has turned his hand to being a public relations [PR] flack; the same Jeff Egan who worked recently with Liberal Party Senator Coonan. Surely it is a coincidence that he is now the person running the Gazal campaign—in fact, running the Gazal campaign from the very beginning. I am told that Mr Egan's partner is none other than David Elliott, who used to hawk around press releases for that last great leader of the New South Wales Liberals, Peter Collins. It turns out that that Flagship, of which the member was once a director, is the body that is generating the whole Gazal-Bargshoon campaign.

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

Mr BOB CARR: Could it be true—I mentioned Peter Collins a moment ago. I am inspired by the new book by a former Liberal Leader, Kerry Chikarovski, and the things she says about the team over there, but I do not want to be accused of promoting a commercial product. There will be more of that later if I get the opportunity. It now seems that Opposition members are making representations in this place directly advised by Mr Gazal and Liberal PR mates who crafted this campaign. The question is: are you raising matters here, questions crafted by this PR firm on behalf of Mr Gazal, faxed to this character, a former director of the PR campaign, by people formerly on the staff of Liberal Party MPs running this campaign for Gazal?

Mr Alan Ashton: Cash for questions.

Mr BOB CARR: Exactly, cash for questions. Are you raising matters here purely for your mate's financial gain?

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

Mr BOB CARR: You sit in this Parliament, a former director of this company, receiving material they send you, for which Gazal and company are paying that PR outfit. That is a major ethical question, and a legal question. Talk about cash for comments. And the honourable member for Lane Cove ought to be making a major statement to this Parliament explaining and saying what he is getting in return for being the mouthpiece for a commercial operation.

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

Mr BOB CARR: The note to him from Jeff Egan of Flagship Communications states: "Please find attached talking points on Orange Grove." That is where it is coming from. They are not smart enough to do their own research; their talking points are faxed to them on Gazcorp letterhead by the PR agency, run by Liberals, of which he was once the director. What disturbs me in all of this is what has happened to his officer's sense of honour? These are the instructions they are getting on a day-to-day basis: what to raise in the Parliament, what issues to ask questions about. Gazal's PR firm drafts the questions and gets them to the Opposition members. More questions must be asked about the role of the Leader of the Opposition in this. Why has he run a campaign to stop the production of Mr Gazal's leases?

Mr John Brogden: That's a lie.

Mr BOB CARR: Is it? I am glad to be able to have the opportunity to answer that. The Hon. Peter Primrose, in the parliamentary committee dealing with this matter, said to Mr Gazal:

The Hon. PETER PRIMROSE: Can you tell us the situation regarding your undertaking concerning leases that was given to this Committee last Friday?

Mr GAZAL: There was no undertaking.

The Hon. PETER PRIMROSE: Can the Committee view those leases subject to their being made available only to members?

Mr GAZAL: I can give you a letter.

The Hon. PETER PRIMROSE: So you will not provide a copy of the leases for this Committee?

Mr GAZAL: Not the commercial conditions of the leases.

The Hon. PETER PRIMROSE: Will you provide copies of the leases to this Committee, yes or no?

Mr GAZAL: No.

The Hon. John Ryan presented numerous feeble arguments in committee hearings against those leases being made public. This is an inquiry canvassing matters related to zoning, to leases and to employment and on 17 August Mr Ryan made this sterling contribution when the committee sought leases from Mr Gazal. Mr Ryan, the Liberal MLC, said, "They are not relevant to our terms of reference." Isn't that lame; isn't that pathetic. It ought to be noted that the Government members of the committee even said that they were prepared to sight the leases with the commercially sensitive parts—that is, the names and the rental amounts—blacked out. But they were still not produced. You are guarding Gazal against exposure in the committee.

We know exactly why. It is because the critical issue here is the dates on which the leases were executed. If the inquiry and the Save Orange Grove Bill were anything other than lame stunts, the Opposition would have encouraged Mr Gazal to table the leases, instead of constructing fake arguments against the very possibility of him doing that. They have been, again, eager players—and why wouldn't they be? They are getting faxed to them on a day-by-day basis, through Liberal PR hacks, their directions for questions and their directions for speeches on this matter, with the facilitation of a bloke over there who was, until recently, director of the PR company and who, I am advised, dined last night with Mr Bargshoon. That is not the behaviour of an Australian Army officer.

Mr John Brogden: When did you dine with him, Bob? When was that dinner, Bob—it was a little bit more than dinner.

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat. Because of his position the Chair has extended considerable latitude to the Leader of the Opposition. However, he must show some leadership. All he has done thus far is to show the Opposition how to totally disregard the standards of the House. All members should abide by the rules of the House, which make no provision for any exceptions. One would expect the Leader of the Opposition to show some leadership in that regard. So far he has failed to do so. I ask him to remember the position he holds and the respect that is due to him, both as the Leader of the Opposition and as a respected member of this House. His behaviour belittles both himself and the Chamber and does the people of New South Wales no credit.

Mr Barry O'Farrell: Point of order: Mr Speaker, if you want to talk about the standards of this House—stop him telling lies. If you want to talk about rules, when matters of privilege are raised, follow the rules and allow us time to debate it.

Mr SPEAKER: Order! The Deputy Leader of the Opposition has cast aspersions on the Chair. I call him to order for the third time.

Mr Barry O'Farrell: You cannot have it both ways. You cannot have rules for them and rules for us. You have got to be fair. If you are not fair, get out of the chair.

Mr SPEAKER: Order! The outburst by the Deputy Leader of the Opposition is unacceptable to the Chair and to the Chamber. I ask the Deputy Serjeant-at-Arms to remove him from the Chamber.

[The honourable member for Ku-ring-gai left the Chamber, accompanied by the Deputy Serjeant-at-Arms.]

Mr SPEAKER: Order! I warn members that if there is any further disruption similar to that caused by the Deputy Leader of the Opposition, he will not be the only member to leave the Chamber before the end of question time.

Mr BOB CARR: If the inquiry and the Save Orange Grove Bill were anything other than lame stunts, the Opposition would have positively encouraged Mr Gazal to produce those leases. Instead, they have connived with him on the committee every inch of the way to prevent him having to present to the public gaze those leases that he entered into, those leases in which people were deceived—

[Interruption]

I will have something to say about the honourable member for Wakehurst shortly, and I am looking forward to the opportunity.

Mr SPEAKER: Order! I place the honourable member for Wakehurst on three calls to order.

Mr BOB CARR:—those leases that had people sign up their investments without being warned that the whole zoning was under risk in the courts. Instead, members opposite have been eager players in Mr Nabil Gazal's game of smoke and mirrors. I say to Opposition members: If you are quick to claim that you have not opposed a motion to make Gazal produce the leases, stand up for the shop owners of Orange Grove and ask him to produce all 60 leases immediately before the close of business today.

MURRAY-DARLING RIVER SYSTEM

Mr ANDREW STONER: My question is addressed to the Minister for Infrastructure and Planning, and Minister for Natural Resources. Does the Minister support Federal Labor's plan to put an additional 1,500 gegalitres down the Murray-Darling river system—a proposal not supported by science—which would destroy irrigation communities relying on that water? What socioeconomic analysis has the Minister done on the proposal?

Mr CRAIG KNOWLES: I tell the House what I do support: John Anderson coming clean with the \$55 million that he promised in advance of the Council of Australian Governments meeting to join the \$55 million that New South Wales has put on the table to deal with the groundwater initiatives under the National Water Initiative. I do not want to be nasty to John Anderson but let us be straight about this. This is a package, and John Anderson made a commitment—

Mr Andrew Stoner: Point of order: My point of order is relevance. The Minister is wasting the time of the House talking about irrelevancies. The question was about Labor's plan to put 1,500 gegalitres down the Murray-Darling river system—

Mr SPEAKER: Order! There is no point of order. I call the Leader of The Nationals to order. The Leader of The Nationals will resume his seat.

BAIL LAW REFORM

Mr BARRY COLLIER: My question without notice is directed to the Premier. What is the Government's response to the New South Wales Bureau of Crime Statistics report on bail?

Mr BOB CARR: That is a good question. Coincidentally, I am just reading the Chikarovski book. On National Party leadership, page 139 of the book states:

George didn't get all he wanted. I stood firm on one of the key demands made by the Nationals—that they be given responsibility for economic policy. There was no way I could give in on that demand.

They were a thousand times better off under the honourable member for upper Hunter than they are under this simple bloke. The Chikarovski book provides many hours of quiet reading, intellectual refreshment and spiritual nourishment. Enough of these distractions! The honourable member for Miranda has asked a serious question, and it deserves a serious answer.

Mr Andrew Tink: Point of order: My point of order relates to the relevance of the Premier's required reading.

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

[Interruption]

Mr SPEAKER: Order! The honourable member for Epping will resume his seat. I remind him that he is on three calls to order; he almost followed the Deputy Leader of the Opposition from the Chamber. The Premier will be heard in silence.

Mr BOB CARR: It is terrible when members opposite use this Chamber to make base political points. In 2000 the Bureau of Crime Statistics and Research [BOCSAR] highlighted the fact that accused persons were failing to appear before New South Wales courts. In that year 14.6 per cent of Local Court defendants failed to appear. The main offenders were those with prior convictions or with multiple concurrent offences. The Government heeded this research and that is why we removed the presumption in favour of bail for persons—

Mr BOB CARR: I cannot believe the member for Epping bought that book. Books on the Labor Party sell; books on the Liberal Party never sell because they are not interesting.

[*Interruption*]

The honourable member for Coffs Harbour has never read a book in his life. We do not think the honourable member is the world's greatest reader or bibliophile. If I were him I would not make that claim. The Government removed the presumption in favour of bail for persons accused of an offence while on bail, on parole, subject to a bond or serving another sentence at the time of the offence. There is also no presumption in favour of bail for persons accused of an offence who have previous convictions for failing to appear before a court while on bail. Nor is there a presumption of bail for people accused of an indictable offence who have a previous conviction for an indictable offence.

These amendments came into operation on 1 July 2002. BOCSAR has reviewed their effectiveness in the first 18 months of operation, and the early results are very promising. Bail refusal rates rose by 10.3 per cent for defendants with prior convictions, 7.3 per cent for defendants appearing for an indictable offence who have serious prior convictions, and 15.5 per cent for defendants who previously failed to appear in court in accordance with their bail undertaking. The repeat offender provisions are operating to target repeat offenders while still allowing bail to be granted when appropriate. The BOCSAR report also indicates that there has been a significant decrease in the number of people failing to appear in court. In the Local Court there has been an 18.5 per cent decrease. In the District Court the effect was even more dramatic—a 46.4 per cent decrease. This means that those who have been granted bail are honouring their obligations to attend court, reducing the risk of repeat offences and reducing the amount of police time wasted on re-arresting and processing these people. The bureau concludes:

The principal objective of the Bail Amendment (Repeat Offenders) Act 2002 was to reduce the rate of absconding on bail. It sought to achieve this by removing the presumption in favour of bail from offenders ... The legislation appears to have achieved both of these objectives.

So our bail reforms and tougher policing policies are working. The proof lies in the fact that we expect a prison population of 10,000 by 2008. Of course, that includes the new Wellington gaol. Members on this side of the House are unequivocal in their support for this facility. I cannot say the same about members opposite. The shadow Minister for Justice issued a press release on 23 June headed "New prison program in doubt". I think the honourable member for Davidson is the shadow Minister for Justice.

[*Interruption*]

If I do not know who the shadow Minister for Justice is, it is not my fault; it is his fault. The shadow Minister issued a press release on 23 June stating, "New prison program in doubt", followed by an article in the *Daily Liberal* with the headline "State commitment to Wellington jail 'shaky'". It stated that the State Government's commitment to Wellington gaol was still shaky. The *Wellington Times* of 23 August states, "Shadow Minister says we're being conned over the jail". It stated:

The State's prison population is levelling off, the lack of action last year and the extension of the completion date can only suggest the Government believes the need for the Wellington jail may be easing.

The shadow Minister said that in Wellington, but then he conducted a tour of Bathurst and Lithgow where he told the people that, because Wellington was going ahead, the future of those two prisons was in doubt. He said that the status of gaols in Bathurst, Grafton and Cooma would have to be revised because the great new prison in Wellington is going ahead. The shadow Minister made two mistakes. First, he assumed that gaol numbers were declining, and they were not; and, secondly, he assumed that Bathurst and Wellington had different media outlets, which they do not.

No wonder there is speculation about an Opposition reshuffle with those bright new members of the Legislative Council, whose names I forget, coming in and unnamed members already here going out. I hope our old friend the honourable member for Davidson is not one of those about to be sacrificed. He raises these campaigns, and how grateful the media in Wellington are when we assure them that the gaol is definitely going ahead. We have opened Kempsey, with 500 beds; 150 new beds at Junee; 30 additional beds at each of Tamworth, Glen Innes, Broken Hill and Oberon; 120 beds at Cooma; 75 new beds at the Goulburn high-risk management unit; 20 beds at Brewarrina; and 40 additional beds at Mannus.

That is in stark contrast to the Coalition's expansion plans in the heady days of Greinerism. In those days Michael Yabsley said he would give serious consideration to importing shipping containers to be used as cells. Once he was caught opining that the convict fort in the harbour might have to be reopened as a prison. He

planned to downgrade maximum-security prisoners to minimum security just to make the books look better. Nick Greiner's protégé, the honourable member for Pittwater, wants to do it all over again. On 24 November 2002 he said:

As Liberals we aim to open schools and close prisons.

I will happily open schools any day of the week, but there will be no curtailing of proper, State-run prisons while this Government is in office and while there is a need for them. We will keep building and opening new gaols as long as criminals commit serious crimes. The community deserves to be kept safe.

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

GUNNEDAH POLICE STATION RENOVATIONS

Mr PETER DRAPER: My question without notice is directed to the Minister for Police. Following the completion of renovations to the rear of Gunnedah police station, will the Minister give an undertaking to visit this station and inspect the work needed to bring the front section up to the same standard?

Mr JOHN WATKINS: I thank the honourable member for his invitation to visit the fair town of Gunnedah. I visited Gunnedah police station last year. It was one of the most memorable visits of my life to a country town. On that trip we flew to Coonabarabran. As our plane came in to land at Coonabarabran airport, the wheel on the plane collapsed and the plane slewed to the edge of the runway. I saw my life pass before my eyes. When we arrived at the fair town of Gunnedah I felt like kissing the ground. I look forward to revisiting Gunnedah to see the results of the half-million-dollar upgrade of the Gunnedah police station. I will visit there at the earliest possible opportunity.

We on this side are committed to improving police station accommodation right across New South Wales. That is why we developed a list of 27 police stations in the State for refurbishment or rebuilding. Gunnedah is on that list. This year's budget provides \$700,000 for the initial planning, with \$40 million a year from 1 July next year. When I am in the Oxley Local Area Command I look forward to meeting the newest probationary constable. I understand the new officer began there just this week after his graduation from the New South Wales Police College at Goulburn last Friday. I wish him all the best in his career as a New South Wales police officer.

NATIONAL WATER INITIATIVE

Mr PETER BLACK: My question is directed to the Minister for Infrastructure and Planning. What is the latest information on the national water initiative and its impact on New South Wales?

Mr John Brogden: Tell us about the meeting with Gazal.

Mr CRAIG KNOWLES: How many questions have we had so far—four or five? Members of the Opposition raised this spurious nonsense earlier today and one would expect them to ask about that in question time, but they do not have the guts to do it. The Leader of the Opposition is not having a good week, and after these last revelations things are going to get a lot better. For the record, I have never had any meetings with Phuong Ngo.

[Interruption]

That was not the allegation, but for the record my chief of staff has not either. Members opposite are backsliding all the time. They hurl muck and hope some of it will stick. They are absolute lies. The national water initiative [NWI] was signed by the Council of Australian Governments [COAG] last June. It is a landmark agreement. When it is implemented it will underpin and protect our rivers. It will better value our water and will help sustain our national economy. Of course, the New South Wales Government is ahead of the game in implementing the NWI. We have already legislated the first stage. We have established perpetual licences, we have created a framework for a proper market base and trading regime, and we have amended our water-sharing plans to reflect those objectives and the need to use our water resources in a sustainable fashion.

The one legislative change still required—the Leader of The Nationals may be interested in this, given his earlier question—is the issue related to the allocation of risk. Irrigators particularly are interested in the risk allocation between the governments of Australia and farmers. The COAG meeting in June decided on a risk

formula after a lot of hard work by all jurisdictions and players involved in the industry. In simple terms, the risk formula means that if water allocations change after the end of each of our first round of plans at the end of their 10-year life, the cost of those changes will be borne, up to the first 3 per cent of change, by irrigators themselves; from 3 per cent to 6 per cent, the Commonwealth and State governments will share the cost of adjustment on a two-thirds:one-third basis; and from 6 per cent onwards will be an equal share between the Commonwealth and State.

Because the national water initiative is a total package, the Government has also suspended the commencement of six ground water sharing plans until 1 July next year. This is to allow time to rework the plans to have greater regard for history of use as well as to incorporate the work we have done with key rural community groups and the Commonwealth Government over the past year. Part of that work was the negotiations with the Commonwealth around a new financial assistance package to assist those half a dozen valleys to manage the historic overallocation to ensure that water is used within sustainable levels in the future.

At COAG the Premier of New South Wales put \$55 million squarely on the table in what I believe to be a pre-agreed arrangement in which the Commonwealth would match those funds and irrigators would join with an equal amount in kind. This would mean, if it all came together, a \$165 million assistance package to assist the readjustment of ground water in the six river valleys. Sadly, only the State's money continues to sit on the table. From the jungle drums beating around the national circuit in Canberra, it is beginning to sound like the Canberra bureaucrats have squirrels in the machinery. A few spanners have been put into the works, and the Feds are beginning to go soft. With the Government in caretaker mode it is unlikely that we will see any sign of the Commonwealth's \$55 million this side of 9 October.

If a Latham Government is elected, I am confident we will see the \$55 million, but if the Coalition is returned I am doubtful that we will see anything like it. A lot of work was done in the lead-up to COAG, and I believe this was an agreed position between the States and the Commonwealth—\$55 million each, \$110 million, with another \$55 million in kind—a \$165 million package. We have 12 months to readjust the ground water-sharing plans, having agreed to suspend them until 1 July next year. There is a lot of hard work to be done in those 12 months in those six valleys, and now we are waiting until after the election, which is cutting down that time frame to, at best, eight months. With the inevitable Christmas onslaught, we will be trying to rush this through in the last quarter of next year.

Because of the lack of commitment by the Commonwealth, that eight-month period after the election will tighten up the prospect of getting a good result. I know, and I suspect rural members of this House know, that farmers and irrigators around this State are anxious. Some of them trotted off down to Canberra to try to get that money unlocked before the caretaker mode set in. I need to make it very clear that these ground water plans cannot be done in half measure. Our \$55 million on its own does not come within a bull's roar of the solution required. The effectiveness of the State's money has always been contingent on the Commonwealth's matching funds and the active and constructive participation of the irrigation communities around the State.

The alternative will be to proceed on 1 July next year without any changes to existing policy. Equally, because of the linkages between all of the components of the national water initiative, I am also concerned about the usefulness of legislating the risk formula until such time as we can be confident of delivering on-the-ground results for our farm and irrigation communities. Rural and regional New South Wales have my undertaking that I will continue to work constructively with the Commonwealth Government, whichever party is elected on 9 October, but I will not allow the New South Wales Government to be positioned on this issue.

The New South Wales Government has sent a clear message that our \$55 million is as far as we can and will go. Some of the interest groups would be well advised to stop trying to put the squeeze on New South Wales and use their energies instead to get the Commonwealth to confirm its commitment to the bush. If some groups in this debate think they can get away with playing both ends against the middle, they should think again. The national water initiative requires all people in the partnership to be fair dinkum and stop playing games with people's livelihoods.

AREA HEALTH SERVICE RESTRUCTURE

Mr RUSSELL TURNER: My question without notice is directed to the Minister for Health. How can the creation of a super size Greater Western Area Health Service be anything but a major cost-cutting exercise that slashes jobs and further disenfranchises communities when he has estimated it will take two years for local communities to get any extra medical staff?

Mr MORRIS IEMMA: At least there is one thing that is consistent about The Nationals, and that is their inconsistency. The Leader of The Nationals, now joined by the honourable member for Orange, talks about the destruction of jobs in area health services—the jobs out of bureaucracy that are being redirected to front-line health services. At least the Leader of the Opposition is consistent. He says that area health services are an unnecessary layer of bureaucracy. The Nationals are fighting on behalf of retaining area health service bureaucracies. Back in their electorates The Nationals are doing a tour of New South Wales offering an area health service in every rural electorate.

The honourable member for Wagga Wagga wants one in his electorate, the honourable member for Orange wants one in his electorate, and the Hon. Jennifer Gardiner is promising one in Armidale and Tamworth. In every country town The Nationals and some of their country Liberal colleagues are promising offices, not more nurses and doctors or more health services. They are promising more bureaucrats in each one of their towns. On top of that they are promising a return to health boards for every hospital. They say that every one of the 200 hospitals will get a health board with at least 10 or 12 members. They want more than 2,000 extra health bureaucrats; not one extra nurse, not one extra doctor, not one extra health service.

The restructure that was announced over a month ago, which will deliver \$100 million in administrative savings, redirects the money to front-line health services. That is our position. The position of the Leader of the Opposition is that area health services are an unnecessary layer of bureaucracy. The Nationals have a position for every electorate. Their position is that bureaucrat jobs are more important than more nurses and doctors. Would you rather have an extra bureaucrat or an extra bed, an extra bureaucrat or more nurses, an extra bureaucrat or another doctor, an extra bureaucrat or a cardiac catheter lab, an extra bureaucrat or a renal service? The trimming of the administration comes out of area health service offices, out of bureaucracy, and is redirected towards front-line health services. The honourable member for Orange talks about protecting health bureaucrat jobs, as opposed to backing the redevelopment of his hospital.

Apart from the Royal North Shore Hospital redevelopment, the biggest capital works project we have into the future is a redevelopment of Bloomfield and Orange Base hospitals. One would think we would hear at least one word of support from the honourable member for Orange. Not once has the honourable member for Orange given one word of support in this Chamber for the biggest capital works project of any group of hospitals in this State over the next four or five years. He has given not one word of support. He lies about the future of Cudal Hospital. An amount of \$400,000 was announced in the budget to plan the redevelopment of Cudal hospital, and he is out there saying it is not going to go ahead. We are planning the redevelopment of Bathurst Base, Orange Base and Bloomfield hospitals, and the honourable member for Orange is out there saying it will not go ahead. He is out there looking for any excuse to lie.

Mr Russell Turner: Point of order: A Minister in another place promised that the hospital would be finished in June 2004; it has not yet started.

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

Mr MORRIS IEMMA: The honourable member for Orange does not come into the Chamber and support the redevelopment of Cudal, Bloomfield or Orange Base hospitals. He wants to protect bureaucrat jobs. He will not say in the Chamber that his community should have more nurses. That is exactly what we will be doing. He does not advocate for more doctors or more health services for his community. He comes into the Chamber to, in the words of the Leader of the Opposition, protect an unnecessary layer of bureaucracy. The restructure will deliver \$100 million, which will go straight into front-line health services.

MEDICAL SPECIALISTS SHORTAGES

Mrs BARBARA PERRY: My question without notice is directed to the Minister for Health. What is the Government's response to community concerns about shortages of medical specialists across New South Wales?

Mr MORRIS IEMMA: It is a pity that great question did not come from the honourable member for Orange, who represents rural New South Wales. It takes the honourable member for Auburn not only to stand up for her constituents but to advocate on behalf of the constituents of Orange. Orange should have a member who advocates for more nurses, more doctors and more front-line health services. It should be represented by a member who wants to trade tables for beds, not defend tables and bureaucrat jobs. The maldistribution of our

medical work force is one of the greatest challenges confronting our health system. Put simply, there are not enough doctors—general practitioners or specialists. That is a point the honourable member for Orange should be making. These shortages have a particular impact on rural communities, such as the rural communities around Orange. A strong advocate for the interests of rural health, Dr Sue Page, the national president of the Rural Doctors Association, said yesterday on ABC radio:

We have areas where there are no doctors ... or there are three or four thousand people queuing up for the one doctor.

That is the type of statement that should have come from the honourable member for Orange. The maldistribution of specialists is a major cause of long waits for surgery. It hampers our ability to deliver adequate mental health services throughout the State. Every State government across the nation has called on the Commonwealth to invest properly in our universities to train adequate numbers of nurses and doctors so that they can work in our public hospitals and deliver additional services to rural communities. Despite consistent calls by all State governments, the Commonwealth Government has refused to live up to its responsibilities. National figures have been available for nursing course intakes for some time. They indicate that New South Wales is still short 3,500 university places, and it is clear that this country also needs another 3,000 doctors.

If these figures were not bad enough, the Hon. Dr Brendan Nelson recently colluded with the University of Sydney to shut down a very successful nursing course. The Commonwealth Government has actively assisted in shutting down a nursing course at one of our best universities. That will result in New South Wales losing nursing positions. Despite this national medical and nursing work force shortage and the rapidly developing crisis, the Federal Minister for Education, Science and Training has actively participated in making a decision that will result in a university course being shut down and his colleague and friend the Minister for Health and Ageing is denying there is a problem.

If the honourable member for Orange had been interested in advocating for his constituents about the medical and nursing work forces, he might have been able to tell his Federal colleagues about the work force shortages across the nation. If he had not been asleep I am also sure he could have pointed to the problems in his own electorate. However, he is more interested in protecting bureaucrats' jobs than in getting nurses and doctors into public hospitals. He is more interested in desks in local area health offices than in beds in hospitals. That could have been his message to the Hon. Dr Brendan Nelson and the Hon. Tony Abbott, but he is too busy protecting desks in local area health offices.

In the context of the Commonwealth Government's refusal to acknowledge the problem, I am proud to say that the New South Wales Government is addressing the issue of equity of access and a fairer distribution of the medical work force. In co-operation with the Medical Training and Education Council and the Royal Australasian College of Physicians, the State Government has announced a landmark system to train physicians for public hospitals. Under the old training system, our hospitals and health services had very little say about where doctors were trained. The State will now be divided up into eight networks, and each network will include at least one city teaching hospital, an outer metropolitan hospital and a rural hospital.

This new system will finally provide an appropriate balance in the distribution of personnel; it will level the playing field for our rural hospitals. The system is based on very simple principles: First, rural hospitals will have an equal say with the city teaching hospitals about where doctors will train to become specialists; and, secondly, rural hospital training positions will be filled before the city positions are filled. The call for expressions of interest has attracted an excellent response. I look forward to reporting to the House in about three weeks on the number of applicants for each network and hospital. One network has fared particularly well; that is, the network including St Vincent's Hospital, the hospitals at Wagga Wagga, Campbelltown, Camden and Liverpool and others. The list of applicants—which includes Rhodes scholars—exceeds the available places in that network. Rural hospitals will now be able to fill positions, the new system will deliver more doctors to rural hospitals for longer periods of training and better services will be provided at rural hospitals.

BSR SOLUTIONS GOVERNMENT CONTRACT

Ms DIANE BEAMER: I wish to provide a supplementary answer to a question asked earlier by the Leader of the Opposition. I have been advised that BSR Consulting was engaged by the Department of Infrastructure, Planning and Natural Resources [DIPNR] in 2003 under a New South Wales Government contract to provide a range of information technology related services. The director-general of the department established an audit committee chaired by an independent person. She personally commissioned a review of all

contract engagements by the department's internal audit branch. The internal audit report was referred to the audit committee and, as a consequence, an independent review of the department's engagement of BSR Consulting was commissioned. Deloitte was engaged to undertake the review. Deloitte has completed its review. I have been advised that the review clearly indicated that BSR Consulting's engagement was appropriate and in accordance with government guidelines and processes. Neither the department nor the director-general has breached public sector policy or Independent Commission Against Corruption guidelines in engaging BSR Consulting.

Mr John Brogden: Wrong!

Ms DIANE BEAMER: The Leader of the Opposition has had a very bad week.

Questions without notice concluded.

DESIGNER OUTLETS CENTRE, LIVERPOOL, CLOSURE

Personal Explanation

Mr ANTHONY ROBERTS, by leave: During question time today the Premier impugned my character. First, I have never received any benefit from Flagship Communications Pty Ltd; secondly, I am not a director of the company; and, thirdly, I have never dined with a Mr Bargshoon, last night or at any other time, despite the Premier's allegations.

CONSIDERATION OF URGENT MOTIONS

Industrial Relations System

Ms ANGELA D'AMORE (Drummoyne) [3.38 p.m.]: My motion should be given urgent consideration because New South Wales' world-class industrial relations system and industrial relations legislation is under threat. Once again, the Commonwealth Government is trying to impose disgraceful industrial relations provisions on New South Wales employees and employers. This motion is urgent because the Commonwealth Government is trying to impinge on the State's jurisdiction by undermining the rights of employees and unionists to bargain fairly and to have expert representation in workplace negotiations. The Commonwealth Government wants to impose a national system of industrial relations that would be detrimental to employers and employees. This motion is urgent because we must protect the right of our front-line professionals to be covered by a system of industrial relations that is worthy of them. This motion is urgent because we must reaffirm our support for the New South Wales industrial relations system and reject the Commonwealth Government's attempts to replace it with a flawed and unfair Federal system.

BSR Solutions Government Contract

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [3.39 p.m.]: The fix is in! We now discover that Jennifer Westacott, the head bureaucrat of the Minister Assisting the Minister for Infrastructure and Planning, did not like the internal report produced by public servants, so she decided to get a professional report—for which she would have authorised the expenditure—to tell her that she had not broken the rules. The internal report—and the Government has not denied this—from the internal audit group of the Department of Infrastructure, Planning and Natural Resources makes it very clear that the commissioning of the contract to BSR Solutions was a breach of the Independent Commission Against Corruption guidelines and the Public Sector Management Act. It is pretty clear that the Labor bureaucrat Jennifer Westacott, who provided to Diane Beamer the advice she needed—

Mr SPEAKER: Order! Normally during this five-minute speech points of order are taken about the fact that the member needs to show reasons why his motion should be given priority. On this occasion the Leader of the Opposition is not even on the subject matter of his motion. The Leader of the Opposition should return to the subject matter of the motion.

Mr JOHN BROGDEN: My motion is urgent because this internal report proves conclusively that Jennifer Westacott—a Labor bureaucrat who was appointed by Craig Knowles and Diane Beamer to run the department and gave them the advice to shut down the Orange Grove outlets centre—is corrupt. This document makes it very clear that the Assistant Minister's action in appointing a \$2.1 million contract to BSR Solutions was corrupt. Firstly, it was a company owned, in a 20 per cent share—

Mr Steve Whan: Point of order: Last Tuesday when I raised a similar point of order the Leader of the Opposition said that you did not stop me from getting my grab. The Leader of the Opposition has not sought to justify why his motion is urgent. I ask you to draw that matter to his attention. Further, the Leader of the Opposition has not got a grab all week—and he will not get one!

Mr JOHN BROGDEN: It is clear that BSR Solutions—which is 20 per cent owned by Sharron Kennedy, who used to work with Jennifer Westacott back in the days of the Department of Housing—was given the contract. But it gets more interesting as we go on. I quote from the report:

The company could be seen as having a conflict of interest and DIPNR potentially viewed as showing bias for BSR Solutions ...

The resulting situation appears to be that BSR Solutions provides both advisory and operational services. This could give rise to the perception or actual conflict of interest for BSR Solutions.

Ms Noreen Hay: Point of order: I raise a point of order similar to the matter raised by both my colleague and you, Mr Speaker. I am still waiting to hear why this motion is urgent. The theatrics of the Leader of the Opposition come nowhere close to showing why his motion is urgent.

Mr SPEAKER: Order! The Leader of the Opposition has the call.

Mr JOHN BROGDEN: I note that the honourable member for Wollongong has spent more time wasting my time than condemning a convicted child prostitution pimp, Neville Hilton. Does she owe her preselection to him? What is clear is that under section 16.3 of the PSM (Goods and Services) Regulation 2000, the Department of Infrastructure, Planning and Natural Resources [DIPNR] is required to use an approved contract supplier. BSR Solutions ceased to be an approved contract supplier on 1 January 2004, but the money kept flowing to Westacott's friend—\$2.1 million—in breach of the Independent Commission Against Corruption Act. Even worse, the report indicates that a number of staff who used to work for Craig Knowles were appointed to senior positions in DIPNR—senior executive service positions, six-figure jobs paid for by the public of New South Wales—and they were in breach of the Act. The Carr Labor Government has engaged in gross politicisation of the planning system, and for that reason my motion should have priority today. [*Time expired.*]

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

The House divided.

Ayes, 52

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

Noes, 34

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

Question resolved in the affirmative.

SPECIAL ADJOURNMENT

Motion by Mr Carl Scully agreed to:

That the House at its rising this day do adjourn until Tuesday 14 September at 2.15 p.m.

INDUSTRIAL RELATIONS SYSTEM**Urgent Motion**

Ms ANGELA D'AMORE (Drummoyne) [3.51 p.m.]: I move:

That the House rejects attempts by the Federal Government to impose a unitary industrial relations system on New South Wales without consultation.

I have moved this matter of urgency today because I want to alert the House to a very real threat to our New South Wales industrial relations system. Once again, the Commonwealth is attempting what I can only call a hostile takeover of our industrial relations system. As honourable members will recall, this is not the first time that the Commonwealth has tried to impose its will on New South Wales and other States. But one would think, at least, that a long history of past failures would make the Commonwealth think again. Sadly, that does not seem to be the case.

Over the past 18 months we have seen the Commonwealth make not only one but two attempts to take over the State unfair dismissal jurisdictions by means of the Workplace Relations Amendment (Termination of Employment) Bill 2002 and the subsequent Workplace Relations Amendment (Termination of Employment) Bill 2002 [No. 2]. These bills were defeated in the Senate in August 2003 and March 2004, respectively, following strenuous opposition from State governments including New South Wales.

As a person who previous to being in this Chamber was an industrial relations practitioner and worked for the NSW Nurses Association, I have participated in many unfair dismissal cases and I can say that the New South Wales system affords both employers and employees the ability to negotiate their way through these measures. If anyone thinks these two defeats of the same bill six months apart would make the Commonwealth Government a bit circumspect about having another go, they would be wrong. On 26 July 2004, just four months after the defeat of the second bill, a spokesperson for the Commonwealth Minister said the following:

The Government intends using its termination of employment legislation, which has been frustrated in the Senate, as a lever to get the states out of industrial relations ... with the ultimate purpose of establishing a single national system of industrial relations regulation.

With respect to Mr Andrews and his spokesperson, I suggest that they are selling themselves a bit short. [*Quorum formed*]

I am, of course, appalled by the honourable member for Gosford. Obviously he has no respect for small business, big business or employees in this State. I welcome any comments that my colleagues will have, especially the honourable member for Wollongong, who was an official of the Liquor Hospitality and

Miscellaneous Workers Union, and also the honourable member for Heathcote, who was an official of the Public Service Association and who recently received a life membership, which we are very happy about. Since the Opposition has tried to cut into my time to gag us on these very important issues, I will highlight some other points. Currently the Federal jurisdiction allows only 20 matters to be negotiated in an award. Our State systems allow for many matters to be negotiated and placed in awards. I heard the debate during question time in relation to nurses in hospitals. As I stated before, I was an officer of the NSW Nurses Association and had we had Federal awards we would have been unable to negotiate some of the best conditions in Australia for our nurses. So I think the Opposition had better look hard at itself and give some support to some of the comments we are putting on record.

As I was saying, with respect to Mr Andrews and his spokesperson, I suggest that they are selling themselves a bit short. We have seen their two attempts to outlaw bargaining fees in State agreements, which I thought was a matter to be negotiated at the enterprise level between the employer, the employees and the unions without interference from the Government or a third party. As well as that, we have got some more mooted legislation about the right of entry of union officials under State industrial legislation. The rush of blood has apparently been brought on by a decision of the Federal Court of Australia in which the court affirmed that union officials have a right of entry conferred upon them by State industrial legislation, and that they are free to exercise it in accordance with the terms of the State legislation despite the existence of parallel provisions in the Federal Act.

Let me give an example of what that means. When I was an officer for the NSW Nurses Association and nurses in aged care facilities were being underpaid by 20 per cent under the award, had I not had the right of entry I would not have been able to represent those nurses and take those employers to task. So that is a very important provision I have just spoken about. Also, I am pleased to report that the commission accepted the view of the New South Wales Government and only granted the Commonwealth limited rights of intervention. However, the enduring picture is of a Commonwealth Government that is bent on interfering in places where it does not belong, whether it is wanted or not.

To sum up: like a zombie who will not die, what everyone thought was dead and buried legislation is in the process of climbing out of the grave to scare our workers and State governments. It seems clear to me that a serious agenda motivates this seemingly endless procession of Commonwealth Government activity. Less clear though is what that agenda is and what its real effects are likely to be. If one takes Mr Andrews or his spokeswoman at face value, the real goal is putting in a single, national industrial relations system. That is not new and it carries forward exactly the views expressed earlier by Mr Andrews' immediate predecessors, Mr Abbott and Mr Reith. I assure honourable members that every worker in New South Wales is worried at the mention of those two names.

But what would such a system be? As far as I can tell, what Mr Andrews and the Commonwealth Government have in mind is basically the current Federal system, possibly with some adjustments. If that is correct, then I have more concerns than the Commonwealth has bills. Perhaps the best way to explain is that the striking thing about the Federal system is that it is always in the newspapers or on the television. I do not mean Mr Andrews' endless press conferences to denounce anyone who dares to disagree with him. I mean that almost every time I turn on the television or open a newspaper there is a report about some bitter or protracted dispute. For example, recently one such dispute threatened to shut down power supplies in Western Australia. A few weeks ago the Victorian health system had all sorts of problems. Not so long ago it was Maurice McMahon, before that it was the car industry, before that it was Ansett, and before that it was dogs and balaclavas on the docks. The list just goes on.

These disputes are all in the Federal system so that one is left with the impression that the system creates conflict, that bitter battles are always going on and nothing can be done. This seems to have been the intent all along, if one accepts that the Australian Industrial Relations Commission is a reasonable authority. Back on 7 November 1997 the Full Bench of the Industrial Relations Commission had this to say about a protracted dispute in the Hunter Valley No. 1 coalmine. Justice Bolton said:

As we have said the parties have been in a state of industrial warfare.

Further proof of where the Commonwealth is coming from is that it intervened in this matter on the basis that the Australian Industrial Relations Commission should leave resolution of matters in dispute to the parties. In other words, this is the system that Mr Andrews would like to see replace the current New South Wales system, which works perfectly correctly and is world's best practice. I commend the motion.

Mr CHRIS HARTCHER (Gosford) [4.01 p.m.]: I move:

That the motion be amended by leaving out all words after "That" with a view to inserting instead the following words:

"this House:

- (4) congratulates the Federal Government for its outstanding economic and industrial relations policies, and
- (5) condemns Mark Latham's threat to turn back the clock in industrial relations and destroy our national economy, one of the best in the world."

I speak to the motion and the amendment. The policy of the Australian Labor Party on industrial relations is to have one national relations system. The Australian Labor Party has never believed in the State system. It is not a federalist party; it is a unificationist party that supports the abolition of the States and believes in a national industrial relations system. Honourable members should read the national platform of the Australian Labor Party. The honourable member for Drummoyne, acting as the stooge for Mark Latham and his boys in Canberra, is simply attempting to turn back the clock and tear up the platform of the once great ALP. She is caught out in her own hypocrisy and her own incompetence, just as she was caught out during the call for a quorum.

The Australian Labor Party believes in one national industrial relations system and has always believed so. The highest occupation index in this Parliament is former trade union officials. The honourable member for Heathcote has stacked the Public Service Association for his right-wing mates. He took on the Left for the Public Service Association. The honourable member for Wollongong stacked the liquor union and took on the Construction, Forestry, Mining and Energy Union [CFMEU] in the great debate against Col. When the Liquor, Hospitality and Miscellaneous Workers Union was backing her and the CFMEU was backing our former mate Col, she won; she outstacked him. She should be congratulated because she was a better stacker. As for the honourable member for Drummoyne, her brother-in-law looked after her preselection. She had family connections and did not need to use Mr Bargshoon or ALP branch stackers. There was no big stack for her because her brother-in-law looked after her preselection.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Gosford will return to the leave of the motion.

Mr CHRIS HARTCHER: Certainly, Mr Acting-Speaker. I will not go over your preselection, but it was a ripper when Mr Booth left the Parliament back in 1988. There have been some great preselection stacks. But let us talk about industrial relations and the fact that Australia now has one of the best, if not the best, rates of economic growth in the OECD countries. One need only see the superb Liberal Party advertisements being shown on television every night—and we will see them every night—which reflect the great economic growth of this country. One of the drivers of that economic growth has been the industrial relations policy of the Howard Government.

The Howard Government, under Peter Reith, passed the workplace relations legislation, with the support of the Australian Democrats, and this has revolutionised industrial relations in Australia. Under that Act the trade union system is confined to its proper role. Coalition members support the role of the trade union system. We believe that there is a legitimate place for trade unions when they act responsibly and when they look after the interests of their members. But we do not believe that the trade union system should run industrial relations as a vested interest club, as does the ALP. Therefore, under the workplace relations Act introduced by Peter Reith, endorsed by Tony Abbott and now Mr Andrews, we have an excellent industrial relations system that has delivered economic benefits to Australia and the workers of Australia.

The only losers under the Federal industrial relations policy are the fat trade union officials of the Australian Labor Party—members who grow fat on the benefits of their own members. The honourable member for Drummoyne did not need a trade union for her start; her brother-in-law looked after the stack for her. In this Federation we are determined to see the best results for every worker. That has been the ongoing policy of the Liberal Party at both the State and Federal levels. The Federal Minister's office has advised me on this very important question as follows:

The Government is not suggesting we move to a national system as a way of sidelining the States or trade unions, nor does it have any desire to do this. The Government recognises an important ongoing role in workplace relations for the States and for responsible unionism. A national system is all about allowing businesses to be more productive and competitive, therefore creating more jobs and increasing the standards of living of Australian workers.

Australian workers now have a higher standard of living under the Howard Government than they have ever enjoyed in their history. A worker in Australia under a Liberal government will go well but a worker under a Labor government will not even have a job. Interest rates will rise and unemployment will follow interest rates. That will be the story under the Labor Party. That is all that the Labor Party is offering this country—high interest rates, high unemployment, and low economic growth. That is Labor's policy and Labor's recipe for 2004. The Minister continued:

It makes very little sense for Australia to have six separate systems of workplace relations regulation. This multiplicity of systems results in unnecessary confusion, complexity and costs—a fact that has been widely recognised, including by members of the opposition parties, the union movement, academia and the business community.

Never forget the holy platform of the Australian Labor Party. The sacred writ that Labor members sign up to when they enter this Parliament is that they will uphold the Labor Party platform. What does Labor's platform say? One national industrial relations system! That is what the Labor Party has pledged across Australia. The Minister further said:

The Government has long supported the introduction of a national workplace relations scheme. The Workplace Relations Amendment (Termination of Employment) Bill 2002, for example, had it not been blocked by the Opposition, would have achieved an important step towards a national workplace relations system by establishing a nation's system of unfair dismissal regulations.

Employees and businesses in Victoria, the Northern Territory and the Australian Capital Territory already benefit by operating under one set of workplace relations laws. The Victorian Government has publicly acknowledged these benefits and has undertaken to lobby other States to follow Victoria's lead by also referring their workplace relations powers to the Commonwealth.

The New South Wales branch of the Labor Party and members opposite are criticising the policies of the Bracks Labor Government in Victoria. They have attacked their own Federal platform—holy writ, we are told—the Bracks Labor Government, and the national industrial relations system in Australia. The most important occupation among those opposite is that of a former trade union official. How else does one get the escalator into Parliament, except by doing the bidding of the Australian trade union movement? I support the amendment, which congratulates the Howard Government on its outstanding economic and industrial relations system, and condemns the Latham Opposition's ruinous policies, which would turn back the clock in Victoria. I call on members opposite to uphold their platform and acknowledge the rules of the Australian Labor Party for a national industrial relations scheme. They should have the courage to support their own policy. [*Time expired.*]

Ms NOREEN HAY (Wollongong) [4.11 p.m.]: Needless to say, I will not be taking any lead from members opposite on how best to treat New South Wales workers. Having said that, it is somewhat surprising that the Opposition in this place supports the Federal Government taking money from the pockets of New South Wales workers and continually raves about Victoria and Queensland but will not criticise the Federal Government for denying this State and the Carr Labor Government the money it needs to provide education, health services, et cetera. Even if we do what the Commonwealth now says we should do, that will only get us to a point at which a significant number of employers and employees will be worse off, with no prospect of a resolution for years to come. Why that should make any State government hope to get a decent deal for people in its industrial relations system is beyond me.

Let us face it: It would not be the first time that tricky Johnny has misled the people of New South Wales as to what the outcomes might be. All I can say is that it would be a sorry day for workers if the Howard Government got its hands on industrial relations in New South Wales. The New South Wales Government believes that harmonising industrial relations systems is a worthy and desirable goal, on which we would be happy to work co-operatively with the Commonwealth and the other States. However, we are also committed to protecting the interests of people who have chosen employees and employers to participate in our system. Unfortunately, we do not think we can do that with a Commonwealth government that behaves the way the current one is behaving. That leaves us with no alternative but to reject the Commonwealth's attempts to get a uniform system over our dead bodies and those of the other States.

Of course, it does not need to be this way. The New South Wales Government is ready to have real dialogue with the Commonwealth on this issue, but real dialogue is only possible, firstly, if both sides operate as equals and, secondly, if both sides are willing to give ground. If both of these things happen, I believe the Commonwealth and the States could make some real progress towards a better, more harmonised industrial relations system. Unfortunately, real dialogue remains elusive, so until we are able to count on that I believe that members have no choice but to support the original motion moved by the honourable member for Drummoyne. I note that the honourable member for Heathcote, a former official in the Public Service Association, is ready and willing to make a sound contribution to this debate, if time permits.

Having been a union official of the Liquor, Hospitality and Miscellaneous Workers Union for a number of years and a regional secretary, I can say that in the early days of the Kennett Government there was enormous industrial unrest when responsibility for industrial relations was handed to the Commonwealth. There was terrible distrust—and that was before we knew how untrustworthy John Howard really was. That was when some people thought that there may be some honesty left. I can only imagine what would happen to New South Wales workers, certainly those in blue-collar areas who rely on negotiated outcomes, if they must rely on the Federal Howard Government. Hopefully, we may have a Mark Latham Labor government, in which case anything will be possible. Under a Federal Labor government, I am sure workers could look towards their children having a reasonably priced university education, without the multithousand dollar cost of a university degree.

They could look forward to a better bulk-billing and health care system. And we would have honesty in government, which has been so sorely lacking for such a long time. We could also look forward to a health system that would benefit the aged and those waiting for dental treatment. Young people would also benefit. Indeed, the best thing that could happen for the people of New South Wales is that we get a Mark Latham government as soon as possible. Certainly, for my area of Wollongong, with youth unemployment and the other difficulties being experienced, we look forward to the day when we can have honesty, truth and a genuine commitment to the people of New South Wales.

Pursuant to sessional orders business interrupted.

DEATH OF JOHN PAUL NEWMAN TENTH ANNIVERSARY

Mr SPEAKER: I draw to the attention of the House that Sunday 5 September marks the tenth anniversary of the death of John Paul Newman, the former member for Cabramatta, a man who was highly respected by his constituents, the general community and all members of this House. Once again we express sympathy to his family and his community, and take this opportunity to acknowledge the tenth anniversary of his sad passing.

PRIVATE MEMBERS' STATEMENTS

AUSTRALIAN FOSSIL AND MINERAL MUSEUM

Mr GERARD MARTIN (Bathurst) [4.18 p.m.]: I draw to the attention of honourable members the opening by the Premier in Bathurst on 22 July this year of the Australian Fossil and Mineral Museum. This is the showplace of fossil and mineral museums in Australia. The museum came about after five years of hard work by the owner of the collection, Professor Warren Somerville. The museum contains the lifetime collection of Professor Somerville, which he basically kept in his shed in Orange. He wanted the work to go on display, but at the time Orange council was not interested. So Charles Sturt University in Bathurst, Bathurst City Council and the then mayor, Ian Macintosh, the Premier and the Australian National Museum were able to make the museum a reality in Bathurst. I urge honourable members to take their families and friends to look at the outstanding collection in the museum.

About \$4 million has been spent to get the museum to where it is today. I acknowledge the commitment of the Premier and the New South Wales Government to the museum. They made available the historic former TAFE campus in Howick Street in Bathurst and added almost \$1 million in cash and grants from various places such as the Ministry for the Arts. Nineteenth-century buildings have been refurbished to house the collection. A number of organisations have worked together to achieve this outcome. The major partners in the Somerville collection are Warren Somerville himself, Charles Sturt University, Bathurst City Council—now known as Bathurst Regional Council—the Australian Museum, the Australasian Institute of Mining and Metallurgy and the New South Wales Ministry for the Arts. The Reid Family Charitable Trust was instrumental in making money available for this magnificent collection.

Among the major works is a full-scale skeleton of a tyrannosaurus rex dinosaur. The whole two storeys of the building were needed to accommodate this life-size dinosaur. Near the entrance of the museum is the second-largest display—the super croc. It is a life-size replica of a crocodile from Africa that was so large it was able to devour dinosaurs. This is a world-class exhibition and Professor Somerville deserves recognition for it. He was offered \$15 million by the Japanese to take the collection to Japan, but he wanted it to stay in Australia.

and to be put on display in a regional museum. He has made this wonderful bequest to the people not only of Bathurst but to those of the Central West, New South Wales and Australia. The exhibition has wonderful specimens, some of which are hundreds of millions of years old. Mr Frank Howarth, the director of the Australian Museum, in welcoming the exhibition, said,

It is a wonderful facility that will bring the spectacular collection to life for the people of regional New South Wales and beyond.

The Australian Museum is a proud owner of the collection with Professor Warren Somerville. As I said, the major exhibits include the skeleton of a tyrannosaurus rex, which has been painstakingly restored. One of the features of the museum is the hundreds of thousands of dollars that have been spent on the lighting, which brings to life many of the fossilised gems. It is a display of spectacular colour. Unless people are of a scientific bent, in the way you are, Mr Speaker, or the honourable member for Murray-Darling, who is one of Australia's foremost experts in this area, they need to have the collection displayed in such a way to appreciate it. It is a first-class exhibition and tourist facility. It will attract many people to Bathurst. We owe a great debt to Professor Warren Somerville and also to retired Professor Peter Hutchins of Charles Sturt University, who put a great deal of energy into making the museum a reality.

APPIN MINE SUBSIDENCE

NEPEAN RIVER ENVIRONMENTAL PROTECTION

Ms PETA SEATON (Southern Highlands) [4.23 p.m.]: I seek guarantees from the Minister for Mineral Resources on two issues. The first is the condition of many homes in Appin and the remediation being undertaken by the Mines Subsidence Board, which is completely and utterly substandard. The second issue is the future environmental protection of the Nepean River, which will be affected by a current application by BHP Billiton for extension of mining. BHP Billiton is currently assessing its first round of feedback from residents affected by the mining proposed to take place under Douglas Park. The key issue for residents and others in the broader community who are concerned about the proposal is the prospect of cracking of the Nepean River riverbed. They are right to be concerned.

There has been devastating cracking of the Cataract River riverbed and, despite all assurances that nothing like that would happen again, there has been cracking of Mahoneys Hole near Appin. Before the Minister approves this new application, people in the community want an ironclad guarantee that the proposal will not result in cracking of the Nepean River riverbed. So far two out of two of these mining operations have gone wrong as far as riverbed cracking is concerned. Why would we be confident that this third operation will be any different? I seek the Minister's guarantee in relation to the environmental integrity of the Nepean River.

The other issue is the remediation of mines subsidence damage to homes in Appin. Approximately 100 homes are affected. Last week I visited a number of residents accompanied by Councillor Judy Hannan, who has been taking a big interest in the problem and doing what she can to help residents, as is the mayor. I will not mention names or the addresses of the affected homes because people are concerned about the future value of their homes as a result of the substandard quality of the remediation, but the residents are desperate to get these problems fixed. Many want their homes bulldozed and rebuilt.

Appin is a beautiful place to live. It is a place where young families in particular love to live. It is a great part of south-western Sydney and people take a great deal of pride in their homes and in their town. We want those homes restored or rebuilt to the condition that residents demand and expect so they can enjoy the quality of life they originally bought or built for. One letter tells me that problems first started in April 2001, when the first damage was reported. The pool had tilted, gates had warped and were not closing, and the house and the driveway had developed cracks. These people relocated to the Corrimal caravan park because their son suffers from asthma. They had to pay the bill there while the house was being renovated. They catalogue a litany of construction problems and poor construction standards. Their septic tank was cracked. They had to pay for the fitting of a new submersible pump. The Mines Subsidence Board made an offer of payment, but it was not at all realistic.

Another home owner goes through about six pages of specific problems, room by room, where cracking and other damage has occurred that has not been satisfactorily restored. These people want to have their home rebuilt and they are critical of the Mines Subsidence Board and of the way they have been treated. Owners of another home in a nearby street have been continually battling to have repairs completed satisfactorily. They claim it has been mishandled. They were led to believe their driveway would be replaced, but the Mines Subsidence Board later said it had no intention of replacing it. They are concerned that their home

will be worth nothing. They go through a litany of problems about poor behaviour by the builders concerned, including leaving beer bottles around, arriving at 3.00 a.m. and taking advantage of the family's cooking and other facilities without permission. It is a litany of utter disaster.

I call on the Minister to come clean about the budget that has been allocated to this work at Appin. I want a guarantee that the standards people expect will be adhered to. It is important that the Minister commit to having an independent certification body or authority cast an independent eye over these repairs to make sure they are delivered at the standard people expect and which are acceptable both to council and the residents. They deserve nothing less.

Mr GRANT McBRIDE (The Entrance—Minister for Gaming and Racing) [4.28 p.m.]: The Minister for Mineral Resources apologises for not being present in the Chamber to reply to the statement of the honourable member for Southern Highlands. Unfortunately, he has a ministerial commitment. However, he has asked me read these comments from a media release onto the parliamentary record. The Minister says:

Ms Seaton's input into the subsidence issue was next to non-existent.

If Peta Seaton was fair dinkum, she would be knocking down my door.

She has not been acting on behalf of her constituents.

Since I became Minister in April last year, she has made only one representation on the subsidence issue.

She can't even be bothered to talk with, or meet the Chief Executive Officer of the Mine Subsidence Board, Mr Greg Cole-Clark.

The Minister goes on:

I visited Appin in May. If invited, I am more than happy to inspect residents' homes and discuss their concerns face-to-face. Mr Cole-Clark and local Board officers do so regularly.

Peta Seaton could also work with the Shadow Mineral Resources spokesman, but then again, why would she? That would detract from the media spotlight she so desperately seeks.

My message is simple—if constituents raise an issue with a Member of Parliament, then act on it. Don't use local residents in cheap political stunts.

ST JOSEPHS PRIMARY SCHOOL, OATLEY

Mr KEVIN GREENE (Georges River) [4.30 p.m.]: This morning, with the generous support of the honourable member for Bathurst, I was able to spend some time away from Parliament to attend the official opening and blessing of the new facilities at St Josephs primary school, Oatley. The school, under the leadership of Mr Geoff Carey, organised a wonderful ceremony to commemorate this significant moment in the school's history. The blessing was conducted by Cardinal George Pell.

Also in attendance were Mrs Vicki Tanzer, the director of the eastern region of the Catholic Education Office, representing Brother Kelvin Canavan, and my Federal parliamentary colleague Mr Robert McClelland, the member for Barton, who does a magnificent job in the local community and is a great supporter of residents in Oatley and throughout the whole electorate of Barton. The parish priest, Father John Doherty, was part of the official party, as was Mr Phillip Merrick, the President of the Parents and Friends Association. The association has been extremely supportive of the building program and was committed to the construction of this important project. A great deal of background work has gone into the building project. I congratulate President Philip Merrick, his predecessors and the parents and friends on their participation in and enthusiastic support for this school project.

When I arrived I was met at the gate by a number of beautifully presented students. On moving to the function I took the time to speak with a couple of well-known Oatley residents—Norm Windred, who has been involved with the parish for many years and is well known as an outstanding senior athlete, and Brian Smith. Brian's children attended St Josephs primary school, Oatley, a number of years ago and his son Malcolm was in my class when he went to secondary school at Penshurst Marist Brothers. Malcolm's convent school education was at St Josephs. The attendance at the ceremony of so many parishioners from Oatley, people whose children had previously attended the school over its 51-year history, shows the strength of the community.

The wonderful ceremony was organised by the staff and students of St Josephs. From the moment Dustin Tran led the school choir in the song *We Welcome You to This Place* through to the commissioning

ceremony conducted by the cardinal the ceremony presented a great opportunity for the children to show their reverence for the occasion and the skills and talent they possess not only as individuals but as a school group. While the cardinal moved throughout the new building undertaking the blessing, we were entertained by the participation of all 195 students in three items. The song *One People One Land* was beautifully sung, and was accompanied by a movement performed by a number of the students. The students then sang a song to St Joseph and a hymn *The Face of God*, led by Bronte Horder, a school captain. The students did a magnificent job, and Bronte has obviously inherited her beautiful voice from her mother, Karen, who is well known in my electorate for the work she does with the RSL movement on Anzac Day.

Also in attendance were Karen Cahill and Alan Williams, who are regional consultants with the Catholic Education Office. Karen is a former principal at St Josephs primary school, Oatley. Apart from the attendance of so many people, the most significant thing was that the project, which has taken a number of years to come to fruition, was wonderfully welcomed not only by the parish and the school community but by the whole district. I congratulate Geoff Carey on his leadership within the St Josephs primary school community, and I congratulate the teachers on the work they have done. I particularly congratulate Father John Doherty, who only in the past 12 months has come to Oatley as the parish priest, on the work he is doing in the community. In particular, I congratulate the children, as individuals and as a group, on their beautiful presentation today on behalf of St Josephs primary school, Oatley. They did a wonderful job and I am sure the school will have many more years to build on its 51-year tradition.

CANDELO AND QUAAMA RURAL FIRE SERVICE FACILITIES

Mr ANDREW CONSTANCE (Bega) [4.35 p.m.]: During recent weeks the Commissioner of the Rural Fire Service [RFS] has made statements about the impending fire season. He has said that the south-east region of the State will undoubtedly have significant problems. Given the level of hazard and dry conditions as a result of the drought, we could be facing a catastrophe. The firefighting equipment of a number of communities, particularly on the coast, requires additional support. Given the commissioner's statement, the Government needs to focus on those areas. This year the budget of the Rural Fire Service has been slashed by \$10.3 million, or 7 per cent. The Government has not kept pace with inflation. The service needs \$156 million, but the Government has provided only \$146 million. The \$10.3 million cut is disappointing, given the Government's previous election campaign promises.

The firefighting equipment budget has been cut by \$10.7 million, together with a \$1.4 million cut from the tanker budget. That means \$12 million will not be spent where it is needed. I realise that funding has been allocated to important areas such as communication networks, emergency firefighting funds, and occupational health and safety programs within the RFS bureaucracy. But on-the-ground funding for volunteers and the brigades has been found wanting. The south-east of the State having been highlighted by the commissioner as a problem area, those resources must be provided.

During the winter recess I was approached by two Rural Fire Service brigades, Quaama and Candelo, to contact the Minister for Emergency Services to provide assistance with their fire sheds. This is an important but easy issue for the Government to resolve. Both of the brigades need new sheds immediately so they are best prepared to fight this season's fires. The sheds can be erected within a matter of weeks. With the support of the local area committee the Candelo brigade gained development consent from Bega Valley Shire Council to extend the existing fire shed to the corner of William Street. The Department of Lands has been responsible for delaying this development because of its concern that the fire shed will extend into a recreational zone.

If departmental officers had a look at the site they would soon realise their concerns are unfounded and would allow the shed to be erected. This important community asset needs to be put in place immediately before conditions become even tougher. At Quaama the Department of Lands has instructed the brigade that it will be required to purchase the land—a useless piece of land on the side of the highway—for \$50,000. The Government could easily address this issue with the signature of the Minister and ensure that the shed is ready for the upcoming fire season. I call on the Minister to address those issues. They are simple, straightforward administrative issues that will directly benefit both brigades.

It is unfortunate that I raise these issues against the backdrop of equipment and tanker budget cuts by the Government. In the past 10 years the staff of the RFS bureaucracy has grown eightfold from 85 to 649. Whilst some of that increase is due to staff transfers from local councils, the bureaucracy is burgeoning while there are budget cuts on the ground. The Government has been put on notice by the commissioner about the fire conditions in the south-east of the State. The conditions are horrendous and, given the situation in Canberra and the Snowy Mountain, the alarm bells are ringing. We must act appropriately to ensure that the brigades are equipped and housed in the best way possible.

SNOWY RIVER WATER FLOW

Mr STEVE WHAN (Monaro) [4.40 p.m.]: Water and rivers are often discussed in this place, and I have news about the good progress being made with water and river health issues in my electorate. Last weekend the Snowy River Alliance celebrated the second anniversary of the first release of water into the river to restore its health. The date has been designated Snowy River Day. The river was dammed 40 years ago at Jindabyne, and since then the flow has been about 1 per cent. The aim of that very impressive water release is to restore the river flow to 21 per cent and hopefully, eventually, to 28 per cent. The lack of flowing water in the river made it very unhealthy. Since the release the State Government has spent a great deal of money removing willows and other pest species along the banks of the river from the Jindabyne Dam wall to the Victorian border. That is a great achievement.

Snowy Hydro has commenced \$150 million worth of work on the Jindabyne Dam to enable further water releases to increase the flow to 21 per cent or 28 per cent. That is great news for the people of Dalgety and elsewhere who fought for so long to get the river flowing again. It is disappointing that these measures designed to increase the river flow are not supported across the political spectrum. Although not many people listen to the Hon. Wilson Tuckey, I was disappointed to hear his recent comments about the river in Federal Parliament when he stated:

We decided to reopen a trench called the Snowy River and ship a great quantity of good fresh water to the ocean.

That is an indication that the Coalition ranks include some people who do not understand the importance of healthy rivers. I am disappointed that members of the New South Wales Coalition have not educated people like the Hon. Wilson Tuckey who continue to make that type of comment. The flow rate in the Snowy River is very important to the local area and we should congratulate the people who worked so hard to improve it. I attended the Snowy River Day celebrations last year, but unfortunately I could not join the festivities last weekend. Of course, the town of Jindabyne had to be moved to allow for the damming of the Snowy River. At the end of this year the new town will commemorate its fortieth birthday. The major celebrations planned for December will link in well with the improving condition of the Snowy River. It has taken us 40 years to balance the health of the river with the benefits enjoyed as a result of the construction of the Snowy Mountains scheme.

As part of the Government's program to improve the health of the State's rivers, more water will also be released into the Murrumbidgee River. That is good news for people down river in the Cooma-Monaro area and for the Tantangara Dam. Farmers in the Yaouk Valley have expressed concern about the Australian Capital Territory's desire to take water from Tantangara Dam. I assure them that their rights will be protected. The Government will also safeguard river health in that area. The agreement between the Bracks and Carr governments is designed to increase the flow of water in the upper Murrumbidgee River. These increased water flows are an important environmental achievement. This approach crosses the boundaries between traditional environmentalists and people on the land or in the local area who also believe our rivers should be healthy.

The Australian Capital Territory's desire to take water from Tantangara Dam is a challenging issue and the Premier's Department is closely involved in negotiations. As I said, we must ensure that the Cooma-Monaro area's interests are protected. The Carr Government has ensured that the interests of people down river from the Jindabyne Dam have been protected, and it will do the same for those on the Murrumbidgee River. Adaminaby's new water supply project is also progressing. Like Jindabyne, the town was moved to accommodate the Snowy Mountains scheme. The townspeople have been waiting for 50 years for a decent water supply and the Carr Government's Country Towns Water Supply and Sewerage Program is delivering it. I am very pleased to note that the project is well on the way to completion.

SOUTH COAST HEALTH SERVICES

Mrs SHELLEY HANCOCK (South Coast) [4.45 p.m.]: This week debate in this place has centred on the insidious poker machine tax and the Orange Grove saga. I will digress to discuss the New South Wales health system and, in particular, two issues that I consider so urgent that I have enlisted media support to achieve a resolution. I held out no hope of obtaining appropriate action from either the Minister for Health or the health system bureaucrats. I am grateful to the journalists and the newsreader Graham French, in particular, from Radio 2ST in Nowra for diligently and enthusiastically supporting both issues; the *South Coast Register*; and the news team at Channel Nine, who have run the story for the past two nights. I am confident that the local and national media coverage will ensure that both issues are resolved. However, I am saddened that as a member of Parliament I must resort to this method to seek justice for innocent and suffering people in this State.

The first issue that has been extremely distressing involves a gentleman and his wife—Ted and Morna Sinclair from north Nowra. Mr and Mrs Sinclair recently visited my office to tell me his incredible story. Mr Sinclair has been diagnosed with liver cancer and after an operation some time ago was diagnosed fairly recently with secondary, but operable, cancerous lesions. He was informed by his surgeon that without surgery he would not live past Christmas—he had less than six months to live. What followed is symptomatic of a health system in absolute crisis. Mr Sinclair was booked in for life-saving surgery twice, but it has been cancelled on both occasions because of a lack of intensive care beds. Understandably, Mr Sinclair sleeps very little—he is obviously distressed and is talking about his days being numbered. His wife came to my office last week and asked me whether she would have to watch her husband die because no-one could guarantee that he would receive his life-saving operation. I could not answer her at the time, but was determined to do all in my power to help.

The local and national media has thankfully shown interest in this story. Because of the distressing nature of this case, Mr Sinclair has been scheduled for surgery again next week. We all hope and pray that his life will be saved and that somehow a potential disaster will be averted. Today I place the Minister for Health on notice that I will hold him personally accountable should Mr Sinclair's operation be cancelled once again. The Minister knows about this case but, in the words of his representative, he apparently thinks it is "in line with world's best practice to cancel life-saving surgery when resources are scarce". That is an unbelievable response. The Minister has shown no compassion or interest in this case. Next week the media will again be watching the saga unfold. The Minister can be assured that I will keep him and them informed of progress—or lack of progress. There is indeed something rotten in the State of New South Wales: it is the health system, which is in absolute crisis.

The second issue involves the recently renovated Shoalhaven Hospital. The Government has spent \$30 million on impressive new but overdue facilities. The hospital has a new intensive care unit and maternity and emergency department that was lauded by the Minister when he recently conducted the official opening. However, it appears that I have had to involve the media yet again to resolve what has been happening in the past six weeks. The story was conveyed to me by a whistleblower nurse who was too frightened to speak out in the current climate of fear and intimidation among nurses in New South Wales. She said that two of the new operating theatres have not been used for six weeks because of extremely pungent odours that are causing headaches and distress, leaks in walls and the presence of white powdery mildew. These are new operating theatres. I waited to publicise these defects because I assumed that they would be rectified as a matter of urgency.

However, after further discussions with the nurses I understood the depths of their despair. After six weeks without action we now have a commitment that the faults will be rectified by the end of next week. How can nurses working in our public hospitals have any faith in the health system when their concerns are ignored and when problems are resolved only after the matter becomes a public embarrassment? I am disgusted by this story and that my only recourse in both cases has been to enlist the media to help. Of course, I have sought Mr and Mrs Sinclair's advice regarding media attention. I would not have used his plight in this way unless they had agreed. They felt they had no other alternative. It is a tragic case that I expect to be resolved next week. Let us all hope that Mr Sinclair has his surgery. I again thank the media for their support on both issues.

TWEED HEADS DISTRICT HOSPITAL

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [4.50 p.m.]: Last Monday, 30 August, I had the pleasure of opening an extension to the Medical Day Oncology Unit at Tweed Heads District Hospital. The hospital itself was expanded some years ago, and the expansion was opened by the Premier. The oncology unit, costing \$120,000 and staffed by medical oncologists and high-level specialist nurses, opened to patients in July 2003. The annual recurrent cost of the unit is estimated to be about \$480,000. The unit allows patients to be treated locally rather than having to travel to Brisbane or the Gold Coast for chemotherapy treatment. Due to the rapid increase in patient numbers, however, the hospital deemed it necessary to expand the unit.

I pay tribute to the family of Mr Francis Roy Patterson, a local resident whose bequest to the hospital enabled the expansion of the unit to take place so quickly. At a cost of \$31,000, which includes equipment and fittings, the veranda at the front of the unit has been enclosed and the unit was expanded from 6 to 10 places. The expansion, which was completed recently, was carried out by a local company, Pieris Pty Ltd. Last Monday I was also able to inspect the good progress being made on a \$0.5 million extension to the emergency department at Tweed Heads hospital. The extension involves the establishment of an emergency medical unit, a strategy that has been widely adopted in many urban hospitals.

The project is very important for the Tweed. Patients can be accommodated in the emergency medical unit for up to 48 hours, but preferably less than 23 hours, before being discharged. This allows for throughput in the emergency department and also releases some of the pressure on inpatient beds. I anticipate that the facility will be open to the public very shortly. The emergency department at Tweed Heads District Hospital is probably one of the busiest in regional New South Wales, with attendances in excess of 35,000 a year. Of the patients presenting to the emergency department, more than 63 per cent are triage 4 and 5 patients, which means that they should be seen by a general practitioner and not a hospital emergency department, and 76 per cent present after hours. This clearly demonstrates the need for an after-hours general practitioner clinic at the hospital.

For this reason Tweed Heads hospital was included in a list of seven hospitals to be considered by the Federal Government for the establishment of an after-hours general practitioner clinic. Discussions and negotiations took place over a considerable period, after which a list of seven New South Wales hospitals was provided to the Federal Government. However, Tony Abbott, the Federal Minister for Health and Ageing, entertained only three of those hospitals for the establishment of such a clinic. When the local Federal member, Larry Anthony, was questioned about the matter he said that the State Government had not included Tweed Heads hospital on the priority list. When reporters asked Mr Anthony to provide the list of hospitals he was forced to admit that there was no such list, that the negotiations had simply centred around seven hospitals, including Tweed Heads hospital.

It seems that the Federal Minister for Children and Youth Affairs, Mr Anthony, did not have sufficient clout, because an after-hours general practitioner clinic is to be located at Lismore. Given that Lismore is more than an hour's drive from the Tweed area, it will not be attractive to Tweed residents and therefore will not take pressure off Tweed Heads hospital. Lismore hospital caters for probably only half or two-thirds of the number of emergency department patients that Tweed Heads hospital caters for, and for that reason an after-hours general practitioner clinic should have been located in the Tweed area. I am pleased that Mark Latham, the Leader of the Federal Labor Party, has committed his party to establishing such a clinic in Tweed Heads if and when elected to power.

GREATER SOUTHERN AREA HEALTH SERVICE

Ms KATRINA HODGKINSON (Burrinjuck) [4.55 p.m.]: On 16 March 1996 the Carr Labor Government started its degradation of health services in New South Wales with the creation of area health services, including the Greater Murray Area Health Service and the Southern Area Health Service. The area covered by the Southern Area Health Service has a population of about 200,000 and extends over more than 52,000 square kilometres in south-eastern New South Wales surrounding the Australian Capital Territory. It is a large area, about twice the size of the electorate of Burrinjuck, which I am proud to represent. The Southern Area Health Service extends from Crookwell in the north to the Victorian border in the south, from Young and the Snowy River in the west, and from Bateman's Bay along the coastal strip to Victoria.

The Greater Murray Area Health Service covers the south-western half of my electorate of Burrinjuck. With a population of over 257,000 the Greater Murray services the largest population of any health service in rural New South Wales. There are four main areas of population density—at Albury, Deniliquin, Griffith and Wagga Wagga—and the area has many smaller rural towns. The service covers an area of 113,854 square kilometres. Like the area covered by the Southern Area Health Service, it is predominantly rural in nature and extends westwards from the Southern Area Health Service along most of the Victorian border. Both of these area health services are very large, and the recent announcement by the Minister for Health of their amalgamation to form the Greater Southern Area Health Service is a significant concern to many people in my electorate.

The spin generated by the Minister's department would have us believe that again reorganising New South Wales health services will bring immense benefits that will solve all the public health problems in this region. Nothing could be further from the truth. That most necessary ingredient for a successful health service, the patients, will be further disadvantaged as they will have to struggle long distances to access even the most basic public health services. The residents of Yass and Crookwell are prime examples of this. The closure of the operating theatre at Crookwell Hospital last year was the first in a series of moves taking basic public health services further away from local patients.

The Carr Labor Government justified the closure by saying that the Crookwell operating theatre was outdated and would cost too much to bring to a modern standard. This begs the question: Why was the operating theatre allowed to deteriorate to the level where the only viable option was closure? In 1996 the Carr Labor

Government removed the right of locals to have a direct say in the running of their hospital. Exactly the same situation now faces Yass District Hospital. I am disgusted and horrified to discover that a decision has already been taken to close the operating theatre, the maternity ward and up to 10 beds at the hospital. No public consultation was undertaken. The decision was made on 13 July by a bunch of backroom boys, 22 of them, 15 of whom are members of the Southern Area Health Service. Even Yass council has not been able to get the names of the faceless people who attended that meeting and made that fundamental decision. I am furious about this.

Yass hospital dates back to 1858. I was born in Yass hospital, as was my father. Many local families have a long history with the hospital, having done a lot of fundraising for it. After cutting back the hospital's operating theatre hours from days to just hours per week, suggesting that the numbers are not there to allow the service to continue, it is the height of arrogance for some nameless and faceless bureaucrats to make the decision to close those services. I am absolutely disgusted, as is every resident of Yass. The Southern Area Health Service must not be allowed to do this. Labor's plans for the closure of these services at Yass hospital are so secret that we cannot get the identities of the faceless bureaucrats who made that decision. A public consultation meeting will be held in Yass next Tuesday, 7 September. What a joke! The Carr Labor Government is saying, "We will consult you after we have made our decision."

We have similar concerns about the future of pathology services in Goulburn with the health service having to be dragged kicking and screaming into admitting the existence of the Paxton Partners Review of Pathology Services in New South Wales. Part of the electorate of Burrinjuck and the Greater Murray Area Health Service has not escaped the veil of secrecy about the future of public health services. There have been delays in the construction of the Batlow multipurpose service. Those delays have not been explained; neither has the reason for the cuts to counselling services in Tumut. There is a suspicion by many across the electorate of what can only be described as a token effort at public consultation in the guise of clinical and community advisory groups and consultations in relation to the latest amalgamation, where not one meeting was held in the electorate of Burrinjuck. [*Time expired.*]

STRATHFIELD GIRLS LANGUAGES HIGH SCHOOL MUSICALE NIGHT OF STARS

Ms VIRGINIA JUDGE (Strathfield) [5.00 p.m.]: It is my great pleasure to relate to the House the wonderful creative work that is coming out of Strathfield Girls Languages High School in Oxford Road, Strathfield. I was indeed fortunate to attend that school's presentation of "Musicale Night of Stars" on Wednesday 25 August this year, and was delighted with the students. It is a rare thing indeed to come across so many talented and obviously hardworking students in the one school. It is a delightful experience, but hardly surprising from such a fine public school as Strathfield Girls Languages High School.

I make particular mention of the teachers who brought this evening together: the conductor of the school orchestra, Mrs Burlakov, and the conductor of the choir, Ms Joyce. The front and back stage staff were Ms Barton, Ms Maharaj, Ms Allchin, Ms Faber, Ms Manuel, Ms Dodd, Ms Mittelheuser, Ms Stynes, Ms Calder, Mr Dawson, Ms Burns, Ms Gough and Ms Griffiths. I mention also the dance teacher, Karen Charles, and the music tutors, Alan Steedman, Lloyd Ghi, Amelia Ghisla, Rachel Whealy, Michael Singh and Jay Miller.

But the centrepiece of the evening was unquestionably the wonderful students. I acknowledge them in the House today for their dedication, hard work and talent. They are piano soloists Michelle Tran and Yao Chen; string ensemble members Danijela Anicic, Upeka Chandrawansa, Alice Di Maggio, Mee Hyun Cho, Roshni Joseph, Amy Kempson, Allison To and Sinem Tulpur; and woodwind ensemble members Kelly Lane, Alexander Loakim, Ramya Rathakrishnan, Cathy He, Frances Gray, Dianna Chen, Rachel Bates, Alexandra Cooper, Laeeqa Rowell, Elizabeth Warren and Megan Pakchung.

I acknowledge the vocal soloists Demet Agraz, Priyanka Thevarajah and Jessica Fernandez, accompanied by Jennifer Than and Kim Huynh, the year 10 students; drum soloist Monika Marszlek, accompanied by Ana Luong, Laeeqa Rowell and Lloyd G; cello ensemble Angela Kohlhagen, Huong Tran, Iris Rudy, Jenny Tran, Alice Blandeau, Annie Lee and Lisa Frisnia; and dance group Karlee Hirakis, Anna Muraoka, Rebecca Pagano, Christina Melita, Eleni Marketos, Karlee Hirakis, Rima Chami and Chadia El-Edelbi. I acknowledge also the guitar ensemble and year 10 music classes; saxophone soloist Elizabeth Warren, accompanied by Melody Quah; trumpet soloist Mandy Nassif, accompanied by Elizabeth Chai; a percussion piece, performed and composed by Jessica Leung, accompanied by the drum ensemble—that was absolutely fabulous; and flute and string, with flute soloist Kelly Lane, accompanied by Katrina Ho, Alice Lee, Angela Shen, Angela Kohlhagen and Laeeqa Rowell.

Others included school orchestra members Nadia Burjan, Lillyan Kim, Angela Shen, Sezane Al-Alam, Katrina Ho, Alice Lee, Helen Liang, Vivian Wand and Su Park on violin, Linda Zeng on viola, Laeeqa Rowell on double bass, Amy Manuel, Annie Lee, Kelly Lane and Ramya Rathakrishnan on flute, Cathy He and Queenie Ng on clarinet, Sarah Tyler on saxophone, Patricia Fong on piano, Fumi Takahashi on timpani and Samantha Page on percussion; choir members Renata Houen, Alice Blandeau-Thomas, Rania Ramdan-Jradi, Yeojin Kim, Janet Huang, Christine Polec, Rebecca Richmond, Jenny Tao, Isha Karnik, Min Jung Song, Jee Hae Choung, Karlee Hirakis, Kari Yu, Roushda Domingo, Patricia Fong, Soo-Ah Jeon, Mandy Nassif, Sinem Tulpar, Amy Manuel, Ananya Soni, Thaatsa Sivananthan, Yolanda D'Onofrio, Lorenda Cittadino, Christina Pizzolato, Laeeqa Rowell, Linda Pang, Rosa Lai, Shirley Ng, Aranya Varathakeyan, Sarah Tyler, Helary Ngo, Rhonda Jeyakumar, Erika Zirkzee and Elizabeth Warren. I refer finally to the wonderful comperes, Kerry-Anne Sherson and Samantha Kimber.

I am proud to represent an electorate that hosts so many wonderfully talented students in the one school. Of course, there are a number of wonderful government and private schools in my electorate, but I thought Strathfield Girls Languages High School was worthy of attention today. Our State public schools do a wonderful job and deserve to be acknowledged in this Chamber, which is probably the finest Chamber in the country—of course, I am biased when I say that. The "Musical Night of the Stars" was wonderful, and I appreciate the great contribution of the students, their parents and their teachers, who work so hard. I am sure that they will go on to bigger and better things.

RAIL SERVICES

Mr STEVEN PRINGLE (Hawkesbury) [5.05 p.m.]: A few months ago in this very Chamber this Labor Government, with great fanfare, announced the Rail Clearways project. Nearly a decade of neglect of our railway system was at last going to be rectified: on-time running, minimal cancellations and a return to the better reliability that many have told me was the case when steam trains—yes, steam trains—ruled the tracks. If only this were the case. Over the past few months Hawkesbury residents, and particularly commuters, have inundated my office and the local press complaining about almost everything to do with our local railway service. Many are becoming desperate; they are fearful of losing their jobs because employers will only put up with their staff being late on so many occasions.

I have been asked to document in this place some of their problems so that for once the Labor Government might forget about the spin and actually manage this crucial arm of government. Here is just a small sample of some of the hurdles that ordinary, everyday people face simply trying to get to work or to school. On 26 July the 7.00 a.m. train from Windsor to North Sydney arrived at Windsor 20 minutes late. It finally arrived at Town Hall 40 minutes late. The same day, in the afternoon, the 4.20 train from Town Hall to Blacktown was cancelled. Two days later the 3.35 train from Town Hall to Richmond arrived 10 minutes late at Town Hall and 50 minutes late into Windsor. On 30 July the 5.59 a.m. Windsor to North Sydney train was cancelled at Blacktown due to an alleged mechanical failure. The same day, at 4.18 p.m., the Town Hall to Windsor train arrived at Windsor 10 minutes late.

Then we have the best so far: On 12 August the passengers were advised that the 6.29 a.m. Windsor to North Sydney train was going to be running 5 minutes late, then 10 minutes late, 11 minutes late, and 16 minutes late. After 20 minutes the passengers were told they would not be getting a train at all, that it was sitting at Clarendon station due to signal failure. Passengers had to make their own way to Riverstone. Eventually some buses were provided and, yes, you guessed it, many of them sailed past a number of stations because they were already full. Many passengers ended up carpooling with people they had never met. That is not exactly satisfactory. One passenger has stated—and perhaps the Minister for Gaming and Racing will listen to this—that it takes 3 hours and 20 minutes to get to work. This is insane and unreasonable, and absolutely correct.

If this was an odd occurrence perhaps one could tolerate it, but these types of problems happen all the time on the Richmond railway line. When is Labor going to get its act together? When is it going to provide a service that is efficient and reasonable? A school student who attends the Conservatorium of Music, says:

I personally get up at 5am to get to school by 8am which is when I usually start but even if I start later, 8.20am, I still am late to school. Some days when the trains are running late they express various stations and everyone gets to the City on time. However—

and this is the important bit—

it's a bit like Russian Roulette as to whether we will have to change trains or continue on our journey.

I put up with the trains because I am determined to pursue the career I have always wanted but should I have to just because I am from the western suburbs?

Absolutely spot-on. Commuters in Western Sydney deserve a much better service. These problems occur regularly. How can we expect a Federal Labor Government to run our country in a decent manner when the State Labor Government cannot even organise for our trains to run on time, provide commuters with an adequate service or give the people of Western Sydney the fair go they well and truly deserve.

SCOUTS AUSTRALIA NEW SOUTH WALES BRANCH HEADQUARTERS

Ms ANGELA D'AMORE (Drummoyne) [5.10 p.m.]: I acknowledge in the House this evening the afternoon tea gathering to farewell The Bunyas, known as Scouts Australia New South Wales branch headquarters at 5 Rogers Avenue, Haberfield, which I had the pleasure of attending on Sunday 29 August 2004. My sincere thanks go to Mr Bob Baker, Chairman of Scouts Australia New South Wales Branch; Graeme Fordham, Chief Commissioner; Graham Bargwanna, Chief Executive Officer; Jack Powell, Megan Lee and Rob Lang for the wonderful gang show; South Metropolitan Auxiliary for preparation and serving of afternoon tea to guests; and Elizabeth Spillane.

The property known as The Bunyas is one of the most important in the history of Haberfield. It has been occupied by two prominent local families—the Ramseys and the Stantons. The Ramsey family took possession of Dobroyd Estate, as Haberfield was then known, in the mid-1820s and members of the Ramsey family occupied Dobroyd Estate up until 1905. From 1901 Richard Stanton, a Summer Hill real estate agent, purchased parts of Dobroyd Estate from members of the Ramsey family and developed his model of the garden suburb, as Haberfield is known today. He named the area Haberfield after his mother's maiden name and this gradually replaced the Dobroyd Estate as the name of the area.

In 1905 the Ramsey family vacated Dobroyd House. Stanton purchased the property, demolished Dobroyd House and built The Bunyas in its place, into which his family moved in 1907. In 1928, after Stanton and his family left the property, the house was purchased by the Methodist Church as a base for its overseas missionary work and later became the Pacific Islanders Centre of the Uniting Church in Australia. The home was named The Bunyas after the Bunya pines that stood in the surroundings during the days of the Ramsey family. In recognition of this, Bunya pines were planted by Scouts Australia as seedlings in 1986 and remain on the property to this day.

I recognise the role of Mr Vince Crow, a well-known local resident and historian, who has written a number of books on the history of Haberfield. On 18 April 1982 Mr Vince Crow had the foresight to apply to the Heritage Council of New South Wales for a conservation order to be placed on the property. The conservation order was put into effect on 3 December 1982 and had the effect of preventing demolition or alteration to any building or tree on the land without approval of the Heritage Council. The interim conservation order was renewed in September 1984. In January 1985 The Bunyas was purchased by the Scout Association of Australia to become their New South Wales headquarters.

Scouts Australia has not only restored the former home of the Stanton family but also put a sympathetic extension on the western side of the house, which can be viewed from Rogers Avenue, Haberfield, showing the types of buildings that were previously lived in. In converting The Bunyas to provide efficient office accommodation and comfortable meeting facilities, Scouts Australia set about restoring the principal rooms and the building exterior. This old home was put to good community use while also reflecting Australia's unique Federation heritage, which can be appreciated not only by the present generation but also by future generations to come. I know that it was not an easy decision for Scouts Australia to come to the decision to sell this marvellous property, but The Bunyas was no longer meeting the expanding needs of Scouts Australia New South Wales headquarters and the 20 staff who occupied the property. The moneys raised from the sale will go a long way to improving services to Scouts Australia membership.

The New South Wales headquarters will soon be moving to a new site at Homebush Bay and I have great confidence that the moneys raised from the sale of The Bunyas will go a long way in the scouting community to enrich their programs and goals. I commend Scouts Australia, as the aim of scouting is to encourage the physical, intellectual, social, emotional and spiritual development of young people so that they take a constructive place in society as responsible citizens and as members of their local, national and international communities. The principles of scouting are that scouts should serve God, act in consideration of the needs of others, and develop and use their abilities to the betterment of themselves, their families and the community in which they live.

The Scout Association of Australia recognises the importance of individuals developing a sense of personal identity and self-worth, which leads to a responsibility for oneself and one's actions as a citizen; that young people are able and willing to take responsibility and contribute to society; the importance of adults providing suitable role models for young people; the importance of not exposing young people to harm or exploitation; and the importance of gainful employment in contributing to the sense of dignity and self-worth of the individual. I commend them for these goals. I look forward to visiting their new premises and maintaining a productive relationship with the Scouts Australia New South Wales Headquarters. I place on record also a warm welcome to the new residents who have purchased the property. I am sure they will maintain it in the dignified manner that it deserves. Farewell The Bunyas. Through your history you have served the community well and you will not be forgotten.

GREATER SOUTHERN AREA HEALTH SERVICES

Mr ADRIAN PICCOLI (Murrumbidgee) [5.15 p.m.]: I express concern and that of my community about the proposed amalgamation of area health services and the creation of the massive and ultimately unworkable Greater Southern Area Health Service. The Coalition's position on area health services is straightforward: it does not agree with them. The Coalition believes that the authority for and control of local hospitals should be returned to local communities. The Coalition went to the last election with the policy of restoring local hospital boards so that communities have more say in their hospitals and area health services would be abolished.

Unfortunately, the Government's current proposal is the opposite. Rather than returning control to local communities, the Government is further removing that control. The Greater Murray Area Health Service was situated in Wagga Wagga, which is only a couple of hundred kilometres from my electorate, but the new area health service will soon be based in Queanbeyan, which is 400 kilometres from Griffith and 550 kilometres to 600 kilometres from Hay and Deniliquin. People with concerns about their local hospital will be required to travel 600 kilometres to Queanbeyan to speak to the chief executive officer, the chairman or the decision-makers in the new Greater South Area Health Service.

The people of my electorate, in Griffith, Leeton, Finley, Narrandera and Deniliquin, are extremely concerned about the removal of the decision-making processes. Local communities understand that there are limits to the services that can be provided at local hospitals. They do not expect brain or heart surgery. However, they seek to have some say in the way their hospitals are run or some control over the services provided. The Government's plan to centralise the area health service in Queanbeyan will not be of benefit to local communities. If somebody accidentally puts a hole in a wall at Griffith hospital, the general manager does not have the authority to engage a builder to fix the damage, even if only a few hundred dollars are involved. At present he must obtain authorisation by phone from Wagga Wagga but soon it will be necessary to ring or send a fax to Queanbeyan. It is possible that the person dealing with the request may not even know where Griffith is and that possibility upsets my constituents.

Tomorrow I will be attending community meetings at Griffith with the Sinclair group and many local residents will be in attendance to express their concerns. The honourable member for Wagga Wagga, the honourable member for Albury, the honourable member for Burrinjuck and I have joined in condemnation of the centralisation of health services, which will be based in Queanbeyan. The new area health service will need to cover a massive area and will be totally unworkable. The Greater Murray Area Health Service is already large—it will be doubled—and it has proved to be unworkable.

The kinds of savings that they promised to generate when this was created in 1996 did not eventuate. So how do they expect that making it even bigger will generate increased savings? I cannot believe it, and I think that the new system will be proved to be a failure in a couple of years time. I think we will be back here talking about the failures of the new system. The Minister needs to go back to the drawing board and create perhaps a ninth region based around Wagga Wagga so that people in the Riverina have an adequate health service. [*Time expired.*]

DISABILITY PROGRAMS FUNDING

Mr RICHARD TORBAY (Northern Tablelands) [5.20 p.m.]: Although the Minister announced last month that the Post School Options [PSO] program for people with disabilities is no longer under threat, it has been brought to my notice that there are still some glaring anomalies. I have been informed that a letter from the Director-General of the Department of Ageing, Disability and Home Care about a week after the Minister's

announcement casts a cloud over the PSO program once again. The letter states that all PSO participants will be assessed and that those considered work ready will have to leave the program. They will be obliged to leave, regardless of whether or not they can find jobs, and they will not be able to return to the program if they do not find employment. No room for negotiation has been offered.

Given that these clients have been in the PSO program without job training for a minimum of seven years, this latest move is an extraordinary assumption that these clients will have retained or gained any job skills over that period. To make matters worse, service providers and families are alarmed that the department intends to use the discredited CRS assessment tool to determine the readiness of these clients for work. This method, used in 1998-99, was acknowledged as flawed by the department. I also understand that the Commonwealth has not released any new employment places and is actively engaged in encouraging Disability Employment Services to move less productive, non-viable workers out into State services.

Given this scenario, PSO participants deemed to be work ready would stand no chance. Instead they would find themselves at the centre of the ongoing bickering between the State and the Commonwealth over their relative responsibilities under the Commonwealth, State and Territory Disability Agreement. Given these concerns, will the Minister give an assurance that no current PSO participant will be withdrawn from the program if a suitable employment place is not available? Will the Minister give an assurance that the assessment tools will be reviewed and that more appropriate and valid tools will be accessed? Will the Minister give an assurance that she will consult direct service providers and vocational assessment specialists to identify the most appropriate and effective assessment methods?

The changes announced by the Minister regarding the clients who will move into the new Community Participation Program are also causing anxiety to parents, carers and service providers. Under the new proposals, the Adult ATLAS program will be scrapped in favour of two new programs, Transition to Work and Community Participation. There is major concern that only a minority of people with disabilities would be eligible for the Transition to Work Program, which attracts annual funding support of \$15,699 over two years. The majority in the Community Participation Program who are assessed as unlikely to find paid work could face funding cuts to inadequate levels of \$9,000 to \$13,500 annually, which it is feared would drastically reduce the hours of care they currently receive.

The Minister has said that her department will act to ensure that participants do not face a reduction in the hours of support they receive on the new programs. I want to ensure that the Minister's guarantee extends to the current quality of care and services now provided by organisations like Challenge, and not some alternative cheaper and less effective minimal care, which would throw people with disabilities back into the dark ages. In reality, families and carers need services for more than 20 hours per week to have some semblance of a normal life and still have the energy and ability to care for their sons and daughters in the evening and at weekends.

This new proposal also creates glaring inequities and discrimination for people with disabilities. Those remaining within the Post Schools Options Program would continue to receive an average of \$19,000 per participant to provide 20 hours of services. However, clients with the same levels of need under the Community Participation Program would receive funding of only \$9,000 to \$13,000 annually. Can the Minister give an assurance that the funding levels for the Community Participation Program clients will be reviewed to ensure a fair and equitable delivery of quality services?

On a final note, it is well known that the financial management and acquittal processes of the Department of Ageing, Disability and Home Care are chaotic. Under these new proposals, it would be worse. There would be six client groups, five program streams and five acquittal processes for essentially the same group of clients. It is a confusing and inefficient system through which it would be difficult to deliver fair and equitable outcomes for some of the most vulnerable and needy people in our society and their families and carers. Will the Minister assure the House that she will move to correct this chaotic situation by consulting with consumers and service providers, and move to offer equity of access in compliance with New South Wales disability standards?

GREATER SOUTHERN AREA HEALTH SERVICE

Mr GREG APLIN (Albury) [5.25 p.m.]: Residents of the Albury electorate were dismayed by the announcement of the amalgamation of the Greater Murray Area Health Service with the Southern Area Health Service. For months the Minister for Health had indicated that such a plan was being considered—that two large health services struggling to meet the demands of the communities they serve would be amalgamated to provide

a better service. Finally the plan was released: a new health service stretching from Crookwell to Bega, from West Wyalong to Albury and out to Hay in the west. The Minister said that administration costs are to be reduced by minimising duplication. We have been told that additional funds will be delivered for expanded clinical services—more resources for doctors, nurses and allied health professionals. One word sums up the reaction of the professionals and patients, and that is "scepticism".

Past experience suggests that the current Government will not save on administration because it will employ more managers who will travel regularly. Indeed, the practice has been that senior manager forums have been held over two days on a bi-monthly basis at all points of the region—a gathering of about 80 senior staff travelling to small towns where only one attendee might be located, such as Leeton and Barham. Travel is in health service vehicles, everyone is accommodated and meals are provided, and all the senior managers are regularly away from their workplaces. This is a costly exercise, and one shudders to think of the numbers attending the meetings of the new Greater Southern Area Health Service. On 16 March 1996 the Greater Murray Health Service was formed from the Hume, Murrumbidgee, Murray and Riverina health services, and in 1998 the word "area" was added, giving rural health services the same status as metropolitan area health services.

With a population of more than 257,000, the Greater Murray Area Health Service is the largest health service in rural New South Wales, covering a geographic area of 113,854 square kilometres. The service employs over 2,800 full-time equivalent staff in a range of clinical and non-clinical roles. Unfortunately, the Government's bureaucratic approach to health services has not delivered better health care and has not met the public's needs. Waiting lists have grown, leaving patients suffering months and even years of pain. Facilities have been depleted, bed numbers have been reduced and decision making has been centralised away from Albury Base Hospital. Retention of staff specialists is a huge concern, with locums being flown in at huge cost. Community response to local hospitals diminished under the Greater Murray structure. One example is the Nunyara Committee, an organisation of high-profile women in the city of Albury.

That organisation worked to raise funds to purchase equipment for the base hospital but it was wound up, squeezed out of existence by a bureaucracy. Its last act was to purchase chairs for the chapel in the base hospital because it knew that these would not be touched and removed elsewhere by the Wagga Wagga-based bureaucrats. Now the Minister is saying, "Trust us, bigger is better." Area health advisory councils are to be established, which will involve clinical and community involvement in the planning and delivery of health services. And the Minister has said that a clinical and community advisory group would consult with clinicians and the community on the functions, terms of reference, composition and operation of the area health advisory councils. This sounds fine until one realises that clinicians and the public are not being advised about the meetings in their area. The Minister has not advertised the meeting to be held in Albury on the morning of Friday 10 September.

No proposals are readily available for consideration. This process shows scant regard for the people who will operate the service and the patients who will use it. If no information is provided, how can people possibly have input? Is the process designed to avoid public scrutiny? We need information on expected outcomes: How many extra nurses will be employed, how many of the closed beds will be opened, how will waiting lists be reduced and who will provide the support services? If this lack of public information prior to community consultation is any indication of the way the new expanded health service will operate, we should be extremely alarmed. In the Albury area there is great concern about the Government's commitment to the cross-border health agreement. Local clinicians have not been contacted, and little or no information has been made available to them about the amalgamation and how this will impact on the Albury Wodonga Health Service plan.

Albury City, together with regional bodies and clinicians, has no desire to be part of a Greater Southern Health Service with a headquarters in Queanbeyan. It calls for a Murray Riverina or a Riverina Murray area health service with a base in the region, retaining local contact and local administration. The region would then be similar to the structure now adopted for education delivery. This area should be funded separately and should act in its own interests. I commend the idea to the Government.

BELMONT GOLF CLUB LTD

Mr PAUL CRITTENDEN (Wyong) [5.30 p.m.]: Honourable members will be aware that amendments to the Registered Clubs Act governing the disposal or sale of land owned by a registered club occurred in the Parliament last December. The commencement date of these amendments and appropriate regulations was 9 April. Members of the Belmont Golf Club were informed at a meeting held on 20 July that a

contract with a developer, Terrace Tower, had been entered into the previous day for development management of the disposal of some of the club's land. Having grown up in the area, at the request of local residents I requested officers of the Department of Gaming and Racing to investigate the contents and legality of the contract conveniently signed on 19 July. To date, I have not received any further advice from departmental officers.

I now provide further information for the Minister and the House. The section 41J amendments specifically required registered clubs to not enter into arrangements for the disposal of land except through public auction or a tender process. In any event, there was a requirement to provide a registered valuer's valuation to ensure club members' interests were being looked after. Though there is some element of land swapping in this proposal, it still involves the alienation of a substantial amount of the Belmont Golf Club's land.

The way this situation has arisen is very perturbing. On 30 October 2003, a meeting was held of Belmont Golf Club members. No independent financial analysis was undertaken or presented to members because, to quote the general manager from the minutes of that meeting, "The board's position has always been that no money should be spent until we have the deal in our pocket". There was simply a case made out by the General Manager of Belmont Golf Club, Mr Geoffrey Perkins, the underlying premise of which was that the Belmont Golf Club was not viable in its current state and operations. The financial benefits to the developer, Terrace Tower, have not been independently assessed and were not elucidated to those present at this meeting.

There was a claim that the benefits to the existing Belmont Golf Club Limited members amounted to \$17.5 million but we have no way of knowing what the benefits are to the developer for the proposed 400 houses and units that will be built on the club's land. For argument's sake, the developer might get a net benefit of \$200 million, in which case this would be a very poor deal for the members of Belmont Golf Club. Members present at the meeting of 30 October 2003 were told they had to make a decision that night. The decision was made to go ahead with the development only if a 27-hole golf course could be obtained.

I understand that around the same time Mr Perkins was appointed General Manager of Belmont Golf Club Limited a proposal was put forward by the real estate agent son of a former Treasurer of the Belmont Golf Club, the express purpose of which was to obtain expressions of interest from developers for the redevelopment of Belmont Golf Club Limited. Apparently, expressions of interest were to be obtained from five developers. In the end, expressions of interest were only obtained from two companies—Mirvac and Terrace Tower. Interestingly, a report in the *Sydney Morning Herald* of 1 November 2000 states, "Terrace Tower built a two level car park under the seventh hole at Moore Park Golf Club". Mr Perkins was the General Manager of the Moore Park Golf Club prior to arriving at Belmont Golf Club. We need a high level investigation to ascertain the links between Mr Perkins, now General Manager of Belmont Golf Club, and Terrace Tower, who now have the first development rights over Belmont Golf Club's land. The Minister for Gaming and Racing, in his second reading speech of 14 November 2003, stated:

... an alarming trend where it appears that private entrepreneurs have sought to gain control over a club's management and operations. In doing so, they have obtained significant financial benefits and in some cases ownership of the club's assets.

The Moore Park Supa Centre was bought by Terrace Tower group in August 1993 from receivers. I hope the same situation does not prevail in respect of Belmont Golf Club Limited. I was amazed to read in today's *Sydney Morning Herald* that Belmont Golf Club Limited entered a contract with the developer, Terrace Tower, in July 2003 relating to the development of some or all of the assets of Belmont Golf Club Limited. This would appear to violate clause 52 of the constitution of the Belmont Golf Club Limited. In any event, it directly contradicts the minutes of the meeting held on 30 October 2003. On page 3 of those minutes it is recorded:

Club Member and solicitor acting for the club in this matter, Roger Gray, then made the following address:

"At present there is no contract in existence. The agreement is not totally finalised. There is nothing binding upon the club and the developer but there are certain matters I want to address to the board. No contract will be signed until these matters have been finalised".

If there was a contract in July last year, why did the solicitor Mr Gray tell members in October 2003 that there was none? I am also surprised that the minutes of the meeting on 30 October 2003 do not contain any reference to a land claim lodged by Bahtabah LALC on 9 April 2001 despite the land that was subject to the claim being essential to the proposed 27-hole golf course. A number of issues arise. The Minister needs to address the following questions. What action will the Minister take to ensure there is no deliberate running down of the assets of the Belmont Golf Club Limited so that it is at risk of being placed in receivership with members at risk

of losing control of their club and its land? What benefits—financial or otherwise—have been or will be provided to any individuals associated with this proposal, including the solicitor Mr Gray and the real estate agent mentioned?

What are the links between G. Farthing and Mr Perkins? What are the links between Perkins and Terrace Tower? Why was there no mention of the July 2003 contract with Terrace Tower before today's *Sydney Morning Herald* report? Why did the concept designs for the 27-hole proposal not mention the Aboriginal land claim, and why was independent financial advice not provided to members at last year's meeting? Will the Minister ensure the investigation is completed prior to the forthcoming elections of Belmont Golf Club, and will the Minister ensure a fair ballot in the forthcoming elections for the board of directors of Belmont Golf Club Limited?

GREATER SOUTHERN AREA HEALTH SERVICE

Mr DARYL MAGUIRE (Wagga Wagga) [5.35 p.m.]: The honourable members for Burrinjuck, Murrumbidgee and Albury have raised concerns about the Greater Murray Area Health Service amalgamation with the Southern Area Health Service. Last Saturday I attended a public meeting convened by the two co-chairpersons on behalf of the Minister. It was supposedly a consultative meeting regarding the plan to implement the amalgamation. The mood in that meeting was fierce. I would say it was hostile. The meeting had little publicity—virtually no paid publicity—advertising the fact that it was on. Also, many people at the meeting on their arrival found on the chairs information pertaining to the proposal and were asked to give a considered opinion within an hour and a half. Rightly, the 150 people who attended the meeting felt they had been treated very badly and either flatly rejected the model or made some criticisms in their submissions. Wendy McCarthy later described the meeting as the most aggressive held so far, and she was disappointed in the approach of the people. This happened because of the way this has been handled by the department and by the Minister. We heard a lot today about the delivery of health.

During question time the Minister delivered a tirade on members about their concerns. The Minister must understand that health is an important issue for us. We are prepared to be constructive and have a dialogue, but we have not been given that opportunity. Our community, the Riverina region, has had this forced upon it without our clinicians, our health delivery specialists—the people who have many years of experience in delivering health services—having the opportunity to talk about the structure that will be imposed. At the public meeting we were basically presented with a fait accompli and asked to agree to it. Why would the community not be upset? Comment from one of the doctors says it all. Dr Henry Hicks said:

We have a politicised, bastardised system being foisted on us.

A comment from Mr Ian Sinclair, co-chairman of the meeting, was:

The worst thing for your community is not to have a voice in the future.

We are prepared to have a voice. We are prepared to sit with the Minister and work constructively on what will be the best outcome for the Riverina, but we have not been given that chance. Another comment was:

How can we come here to assist you move down a path none of us accept as legitimate?

Basically, the legitimacy was undermined the day the Minister declared that we would be administered from a place called Queanbeyan, without giving us the opportunity to agree or disagree. Adrian van der Rijt wrote to me and said:

Last Saturday's meeting highlighted the strength and resources of the Riverina community and it is appropriate that this is emphasised.

He means we have a clinical base that is the best in New South Wales. No other comes near the resources, the clinicians and the services we have built around our private and public hospital system, including the delivery of radiotherapy, early intervention and the many services that our community has worked hard for. As a result of that meeting, I wrote to the Minister. I penned to him my concerns about the way in which the meeting was handled and the fact that our community wants to have dialogue with him. His staff rang back, and I thank them for that. They have agreed to meet within two weeks. In the meantime our community will hold a public meeting. We have formed a task force of all those people—the clinicians, the people who have been involved in the delivery of health services for 50 years—who want to deliver better services and who will look at the structures that are there.

We do not claim this is about protecting jobs; it is about the efficient delivery of services. That is what we want for our region. The public meeting will take place next week. The committee comprises some eminent people, and the fact that the Minister has agreed to hold the meeting provides a glimmer of hope. I say to the Minister that we come to the table with constructive criticism and suggestions. The four members who have joined me, together with the committee members, are keen to engage in that dialogue and to have the Minister listen to our concerns and to work with us to deliver an area health service that has a community of interest based in the Riverina and managed out of Wagga Wagga. Clearly, we have no community of interest with Queanbeyan. However, we are prepared to look at issues.

GOSFORD HORTICULTURAL INSTITUTE RESEARCH

Ms MARIE ANDREWS (Peats) [5.40 p.m.]: Today I wish to place on the parliamentary record the outstanding research work undertaken at Gosford Horticultural Institute. The institute, which is located within the Peats electorate, consists of two sites, one at Narara covering 93 hectares and another at Somersby covering 97 hectares. The Narara station was established in 1912 to produce phylloxera-resistant rootstocks to combat a major outbreak of the phylloxera aphid in the grape-growing areas in New South Wales and Victoria. Research into citrus production goes back to the mid-1930s with a major and long-term program into long-term rootstock breeding and selection.

Somersby was developed as a field station site in 1953. The area was chosen because it has soils more characteristic of the main production areas of citrus and vegetables. The Gosford Horticultural Institute has gone through many phases and met numerous challenges during its 92 years of existence. Apart from research activities surrounding citrus production, research has centred around stone fruit, vegetable production and ornamental horticulture. In latter years the centre became known as the Gosford Horticultural Research and Advisory Station. In October 2000 an announcement was made that Gosford would become the National Centre for Greenhouse Horticulture. The then Minister for Agriculture, the Hon. Richard Amery, officially launched the national centre in August 2001.

In July 2003 Gosford was declared a centre of excellence for greenhouse horticulture and market access. The research carried out at the Gosford Horticultural Institute is of world standard and has been recognised at State, national and international level. In the time I have available I would like to highlight some of the projects in which the highly qualified staff employed at the Gosford Horticultural Institute have been engaged. Advances in modern agricultural practices call for a significant decrease in the use of pesticides. This is an area of expertise in which the Gosford Horticultural Institute plays a pivotal role. Of significant importance is the discovery by researchers at the Gosford Horticultural Institute of the native thrips predator, *typhlodromips montdorensis*—affectionately known as "Monte" or the "Aussie mite".

It is estimated by people involved in the greenhouse industry that this thrips predator has the potential to save billions of dollars in crop losses worldwide should it be given the green light to be exported to countries affected by western flower thrips. Continued research into this native species is critical. Not only will "Monte" reduce costs incurred by growers in purchasing pesticides, it can reduce crop losses quite significantly. The Australian Hydroponic and Greenhouse Association [AHGA] has predicted that the commercial development of this native species could become an important source of revenue for the Department of Primary Industries and the State of New South Wales.

Montdorensis has also been identified as a viable biocontrol agent, which can effectively combat tomato russet mite. *Montdorensis* has proven to be one of only a few species that eat large numbers of russet mite. Further, it was the only one that could establish and move around on tomatoes and could be mass reared. Between 2000 and 2003 a comprehensive integrated pest management research program was conducted at the Gosford Horticultural Institute. This program, supported by the vegetable industry through Horticultural Australia Limited [HAL], undertook basic laboratory research and greenhouse crop developmental studies in integrated pest management [IPM] in 19 separate areas of work. Integrated pest management is central to food safety.

The National Centre of Greenhouse Horticulture comprises two large greenhouse structures of 500 square metres and 600 square metres and four smaller greenhouses, each 54 square metres. In recent years the Carr Government has made a substantial investment of \$1 million into the development of the National Centre of Greenhouse Horticulture at Gosford. In turn, this investment succeeded in attracting in excess of \$2.5 million in research and development funding by industry into protected cropping. Honourable members would be interested to learn that the Japanese Kunitaro Company selected Somersby above all areas throughout Australia

to establish a green tea industry to supplement its production in Japan. The choice was made on the basis of the climate and soil, which favours the production of high-quality green tea. The company intends to develop a processing plant in the Somersby region and to contract growers to supply the crop. I pay tribute to all the researchers and staff employed at the Gosford Horticultural Institute. I hope the outcome is a positive future for that highly regarded institute.

ORANA POLICE LOCAL AREA COMMAND RESOURCES

Mr PETER DRAPER (Tamworth) [5.45 p.m.]: On this difficult day when our colleague the honourable member for Dubbo is undergoing major surgery that will, hopefully, remedy his liver cancer, I wish to bring to the attention of honourable members a looming crisis in police services in the Dubbo electorate. Last week I travelled to Dubbo with my colleague the honourable member for Northern Tablelands and attended meetings co-ordinated by Chris Kimball from the electorate office of the honourable member for Dubbo. Representatives of the Orana Police Local Area Command [LAC] pointed out the pressures they face from a combination of poor resourcing, a lack of officer numbers, time-consuming processes and a skyrocketing workload. Sick and stress leave rates are up dramatically and the Dubbo community is concerned by a lack of general duties police on active duty, with some offenders escaping conviction as officers seem to have insufficient time to prepare case briefs.

Recently the Orana branch of the New South Wales Police Association held a meeting and voted unanimously to seek an urgent review of staffing levels. The fundamental issue seems to be a lack of general duties police on active duty. The minimum first response requirement for Orana is to have two units on the road at all times and three trucks on weekends. At the moment other duties are taking those crews off the road and, at times, only one crew is left to cover the entire city. Dubbo is the seventh busiest police station in New South Wales, yet it operates on a bare minimum number of on-duty officers. By way of comparison, in Sydney many North Shore police stations have half the crime but twice the resources and three trucks on the road 24 hours a day.

The situation in the smaller towns surrounding Dubbo—towns like Narromine, Gilgandra and Wellington—is even worse, with single officers being forced to attend jobs with little back-up, thus raising occupational health and safety concerns. Day-to-day policing suffers from a lack of crews on the street. Much time is being taken up performing other duties, including court escorts, assisting in mental health transfers, truancy and juvenile escort work. On many occasions a police crew is involved in these sorts of activities for up to four days out of the week. Based on statewide indicators of police staffing levels, it appears that Orana Local Area Command is overstrength or overstaffed. That assessment, however, is based on a policy of counting every officer in the LAC as a full-time worker. Police are concerned that this assessment is misleading and paints a false picture of the available staffing levels at Dubbo. The command has part-time officers, officers on loan to other area commands, and officers on maternity leave, long-term sick leave or hurt on duty—none of which are taken into account.

Last year Dubbo police station processed more than 2,000 custody cases. Each time a custody case is processed, general duties officers or station supervisors are taken out of the front-line policing loop. With these high custody numbers, Dubbo has a significant need for dedicated custodial officers. Other stations with similar requirements have designated officers who fill this specific role, or additional resources through Juvenile Justice or Corrective Services are provided to ease the pressure and share the workload. At a meeting I convened earlier today with Chris Kimball, the honourable member for Northern Tablelands, police Minister John Watkins and his advisers, we discussed many of the concerns brought to our attention during the Dubbo meetings. The Minister acknowledged there was conflicting information regarding the authorised strength of the Orana command. He gave an assurance he would instigate an immediate review of authorised strength in conjunction with Western Division Regional Commander, Morris West, and the Acting Orana Commander, Ian Borland. This review will determine the needs of the command and put strategies in place to deal with the situation.

Dubbo deserves to be fully resourced and have adequate police numbers, both on the street and on highway patrol, plus a visible police presence in all areas of the community. Anything less could compromise police safety, which is something the community would not accept. I applaud the action of the Minister for Police in implementing an immediate review of police numbers in the Orana Local Area Command, and also on his pledge to liaise closely with the Premier's Department to provide improved resources and better co-ordination of other government agencies. If Corrective Services, Juvenile Justice, mental health, truancy officers and police worked more co-operatively, it would significantly ease the burden on Dubbo's front-line policing resources. Dubbo police deserve praise for their commitment to operate as effectively as possible despite the

issues and concerns they face. I look forward to receiving the facts from the Minister's review and working closely with the office of the honourable member for Dubbo and local police to make sure the officers can deliver the service levels the community expects.

Private members' statements noted.

The House adjourned at 5.50 p.m. until Tuesday 14 September 2004 at 2.15 a.m.
