

# LEGISLATIVE ASSEMBLY

Thursday 11 November 2004

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## ABSENCE OF MR SPEAKER

The Clerk announced the absence of Mr Speaker.

Mr Deputy-Speaker (Mr John Charles Price) took the chair at 10.00 a.m.

Mr Deputy-Speaker offered the Prayer.

## HEALTH SERVICES AMENDMENT BILL

### Second Reading

Debate resumed from 10 November.

Mr GREG APLIN (Albury) [10.00 a.m.]: I make the point that it was the intention of this bill, which abolishes area health boards, to exclude the area director of nursing from the second tier of health service management. This would have devalued the very people who have the closest relationship with health consumers. The fact that this action was contemplated is an indication of the starting point of the Health Services Amendment Bill and its objectives. Are we to see a focus on patients and those delivering services or on a bureaucratic structure set up in a remote site? The pressure that was brought to bear ensured that the area director of nursing position on the second tier of the management structure was reinstated, but without the responsibility to have strategic and operational management input.

This downgrading accompanies the introduction in this bill of area health advisory councils. These councils will be advisory only, with no power when it comes to decision-making or budget allocations. They provide communities with less say in the running of their hospitals. Is this a measure of the focus on patients under the new health system? The Coalition is committed to reinstating local hospital boards to ensure that local hospitals will be better empowered to meet the needs of local communities. This will take into account chronic staff shortages and overloading of existing staff. The pressure placed on hardworking medical staff is intolerable. What are the results? We have seen reductions in elective surgery and an increase in waiting lists.

The figures for Albury Base Hospital for July, August and September lists people waiting for elective surgery—925 in July, 940 in August and the upward trend continues to 975 in September. When one compares that with the figures in March 1995, when this Government came to office, one finds the increase in the percentage of people on the waiting list for elective surgery is 162.8 per cent, while for those waiting more than 12 months the increase is a staggering 3,675 per cent. Is this a measure of centralised bureaucracy? Is this something that will be continued under the enlarged system? On the border there are particular and special circumstances. This is one of the reasons we pushed for a cross-border health agreement, which will have a degree of autonomy but which needs to be thoroughly resourced to be effective. Let us look at one minor illustration of the problems. A letter from Jan Hunter will be of interest because it illustrates the border anomaly. She writes:

In 2002, NSW initiated Universal Newborn Hearing Screening (UNHS) at all hospitals with obstetrics unit.

That was a worthy introduction. She goes on to state:

The Victorian situation is that only babies at risk are subsidised for UNHS screening.

Now I come to the interesting part. The letter also states:

NSW mothers giving birth at Wodonga are given information about the screening which is at Community Health, Smollett Street in Albury.

After I wrote to the Greater Murray Area Health Service, I received confirmation of a peculiar border anomaly. Babies born in New South Wales may be given certificates to that effect, but the reality is that they are born in Wodonga, Victoria. We have been able to overcome that problem, so we should be able to overcome all sorts of other issues. A letter from the acting chief executive of the Greater Murray Area Health Service in July, which referred to the State Wide Infant Screening—Hearing Program (SWISH) in Albury Wodonga, states:

The SWISH program is an initiative of the NSW Government which allows the early screening of all new born babies either whilst in hospital following birth or at an appointment after discharge. The [Greater Murray Area Health Service]... understands that this program does not currently exist in Victoria. In Albury, where obstetrics services are provided in Wodonga only, service is provided for NSW babies at the Albury Community Health Centre...

That is just one example of the problems that currently exist in the border region. *[Extension of time agreed to.]*

The fear is that the Victorian services may be transferred to Albury, thereby placing greater strain on the New South Wales health system. The chief executive officer of the Wodonga Regional Health Service has stated:

No funding is allocated to any rural health service nor is any offer of access to services in Melbourne for rural hearing impaired neonates made.

Quite clearly that situation needs to be addressed in cross-border health agreements. We need to reach agreements so that funding is equal and shared across both States. Funding is at the heart of this bill. Health officials in New South Wales cannot say exactly how much money a merger of the Greater Murray Area Health Service and the Greater Southern Area Health Service will save the taxpayer. In September at a public meeting in Albury, Ms Janet Anderson told us that the reduction of New South Wales area services from 17 area services to 8 area services would save \$100 million, but she was unable to quantify the exact savings in the Greater Murray region. In response to a question, she said, "I am not sure of the savings in your area". This matter is worthy of serious consideration because when we talk about cross-border health agreements, we should bear in mind a newspaper report on the annual general meeting of the Wodonga Regional Health Service meeting which stated that an operating deficit of \$1 million was recorded for its second year. The report states:

Board treasurer Mr Graeme Welsh said the deficit was largely explained by rising obstetrics costs.

It is a significant point that the only obstetrics unit in the region is in Victoria, not in New South Wales. In the formation of a larger Greater Southern Area Health Service, it would behove the Government to take into account the difficulties that are experienced on the Victorian side of the border. It is vital for resources to be established and maintained to ensure, as the Minister stated, that the implementation of the agreement is fully in place by July 2006. There are obvious difficulties, and I cannot see how the shift in the focus of attention to the Greater Southern Area Health Service in Queanbeyan will assist in resolving difficulties in the border region where residents of the Albury electorate so desperately require problems with the delivery of health services to be resolved.

Numerous problems must be resolved. Under the previous system most decision-making was done centrally by New South Wales Health. There has been a breakdown in appointments all the way through the public health sector, particularly in the early years of the operation of area health services. For many years people acted in positions because no-one locally had the authority to appoint them permanently. Consequently there has been a rapid turnover of disgruntled staff. Only recently has the administration shown signs of improvement. Unfortunately, owing to recent events, that improvement seems to have diminished. I fear that centralisation of health services in Queanbeyan will signal a return to the bad old days.

The fear pervading administration was very clear when I worked in the University of New South Wales School of Rural Health, which was set up approximately five years ago. The problems became apparent when the general managers of the Wagga Wagga and Albury base hospitals had to apply for permission to spend anything more than \$200 on any item. So much for local autonomy, so much for local knowledge, and so much for confidence in the local administration! This is why the Opposition is so sceptical about the formation of the Greater Southern Area Health Service and the concentration of power in a remote locality. The loss of local hospital boards as a result of implementing the area health service model has robbed many communities of their ability to contribute in a meaningful way to the running of their public health care sector. The Opposition again sounds a warning that unless local hospital boards are reintroduced, in accordance with the Opposition's amendment, we cannot support the bill.

In conclusion, I add a personal touch to the issues that face people in the border region. I cite a letter written in the middle of the year by Annalee Trethowan, a year 6 student:

I am writing to you about Mental Health.

In December 2003 my father got very sick with mental illness and it took 4 weeks for my mother to get the necessary care he required because all of the Psychiatrists in Albury were on holidays. Our G. P. helped as best he could and so did the Albury Base Hospital but their care was inadequate. The people at the Access Line helped Mum on really bad days and so did the Albury Community Mental Health people... [they] helped mum, my brothers and me but no one could help my dad. My dad suffers from Bi-Polar disorder and all we needed to know was how to adjust his medication to stabilise his condition but all the Psychiatrists were on holidays. Why... wasn't there another Doctor covering for them?

Our family was torn apart, we didn't have Christmas this year because Dad was so sick.

The letter concludes with her plea:

Please can you get more help for our Community in this under staffed area, and please don't let all of the Doctors have their holidays at the same time.

This letter outlines problems that lie at the heart of this bill; it shows why we need local hospital boards and why we need local accountability.

**Mr GERARD MARTIN** (Bathurst) [10.16 a.m.]: I am pleased to support the Government's bill and the work that has been done by the Minister for Health, the Hon. Morris Iemma. Before I deal with some of the issues raised by the honourable member who preceded me in this debate relating to hospital boards being a panacea for all problems that exist in the health system—a very simplistic view—I will discuss the notion of the optimal number of area health services. To my mind, too much of the discussion of health services has concentrated on boundaries of area health services. If the Opposition wants to play politics, I should be the one who is jumping up and down because major changes affecting my electorate have resulted in the Mid Western Area Health Service being subsumed by the Greater Western Area Health Service, and the area health service headquarters being moved from Bathurst to Dubbo.

I think most people would agree that the thrust of the restructuring has been a desire to divert resources from management to the coalface delivery of clinical services and that it is a great idea. From that point of view, the exact number of area health services and their locations are relatively unimportant. The newly appointed chief executive officer of the Greater Western Area Health Service, Dr Claire Blizard, has already said that although Dubbo is the focal point for administration, she will adopt a decentralised system of administration so that key senior health personnel and services are spread throughout the region, which extends from Bathurst through to Broken Hill.

**Mr Alan Ashton:** A large area.

**Mr GERARD MARTIN:** Indeed it is a large area—approximately the size of Germany—and that is good rhetoric, but the size of the area is not at the heart of the bill. This bill represents a desire on the part of this Government to deliver better clinical services, particularly for people who live in regional New South Wales.

I am delighted by some of the announcements that have been made by the Minister for Health, particularly in relation to the development of clinical plans, which no doubt will be part of the challenge of the improvement in the delivery of health services. As far as clinical plans affect my electorate, the linking of teaching hospitals in Sydney to area health services will provide the mid-western region with better access to specialist clinicians. It is imperative that we focus on the provision of those services.

The Coalition takes the simplistic view that the reintroduction of local hospital boards will solve all the problems. The previous speaker, the honourable member for Albury, spoke about the lack of clinicians in his area. We all agree that there is a shortage of specialists in certain disciplines. But the reintroduction of local hospital boards will not overcome the shortfall in funding or resources provided by the Federal Government to train medical professionals through the tertiary education system. Last year New South Wales was discriminated against in the allocation of nursing places at universities. Charles Sturt University, of which I am a council member, has an outstanding record in the training of nurses, but did not receive one of the 50 additional places. We must focus on the clinical plans to deliver the benefits. I remember when the Coalition was in government—

**Mr Alan Ashton:** You have a long memory.

**Mr GERARD MARTIN:** It will be a long time before they are in government again. I want to speak about a constituent of mine, a man I have a great deal of time for—Peter Collins, a former Leader of the Opposition and resident of that wonderful village O'Connell. As the Minister for Health, Peter Collins introduced productivity cuts, which meant that all of the State's district hospitals had to lop 3 per cent a year off their budgets. It did not matter how they did it, they just had to do it. It was a directive from above. That money was supposed to be channelled into a central fund to build up resources in the base hospitals. The board of the Lithgow hospital decided that the budget cuts were having a disastrous impact on the delivery of services and refused to follow the directive. The board exerted its independence.

The then Coalition Minister for Health sacked the board. Knock on the door, hand over the board, the envelope, and the board was gone. The Coalition Government also sacked Wayne Harlum, the energetic and very capable chief executive officer of Lithgow hospital. The community of Lithgow rallied behind Mr Harlum and supported him in his bid to take on Peter Collins and the Coalition Government. The Coalition Government spent about \$500,000 fighting a case in the Industrial Relations Commission against his reappointment. Wayne Harlum and the community won and he was reappointed. Unfortunately, the hospital board was not reinstated.

For Opposition members to talk about the sanctity of local hospital boards as the Holy Grail that will cure all our problems is the height of hypocrisy. When they talk about what they would do to improve the health system, we should remember the adage about the leopard's spots. Everyone is concerned about the health system. Difficult issues need to be addressed and more resources are required. The State and Federal governments must work together to address the main issue, that is, the supply of an adequate number of doctors, specialists and allied health professionals. In the past Lithgow has had to deal with problems in the radiology area. The Government has fixed the problems and Lithgow District Hospital now has the latest equipment, although from time to time the hospital faces a shortage of radiography staff.

The Government has provided the latest facilities to many country centres, such as the new cardiology specialist unit at Orange Base Hospital. The communities of Orange and the surrounding areas raised \$500,000 for this project, which the Government matched with another \$2.5 million. Now 700 to 800 extra procedures per year are performed at Orange. Previously people had to travel to Sydney to access those services. But all that the honourable member for Orange does is talk negatively about peripheral issues. If the Opposition wants to positively address the issues, I suggest they do not talk about the lines on the map and problems in our newly restructured area health service. Their argument is irrelevant and they are clouding the issue. They are not addressing the real problem, that is, the delivery of clinical services.

Recently the Minister for Health announced a breakthrough and said that the Royal Australasian College of Physicians had agreed to physicians now undertaking a significant portion of their training working in country and regional centres. That is a major breakthrough and a step in the right direction. I hope that other colleges and medical institutions follow their lead. Our health system needs a rollover of clinical services and professionals in the regions. The development of the clinical plan by linking area health services with major teaching hospitals in Sydney is a step in the right direction. We do not suggest it will be easy. The Federal Government, despite its embarrassment of riches from being the highest taxing and wealthiest government this country has ever seen—

**Mr Steve Cansdell:** What about the State Government?

**Mr GERARD MARTIN:** The Federal Government is miles in front. The honourable member for Clarence should have a look at the Federal budget papers. If he can then say that the Federal Government is not the highest taxing government this country has ever seen, he should go back to school. He will need to get out the abacus and start to learn to count again. It seems that he went to the same school of mathematics as the Leader of The Nationals, who cannot tell the difference between 11 and 12. The Opposition should not lecture us on adding up.

If the Coalition wants to make a positive contribution, it should talk to the newly elected Federal Government about spending some of its embarrassment of riches and putting more money into tertiary education and training, which is its responsibility. By using its influence, it can make a positive contribution to this area. We can develop cohesive clinical plans, but we need adequate staffing and resources to implement them. It is a simple solution. The Premier has shown leadership in this area and is prepared to talk to John Howard on these matters. Let us think outside the square; let us have a properly informed national debate. Opposition members should not try to hoodwink people by suggesting that the reintroduction of local hospital boards will solve the problems in the health system. It will not.

The concept of the area health service was embraced by the Coalition. Over the years the service has had readjustments and changes to the boundaries. But that is not the central issue. The way to deliver better health services for the people we represent is to develop and implement the clinical plans. We have heard criticism of the advisory councils. I am pleased with the way the advisory councils are constituted, particularly the mix of clinicians and community representatives. The Minister for Health has shown there is flexibility in the plan by ensuring that indigenous people have greater representation on the advisory council to the Greater Western Area Health Service, which covers a large area. How the advisory councils work and interact will be an important factor, but there is opportunity for flexibility. Rather than carping and putting up simplistic solutions, let us think positively, let us work together as a community and improve the system. The Minister for Health has shown the lead and we should follow.

**Mr DONALD PAGE** (Ballina—Deputy Leader of The Nationals) [10.28 p.m.]: I welcome the opportunity to speak on the Health Services Amendment Bill. Before I refer to the detail of the bill, I want to rebut the argument put by the honourable member for Bathurst about the Federal Government. I remind the honourable member for Bathurst that the Federal Coalition Government was re-elected only a month ago with a record majority. Further, New South Wales continues to be the highest taxing state in Australia, by a lot.

Essentially the Health Services Amendment Bill does three things: firstly, it abolishes the existing area health service boards; secondly, it establishes area health advisory councils, and, thirdly, it establishes a Health Executive Service. The Government claims that those structural changes are all about savings, and I have no difficulty with generating savings, provided that those administrative savings are quarantined and going to front-line services. There is nothing in the bill to guarantee that regional areas will benefit from the restructure. No doubt the administrative savings will be soaked up, as they have tended to be in the past, by head office in Sydney. Regional areas will be forced to take the pain from the restructure with very little, if any, gain. There is nothing in the bill that redirects the savings to front-line services.

Anyone who has been a member of this Parliament for a while would have seen a number of restructures; I think I have seen just about every health model there is in the past 16 or 17 years. I have seen hospital boards with real power and a budget; I have seen hospital boards with no budget and no real power; I have seen regional offices with both those models; I have seen area health services with hospital boards with no power; I have seen area health services with hospital boards with power; I have seen almost every possible combination. What is needed is a model that is efficient, that runs with no waste, and that gives the local community a real input into decision making by boards that have influence over outcomes. That is what the Coalition is trying to do: get the savings right while giving the local community a real say in what happens.

That is why we have developed a very good policy with hospital boards that ensure local communities have a real say in health decisions. Hospitals with more than 4,500 patients a year would have their own board, while hospitals with less than 4,500 patients a year would combine to have a board that would speak for a number of smaller hospitals. That seems to me to be an intelligent approach, with the local community having a real say, and at the same time achieving administrative savings that would be redirected into front-line services. The model proposed by the Coalition meets the twin objectives of giving the community a real say while still running an efficient operation. The model chosen by the Government gives the health bureaucrats all the power over the decision making, while the community has no real say because the advisory boards are precisely that—advisory only.

In making the area health services bigger there is a concern that there will be further diminution of local input into decisions, greater centralisation of administration and, at the end of the day, inferior local services. Nurses have raised concerns that larger area health services and the new advisory council structure will reduce the level of input and authority held by the nursing profession. In summary, there is no quarantining of savings to guarantee that they go into front-line services, there is more centralisation of administration under the Government's model and there is less say for the local community. The hospital boards will turn out to be pretty much Clayton's boards with not much contribution and no real say. That is why the Coalition will move amendments in Committee in relation to the creation of hospital boards that will give regional communities and other communities a real say in decision making.

The Northern Rivers Area Health Service board will be officially abolished under this bill. Although I did not agree with everything the board did, I defend it in the sense that it at least had some local influence. Chris Crawford is an excellent chief executive officer, but I am concerned that the community will not have the structured input it had under the area health board. Conversely, and this is an important point, the chief executive officer will not have a sounding board for decision making, something he had when the board had

some influence. We are going back to a model that has all the worst options: centralised bureaucracy with no guarantees on savings and no real input from the local community. I cannot support the Government's model, having seen every conceivable model over the past 16 to 17 years.

In conclusion I make a point about the importance of communication and consultation in local communities. When area health boards were in existence they were told to consult with the local community, to make sure that what they were doing was broadly supported. But when the Government decided to sack the boards it did not consult with the area health boards at all. The members of the boards had no idea what was coming; they read about the closures in the newspapers. This Government talks about consultation with the community, but when it came to the sacking of the boards, the people they held up to be responsible—as ambassadors for the Government in communicating with the local community—it just sacked them and did not even send them a thank-you letter. To this day not one member of those former boards has received a letter of appreciation from the Minister for Health for their years of dedicated work, and unpaid time, in supporting the community. It is a disgrace that the Government can talk about consultation when it shafted the boards without any consultation whatsoever, and not so much as a letter of thanks to the people who were involved. I take this opportunity on behalf of the Coalition, and The Nationals in particular, to thank the members of boards, who did a fantastic job.

If the Government asks those good people to serve on the advisory council it will get no positive response, because they are fed up to the back teeth with the way they have been treated. They know that under the new arrangements for the advisory council they will have no influence whatsoever; the bureaucrats will run the show. That is why the Coalition will move an amendment about the imposition of hospital boards, particularly in country hospitals. The model chosen by the Government is not the right model to get the balance right between administrative savings and providing for genuine local input. There is no guarantee that the savings under the Government's model will be directed to front-line services; they will be consumed by head office in Sydney. The proposed advisory council offers no opportunity for communities to have any genuine input.

**Ms LINDA BURNEY** (Canterbury) [10.37 a.m.]: I contribute to debate on the Health Services Amendment Bill with some expertise, including membership of the Northern Sydney Area Health Service board for a number of years and, as honourable members would know, as a senior bureaucrat within the Department of Aboriginal Affairs for a number of years. I well understand the functions of area health boards through my involvement at North Sydney, and I well understand the way in which governance and corporate arrangements work and do not work within the public sector. With that experience I contribute to debate on this bill.

I am struck by the populist approach taken by the Opposition, which may sound well and good in their constituencies but I assure honourable members that the operations and needs of area health boards with respect to administration and governance desperately need an overhaul. I do not say that to make anyone feel bad or good; I say it from my experience over three years. I understand that they desperately need to change. One reason we need to consider this matter with eyes wide open is that the area health boards were established about 20 years ago and there has been enormous change in New South Wales in that time. There have been population shifts, shifts in demographic statistics, dramatic changes in urban areas, and changes in larger urban areas within a few hours drive of Sydney. For that reason alone, because of those demographic changes, there is a very strong argument for a rearrangement of governance structures and the establishment of a health executive service within the health system.

The Opposition will argue for opposition's sake, and we all understand that role. However, this legislation is about better administration of an extremely important component of public service in New South Wales. This is about a better arrangement not only for the people employed in the health sector but also for the way in which governance decisions are made. We cannot ignore that. It is okay to say that we want hospital boards back, but that would segment the administration of the overall system. We would end up with a large number of small boards looking after a single hospital. We cannot have that arrangement in this day and age; we must have a holistic approach—and I know that is a hackneyed term. We need a global understanding of what is happening across the system, and that has, in part, driven the change that most people are focusing on in this debate.

I find the arguments mounted by honourable members opposite hypocritical. They have criticised the Government for its largesse, its overgovernance, the range of systems, insufficient savings within the public sector and so on. Those arguments are unacceptable to me because I came from that system. I ran a very small department that undertook one of the most complex tasks in New South Wales.

**Mr Richard Amery:** You did it well.

**Ms LINDA BURNEY:** Thank you. Honourable members opposite cannot mount those arguments but oppose streamlining the corporate arrangements in the health system when the opportunity arises. They cannot have it both ways; they must make a decision. They should not be hypocritical. At the end of the day, these new governance arrangements are about better provision of health services. It is nonsense for honourable members opposite to come into this place and say that this is about the Government looking after its Labor Party buddies and removing autonomy from local communities. This archaic system does not suit today's world. The Opposition cannot say that the Government's objective is inappropriate.

The health system is one of the most important public services in this State. Everyone in this State is affected by it in some way. Honourable members know what it is like to deal with ill children at 2.00 a.m. People understand and use the health system for their family on a regular basis. The notion that somehow a government would introduce changes to undermine that arrangement is dubious and unintelligent. One of the most important aspects of this bill is that it is designed to find a better balance between the experts in the field who provide the services and a more appropriate combination of community representatives who are recipients of services.

The Government wants a balanced relationship between clinicians and experts who understand how hospitals and the health system work and those who use the system. That is eminently sensible. I note that the honourable member for Bathurst made the point that the legislation specifically mentions representation for Aboriginal and Torres Strait Islander communities. Honourable members would expect me to raise that topic, but it is an issue for everyone. It is unarguable that our indigenous communities are most in need of good medical services. This legislation will guarantee that those communities, which are the greatest users of the public system, will have a say.

The legislation has another important aspect. Honourable members have called for and, more importantly, the public should expect a clearer and more easily understood accountability regime. That is vital. We are talking about people's taxes and life and death issues. Accountability and a reduction in the proliferation of corporate administrative arrangements in the health system are very sensible aims. This legislation is designed to realign the health system of New South Wales. It takes what we have inherited and makes it more appropriate for today's world. The new structure will give professionals a proper say. Another aspect of the bill that has not been mentioned often is the establishment of a health executive service to be employed by the director-general, who will have responsibility for appointments, contracts, employment performance reviews and termination of employment. The legislation will bring the health system into line with the rest of the public sector.

The Opposition's proposal is the most classic back-to-the-future example of administration that I have heard in the time that I have been in this place. We cannot take this system back to what it was 20 years ago because the situation has changed—the pressures, the State's demographics and communication and technology are different. Why have dozens of payroll systems when we do not need them? I have come to know Canterbury Hospital well. It is on the border of the Canterbury and Lakemba electorates. Every person at that hospital is committed to social justice and to providing an excellent service to the people of the region. I have had long discussions with the executive of that hospital, and Gary Miller in particular, about this legislation. If the experts—the people who provide these services day in and day out and who know the pressures and the highs and lows—feel this is appropriate, I will accept their view. They are in a much better position than I or anyone in this House to make those decisions, and I trust in their judgment.

Opposition members said that we should go back to having hospital boards, which is a terribly popular ideal, but it would remove the capacity for overall planning for the way in which hospital and health services are provided in New South Wales. If I were a mother with children who had high medical needs, or if I were getting on in years, I would want a modern system that provided services for the State in which I lived. I would not want a back-to-the-future system; rather, I would want a system that did the best with the dollars that were available, that provided the best advice and expertise, and that provided a combination of community and professional governance.

I would also want a system in which I could have faith, one that was accountable and one that had good policy direction. Most importantly, I would want a system that was transparent. There is nothing underhand about this legislation. It is a good, sensible approach towards realigning area health boards and other associated aspects of the health system and it will result in a better system for everyone in this State. I commend the bill to the House.

**Mr ADRIAN PICCOLI** (Murrumbidgee) [10.51 p.m.]: I express some interest in the Health Services Amendment Bill. People in the Murrumbidgee, Albury, Wagga Wagga and Murray-Darling electorates greeted the health services amalgamation announcement with much scepticism. The honourable member for Canterbury said in debate that the Opposition's position on this bill was to take the popular view, which is true. It is our job to represent the views of the community. I wear with a badge of honour the position taken by the Coalition at the last election—the reintroduction of hospital boards and the devolution of decision making back to the local community. That is exactly what the general public in my electorate and in the rest of New South Wales want.

Today I express with much pride the views of people in my electorate. Coalition members want devolution of control and authority back to the local community because hospitals and community health are at the heart of any community. Community members want control over what happens at their hospitals. They know there are constraints on hospital budgets, for example, at Griffith, but they want to be able to decide what can and cannot be done with those funds, rather than have it dictated to them by some distant bureaucracy. Prior to this announcement, the bureaucracy in my part of the world was based in Wagga Wagga, which is 200 kilometres away from Griffith and about 100 kilometres away from the eastern extremity of my electorate.

When the Greater Murray Area Health Service was established in 1996 people in my electorate were concerned about their inability to control hospitals through the former hospital boards, as that control had been given to a body in Wagga Wagga. The Greater Murray Area Health Service has now been amalgamated with the Southern Area Health Service and the great fear in my community is that people with decision-making powers will be based in Queanbeyan. Coalition members have no problem with the centralising of corporate services. People in our local communities want to retain their day-to-day decision-making powers, but they will not be able to do that if their health service is based in Queanbeyan.

These changes may or may not be appropriate in Sydney, where hospitals are relatively close to one another. However, in country New South Wales significant distances separate them. I refer briefly to the history of area health services, which will explain to some degree why some of them have failed. In 1996 the present Minister for Education and Training—the former Minister for Health—announced the amalgamation of area health services, established the Greater Murray Area Health Service and board and carefully chose the members of that board. A number of criteria are required if one is to become a member of the board of an area health service. For example, one has to be a member of the Australian Labor Party.

In Griffith the chairman of the local Labor Party branch, a good friend of mine, was appointed. The chairman of the local Labor Party branch in Narrandera was appointed and a former Labor Party electoral candidate was appointed as chairperson. Many meek and mild members of the Labor Party were appointed to those boards and no complaints were ever made. If the Government had appointed people to those area health service boards who had the courage to take on the Labor Party some of the changes that needed to be made might have been made, but instead all these Labor mates were appointed.

The vast majority of people in my electorate and I believe that the Greater Murray Area Health Service has been a failure. In 1996 the Government promised that the amalgamation of local district boards would result in huge administrative savings, but that is not what occurred. The savings that were made were eroded because of the vast distances that had to be covered and because of other factors. When the amalgamation announcement was made earlier this year, the general community, practitioners and other people involved in health services in western New South Wales were very sceptical. Nobody really believed the Government's promise of a saving of \$100 million. It has made no commitment and it has not indicated from where that \$100 million will come or on what it will be spent. Honourable members should remember that that \$100 million represents roughly 1 per cent of a \$10 billion budget. The Government said that it would achieve a saving of \$100 million as a result of those changes but we know that it spends \$4 million or \$5 million on Reame Media Monitoring every year.

**Mr Barry O'Farrell:** It spends \$100 million on advertising.

**Mr ADRIAN PICCOLI:** The Government spends hundreds of millions of dollars on advertising in other quarters, but it is telling us that dramatic changes have to be made in the health area in order to save \$100 million. The Labor Government has had 10 years to get this legislation right. The honourable member for Canterbury is obviously very concerned about health services, as we all are, but I have not heard any complaints from her about, for example, what happened in Camden and Campbelltown hospitals. People died because of the lack of health services in those hospitals but we heard nothing from the honourable member for Canterbury about that. Camden hospital was opened just prior to the last election as a publicity stunt to get the new honourable member for Camden elected. The Government was prepared to make those sorts of decisions, and thereby put people's health at risk, because of an upcoming election.



*[Debate interrupted.]*

## REMEMBRANCE DAY

**Mr DEPUTY-SPEAKER:** It being 11.00 a.m., the House shall observe one minute's silence to mark Remembrance Day.

*Members and officers of the House stood in their places.*

## HEALTH SERVICES AMENDMENT BILL

### Second Reading

*[Debate resumed.]*

**Mr ADRIAN PICCOLI:** The honourable member for Canterbury and other Government members have distanced themselves from the idea of hospital boards, suggesting that it takes away the power of local communities. In the education system, for example, each school has a school council that generally comprises parents, local community members, and in some cases teachers. It enables them to have some control over their local school. The school community is happy with the way that works, because it gives those who have an interest in the school, either because they work there or because their children go to the school, the opportunity to have a say about what happens at the school. For the same reason, local communities, particularly rural communities, want to have a say about what happens in their local hospitals.

As I said earlier, people understand that there are budgetary constraints, and that not everything can be achieved with limited amounts of money. But people want to have a say about the types of services to be delivered in their local hospitals under an allocated budget. That is why the Opposition's policy is so popular. I suggest that at the last election it was certainly our most welcome policy; the community saw it as a great way of getting back some control with regard to the way in which hospitals are run.

I have certainly not been a great fan of the Greater Murray Area Health Service and I have no problem about it having been dissolved, but the solution the Government has come up with, of increasing the size of the area health service, is the wrong approach. The area health service has been made even larger, whereas it should have been made smaller. That is a great mistake on the part of the Government. What it will find is that the savings it promised to achieve will in fact not be achieved. I believe that is at the heart of why the Government will not give any details about where the savings are to come from and where the extra money will go. The community has been asking for an explanation on that for a long time, but the Government has refused to provide it.

I have been told off the record that since 1996, when area health services were created, about six administrative staff based in Wagga Wagga have lost their jobs but under the no forced redundancy program they are still there. They are probably receiving about \$80,000 or \$90,000 a year for a job they lost almost 10 years ago! How can anyone suggest that these reforms will lead to such massive cost savings? At the end of the day, it is virtually the only justification the Government can provide for its decision. I note that the honourable member for Murray-Darling is in the Chamber. He has said that if any jobs are lost out of the Far West Area Health Service—

**Mr Peter Black:** No, out of Broken Hill.

**Mr ADRIAN PICCOLI:** Now it is out of Broken Hill! Indeed, I believe that in Broken Hill about 60 jobs are on the line. That is what the ABC in Broken Hill has told me. The honourable member for Murray-Darling has been assured that none of those jobs will go. If none of those jobs will go, how will the Government achieve the \$100 million worth of savings? Every community that the Minister for Health or the local Labor member go to is told that \$100 million will be saved and that no jobs will be lost out of Broken Hill, or Bathurst, or anywhere else. So how will the Government achieve that \$100 million in savings? We believe it is a great big lie. We would like some rock-solid details on this. If the Government is genuine about these reforms and what they will achieve, let us see it on paper. Let us see whether we can believe the things the Government has promised it will achieve will be achieved. Then we might think about supporting the reforms. But I fear we will never get that sort of information. That is why we do not support the legislation; that is why we are moving

amendments to it. What the Opposition proposes by way of its contribution to today's debate and its amendments to the bill to it is exactly what the community wants.

*[Interruption]*

It is populist, like getting the trains to run on time. That is something we would like to see as well.

**Mr NEVILLE NEWELL** (Tweed—Parliamentary Secretary) [11.07 a.m.]: I support the Health Services Amendment Bill and, as a North Coast electorate representative, I will briefly contribute to the debate from a local member's perspective. I will respond to some of the challenges put forward by the Deputy Leader of the Opposition, particularly his allegation that area health service boards are essentially sinecures for members of the Labor Party.

The honourable member for Ballina spoke in complimentary terms about the Northern Rivers Area Health Service Board, which is one of the 13 area health service boards to be abolished. Those area health service boards will be scaled up, with the establishment of just eight area health advisory councils across New South Wales. I challenge both the Deputy Leader of the Opposition and the honourable member for Murrumbidgee, who also seemed to believe that area health service boards are nothing but sinecures for the Labor Party. I am quite happy to read into *Hansard* the list of people on the Northern Rivers Area Health Service Board, which functions ever so well. I am sure members opposite will interject when I list the Labor Party members who are on the board, but I am also sure they will be extremely quiet when I list the Liberal Party members.

I would like to compliment the Northern Rivers Area Health Service Board for the great work it has done in the past. I compliment also the chief executive officer, Chris Crawford, on the remarkable job he has done on that board. The reason for the present frivolity amongst members opposite is that Chris Crawford's partner is a member of the Liberal Party in the other place, Catherine Cusack, MLC. But the other great members of the area health service board are Hazel Bridgett, Helen Colbourne, Dr John Follent, Malcolm Marshall—

**Mr ACTING-SPEAKER (Mr Paul Lynch):** Order! The honourable member for Lismore will stop interjecting. The Deputy Leader of the Opposition will also come to order.

**Mr NEVILLE NEWELL:** Dr William Nardi, and Ms Helen O'Donnell; Mrs Elizabeth Rummery, who was the Chair of the area health service board and was reappointed by the previous Minister into that position, has done a great job; Mr Robert Thompson, Ms Fiona Utley, and Desmond Williams, who was the Aboriginal representative on the board. The honourable member for Page indicated that they had not even had a thank-you letter from the Minister for Health. I have to refute that and point out that that is just a nonsense. I am pleased that the Minister for Health sent a letter to all board members back in July thanking them for their fine contributions and the work that they had done. Many of those members had been on the area health service board for quite a long time and I pay tribute to Mrs Elizabeth Rummery for the fine work that she did in the past in that area. I think that has been recognised not just by me but by others. I now turn to the bill to note some of the changes that are taking place. I indicated that the 13 area health service boards were being abolished—

**Mr Thomas George:** Point of order: It is one of relevance. I draw the attention of the honourable member for Tweed to the fact that the member for Page sits in the Federal Parliament.

**Mr ACTING-SPEAKER (Mr Paul Lynch):** Order! I call the honourable member for Lismore to order. The honourable member for Tweed may continue.

**Mr Thomas George:** Who is the member for Page?

**Mr NEVILLE NEWELL:** I am glad the honourable member for Lismore is awake. I did inadvertently refer to the honourable member for Ballina as the member for Page, but I did that some minutes ago. This honourable member for Lismore is very quick on his feet. He is very good.

**Mr Carl Scully:** He's a good Labor bloke. He only joined the Nats to get a seat in here.

**Mr NEVILLE NEWELL:** To get a seat in Parliament, yes. But as I indicated, this proposed legislation alters the administration of the health services by abolishing the 13 area health service boards and appointing eight area health advisory councils. The result of all that will be savings which will be able to be

transferred into beds. As other members have indicated, they would rather see money and see people in beds than see people at desks, and certainly the efficiency gains here will translate to better health services.

There have been challenges backwards and forwards in this debate with regard to changing bed numbers and so forth. I think it is worth reminding the House that in the period when the Opposition was last in government it went about slashing bed numbers in hospitals—some 7,000, I understand—and the North Coast was also affected. I point out that in the early 1990s the biggest rally that has ever occurred in Murwillumbah—a very conservative town and not prone to rallies—was the "Save Murwillumbah Hospital" rally, which saw the biggest turnout of people ever in that area. The upshot was that the people of Murwillumbah did save the hospital, but what they did not understand at that stage was the sneakiness of the government of the day, in that while the bed numbers stayed the same the hospital had about eight or 10 phantom beds, which were essentially for people being treated for day surgery. The chairs and the armchairs that patients sit in after surgery and the trolleys that they lie on were counted as beds. Consequently, there was an unreal situation of the bed numbers being listed as about 98—due to the inclusion of these phantom beds—when in actual fact the bed numbers were only 80.

There has been some good work done in my area with hospitals and health facilities. Of course, health facilities are not all about hospitals; there are other ways of delivering health services to the community. With the three community health centres in my area of Murwillumbah, Kingscliff and Tweed Heads, which have been established by Labor governments and put in place; people are able to access a range of services outside the hospital. I will say a little bit more about that and what the Labor Government has done to upgrade the children's ward—

*[Interruption]*

You might not get there, Thomas. It might be Larry Anthony who gets your seat, because after this redistribution he will be living in that electorate: he will be living in the electorate of Lismore, not necessarily in your electorate.

Nevertheless, the Murwillumbah hospital has been upgraded substantially: the surgery ward has had over \$1 million spent on it to ensure that it stands in good stead. Whoever represents Murwillumbah after the next State election will be getting a hospital that is in good order. The rehabilitation ward, which services the whole of the Tweed Valley, particularly for elderly people who need rehabilitation after various debilitating injuries, strokes and so forth, has been upgraded, and there is a first-rate birthing centre and obstetrics centre, which I have first-hand information of. My daughter was born there five years ago. Her birthday was yesterday, she is now five years of age, and I am very proud of that.

Also at the hospital are facilities for the accommodation of trainees from universities, and for various allied health professionals. That is something that the Government has funded and put in place. Tweed hospital, which I will continue to represent, has had a tremendous upgrade; stage 3 was completed some years ago. Also, a 25-bed mental health facility has been put in place at the hospital, and the cancer clinic has been upgraded. It means that people from my area do not have to travel to Brisbane to have their basic radiotherapy, because it is now available in Tweed. It is expanding very quickly; tragically, it has had to because of the number of people who need to access that service.

Coming back to the individual hospital boards, as the Opposition has pointed out, the honourable member for Ballina and the honourable member for Murrumbidgee and others, want to replace those hospital boards. As we have said, with that sort of policy, it is back to the future. Health services today are delivered not just on an individual hospital basis but to get the numbers of patients and so forth, and particularly to attract specialists into regional areas outside Sydney. We need large numbers of patients to attract and hold specialists, and that can be achieved by having health services delivered across our region. Health services are able to employ specialists and carry out operations and so forth in a number of hospitals. Consequently, specialists are able to be located in areas such as Lismore, Murwillumbah and Tweed, and that is very important: patients do not have to travel all the way to Sydney, to Newcastle or to Brisbane for the type of treatment they require.

Having a larger size area covered by the area health services and the advisory councils means that a larger range of services available within each of those areas can be provided to a much higher level and standard than in the past. The rearrangement of health services through this bill will ensure that the upgrading of available services will continue to grow under this Government and will not be downgraded, as will undoubtedly be the case with individual hospital boards. Another bane of the electoral cycle in the area at the moment is the positioning of a co-located general practitioner [GP] clinic at Tweed hospital. Tweed hospital runs one of the biggest accident emergency services outside a major metropolitan area with the number of

people going through it. But, as we all know, there are many people who, when they are triaged, are assessed as not necessarily accident or emergency patients but people who should be going to see their GP.

Many people present themselves after hours because there is a dearth of general practitioners prepared to see patients outside normal hours. General practitioners in the area have worked long and hard with the hospital and its chief executive officer, Mr Chris Crawford, to formulate a plan for the construction of a general practitioner clinic at the hospital. The State Government put forward this plan to the Federal Government, which prior to the election, unfortunately, rejected the plan. The former Federal member announced that he would assist with construction of a general practitioner clinic away from the hospital. If the clinic is to function properly and deal with people who present at the emergency department outside hours rather than attending a general practitioner, the clinic must be located at the hospital, in line with the proposal.

The Federal Government should listen to the views of the community. They, too, voted in the Federal election but they elected the Labor candidate, Justine Elliot, leaving behind the former member on this issue. I ask the Deputy Leader of the Opposition to lobby his colleagues in Canberra to back the proposal for a co-located clinic at the hospital. I have mentioned many of the facilities, but because of time constraints I shall return to the leave of the bill and compliment the Minister on the measures it contains. The proposed changes have been debated in detail but the suggestion that we should return to individual hospital boards to enhance service delivery to patients in New South Wales, particularly those in regional areas, is just a nonsense. Therefore, the Government will oppose the amendments foreshadowed by the Deputy Leader of the Opposition. I congratulate all those involved in hospitals and community health services in my area on their fine work. I am sure that the announcement in the near future of the establishment of area advisory councils will ensure that my area is adequately represented and able to move forward.

**Mr MILTON ORKOPOULOS** (Swansea) [11.22 a.m.]: I support the Health Services Amendment Bill. First, I note that corporate governance in all eight organisations, whether public or private, is of critical importance in the delivery of services to a market or to communities and individuals. This applies equally with health services. Opposition members have made a number of attacks on the Government's decision to amalgamate a number of area health services. They advance the argument for the establishment of even smaller units of governance, such as boards of hospitals. They suggest that the current system is tainted because of some sort of political interference. The honourable member for Murrumbidgee made gratuitous comments about Labor Party people. However, when one considers that the proposals for the establishment of area health advisory councils were developed in response to a report of the Clinical and Community and Advisory Group, co-chaired by the Rt Hon. Ian Sinclair, AC, and Ms Wendy McCarthy, AO—

**Mr Peter Black:** Both noted Marxist-Leninists.

**Mr MILTON ORKOPOULOS:** —both noted Marxist-Leninist Nationals, how can the Opposition make this claim? How can the Opposition have any credibility with respect to its argument for smaller corporate governance units, such as boards for individual hospitals, when earlier this year the Leader of the Opposition, in this place and elsewhere, announced that it was the Opposition's policy to abolish all boards throughout New South Wales? Remarkably, when the Government seeks to obtain greater economies of scale from a better system of corporate governance for health, the Opposition ignores the policy it announced earlier this year and seeks the establishment of even smaller units of corporate governance in the health system, indeed, resurrecting boards for individual hospitals.

We must examine the credibility of the Opposition. On the one hand, it says that all boards should be abolished, yet in debate on this bill it argues for reinstatement of all boards in the health system. Indeed, the Opposition lacks credibility also in attacking the proposed savings from the amalgamation of the area health services. It claims that savings either will not be made or will go into consolidated revenue. I draw to the attention of the House a ministerial direction sent to all administrators, signed by the Hon. Morris Iemma, MP, dated July 2004, which states:

The Administrator shall apply the savings derived from progressing the consolidation and integration of administrative and corporate services to the enhancement of clinical services in the Mid North Coast Area Health Service and the Northern Rivers Area Health Service. The Administrator shall act consistently with financial targets specified by the Director-General in respect of the consolidation and integration of administrative and corporate services and shall identify the clinical services to be enhanced. The financial savings and their conversion to clinical services shall be the subject of independent audit.

This is a specific ministerial direction to the Mid North Coast Area Health Service and the Northern Rivers Area Health Service. The Minister has stated that the savings applied shall be redirected to the enhancement of clinical services and that that conversion to clinical services shall be subject to an independent audit. How can

the Opposition then assert that there either will not be savings or that any savings will go straight into consolidated revenue rather than being used for clinical services. Clearly, the Opposition is in error.

As the member for Swansea I am in the privileged position of having two area health services in my electorate and now two enlarged area health services—the Hunter-New England Area Health Service and the Central Coast Northern Area Health Service. These area health services cover a very large area and include many hospitals, all of them receiving extensive capital works over the nine years of this Government, including \$200 million-odd for Wyong Hospital and some \$30 million for Belmont Hospital. These projects have been funded through successful arrangements with the area health services.

The Opposition argues against these changes, yet over the past couple of years it has attacked area health services. And now it wants the health system to revert to what was in place 20 years ago. I do not believe that in making such statements the Opposition spokesperson on Health is really serious in advancing credible alternative health policies. The Minister said, in his second reading speech, that the bill is central to the Government's reforms to the New South Wales public health system, which he announced on 27 July this year. The Minister said:

Among other things, the reforms ... include the amalgamation of the 17 area health services into eight larger health service areas. The new area health services will be formed on 1 January 2005 ...

Area health service boundaries were drawn up almost 20 years ago and no longer reflect the New South Wales's population distribution, make-up and growth, health work force distribution, and patterns of clinical referrals and patient flows.

Clearly, members representing coastal electorates, including the honourable member for Tweed, are the recipients of a large demographic shift out of metropolitan Sydney to the northern parts of coastal New South Wales. The latest census showed that the electorate of Swansea now has more families without children than families with children, and the average age rose dramatically during the intervening period. Clearly, the Hunter and Central Coast area health service has taken those demographic shifts into account when matching clinical services to demand in the community. That is true of Belmont hospital, which provides a large number of services that reflect the ageing population in the Lake Macquarie district and on the Central Coast.

I cannot believe that the Opposition's proposed model provides for the atomisation of corporate governance by having individual hospital boards, and for those individual hospital boards to take into account complex issues relating to providing clinical services to meet the demographic demands that currently apply. These volunteers, no doubt drawn from a wide cross-section of the community, would not have the resources or the expertise to apply clinical policy for that hospital, given the region's demographic. Clearly, the Opposition's proposal is a flawed alternative model to that proposed by the Minister for Health. The health service advisory committees will give guidance to the administrators, who by virtue of the ministerial arrangements entered into by the Government, will be directly responsible to the Director-General of Health, who will be responsible to the Minister for Health.

We need to applaud that direct transmission of responsibility and accountability. We also need to ensure that that is the standard of corporate governance in the public sector as well as the private sector. It is interesting that the parties of big business, the Opposition, represented by the shadow spokesman, is arguing for a management model from which private enterprise would run at 100 kilometres an hour. The private sector would not divide its empire into small pieces of corporate governance as proposed by the Opposition. Why would the private sector not do it? Because the economies of scale do not exist and it would go against the trend of contemporary corporate governance. Clearly, the Opposition is on the wrong track. I am sure the Government will reject the Opposition's amendments. I commend the bill to the House.

**Mr ALAN ASHTON** (East Hills) [11.34 a.m.]: I support the Health Services Amendment Bill, about which I will make a couple of points. The Deputy Leader of the Opposition began his contribution to this debate—I risk repeating it in *Hansard* because I do not want to give the point too much credibility, or any at all—by saying:

The Health Services Amendment Bill and the second reading speech of the Minister for Health are explicit acknowledgement of the waste, duplication, inefficiency, and cost the taxpayers of the New South Wales health system, which the Carr Government has presided over for almost 10 years.

The Opposition has a raft of amendments to re-establish the health boards that the Government is abolishing and replacing with health advisory committees. The establishment and abolition of health boards are an interesting piece of history. I like to recall a bit of history in most of my speeches.

**Mr ACTING-SPEAKER (Mr Paul Lynch):** Order! The Deputy Leader of the Opposition will come to order.

**Mr ALAN ASHTON:** When the Greiner Government was elected in 1988, one of its first pieces of surgery, if not the first piece of surgery, on the New South Wales health system was to abolish hospital boards. History shows that things happen in cycles and things get reinvented. There is post-modern history, Marxist history and all sorts of other history, but revisionist history cannot be ignored. We simply cannot ignore what happened in 1988, although it was some time ago. The Labor Government has been in office for a long time, and the Greiner Government was in office for a fairly lengthy period. The Greiner Government got rid of hospital boards, presumably because it believed that they were not serving the hospital system or the people of New South Wales, and were not relevant to the running of the New South Wales health system. The Government proposes to do the same thing.

Some 16 or 18 years later members opposite are saying, "This is terrible. You can't do this. We need hospital boards and we need to maintain them because they are essential to the good deliverance of health services in New South Wales." Where is the consistency in that? There is absolutely none whatsoever. If we followed the Opposition's logic in this debate, we would have 200 hospital boards, one for each of the 200 hospitals in New South Wales. We would not be cutting the number of regions from 17 to eight, which is hardly a dramatic event as far as I am concerned. If we follow the Opposition's logic—it has a peculiar bent this week, and perhaps that will continue in the next two or three weeks—fighting to save hospital boards is the Opposition's biggest discovery in health in the past few weeks.

However, saving hospital boards will not put one extra nurse in a hospital, put one extra doctor on call, solve the shortage of general practitioners or the waiting lists for emergency services because people cannot visit a doctor or get a doctor to visit them after hours, or help solve the crisis in Medicare. Hospital boards are not critical, and maintaining them is not critical to the functioning of the New South Wales health system. As the honourable member for Swansea said, it is hypocritical for the Opposition parties generally—there are still differences in ideology between governments and oppositions—to argue that they are the parties of small government, small business and small-minded people.

*[Interruption]*

I threw in the phrase "small-minded people" to get a rise out of the Deputy Leader of the Opposition. One would think the Coalition would be saying, "Labor in government is going from 17 area health services, hospital boards and regions to 200. What a waste! That money could be better spent on front-line services." But the Coalition is saying the opposite. It is saying it is terrible that we intend to reduce them. This bill is not rocket science. It is not the sort of thing either party should go to the barbed wire fences and argue over. One would think we could call a truce, somewhat like the truce at Christmas 1914 in World War I, and simply agree. What is dramatic about this? The purpose of the bill is to provide that area health services are to be governed by their chief executives. That is essential Liberal Party philosophy. I know it is not The Nationals philosophy.

**Mr Thomas George:** How would you know?

**Mr ALAN ASHTON:** I have done a bit of reading about it. We know The Nationals are happy to capitalise their gains and socialise their losses. It is an old line but a good one. The bill provides that the area health services are to be governed by their chief executives and that area health boards are to be abolished. That will avoid that argument about certain boards having certain strong views that conflict with those of the chief executive officer [CEO]. The CEO could be wrong, and under the system we are introducing the CEO will be more culpable and more responsible for his actions and in the end the buck will stop with the CEO, although the health advisory council will be available to provide advice and offer suggestions. That is essential Liberal Party philosophy. A man as steeped in the traditions and history of the Liberal Party as the Deputy Leader of the Opposition—we both have a love of history, but we have slightly different interpretations—would have to accept that that is the philosophy of Menzies and the philosophy of small-l liberalism going back hundreds of years.

The abolition of the health boards will result in better care being provided at the front and surgical ends of hospitals. I am not knocking those who have been appointed to these boards in good faith. I am sure they have carried out their roles responsibly. However, essentially a board is a group of people who probably meet once a month—a bit more often around budget time, and a little less often when it does not suit—to work out where the hospital is going, and what needs to be done and what does not need to be done. That is reasonable,

but by abolishing health boards we are providing for the establishment of area health advisory councils. They will give advice in respect of certain matters affecting the operation of area health services. Chief executive officers will be judged on how they perform. We will not have to say, "The area health advisory council mucked this up." If there is a problem at a hospital, we will not blame some honest citizens of a town, village or part of Sydney.

Bankstown hospital is presently in the electorate of Bankstown but may end up in my electorate after the redistribution. The Bankstown-Lidcombe hospital services the electorates of six or seven members of Parliament. We have daily discussions with the general manager of that hospital and we do not have any problem finding out what is going on. I know some, but not all, members of the hospital board. The honourable member for Bankstown, who has been in this Parliament a term longer than I have, probably knows all of them. They are all good people. The maintenance of these area health service boards is not critical to the good governance of Bankstown hospital or the wider health budget in New South Wales. The honourable member for Swansea also referred to the fact that the former Deputy Prime Minister the Rt Hon. Ian Sinclair has done a lot of good work, especially in country New South Wales and has given this proposal a lot of thought. We have not sent one of our former colleagues out to come back with this result.

**Mr Milton Orkopoulos:** Why don't they like Ian Sinclair? What have they got against Ian Sinclair?

**Mr ALAN ASHTON:** It might have something to do with the Peter King kerfuffle in Wentworth. We like him. We might not have liked him when he was Deputy Prime Minister, but we have embraced him since then. We have welcomed the advice he has given. After 20 or 30 years in Federal Parliament he is the perfect fellow to do that. He was able to retain the seat of New England for 20 or 30 years, something that has not been done since. That reflects great credit on him, and he brought a lot of experience to this review. The proposal resulted from a suggestion of Ian Sinclair and the group that has spent a lot of time studying the matter. The number of area health services will be reduced from 17 to eight. It is not dramatic electoral surgery; we are not doing anything outrageous. The areas to be administered by the health services will be larger and The Nationals claim there will be problems because the bigger areas will have more hospitals.

**Mr Thomas George:** How many hospitals in your electorate?

**Mr ALAN ASHTON:** Bankstown hospital is two streets outside my electorate. It is one of the biggest hospitals in Sydney and, therefore, New South Wales. Some of the problems at that hospital will not be ameliorated by a hospital board but they would be fixed by more Federal funding to employ extra nurses and doctors and pay for more overtime—not for treating people with a cut or minor stitching wound that could be attended to at a 24-hour medical service. As I said, the bigger areas will have more hospitals but those hospitals will be smaller than Bankstown hospital. My old man was a bricklayer. He helped to build the first Bankstown hospital in the 1950s when there were hardly any bricks. The Labor Government decided to build a hospital at Bankstown. The Liberal Government closed Canterbury hospital and a Labor government rebuilt it. Hospitals and health services have always been of critical importance on both sides of the debate.

It is 20 years since these boundaries were revised. In that time there have been three or four State redistributions to reflect the shift in population and the areas where services are needed. It is not much good having health boards set up in areas where the population has decreased. Since 1982, 850,000 people have moved into Sydney. That is the population of a city like Copenhagen or Perth. It is important that these boundaries be redrawn and that the redrawing of the boundaries results in those who need front-line services being better looked after. The care of patients is the most important thing, but there will be savings. The honourable member for Swansea and I serve on the Public Bodies Review Committee. Among other things, the committee looked at models not only of hospital boards but of boards generally. We tried to work out where we were in relation to corporate governance. We found that although various State organisations were running well, we needed to look at health boards. That point has been taken up by the honourable member for Bega. I do not want to misquote him, but I understand he is not very impressed with the board in his area.

The number of boards will be reduced from 17 to eight and front-line services will not be reduced. The savings of \$100 million annually across the system will be put into front-line health services so that people can be quickly looked after at their local hospitals. That will ease the pressure on general practitioners. The Opposition's fight to save hospital boards is a charade. They pretend this is the most important matter that has ever arisen in the health portfolio, but they are not fair dinkum. We do not take the charade seriously. If the Opposition were serious it would move an amendment to appoint 200 hospital boards. Perhaps it has done that; I

will have to look more closely at the amendments. I support the Health Services Amendment Bill, and I commend it to the House.

**Mr MORRIS IEMMA** (Lakemba—Minister for Health) [11.49 a.m.], in reply: I want to respond to some of the points that were made by the Opposition during the second reading debate. The first relates to the alleged number of bureaucrats and their salaries. From 30 June 2003 to 30 June 2004 an additional 1,362 full-time equivalent staff were employed in the public health system, of which 1,191 were doctors and nurses. The employment of almost 1,200 additional doctors and nurses clearly demonstrates the Government's commitment to diverting resources away from administration and support services into clinical services and the expansion of the clinical work force. Those aims are at the heart of this package of legislation.

I now turn to salaries. I do not recall the Opposition speakers who raised this matter, but it attracted some interest during the debate. The Premier's work force profile figures show that as at 30 June 2003, 2,471 New South Wales Health employees receive above \$90,500 per annum. That means 97 per cent of health employees in this State receive less than \$90,500. The 2,471 employees who earn over \$90,500 represent 3 per cent of the work force. That 3 per cent of employees, who were slandered by the Opposition as fat cats, bureaucrats and worthless, include the following categories of staff: medical staff specialists, nurse managers, medical superintendents, principal clinical psychologists, pharmacists and medical radiation therapists. They are just some of the categories of staff who earn above \$90,000.

Medical staff specialists were slandered by the Opposition as being bureaucratic fat cats. Our nurse managers, who have reached the top of the tree through career enhancement and development, were slandered by the Opposition as being bureaucratic fat cats. I could place a great deal more information on the record, but I believe I have adequately responded to the Opposition's allegations of uncontrolled growth in health administration over the past 10 years. The figures I referred to relate to the past 12 months. As I said, from 2003 to 2004, 1,362 additional full-time staff have been employed in the New South Wales health system, of whom 1,200 are front-line nurses and doctors. That is my response to the arguments of the Opposition.

The honourable member for Ballina claimed that the Government had not communicated with and thanked outgoing board members. That is incorrect. All of the outgoing board members were sent letters in July thanking them for their contribution to and service on the boards. The Opposition sought assurances that savings would be redirected to the area health services. That issue is covered in a number of ways. The first is the ministerial directives that have been given to every administrator and chief executive. For example, an assurance has been given that the teaching status of Gosford hospital on the Central Coast will remain and be developed. The established plans for the development of the North Sydney and Gosford hospitals will continue. The growth in clinical services will continue for health services in the Riverina at Wagga Wagga and throughout all areas across the State. Those assurances are contained in the ministerial directives so that the rural and regional communities of Wagga Wagga, Griffith, Wyong and so on can feel secure about their local hospitals.

The second is the requirement that each area health service yield up the administrative savings, which will be reinvested in the area. That has been made clear and is on the record. An independent audit process will be established to ensure that the savings realised are redirected to the areas they came from. Most of the Opposition members who spoke in the debate concentrated their efforts on the re-establishment of local hospital boards, and I understand the Opposition will move an amendment to that effect. I am not surprised that the Opposition has put up such a proposition. When the Greiner-Murray Government was elected in 1988 one of its first actions was to sack the local hospital boards. It sacked 117 local hospital boards and then went through the process of introducing amalgamated boards for clusters of hospitals based on regions. The Opposition began its term in Government in 1988 by getting rid of hospital boards. They have come full circle and are now advocates for the boards.

The aim of the legislation is to reduce the size of the health administration work force. But the Opposition spent most of the debate talking about creating additional administrative numbers by re-establishing hospital boards. The Opposition did not put forward one proposition to create additional clinical placements or expand clinical services; it spent a great deal of time discussing the creation of hospital boards. I do not know whether they want to create 90 boards or 208—because there are 208 hospitals in this State. If it were 90 boards with an average of 10 members, that would be close to 1,000 board members. If it were 200 boards the figure is close to 2,000. Whether it is 90 boards or 200, it would increase the size of the administration but would not provide one extra nurse, doctor, bed or service.

The boards would cost between \$20 million and \$40 million, depending on how many were established. I do not know what the Opposition believes is the optimum figure to warrant the re-establishment of



a board. We will have to wait for that. No doubt the proposition will be that hospitals with more than 4,500 admissions will get a board and hospitals with fewer admissions will not get one. That would impact on rural hospitals because on those figures the majority of the boards would be in metropolitan areas. Outside of that, they would be the larger rural-based hospitals. That would leave hospitals like Griffith Base Hospital and some of the smaller facilities surrounding Wagga Wagga in an interesting position vis-a-vis the re-creation of the Wagga Base Hospital board.

The honourable member for Wagga Wagga has previously proposed a board or a ninth area health service. We are not sure of his position today. The honourable member for Gosford is on record as wanting an area health service for the Central Coast, and the honourable member for Wagga Wagga would also like an area health service for the Riverina. Those two propositions would add a layer of administration in addition to the layer that would be added with the creation of boards. Some members of the Coalition support boards, some support boards and area health services and others believe that area health services are a complete waste of taxpayers' money. The Leader of the Opposition uses the term "a useless layer of bureaucracy".

Members of The Nationals have a wide range of views depending on the day and the time and the media interview being conducted. If it is being held on the mid North Coast, it will be about getting stuck into area health services. The Leader of The Nationals has taken that approach. However, if one of his backbenchers is addressing a meeting in Tamworth the talk will be about creating a new area health service backed by a board for that region, but only for the major hospitals. Members of the Opposition have presented any number of propositions about administrative arrangements. Some think that we should mirror the structure of the Department of Education and Training, that is, a central office with a series of regional offices.

The proposals range from a central office structure, regional offices and some boards, but perhaps only for the larger rural hospitals, to the creation of 90 boards but only if a hospital has more than 4,500 admissions each year. Of course, that would result in most of the boards being established in the metropolitan area. The Opposition's many propositions contain an incredible number of inconsistencies. In fact, the only consistency in the Opposition's position is its inconsistency. Of course, the Opposition's central proposition involves expenditure to re-create administration and bureaucracy. This bill is about streamlining administration and releasing resources tied up in administration to front-line health care. I commend the bill to the House.

**Motion agreed to.**

**Bill read a second time.**

### **In Committee**

**Clauses 1 to 4 agreed to.**

**Mr BARRY O'FARRELL** (Ku-ring-gai—Deputy Leader of the Opposition) [12.05 p.m.], by leave: I move Opposition amendments Nos 1 and 2 in globo:

No. 1 Page 4, schedule 1, lines 1 and 2. Omit all words on those lines. Insert instead:

- (b) in the exercise of his or her functions:
  - (i) in relation to the affairs of a public hospital, is subject to the control and direction of the hospital board established for that hospital under Division 2, and
  - (ii) in relation to any other matter, is subject to the control and direction of the Director-General.

No. 2 Page 4, schedule 1, line 3, to page 6, schedule 1, line 5. Omit all words on those lines. Insert instead:

#### **Division 2 Local and district hospital boards**

##### **26 Constitution of hospital boards**

- (1) For each public hospital that admits, on average, 4,500 or more patients per year, there is to be established a local hospital board. A single local hospital board may be established for only one such hospital.
- (2) A district hospital board is to be established for each public hospital that admits, on average, less than 4,500 patients per year. A single district hospital board may be established for one or more such hospitals.

- (3) A hospital board is to consist of between 7 and 15 members, appointed by the Minister on the nomination of such local community organisations as the Minister considers appropriate, of whom:
  - (a) at least one must be a medical practitioner, and
  - (b) at least one must be a nurse practitioner, and
  - (c) at least one must be a registered health practitioner (other than a medical practitioner or a nurse practitioner), and
  - (d) the remainder must be persons who, in the opinion of the Minister, can represent the instruments of consumers of health services and the local community.
- (4) A member of a hospital board holds office for such period (not exceeding 3 years) as may be specified in the member's instrument of appointment.
- (5) A member of a hospital board whose term of office expires is eligible (if otherwise qualified) for re-appointment, but may not be appointed so as to hold office for more than 9 years in total.
- (6) One of the members of a hospital board is, by the relevant instrument of appointment or by a further instrument signed by the Minister, to be appointed as the chairperson of the board.
- (7) The office of member of a hospital board is an honorary office. However, a member of a hospital board is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the member.
- (8) Subject to this section, the constitution and procedure of a hospital board are to be as prescribed by the regulations.

## **27 Role of hospital boards**

The role of a hospital board is to facilitate the involvement of providers and consumers of health services, and of other members of the local community, in the development of the policies, plans and initiatives for the provision of health services of the public hospital or hospitals for which it is established.

## **28 Functions of hospital boards**

The hospital board for a public hospital has the following functions:

- (a) to have responsibility for determining the provision of health services within the hospital's budget allocation,
- (b) to identify local needs for health services,
- (c) to confer with the chief executive of the relevant area health service in connection with the operational performance targets set by any performance agreement to which the area health service is a party under section 126,
- (d) to advise the chief executive of the relevant area health service on how best to support, encourage and facilitate community, consumer and health service provider involvement in the planning of health services by the hospital,
- (e) to liaise with other hospital boards, and with the Department of Health, in relation to both local and State-wide initiatives for the provision of health services,
- (f) to publish reports (annually or more frequently) as to its work and activities,
- (g) such other functions as are conferred or imposed on it by the regulations.

## **29 Charter for hospital boards**

- (1) The Minister may, by order in writing, establish a charter for hospital boards.
- (2) The text of a charter established under this section must be published on the internet website of the Department of Health and on the internet website of each public hospital.
- (3) In exercising its functions, a hospital board must comply with the requirements of the charter.
- (4) A charter established under this section may include a code of conduct to be observed by members of hospital boards.

As I said in the second reading debate, these are in-principle amendments designed to highlight and deliver on the Opposition's election commitment to the creation of hospital boards. The Opposition's policy was released in full during the last election campaign and it answers many of the questions raised. If the honourable member for East Hills were to read it carefully he would stop using his interpretative logic and it might encourage him to

deal with the facts. I addressed the issue of costs and the number of boards in my contribution. I move these amendments because without a focus on patients we will not improve the hospital system.

Without allowing local communities—including doctors, other clinicians and allied health professionals—the chance to have an input into decision making we will not ensure that the Health budget is spent effectively. The people who have the best knowledge of pressing needs and potential savings are those working in hospitals, not those sitting in area health service management offices or in head office in Sydney. Ultimately, the legislation should be designed to drive the Minister's reform agenda, but in consultation with local communities and with the support of health professionals who work in hospitals to ensure that there is a patient focus in the system. Being obsessed and wasting money on bureaucracy and bureaucratic institutions is not doing our health system any good.

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

**The Committee divided.**

**Ayes, 47**

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

**Noes, 28**

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

**Pairs**

Ms D'Amore	Mr Armstrong
Ms Gadiel	Mr Fraser
Mr McBride	Mr Merton
Ms Saliba	Mr Roberts
Mr Watkins	Mr Souris

**Question resolved in the affirmative.**

**Amendments negatived.**

**Schedule 1 agreed to.**

**Schedules 2 and 3 agreed to.**

**Bill reported from Committee without amendment.  
Adoption of Report**

**Mr MORRIS IEMMA** (Lakemba—Minister for Health) [12.20 p.m.]: I move:

That the report be now adopted.

**The House divided.**

**Ayes, 48**

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

**Noes, 28**

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Mr Debnam	Mr Piccoli	Mr R. W. Turner
Mr Draper	Mr Pringle	
Mrs Hancock	Mr Richardson	<i>Tellers,</i>
Mr Hartcher	Ms Seaton	Mr George
Mr Hazzard	Mrs Skinner	Mr Maguire

**Pairs**

Ms D'Amore	Mr Armstrong
Ms Gadiel	Mr Fraser
Mr McBride	Mr Merton
Ms Saliba	Mr Roberts
Mr Watkins	Mr Souris

**Question resolved in the affirmative.**

**Motion agreed to.**

**Report adopted.**

**Third Reading**

**Mr MORRIS IEMMA** (Lakemba—Minister for Health) [12.25 p.m.]: I move:

That this bill be now read a third time.

**The House divided.****Ayes, 48**

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

**Noes, 28**

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Ms Berejiklian	Mr Humpherson	Mr Stoner
Mr Brogden	Mr Kerr	Mr Tink
Mr Cansdell	Mr O'Farrell	Mr Torbay
Mr Constance	Mr Page	Mr J. H. Turner
Mr Debnam	Mr Piccoli	Mr R. W. Turner
Mr Draper	Mr Pringle	
Mrs Hancock	Mr Richardson	<i>Tellers,</i>
Mr Hartcher	Ms Seaton	Mr George
Mr Hazzard	Mrs Skinner	Mr Maguire

**Pairs**

Ms D'Amore	Mr Armstrong
Ms Gadiel	Mr Fraser
Mr McBride	Mr Merton
Ms Saliba	Mr Roberts
Mr Watkins	Mr Souris

**Question resolved in the affirmative.**

**Motion agreed to.**

**Bill read a third time.**

**BUSINESS OF THE HOUSE****Precedence of Business: Suspension of Standing and Sessional Orders**

**Mr MORRIS IEMMA** (Lakemba—Minister for Health) [12.34 p.m.]: I move:

That standing and sessional orders be suspended to allow Government business to take precedence over all other business until 2.15 p.m.

**Mr ANDREW TINK** (Epping) [12.34 p.m.]: The Coalition strongly opposes the motion. It is a cynical attempt to prevent the Leader of The Nationals from continuing to debate the Rural Communities Impacts Bill. The next item of general business for today was the Rural Communities Impacts Bill, which was introduced by the Leader of The Nationals. The honourable member for Tweed adjourned the debate. Yesterday Government

members agreed to the matter coming on today, acknowledging that it was a matter that should be treated urgently. Today the Leader of the House does not even have the guts to come into the Chamber and move the motion himself. He has sent in the little cardboard cut-out, the Minister for Health, who sneaked up to the lectern and quietly whispered the motion into the microphone.

In other words, the Minister for Health has done the dirty work of the Leader of the House. The Leader of the House is missing in action. In the meantime, the serious business of debating this bill about the impacts on rural communities of the Government's action goes into limbo yet again. The Carr Government's attitude to rural policy is such that the Leader of The Nationals has had to introduce a bill to define "rural community" as being the part of New South Wales that is outside Newcastle, Sydney and Wollongong. Despite the fact of a fraud at the last election, the Government does have some Labor Party members in rural electorates, but they do not do their jobs properly, and that includes the honourable member for Bathurst.

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

**Mr ANDREW TINK:** As a result, this bill is necessary to define those areas that the Government raises all the time.

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

**Mr ANDREW TINK:** This bill will give the country electorates of this State a fair go. The only way that country electorates of this State will get a fair go is when the Leader of The Nationals gets his bill through the House. They deserve a fair go. The timing of this suspension is very interesting because the Government has closed down debate on the future of a number of services in the Dubbo area, including the issue of XPT services.

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

**Mr ANDREW TINK:** XPT services are under threat because Costa will not guarantee XPT services to Dubbo. We know what he has done to the Casino to Murwillumbah rail link.

**Mr SPEAKER:** Order! The honourable member for Bathurst will contain his excitement.

**Mr ANDREW TINK:** There is a personal medical code red over the member for Bathurst. You are a walking personal code red medical problem.

**Mr SPEAKER:** Order! The honourable member for Epping will address the Chair.

**Mr ANDREW TINK:** The second Dubbo issue that requires a rural communities impact statement is the agency business program and a loss of jobs in Dubbo relating to the Department of Community Services and the Department of Housing, brought about by the Government. Guess why the Minister for Housing would not come in to move the suspension? He happens to also be the Leader of the House. He would not suspend standing and sessional orders because he knows, as Minister for Housing, that this bill would have an impact on his efforts to cut government jobs in Dubbo. I am surprised that the Minister for Health put his hand up to move this motion for suspension, because if he read what was in the bill about what he is doing in Health in Dubbo and other rural communities he would not pass muster either.

**Mr SPEAKER:** Order! I call the Minister for Health to order.

**Mr ANDREW TINK:** The list goes on. There is a trend in research that says it is under threat.

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

**Mr ANDREW TINK:** We need a rural communities impact statement on the Trangie Research Station. We need a rural communities impact statement on the Deery sewerage system and we need a rural communities impact statement on the Wellington water supply. The Minister for Energy and Utilities is sitting on the Government back bench. No doubt he will sit on that side of the fence when the House divides because he would not want a rural communities impact statement on the Wellington water supply. All these issues are

relevant this week, they are relevant next week, but the Government does not want any debate on them between now and the Dubbo by-election. [*Time expired.*]

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

**The House divided.**

**Ayes, 45**

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	Mr Sartor
Mr Black	Ms Keneally	Mr Shearan
Mr Brown	Mr Knowles	Mr Stewart
Ms Burney	Mr Lynch	Mr Tripodi
Miss Burton	Mr McLeay	Mr West
Mr Campbell	Ms Meagher	Mr Whan
Mr Collier	Ms Megarrity	Mr Yeadon
Mr Corrigan	Mr Mills	
Mr Crittenden	Mr Morris	
Mr Debus	Mr Newell	<i>Tellers,</i>
Mr Gibson	Ms Nori	Mr Ashton
Mr Greene	Mr Orkopoulos	Mr Martin

**Noes, 31**

Mr Aplin	Mrs Hopwood	Mrs Skinner
Mr Barr	Mr Humpherson	Mr Slack-Smith
Ms Berejiklian	Mr Kerr	Mr Stoner
Mr Brogden	Ms Moore	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	
Mrs Hancock	Mr Pringle	<i>Tellers,</i>
Mr Hartcher	Mr Richardson	Mr George
Mr Hazzard	Ms Seaton	Mr Maguire

**Pairs**

Ms D'Amore	Mr Armstrong
Ms Gadiel	Mr Fraser
Mr McBride	Mr Merton
Ms Saliba	Mr Roberts
Mr Watkins	Mr Souris

**Question resolved in the affirmative.**

**Motion agreed to.**

**DISTINGUISHED VISITORS**

**Mr SPEAKER:** I acknowledge the presence in the public gallery of the Hon. John Dowd, a former Leader of the Liberal Party, former Attorney General, and retired Supreme Court judge.

**BILL RETURNED**

The following bill was returned from the Legislative Council with amendments:

Threatened Species Amendment Bill

**Consideration of amendments deferred.****CRIMES AMENDMENT (CHILD PORNOGRAPHY) BILL****Bill introduced and read a first time.****Second Reading**

**Mr BOB DEBUS** (Blue Mountains—Attorney General, and Minister for the Environment)  
[12.49 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Crimes Amendment (Child Pornography) Bill 2004. Child pornography involves material that describes or depicts the sexual or physical abuse of children. It is abhorrent because its production usually involves the abuse and exploitation of children, and because in the hands of paedophiles it can be used in ways that put children at risk. Child pornography can reinforce a paedophile's perception that paedophilia is normal, and it can be shown to children as part of a process of what is called grooming for future abuse. All members of this House would be aware that police across the nation have been involved in Operation Auxin, targeting Internet child pornography. This operation has resulted in large numbers of arrests in recent months and highlighted the serious nature of child pornography offences.

The main purpose of the bill is to increase the maximum penalties for child pornography offences. It is important that courts give effect to the principles of general deterrence and denunciation in cases involving child pornography by imposing substantial sentences, and the bill gives them the capacity to do so. Those who possess child pornography, though they may not directly harm any child, provide a market for those who produce and distribute this material. If the courts can provide effective deterrence to people who possess child pornography, this market may be eliminated, and the impetus to produce child pornography, and to abuse children in its production, will be reduced. These principles have been recognised and articulated in the Canadian courts in the case of *R v Stroempl*, where the Court of Appeal in Ontario made the following comments:

The evil of child pornography lies not only in the fact that actual children are often used in its production, but also in the use to which it is put. ....

It is used to "reinforce cognitive distortions" (by rationalising paedophilia as a normal sexual preference); to fuel their sexual fantasies (for example, through masturbation); and to "groom" children, by showing it to them in order to promote discussion of sexual matters and thereby persuade them that such activity is normal.

The possession of child pornography is a very important contributing element in the general problem of child pornography.

...The trial judge was right in his observation that if the courts, through the imposition of appropriate sanctions, stifle the activities of prospective purchasers and collectors of child pornography, this may go some distance to smother the market for child pornography altogether. In turn, this would substantially reduce the motivation to produce child pornography in the first place.

By increasing the maximum penalties for these offences, the Government is sending a clear message to the courts that child pornography should not be tolerated. The bill also expands the definition of child pornography to encompass violence and torture against children. The bill makes the possession of child pornography an indictable offence with no statute of limitations; removes the need for classifying material suspected of being child pornography; and clarifies that prosecutions which commenced before material was classified are still valid by making a retrospective amendment.

I will now outline the principal provisions of the bill. A new section 91H is inserted into the Crimes Act by item [4] of schedule 1. The new offences contained in that section, entitled production, dissemination or possession of child pornography, were previously covered by sections 578B and 578C. The maximum penalties are substantially increased: possession of child pornography will carry five years instead of two years, and production or dissemination of child pornography will carry 10 years instead of five years. Child pornography is defined as material that depicts or describes, in a manner that would in all the circumstances cause offence to reasonable persons, a person under, or apparently under, the age of 16 years: (a) engaged in sexual activity, or (b) in a sexual context, or (c) as the victim of torture, cruelty or physical abuse, whether or not in a sexual context. The definition of "material" to be inserted by item [2] of schedule 1 is a broad one that will cover objects, photographs, films, printed matter, and images on computer screens.



The definition of child pornography is new. The current definition relies on material being classified as "RC", or "refused classification", under the Commonwealth Classification (Publications, Films and Computer Games) Act 1995 on the basis of its offensive description or depiction of a person who is or looks to be under 16. The new definition will remove the classification requirement. The requirement to classify material has been unnecessarily onerous in many cases where it is clear that the material is child pornography. The new definition will allow courts to make their own determination as to whether material is or is not child pornography. It is similar to the definitions already used in a number of other States and Territories.

A depiction or description of a child in a sexual context is a broad category that would cover, for example, situations where a child is depicted in an indecent pose or watching another person engaged in sexual activity. The requirement that the material must, in all the circumstances, be offensive to reasonable persons ensures that innocent family photographs of naked children, for example, will not be captured. The inclusion of material in which a child is a victim of torture, cruelty or physical abuse ensures that abuse which is not purely sexual, but is still offensive, is covered.

The bill contains five defences that are available to the reworked offence. The first defence is that the defendant did not know, and could not reasonably be expected to have known, that he or she produced, disseminated or possessed child pornography, as the case requires. This would exempt from liability a person who passes on a computer disk without knowing that a pornographic image was buried in one of its files. The requirement that a defendant establish that he or she could not reasonably be expected to have known that they produced, disseminated or possessed child pornography means that a defendant cannot escape liability simply by asserting that they did not know the material contained child pornography. It adds an objective element to the defence.

The second defence is that the material was classified under the Commonwealth legislation, other than as RC. This applies both to material that had been classified before the alleged offence, and to material classified later. If material is approved by the classification authorities, a court should not then be able to hold that it is child pornography. The third defence is available where the defendant was acting for a genuine child protection, scientific, medical, legal, artistic or other public benefit purpose, and the conduct was reasonable for that purpose. In determining whether the defence was available, regard will need to be had to the circumstances in which the material was produced, used or intended to be used. This defence would cover, for example, news or current affairs programs reporting images of children injured in a war, or medical texts, if that material has not been classified. It would also cover people who report cases of child abuse to the authorities.

The fourth and fifth defences apply to law enforcement officers and classification officers who are acting in the course of their official duties. There is an additional defence which applies only to the offence of possession of child pornography. The defence is available where the material came into the defendant's possession unsolicited and the defendant, as soon as he or she became aware of its pornographic nature, took reasonable steps to get rid of it. A prime example of where this defence would apply is where a person receives unsolicited or spam email containing child pornography, and he or she attempts to delete it as soon as they realise what it is.

The defence applies equally to unsolicited hard copy materials. Item [3] of schedule 1 redrafts the offence of using a child for pornographic purposes in section 91G of the Crimes Act. It doubles the maximum penalties. The offence will carry 10 years where the child is aged 14 or over, and it will carry 14 years where the child is under 14. The redrafted offence provides separate offences for children aged over and under 14, and it allows an alternative verdict for the lesser offence where, in a trial for an offence against a child under 14, the jury is not satisfied that the child is in fact under 14.

The definition of pornographic purposes in the new section 91G (3) reflects the categories in the definition of child pornography in proposed section 91H. Both sections expand what may be the commonly understood concept of what is pornography to include material involving physical abuse. Items [5] to [10] of schedule 1 delete the existing child pornography provisions, leaving section 578C as an offence of publishing indecent articles, and ensuring that a person cannot be charged with child pornography offences and with publishing an indecent article in respect of the same matter. Item [11] of schedule 1 contains the provision clarifying the current offence of possession of child pornography under section 578B.

The controversy of this amendment is well known, and has been substantially exaggerated. For the record, let me say that police legal services sought the advice of the Crown Advocate to clarify whether the commencement of any prosecution was in doubt because they had not yet been classified. The Crown Advocate

advised that a court was unlikely to accept an argument that a person cannot be charged before classification, but recommended, however, for abundant caution that a retrospective clarifying amendment would put the matter beyond doubt. That was simply commonsense, and the Government is happy to act to put this matter beyond doubt.

The amendment clarifies that section 578B (4) (b), as in force prior to this legislation, does not prevent, and is taken never to have prevented, process being issued or served, or a person pleading guilty or a plea of guilty being accepted, or sentence being passed after a plea of guilty, without the material having been classified. This amendment will have a retrospective effect and will, therefore, apply to all offences alleged to have been committed before the new legislation commences, including those for which proceedings are now on foot. Schedule 2 makes consequential amendments to a number of other Acts by inserting references to proposed section 91H. As promised, the offence will now be an indictable offence, able to be dealt with in the District Court by a jury. The most serious cases will be dealt with in this way.

Item [2] of schedule 2.3 amends the evidentiary provision in section 58 of the Classification (Publications, Films and Computer Games) Enforcement Act 1995. It clarifies that a certificate issued under the Commonwealth classification legislation can state not only the current classification status of something, but also a classification status at any previous date. Item [1] of schedule 2.3 ensures that the section applies to offences under the Crimes Act. These amendments achieve a uniformity with other States both in terms of penalty and content of the offence. They are a warning to any person possessing or disseminating child pornography or involved in its production that their offending will be dealt with seriously by the courts. I commend the bill to the House.

**Debate adjourned on motion by Mr Daryl Maguire.**

## **REDFERN-WATERLOO AUTHORITY BILL**

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

### **Second Reading**

**Mr FRANK SARTOR** (Rockdale—Minister for Energy and Utilities, Minister for Science and Medical Research, Minister Assisting the Minister for Health (Cancer), and Minister Assisting the Premier on the Arts) [1.02 p.m.]: I move:

That this bill be now read a second time.

The communities of Redfern and Waterloo are beset by a series of social challenges, compared to the rest of Sydney. Many of these challenges are unique to the area and require specific service and policy responses. The suburbs are home to particularly disadvantaged communities, with high numbers of unemployed people, low-income families and public housing tenants. Waterloo is rated as the fifth poorest suburb out of 526 Sydney suburbs in the 2001 index of relative socioeconomic disadvantage. Redfern was ranked in the bottom one-third. Nearly 60 per cent of Waterloo's residents are not in the labour force and are benefit-dependent, while 12 per cent of Redfern households in 2001 lived on an income of less than \$200 a week.

The area faces problems related to community safety, drug and alcohol abuse and extreme poverty. Social disadvantage is also a problem in the Aboriginal communities of Redfern and Waterloo. The New South Wales Government is committed to delivering the long-term changes needed in the area and delivering an improved quality of life for all residents. On 26 October 2004 the Premier announced the creation of a new authority, under the control of one Minister, to have sole responsibility for implementing development and urban renewal strategies within the area. The Redfern Waterloo Authority Act 2004 establishes the Redfern Waterloo Authority as a key building block of the Government's Redfern Waterloo Plan 2004-2014.

The Redfern Waterloo Authority will manage public infrastructure, land and properties in the area and promote the social and economic development of the community. Infrastructure development in Redfern and Waterloo is one of the keys to creating a sustainable and strong community. The New South Wales Government is the largest landowner in the area, with prime assets such as the Australian Technology Park, the railway station, Rachel Forster Hospital and Redfern Public School sites and the public housing estates. The development of these government assets in Redfern and Waterloo must deliver significant social and economic returns. It is important that the Government maximises its return on these assets if the urgent needs in the area are to be addressed.

By establishing a dedicated body the authority can deal in commercial property management and development at a distance from government. Unlike a private company, the Redfern-Waterloo Authority will remain accountable to the Minister and to the community. It will allow the management and oversight of capital works projects to be conducted with maximum sensitivity to local issues, and encourage the integration of planning of land and infrastructure with broader social and community objectives. In the past, the Government has established purpose-designed development corporations and authorities, such as the Darling Harbour Authority, the Sydney Cove Redevelopment Authority, the Sydney Olympic Park Authority and the Sydney Harbour Foreshore Authority.

This past experience and thinking has guided the drafting of the bill, as has the principle that our efforts to renew the communities of Redfern and Waterloo must be comprehensive. The principal functions of the authority are to promote and undertake the economic development and use of its land, including the provision of infrastructure and improvement of public spaces. The authority will also provide and promote employment opportunities and housing choice for local residents and will manage and encourage cultural activities. To assist the authority in the exercise of its functions, a Redfern-Waterloo Plan will be prepared and maintained. The plan may include provisions for the strategic vision for the improvement of the area, urban design, human services, employment, development, infrastructure, land use zoning, public land renewal and other matters considered essential by the authority. Once the plan is approved by the Minister, the authority will be required to ensure that it is implemented.

The plan will focus on using infrastructure and commercial development as a driver for job creation and providing employment opportunities for local residents. Employment growth is a particularly important component of the authority's objectives. By providing meaningful jobs for locals, including the Aboriginal community, we can crack the cycle of welfare dependence and social disadvantage. The Redfern-Waterloo Plan will be kept under review, and the community will be able to comment on the plan and provide valuable feedback. In carrying out its functions, the authority is to liaise with other government agencies dealing with cultural, public housing, health and other social or community issues in the area. It will also consult with non-government organisations where appropriate.

Where relevant, the authority is to take into consideration the principles of social, economic, ecological and other sustainable development. The authority builds on the work that has been undertaken by the Redfern-Waterloo Partnership Project [RWPP] since 2002. The authority and the Redfern-Waterloo Partnership Project will work hand in hand to ensure that the Government delivers long-term and sustainable solutions that these two communities need and want. The authority and the RWPP are complementary. The RWPP will lead the Government's reform of the human service system in Redfern and Waterloo, whilst the focus of the authority is job creation, urban renewal, improved public amenity and enhanced commercial activity. Together this will create a strong and viable community.

The bill establishes the authority as a separate statutory body with a governing board of no more than nine members, in addition to the authority's chief executive. The board will be accountable to the Minister and the community. The bill ensures that at least one of the appointed members of the board will be an Aboriginal person. To enable greater input into the authority's activities, the Minister may, under clause 12, establish advisory committees to ensure that additional expert advice and experience, including local experience, is brought in as needed. The authority's operational area covers Redfern, Eveleigh, Darlington and Waterloo. It will include the Australian Technology Park, which under the bill will be transferred from the Sydney Harbour Foreshore Authority. The Australian Technology Park is already the home to the New South Wales Cancer Institute.

It is an area with great potential, and may be developed into a biotechnology hub bringing a new and dynamic focus to the area. There is also a small portion of land within the authority's operational area, which currently falls within the ambit of the South Sydney Development Corporation. Under the legislation, this land will be brought within the scope of the authority as well to ensure that the authority is the sole agency responsible for planning, development and management in the area. Clause 28 refers to the declaration of State-significant sites. This will enable the Minister to be given development consent authority to State-significant developments within the authority's area of operations. The Minister may then subdelegate this function to the authority or the Council of the City of Sydney. The Government will continue to work closely with the council.

Clause 29 is comparable to that passed for Walsh Bay and ensures that heritage-protected properties within the authority's ambit may be redeveloped in the optimal manner, to the benefit of the entire community. The bill, like that for Walsh Bay, precludes the provisions of the Heritage Act 1977 from applying to

development in the area that is State significant. This function will only be exercised where the Minister is satisfied that the development is essential for achieving the strategic vision articulated in the Redfern-Waterloo Plan. The work of the authority will be funded through the establishment of a Redfern-Waterloo Fund. Clause 33 of the bill allows for the fund to be applied to enable the authority to exercise its functions.

The fund will be financed through commercial activity on government land and properties and any profit made from the future sale of this land or property. The fund will also collect moneys raised from a new community levy and developer contributions. A contributions plan will be developed by the authority in due course. The Government intends that moneys raised through the authority's activities will be spent on infrastructure development in Redfern and Waterloo. The new Redfern-Waterloo Authority sits as a key part of a package of Carr Government initiatives that address infrastructure, social services, community renewal and the renewal of the precinct in and around the Block.

The establishment of the authority, combined with the work of the Redfern-Waterloo Partnership Project demonstrates that the Carr Government is committed to ensuring that all people who live in Redfern and Waterloo have access to the same opportunities and services that are available to all other Australians. The bill recognises that there is a lot of great work being done in the community by government, community groups and by the people who live and work in the area. With this bill, we can co-ordinate, harness and boost these efforts under the reach of one authority, under the charge of one Minister. It is a crucial step in achieving real and sustainable change in the area. I commend the bill to the House.

**Debate adjourned on motion by Mr Daryl Maguire.**

*[Madam Acting-Speaker (Ms Marie Andrews) left the chair at 1.10 p.m. The House resumed at 2.15 p.m.]*

## PETITIONS

### **Murrumbateman Public School**

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

### **Skilled Migrant Placement Program**

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

### **Gaming Machine Tax**

Petitions opposing the decision to increase poker machine tax, received from **Mrs Judy Hopwood, Mr Donald Page, Mr Steven Pringle and Mr Andrew Tink**.

### **Road Tunnel Air Filtration**

Petitions asking the Government to ensure that all Sydney road tunnels are fitted with air filters, received from **Ms Clover Moore and Mr Michael Richardson**.

### **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**.

### **Breast Screening Funding**

Petition requesting effective breast screening for women and maintenance of funding to BreastScreen NSW, received from **Mr Steve Cansdell and Mrs Judy Hopwood**.

### **Coffs Harbour Aeromedical Rescue Helicopter Service**

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

**Yass District Hospital**

Petition opposing the downgrading of existing services at Yass District Hospital, received from **Ms Katrina Hodgkinson**.

**Mental Health Services**

Petition requesting improvements to the mental health system, received from **Ms Clover Moore**.

**CountryLink Rail Services**

Petitions opposing the abolition of CountryLink rail services and their replacement with bus services in rural and regional New South Wales, received from **Mr Steve Cansdell** and **Mr Andrew Stoner**.

**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**.

**Murwillumbah to Casino Rail Service**

Petition requesting the retention of the CountryLink rail service from Murwillumbah to Casino, received from **Mr Neville Newell**.

**Broadmeadow to Newcastle Rail Services**

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

**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**.

**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**.

**Kempsey Women's Refuge**

Petition requesting funding to enable the Kempsey Women's Refuge to provide a 24-hour service, received from **Mr Andrew Stoner**.

**Sullage Removal Subsidy**

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

**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**.

**Cat and Dog Meat Sale**

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

**Alcohol Wet Centres**

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

**QUESTIONS WITHOUT NOTICE**

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**RYDE HOSPITAL AND MRS MARY RICHARDSON**

**Mr JOHN BROGDEN:** My question is directed to the Minister for Health. Given the statement this week by the Minister for Police, the honourable member for Ryde, that the service at Ryde Hospital is second to none, how does the Minister explain the treatment of 92-year-old Mary Richardson, who, despite having two crush fractures of the spine, was misdiagnosed, given painkillers, and sent home in extreme pain from Ryde Hospital, only to be taken days later by her family to the Sydney Adventist Hospital, where she was instantly admitted, properly diagnosed and properly treated?

**Mr MORRIS IEMMA:** I will undertake to review the matters that the Leader of the Opposition has placed on the public record for the first time and report back to the House. I will approach this matter in the same way as I approach all such matters. When those who access our health system and our health facilities are concerned about access, the quality of care or judgements that are made, and they raise those concerns, I will undertake to review the circumstances of their treatment and happily report back to the House.

**RANDOM ROADSIDE DRUG TESTING**

**Mr GEOFF CORRIGAN:** My question is addressed to the Minister for Roads. What is the latest information on road safety, traffic measures and related matters?

**Mr CARL SCULLY:** For some time there has been concern about drug-taking by heavy vehicle drivers, and the Government is responding to that concern. Unfortunately, an increasing number of heavy vehicle drivers are using speed to keep awake, cannabis to get to sleep and then speed to return to their shift. That is an enormous road safety problem. Far too many heavy vehicles are figuring in our accident statistics, particularly on the Pacific and Newell highways and other national and State highways. We must do something about it. The honourable member for Blacktown, the chairman of the Staysafe committee, has been raising this issue for some time, and I thank him for his work in that regard.

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

**Mr CARL SCULLY:** The Victorian Government has passed legislation in this area and has indicated that it will conduct a trial. It appears to have baulked because of technology concerns. But the technology is now emerging that will allow random roadside drug tests to be conducted with some degree of confidence. Today the Minister for Police and I announced that legislation will be drafted and introduced into Parliament to empower police to pull drivers over and conduct random roadside drug tests. The legislation will focus primarily on the heavy vehicle industry but it will enable police to conduct testing elsewhere if they deem it appropriate, for example, in the case of partygoers who take ecstasy at a rave party and then drive, which could have adverse consequences on our roads.

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

**Mr CARL SCULLY:** This is a significant road safety initiative but we must ensure that the technology works so that prosecutions are successful. We must be able to rely on the evidence to get convictions. The legislation will be introduced, a tender process will be undertaken, and the police will trial this

technology for 12 months. Although the roadside testing will take place there will be no prosecutions until such time as the Minister for Police and I report to Parliament about its success or otherwise. I am confident that the campaign will be successful but we must be certain that the relevant training is under way, the appropriate police protocols are in place, and the technology is effective.

This campaign fits in with a number of initiatives that the Government is taking. Legislation is being drafted on compliance and enforcement measures that will begin to hold some industry owners and operators responsible for their actions. As I said today, although drivers may act illegally, we should be a little sympathetic to them because of the pressure they are under. They are sometimes under the gun. Their employers say, "I don't care what you do; get these goods to market." Piece rates are very competitive and there is cutthroat competition between transport companies. I put the distributors, the warehouses and the supermarkets on notice that we will look increasingly at the supply chain: we cannot hold only drivers responsible for their actions when they are under a lot of pressure. But drivers who take cannabis, ecstasy or speed will be caught by this process. That is our strong message. We must act.

The technology is now emerging to allow us to detect illegal activity and enforce sanctions. This initiative complements several reforms that the Government is considering, such as speed limiters. I will talk to John Anderson about that at next week's ministerial council meeting. We should start looking at changing Australian design rules in the heavy vehicle industry. This initiative fits in with the Government's commitment to making the road transport industry as safe as possible. The honourable member for Camden asked me to comment on related matters, and I am happy to do so. I welcome that opportunity.

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

**Mr CARL SCULLY:** I am extremely disappointed to hear that Interlink is introducing a low-usage charge. I called for the contract, so how could this be? Here it is. It is signed by Bruce Baird.

**Mr Morris Iemma:** Didn't he sign the old contract too?

**Mr CARL SCULLY:** No. I want to say to the members of the Federal Liberal Party: Bruce Baird, who signed this sloppy contract, which allowed these operators—

*[Interruption]*

Who advised him? There is a solution: the Labor Government's Roads and Traffic Authority tag. There is no quarterly charge, and it is operable on all motorways across Sydney. So if people do not like the Bruce Baird-Barry O'Farrell quarterly charge, they can use our tag. We need to reflect on some of the campaigning techniques in the lead-up to the last election that the Coalition smugly and smirkingly enjoyed. We had John Howard saying, "Not only do we need to be held to account for our period in government, we need to be held to account for the problems that arose and the solutions we found. We are also going to hold Labor to account for what they did when they were in government." At that time we saw the L-plates. We saw the interest rates when Whitlam, Keating and Hawke were there. Shock, horror—it might go through the ceiling if Mark Latham gets elected! So what the Coalition did, reasonably effectively, was to send a message out to the public.

**Mr SPEAKER:** Order! The honourable member for North Shore will come to order.

**Mr CARL SCULLY:** It is about risk; it is about trust. It is about what the Federal Coalition did when it built Port Macquarie hospital. It is about incompetence. What did the Federal Coalition do with the M2 contract? It cost \$250 million. What about financial management? Do you know what Peter Collins was doing when honourable member for Upper Hunter was acting Treasurer? He was overseas checking out how other States and other jurisdictions managed financial assistance. He was away in North America checking things out so he could whiz back to Sydney and maybe implement a few things with our budgeting. Peter Collins wrote, "Dear George, please approve \$25 million." There we have incompetent contracting, bodgie tollway deals—

*[Interruption]*

Do we need to mention the airport rail link?

**Mr Andrew Tink:** Point of order: The Minister does not even rely on a contract; he just says "Stick 'em up!"

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

*[Interruption]*

**Mr SPEAKER:** Order! I place the honourable member for Epping on two calls to order.

**Mr CARL SCULLY:** It is a legitimate comment. Normally I would say, "Fair cop." But the chief of staff of the guy who signed the contract is now the Deputy Leader of the Liberal Party, the guy in short pants who was in Greiner's office is now the Leader of the Liberal Party, and Ministers in that previous Government are all over the place in here. We have Chris Hartcher, we have Ian Armstrong—where is he? Is he doorknocking in Dubbo? We also have George Souris, who has gone off to Dubbo. Then we have Don Page and Tinky. This place is littered with these incompetent members, whom we are going to hold to account. It is about risk, Mr Howard; it is about trust. Why would you trust these people?

*[Questions without notice interrupted.]*

### DISTINGUISHED VISITORS

**Mr SPEAKER:** I acknowledge the presence in the public gallery of Senator Dick Ackerman and Mrs Linda Ackerman, Senator Sheila Kuehl, Senator Bob Margett and Mrs Beverley Margett, Senator-Elect Mr Dave Cox and Mrs Maggie Cox, Ms Shannon Shellenberg, Mr George Steffes, and Ms Jamie Khan, members of a California State Legislature delegation.

### QUESTIONS WITHOUT NOTICE

*[Questions without notice resumed.]*

### AMBULANCE SERVICE OF NEW SOUTH WALES TELEPHONE SYSTEM FAILURE AND DEATH OF MRS ROSLYN KELLY

**Mr JOHN BROGDEN:** We welcome our friends from California; we wish we had the recall here too. My question without notice is to the Minister for Health. Why Did the Minister refuse to apologise to the Kelly family today when the report into Roslyn Kelly's death shows that she died because of what the Minister terms a glitch in the Ambulance Service telephone system? Does the Minister not think Roslyn Kelly's six children deserve an apology from him?

**Mr MORRIS IEMMA:** Firstly, what the Leader of the Opposition has done here—as he usually does—is to misrepresent matters. At the press conference I expressed my sympathy and condolences to the family.

**Mr SPEAKER:** Order! The Chair will not tolerate the constant interjections by members of the Opposition and the constant barking by the Leader of the Opposition. If he has a contribution to make he should do so in the proper way and not contravene the standing orders.

**Mr Barry O'Farrell:** Point of order: Mr Speaker, we will obey the standing orders when you apply them fairly. Give everyone the same go!

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

*[Interruption]*

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

**Mr MORRIS IEMMA:** I expressed to the family my sympathy for the distress caused. The report outlined, first, that the technology that was purchased was good—

**Mr John Brogden:** Point of order: My point of order is relevance. My question clearly asked the Minister to apologise. Expressing sympathy is not an apology. Is the Minister going to say "Sorry" to this family or not?



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

**Mr MORRIS IEMMA:** The report clearly outlined that when the technical difficulty arose, the back-up system was insufficient as a result of inadequate training and inadequate protocols. Clearly, the implementation performance of that system was inadequate. Obviously, the executive of the Ambulance Service received a very clear message: fix the problem and ensure it does not happen again. At the press conference I did express to the family my sympathy and distress for what occurred.

### CHARITABLE ORGANISATIONS AND CIVIL LIABILITY

**Mr JOHN PRICE:** My question without notice is addressed to the Premier. What is the Government's response to community concerns about charitable organisations and civil liability?

**Mr BOB CARR:** I have received strong representations from charity organisations about this problem. It is interesting that we have representatives of the California State Legislature in the gallery today. I welcome them to the Parliament. Wasn't that a terrific vote by California for John Kerry? With 55 votes, it was winner takes all.

[Interruption]

I know Governor Schwarzenegger; he is a friend of mine. The honourable member for Ballina is no Governor Schwarzenegger.

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

**Mr BOB CARR:** Enough of these distractions; let me answer the question. We all know of reports of ridiculous civil lawsuits in the United States: a diabetic suing Coca-Cola for causing his diabetes; a milk addict suing the milk industry for not having cholesterol warning labels on dairy products. We all know that this can have a significant impact on costs in our society. That is why New South Wales led the way, not only in Australia but also worldwide, when it came to bold tort reform.

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

**Mr BOB CARR:** The honourable member for Southern Highlands is going to have a friend join her soon. We understand Marie Ficarra is stacking branches in Cronulla to take the member's place. It is all there in the *St George and Sutherland Shire Leader*. Suppress your nausea but Ms Ficarra talks about one branch being full of "sleeper members, placed by drip feeding" and how it is "a clever factional ploy". She says the left are taking over and she is in there to fight the left. She said:

Look at what they did in St George ... we'll never win a federal or state seat there again ...

Ficarra, it is suggested, is stacking to get in the seat of Cronulla so she can sit with the honourable member for Southern Highlands. They can be the Kath and Kim of the south. Enough of these distractions—I want to answer the question.

A number of charity organisations have come to the State Government with concern about the lack of protection against civil liability suits for donated food. These charities have put the case that donations of food are drying up due to fears that the charities may be subject to civil proceedings for death or injury resulting from the consumption of donated food. This threatens the work of good Samaritan organisations. For example, one charity used to receive day-old bread free from a major bread supplier on a daily basis. These donations stopped after an incident where some foreign matter was found in a loaf of donated bread. The bread supplier believed that the contamination had probably occurred after the loaf had left his bakery, but the bread supplier told the charity he could no longer make donations because he stood to be sued. That meant the charity lost that daily donation of bread.

This is plaintiff law out of control where good Samaritans stand in danger of that sort of action. We want to clear this up as soon as we can. Interestingly, Victoria passed laws in 2002 to protect food companies from civil liability where they have donated food in good faith for a charitable purpose. The laws were enacted to encourage businesses to donate safe food that they would otherwise throw out. They essentially codified the common law position on food donation by good Samaritans, but it gave the charities the certainty they needed. A Victorian charity called One Umbrella reported that it distributed 40,000 meals each year in Melbourne prior

to the enactment of the legislation, but with the protection of this civil liability reform following the enactment of the legislation, it is now able to distribute 75,000 meals.

Members will be interested to hear that we will be following suit with legislation along the lines of the Victorian model. We will be moving to amend the Civil Liability Act 2002—the legislation that embodied our bold tort law reforms that have returned such benefits to the people of New South Wales—to protect food donors from liability in civil proceedings for death or injury resulting from consumption of a food. This will cover instances where the food has been donated in good faith for a charitable purpose, and the food was safe to consume at the time it left the possession or control of the donor. It is just commonsense, and it will mean a lot to these good charities. To give an instance of the reaction I will quote Ms Sue Sleep, the spokesperson for the Sister Freda Mission at St James Anglican Church. She said about these proposed reforms:

This is great news for voluntary groups like us all around the state. We serve lunch to 80 people every Sunday of the year at St James' Church near Hyde Park in the city.

If we can receive donated rescued food, we will be able to redirect the money we currently spend in buying food - to meet other needs and serve more people.

There is too great a danger at the present time in donated food flowing to such a group. And that is a tragedy. The Reverend Atsushi Shibaoka, the Senior Associate Priest at St James, also described the reform as:

A positive move in connecting people of good will with people in need in our community.

He went on to say:

There are lots of people in Sydney and throughout NSW who are scandalised by food wastage and want to do practical things to help people who are hungry.

Now, we have a robust legal framework to act on what our hearts have been telling us for ages.

Finally, I inform the House of an important endorsement from Wesley Noffs, the Chief Executive Officer of the Ted Noffs Foundation, who said:

This law will help us work without unnecessary hindrances and stumbling blocks to helping those in need.

What an endorsement from such a respected figure. I know what will happen when the legislation is introduced here: the plaintiff law lobby will get to the Opposition, it will twist its arm, and there will be all sorts of nagging and caterwauling and opposition to the legislation. I appeal to the Opposition to take note of the charities that want this reform and to back them rather than what it invariably does when law reform comes up, and that is trying slyly to ingratiate itself with the plaintiff law lobby. This is a good reform and it deserves the endorsement of this Parliament.

## DUBBO POLICE STATION

**Mr ANDREW STONER:** My question is directed to the Minister for Police. Now that the Minister has finally yielded to pressure and announced that the Dubbo Police and Community Youth Clubs [PCYC] site will not be the site of the new police station, will the Minister now stop playing games, cut the rhetoric and tell the police and the people of Dubbo precisely when and where the new police station will be built?

**Mr JOHN WATKINS:** I thank the Leader of The Nationals for the opportunity to talk about the fine city of Dubbo and the excellent policing we have in the central west of this State. Today I cleared the way for the Dubbo PCYC expansion. A short time ago, about midday today, I announced that the land sought by the Dubbo PCYC would not be used in any plans for the Dubbo police station. For our visitors to the Chamber, Dubbo is in the central west of New South Wales and the PCYC is the police and community youth clubs. They do exceptional work amongst the young people of New South Wales, particularly in Dubbo. A delegation came to see me in recent weeks, including the Mayor of Dubbo, Allan Smith, the outstanding Deputy Mayor of Dubbo, Dawn Fardell, and the local PCYC authorities. They lobbied hard for the Erskine Street location in Dubbo to be the site for the expansion of the PCYC—and they convinced me.

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

**Mr JOHN WATKINS:** I will come to the police station. The people of Dubbo, rightly, are concerned about their police station. After an audit of all police stations it has been identified as one of the top 27 police stations in this State that need replacement or refurbishment. Any of us who has visited there knows that is

accurate, that the hardworking men and women of the police at Dubbo need a new police station. Of those 27 police stations, I have announced today the top six stations that have received priority status. I am pleased to announce that Dubbo is one of those. So immediately detailed planning is taking place for the replacement of Dubbo police station, so that we can build a first-class facility for the hardworking men and women of the Dubbo police.

**Mr SPEAKER:** Order! The Leader of The Nationals will cease interjecting.

**Mr JOHN WATKINS:** Funding will become available from 1 July next year, the new financial year. We will use this seven-month period to plan the location and the operational needs for the police of that fine city. I will keep this House and the community of Dubbo involved in that process.

#### **SYDNEY, BLUE MOUNTAINS AND ILLAWARRA WATER RESTRICTIONS**

**Mrs KARYN PALUZZANO:** My question without notice is directed to the Minister for Utilities. What is the latest information on dam levels and water restrictions for Sydney, the Blue Mountains and the Illawarra?

**Mr FRANK SARTOR:** About a month ago we reached the point where our storage levels in Sydney were at 42.2 per cent. We were facing level 3 water restrictions in December, before Christmas. Since that time, not only have we announced a major plan, about which I will say a little more in a moment, but also we have had 125 millimetres of rainfall in the catchment. Our storage levels one month later are now at 44.3 per cent. We have attracted into the storage system 48 billion litres of water, equivalent to 48,000 swimming pools.

The good news for Sydneysiders, people in the Illawarra and in the Blue Mountains is that it is highly unlikely that level 3 water restrictions now will occur before February, and I am hopeful that with a little bit more rain and our continuing level of conservation, we may be able to avoid them all together. We have been mindful of this, knowing, of course, that the greatest impact has been on outdoor areas and gardens. We do not want to further restrict people's development and enjoyment of their gardens. It is appropriate to say at this point that Sydneysiders have been fantastic in conserving water. In the month of October we saved 18.5 per cent of volume, compared to the 10-year average for that month.

**Mr Brad Hazzard:** You wasted 10.7 per cent of water. It is leaking out of your pipes.

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

**Mr FRANK SARTOR:** The poor man! He is confused again. There was an 18.5 per cent savings in consumption by Sydneysiders in October. In fact, the week before last it was over 20 per cent. Sydneysiders are now embracing change in the way they use water. It is now happening. Cultural change is upon us. We are entering an era where we value water a lot more. To address the silly interjection of the very confused member for Wakehurst, in the last financial year we took only 550 giganlitres out of the dam system, down from 635 giganlitres the previous year—80 billion litres less. The amount of leakage in that year was 16 billion litres less than the previous year. In other words, despite some of the publicity that is occurring at a time of drought—and understandably so—the simple fact is that there have been substantial reductions in losses throughout the Sydney water system. We are seeing a terrific response from the community.

To address community concerns, the Government is doing its part by introducing a \$1.4 billion plan that has three basic elements. The first element is that we are diversifying the supply of water to ensure that we minimise the risk to the supply of water to greater Sydney. Second, we are sharing the burden of conservation, not just with residents. The changes will affect business, local government and state agencies. We are sharing the burden of conservation. Third, we are outlining the Government's plan in great detail. We are involving the community and the business community through demand management and demand management funds. This is the most comprehensive water plan in a generation and honourable members opposite can only respond by talking about one small aspect of it because they do not understand it. I commend the people of Sydney. They have done a great job and hopefully we will not have to impose level 3 restrictions throughout summer.

#### **TAMWORTH SEWERAGE AUGMENTATION SCHEME FUNDING**

**Mr PETER DRAPER:** My question without notice is directed to the Minister for Energy and Utilities. Can the Minister advise the House why the Government has reneged on its promised 50 per cent contribution to

the effluent reuse scheme in Tamworth, resulting in 5,000 megalitres of partly treated effluent continuing to be pumped into the Peel River every year?

**Mr FRANK SARTOR:** I have researched this matter.

*[Interruption]*

The honourable member for Tamworth is a lot better than The Nationals' mates. He does his homework. I can report to the House that the Government has been quite generous to Tamworth Regional Council. So far we have allocated \$14.9 million for water supply and sewerage projects. I want to put this into context before I respond more directly to the question. Already \$14.9 million has been allocated. That includes \$1 million for Barraba water, \$0.2 million for Bendemeer water supply, \$1.1 million for the sewerage treatment plant at Westdale in Tamworth, \$2.5 million for Tamworth water supply, \$0.9 million for Kootingal-Moonbi water supply, \$0.4 million for Nundle water supply, \$0.6 million for Gunnedah sewerage treatment plant and \$1.7 million for the Manila sewerage treatment plant.

The scheme to which the honourable member for Tamworth refers is the Tamworth sewerage augmentation reuse scheme, a very significant scheme. It involves \$10 million for the Swan Street pumping station, which has now been completed; \$2 million for land acquisition; \$10 million for reuse, a significant proportion of which would be going to agricultural uses in the area; and \$18 million for the Westdale sewerage treatment plant. This is an approximately \$40 million project. However, the Government has increased its allocation to country town and water schemes. Anyone listening to this bunch of liars and scoundrels would think that we have cut the total amount. We have actually increased funding.

**Mr Donald Page:** Point of order: The standing orders do not allow the Minister to use those unparliamentary terms, which I ask him to withdraw.

**Mr SPEAKER:** I am not sure whether the Minister referred to any particular member.

**Mr Donald Page:** He referred to us collectively.

**Mr SPEAKER:** Order! Honourable members are aware that this is a robust Chamber. Had the Minister referred to individual members I may have considered the context in which the remarks were made and asked him to withdraw them.

**Mr Andrew Tink:** Point of order: If those words stand, then every question without notice will be a preamble to that lot over there in the same vein. Mr Speaker, get serious about it. You either have standards in the House for the language used, one member for another, or you do not. Now is the time to make a decision if you are going to uphold the standing orders of the House or not.

**Mr FRANK SARTOR:** I am happy to withdraw the remark.

**Mr SPEAKER:** Order! The honourable member for Epping has been a member of this House for almost as long as I have. He has heard these words used in this Chamber before.

**Mr Michael Richardson:** Point of order: Mr Speaker, if you allow this to stand, then you are agreeing that everybody on this side of the House is a liar and a scoundrel. You are a disgrace to your job.

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

**Mr FRANK SARTOR:** To the point of order: Mr Speaker—

**Mr SPEAKER:** Order! I have ruled on the point of order. The Minister will resume his answer.

**Mr FRANK SARTOR:** I am happy to withdraw the remark in view of the sensitivity of Opposition members. However, I ask them in future to desist from misleading the House. To respond to this very important issue, the Government has already committed \$6.5 million to this scheme. However, the Government has had to review priorities.

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

**Mr FRANK SARTOR:** The total sum of money has been increased from \$850 million to over \$900 million for country town and water schemes and we want to make sure that they are focused on those particular utilities that have the greatest need. It is about allocating to the greatest need. Unfortunately, Tamworth Regional Council is a large utility with an annual budget of over \$16 million. Accordingly, we have altered the formula. The total sum of money has gone up but we have altered the formula to better target the funds that are still available in the scheme. In doing so, we have also set up a priority system, which is determined on three basic criteria. The first is health, the second is security of water supply and the third is environmental impact. Based on these three criteria, we rate them 1 to 10, and we will fund them in order of priority so that the higher priority projects will get the funding first. This is a good initiative, but I have to say that this project has been around for a long time now, since 1998. In 1999 we allocated \$3.9 million. In December 1999 Tamworth City Council resolved to adopt a 100 per cent reuse scheme.

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

**Mr FRANK SARTOR:** The project has been delayed for two years owing to a number of reasons, including an appeal to the Land and Environment Court. This project has been around for a long time. The Government, however, has to allocate priorities where the need is greatest. I am sympathetic to the honourable member's concerns, but, as it is, the subsidy for this scheme will amount to about \$700 per household in Tamworth, which I think is a pretty significant subsidy. I am happy to meet with the member and discuss the matter further, but we have to allocate priorities.

#### **HAWKESBURY ELECTORATE SEWERAGE SYSTEMS**

**Mr STEVEN PRINGLE:** This is the third consecutive question addressed to the Minister for Energy and Utilities. With the prospect this summer of the Hawkesbury River yet again being carpeted with noxious salvinia weed by leaking sewerage in part from Wilberforce, Glossodia and Freemans Reach, when will the Minister fund the three-town sewerage program to permanently prevent this massive environmental degradation?

**Mr FRANK SARTOR:** Clearly, the honourable member has not read our water plan. In that plan we estimate that we will spend another \$560 million on major water reuse schemes in Western Sydney, which will benefit the major rivers substantially. That is a key part of the metropolitan water plan. It is a permanent solution to a problem that will see water reuse on a scale that we have not seen before—potentially 80 billion litres or 80 gegalitres of water reused in Sydney each year. We already have 13 water reuse schemes and we have another 14 in the pipeline.

In relation to the priority sewerage schemes, there are two stages and Sydney Water is continuing work on them, as the honourable member for Hornsby knows. She visited my office yesterday. She needed a bit of encouragement so she brought with her the president of the local branch of the Labor Party. She was too scared to come on her own. We talked to her; we tried to be helpful. I gave her an hour of my time to discuss the Dangar Island and Brooklyn sewerage scheme. We are working our way through the list of priority sewerage schemes, and we will get to the scheme for the Hawkesbury electorate in due time. It is part of a comprehensive program, in which the Government has spent a lot of money on improving and providing sewerage systems in Sydney. The previous Government did nothing; it committed to a few outfalls and then ran off.

#### **MURRIN BRIDGE WINES**

**Mr PETER BLACK:** My question without notice is directed to the Minister for Aboriginal Affairs. What is the latest information on community improvement plans for Murrin Bridge?

**Dr ANDREW REFSHAUGE:** I thank the honourable member for his interest in Aboriginal affairs and the training of Aboriginal people in particular. Murrin Bridge is recognised for the innovation it has been able to provide to its community, working with Riverina TAFE. It is known for getting on with the job. In 1998 the Riverina TAFE Institute developed a viticulture course, training local Aboriginal students in grape growing and winemaking. The program involved 17 people and led to the creation of a commercial vineyard on community land. The region's sandy, clay soils, access to the Lachlan River and the long, dry summers of Murrin Bridge are perfect for growing wine grapes. The 17 students cut their vine posts from old telephone poles, collected cuttings and planted the vines.

Since its simple beginnings, the Murrin Bridge vineyard has changed business direction. It not only grows the grapes; it also produces the wine. This has resulted in the creation of the first and only indigenous-owned winery in the country—Murrin Bridge Wines. It is an excellent wine that is now stocked in this Parliament House. My staff recommends the red; the honourable member for Murray-Darling recommends the white, but honourable members can make their own choice. As the Minister for Tourism and Sport and Recreation points out, Qantas also stocks Murrin Bridge wines. Honourable members travelling on Qantas for their Christmas holiday to Japan or wherever should try the Murrin Bridge wines.

Craig Cromelin, the Business Manager of Murrin Bridge Wines and a local resident, has completed a certificate III in horticulture, food production (wine) and tourism (operations). He said that the opportunities at Murrin Bridge were once few and now have become much greater. The wine business has given the community motivation, skills and, most importantly, jobs. Murrin Bridge Wines is at an early stage of its development and certainly has enormous potential. Murrin Bridge Aboriginal Corporation plans to establish a fully operational winery with cellar door sales. It also plans to establish Murrin Bridge winery as a tourist destination in its own right. This project is an example of the good work that can be done when the local community works together, particularly with its local TAFE.

However, there are still problems of disadvantage in the Murrin Bridge community. Many Aboriginal communities face inadequate housing and poor infrastructure, such as sewage disposal and the provision of clean water. We are responding to the needs of the community by providing \$4.3 million to fix those problems. It is part of the \$240 million Aboriginal Communities Development Program. The Parliamentary Secretary for Aboriginal Affairs was able to see the work in progress when he visited Murrin Bridge earlier this year. The plan is to build important infrastructure in the Murrin Bridge community, with the construction of 10 new houses, an upgrade of the sewerage and fire services, and the provision of more training and employment opportunities, including 12 apprenticeships.

Murrin Bridge, which started with humble beginnings, is now a community with 47 homes, and it has a health clinic, administration office, sports ground and a community hall. It was awarded a place in the top 10 for its size in the statewide Tidy Towns competition in 1996, 1997 and 1998. Murrin Bridge Wines was also awarded the Premier's 2002 Public Sector Silver Award for excellence in vocational education and training. Murrin Bridge is not just about viticulture. It is also providing training for building trades, childcare, office administration and bookkeeping. Earlier this year, as part of the building and construction course, the apprentices helped to build a new \$400,000 preschool centre. The apprentices built the preschool under the supervision of Riverina TAFE staff, and without any help from outside. The building crew has also registered a building company called Kal-Inga Enterprises.

Today I inform the House of a further boost to the Murrin Bridge community so that it can take it one step further. Murrin Bridge will receive a further \$200,000 for an indigenous skills centre, which will consist of two classrooms, a meeting room and a homework room. The centre will provide indigenous students with a place to study, and will continue to deliver skills and job opportunities to keep the community moving ahead. It will be able to offer training in the use of computers, office administration, occupational health and safety, and marketing skills. Local apprentices currently involved in the building construction course at Murrin Bridge will also be employed as part of their apprenticeship training to work on the construction of the centre.

The skills centre is another important step for the Murrin Bridge community, which is an exceptional Aboriginal community that is dedicated to expanding job opportunities for community members. In this context, it is worthwhile looking at and commenting on the Federal Government's suggested changes to funding for Aboriginal organisations. The Murrin Bridge community has worked together to make significant changes. Noel Pearson and the Cape York community has introduced smart cards and determined how its money should be spent. This is a co-operative approach with a community very much in control of its own affairs and making its own directions. A co-operative approach of self-determination is the way to success. A patronising way, in which we tell people what they will do with their money, usually ends in disaster.

I understand that the Federal Minister wants to make changes. She clearly understands that previous policies have not delivered what we want, despite good intentions and often working closely with Aboriginal communities. Looking for new and better ways is important; but it is important to ensure that we get it right, that we do not undermine people's ability to take charge of their own lives by imposing a patronising solution from on top. These ideas that have been talked about have been developed from communities. Communities themselves say, "We want to do it this way." The ideas have worked when the communities have asked for

them. To impose ideas can be a recipe for disaster. I urge caution in going in this direction. It is not necessarily wrong to start talking to Aboriginal communities about these things, but we must be careful that we do not destroy communities when we are trying to help them.

### INTERNATIONAL AIRLINES INFORMATION PACK

**Mr JOHN BARTLETT:** My question is directed to the Minister for Tourism and Sport and Recreation. What is the latest information on Government efforts to encourage more international airlines to use Sydney as a destination?

**Ms SANDRA NORI:** Successive Federal governments of either persuasion have for years quite properly recognised the importance of Sydney airport. The airport is probably the most important and significant piece of infrastructure in this country. It is significant to transport and, more importantly, to the tourism industry because it provides access from origin markets. In the post September 11 environment an already difficult situation that faced global carriers was obviously exacerbated. Many national carriers were in trouble prior to September 11, and a lot of pressure was placed upon them post September 11. For us, the collapse of Ansett was much more than the collapse of another well-known icon of Australian aviation. It deprived us of nearly 4,000 seats a week out of Asia. Internally, it caused great difficulty because it was our only Star Alliance carrier. Thankfully the domestic aviation industry in Australia has stabilised, as it has globally, and there is generally a lot of confidence in the industry.

We are attracting more airlines into Sydney, which is a good thing. Virgin Atlantic Airways will be starting in December; Air Canada will be coming, probably with double daily flights over Christmas; Royal Brunei Airlines started about a fortnight ago; and Air Tahiti Nui will start a service from Sydney to Tahiti and New York. Qantas has announced additional capacity, but in particular it went into Mumbai a couple of months ago, and already we can see an increase in visitation from India, which is identified as an emerging market for us. United Airlines is increasing capacity, as is Cathay Pacific. One cannot underestimate the importance of the link between capacity and arrivals and the growth of international tourism.

To ensure that we do more than simply rely on the business decisions of global carriers, Tourism NSW has joined with the Sydney Airports Corporation and its chief executive officer [CEO], Max Moore-Wilton, in developing an information pack that contains information and presents it in a way that can be presented at various forums and to individual airlines to entice them to come to Sydney. Obviously we are targeting airlines that do not fly into Sydney, those who do but who want more slots and landing rights, and those who are considering coming here.

It is always a source of some tension between carriers and the Federal Government to get the right number of landing rights for international airlines. Some airlines have been knocking at the Federal Government's door for quite some time to increase their capacity into Sydney. From my point of view, every additional airline represents an additional potential partner with whom we can jointly market this destination. Also, we should not underestimate the free publicity we get when airlines market their destinations on our behalf. Clearly, the more airlines that come here, the more airlines that put out market material, encouraging people to come to Sydney.

The kit was successfully launched recently at the Madrid Routes Forum, and it will be used continually in such meetings. This dovetails very nicely with our recent success in being ranked the world's best city in the *Condé Nast Traveler* awards, and it will complement our campaign "There's no place in the world like Sydney." I thank the executive chairman and CEO of Sydney Airports Corporation, Mr Max Moore-Wilton, who has joined us in this important partnership. Obviously it is in the interest of his immediate business that we ensure that we compete successfully to attract new airlines and increase the market for us all. The majority of travellers come through Sydney and therefore to New South Wales, so once again Sydney has a job to do for the rest of the country.

### RYDE HOSPITAL AND MRS MARY RICHARDSON

### AMBULANCE SERVICE OF NEW SOUTH WALES TELEPHONE SYSTEM FAILURE AND DEATH OF MRS ROSLYN KELLY

**Mr MORRIS IEMMA:** I wish to provide supplementary material—

**Mr John Brogden:** Just apologise!

**Mr MORRIS IEMMA:** An unreserved apology—unreserved. Earlier the Leader of the Opposition asked two questions, and I wish to provide some supplementary material in relation to those matters. The first question related to Mrs Richardson and Ryde Hospital. I am advised by the hospital that Mary Richardson, aged 92, presented to the hospital's emergency department on 9 June, having fallen on 7 June. I am advised that she was attended to within 10 minutes of arrival. The advice states that an examination took place by the on-duty career medical adviser. I am further advised that the patient complained of a pain in her left hip. The clinical case notes record that a thorough examination took place. I am further advised that X-rays of the patient's chest, hip and pelvis were taken, and no fracture was detected. Further, the advice states that this was later confirmed by a specialist radiologist. I am further advised that a diagnosis was made of musculoskeletal injury and that Mrs Richardson was discharged to the care of her local doctor for follow-up.

**Mr John Brogden:** In extreme pain. Do your records show that?

**Mr MORRIS IEMMA:** I will come to the records in a minute. Further, advice from the health service is that a letter to Mrs Richardson's doctor states that there was no apparent sign of significant injury and that she was able to walk with no apparent discomfort, and records treatment with painkillers. Further advice states that blood tests were taken and a suggestion was made for ongoing care. In conclusion, the advice states that the patient received a prompt and thorough examination by a suitably qualified and experienced clinician.

**Mr John Brogden:** A misdiagnosis.

**Mr MORRIS IEMMA:** This is the advice that has come from the health service. It is the advice from the hospital. I am happy to have these matters reviewed. In relation to Mrs Kelly, I am advised that Steve Winfield, the general manager of Ambulance Service Operations, met with the Kelly family—which I knew earlier—to discuss the Cusick review, which was released today. I am advised that at that meeting Mr Winfield apologised for the delay in the arrival of the ambulance, and extended condolences to the family.

**Mr John Brogden:** Why don't you apologise?

**Mr MORRIS IEMMA:** I do so. I apologise unreservedly to the Kelly family for what occurred in this matter and, as I stated earlier, for the distress that was caused and for the lack of back-up support in protocols and training. The backup system showed that the training was inadequate and those protocols were inadequate. Quite clearly, the performance in this instance was inadequate, and the Kelly family is owed an unreserved apology for that and for the distress those matters caused to them.

**Questions without notice concluded.**

## CONSIDERATION OF URGENT MOTIONS

### Hunter Coal Industry

**Mr KERRY HICKEY** (Cessnock—Minister for Mineral Resources) [3.28 p.m.]: My motion is urgent and deserves priority because families across the Hunter region depend on the mining industry for their economic and social wellbeing. The New South Wales industry began in the northern coalfields, and has built the region into one of the most important and heavily populated areas in the nation. This matter is urgent and deserves priority because the time is right for this House to formally recognise what the honourable member for Lake Macquarie, the honourable member for Swansea and I know: that the strong mining industry delivers jobs that create income and promotes stable self-sufficient communities.

As proud members of the Hunter labour task force we are passionate advocates of any initiative that helps sustain the prosperity of the communities that we represent in this place. Mining does more for the Hunter region than create direct employment; it provides immediate real benefit. The mining companies and their employees help train our young people. They form important partnerships with individuals and voluntary and charitable organisations, and they broaden and enrich our economic base. The Hunter Valley mine operators, such as Excel and Centennial Coal, are posting record profits, with more mines either at an advanced stage of planning—

**Mr Adrian Piccoli:** Point of order: I am sure, Mr Speaker, you already know the basis of my point of order. I do not know whether the Minister recognises that this is his opportunity to explain why his motion should take precedence, not to read the prepared speech on the motion. He must establish urgency. I think he is reading the wrong speech.



**Mr KERRY HICKEY:** I am establishing urgency. I am pleased the shadow Minister for Mineral Resources is present to hear the reasons why the mining industry is important to the Hunter region, so important that it should be debated as a matter of urgency. The mining industry provides employment to the community and benefits to charitable and sporting organisations in the Singleton, Muswellbrook and Cessnock regions. The Hunter port benefits from the mining exports. The benefits to the Hunter are immense.

This motion should be heard as a matter of urgency. I will be interested to see how the shadow spokesperson votes on this motion and whether he speaks to it. He does not understand his shadow portfolio; he only understands industrial relations. He is a shining star in The Nationals. He shines so brightly that the Leader of The Nationals is very afraid of him. It is urgent that we debate mining in the Hunter Valley so that we can highlight the benefits to the region and find out why the shadow spokesperson does not support the industry. As we saw recently, he shows complete contempt for the union members, the families and the community who benefit from the mining industry in the Hunter Valley. My motion deserves to be debated as a matter of urgency because the Labor members from the Hunter Valley want to put on record the benefits provided by the Hunter Valley mining industry not only to the Hunter but to the whole State of New South Wales.

### **Dubbo Police Station**

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [3.33 p.m.]: My motion should be given priority for debate today because this issue is about the effectiveness of law and order in the community of Dubbo and, indeed, in communities throughout New South Wales. My motion is about the Government's lack of commitment and lack of political will towards giving our local police the tools and facilities they need to do their job, that is, dealing with crime in our communities. This motion is specifically about Dubbo because the Government has been playing games and stalling. It has given nothing but rhetoric.

**Mr Kerry Hickey:** Point of order: This is supposed to be an urgent motion. A by-election is not a matter of urgency, although it is very urgent for The Nationals.

**Mr ANDREW STONER:** This motion is extremely urgent because crime rates, in particular juvenile crime rates, in Dubbo have rocketed—and that is replicated throughout the State. The Bureau of Crime Statistics figures show a 42 per cent rise in juvenile crime in Dubbo between 1999 and 2003. Yet Dubbo police have a second-rate, dysfunctional police station spread over almost a dozen buildings. This motion should be urgently heard because in June I visited the police station and saw first-hand how local police were unable to do their job properly because they were being hampered by sub-standard accommodation. With police spread between different buildings in different parts of the township of Dubbo, they are suffering from communication and storage problems. The place is like a rabbit warren and they are extremely cramped.

The police officers at Dubbo explained to me that they could not interview several suspects at one time. Obviously, it is standard procedure to interview suspects concurrently. That is almost impossible in Dubbo police station because there are insufficient interview rooms, particularly when several suspects are on the premises. This motion is urgent because when a murder investigation took place in Dubbo earlier this year the police were unable to deal with the amount of evidence, the forensic and interview requirements and the additional detectives who came to Dubbo to assist in the investigation. The lack of decent accommodation at Dubbo is hampering police officers in their efforts to deliver law and order to the good people of Dubbo.

Today the Minister for Police announced that the new police station would not be located on the police and community youth club [PCYC] site. This decision came about only after pressure from The Nationals and the community, and after much game playing, much stalling and much rhetoric. The Minister did not say one word about when or where the new police station would be sited. That is why this motion should be urgently heard. A new police station was promised for Dubbo in the State Infrastructure Strategic Plan 2002, which stated that work was to begin on construction of a new police station at Dubbo two years ago. They do not have a site, let alone a time frame.

My motion is extremely urgent because earlier in the week during question time the Premier was asked why he was not honouring his commitment in the infrastructure plan to build a new police station at Dubbo. The Premier raved on with his usual diatribe and did not once mention Dubbo or a police station. He launched into an attack upon me and the Opposition, but he did not mention the police station. Obviously he had no idea about either the need or the plan for a new police station in Dubbo. It is extremely urgent that this motion be debated in this place today.

The closest we have got is the Minister for Police today saying that Dubbo is in the top 27 on the priority list for new police stations in the State. So what? There is no money, no time frame, no location. This year's budget documents do not show one dollar committed towards a new police station at Dubbo. Under this Government the people and the police of Dubbo are no closer to getting a new police station. We heard this week from the Minister that a new police station will be constructed at Redfern, with an allocation of money and a time frame, and at Orange, again with a time frame. Good work by the honourable member for Orange! If it is good enough for Redfern and Orange, it is good enough for Dubbo. The Minister has refitted his ministry office and increased his ministry staff, but the people of Dubbo suffer because the new police station that has been promised by the Government is not forthcoming. This motion is urgent because the people of Dubbo will not be treated as second-class citizens.

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

**The House divided.**

**Ayes, 48**

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

**Noes, 30**

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

**Pairs**

Miss Burton	Mr Fraser
Mr Knowles	Mrs Hancock
Ms Saliba	Mr Roberts

**Question resolved in the affirmative.**

**HUNTER COAL INDUSTRY**

**Urgent Motion**

**Mr KERRY HICKEY** (Cessnock—Minister for Mineral Resources) [3.47 p.m.]: I move:

That this House supports the jobs associated with the Hunter coal industry.

The Hunter is thriving and my community is going ahead in leaps and bounds. That is largely due to the coal and minerals boom being experienced across New South Wales. We are witnessing one of the greatest booms ever in coal exports. Coal companies are making record profits, the people of New South Wales and the Hunter are reaping the rewards and mum and dad investors are enjoying good returns. It is great to see coal royalties being returned to the State in the form of funding for hospitals, schools and community services. Coal companies are giving financial support to Hunter-based organisations such as the Smith Family, the Two Bishops Trust, the Kurri Kurri Towns with Heart Project, Conservation Volunteers Australia and the Upper Hunter Youth Challenge.

Perhaps more importantly, jobs are being created and people are being employed. The Hunter is riding on the wave of an economic boom because of the coal industry. Demand for our coal has never been higher for a number of reasons, including the high quality available, our stable investment and political environment and reliability of supply. Coal demand in Asia is expected to remain strong over the next few years because of increasing consumption in greater Asia and because the Japanese continue to suffer a shortage in nuclear power. Chinese domestic demand for thermal coal is also expected to remain strong in 2004, so it is unlikely that it will export more than it did in 2003.

China is the world's second largest consumer of primary energy after the United States and a key player in world energy markets. China is the world's largest producer of coal. Chinese coal production in 2003 was around 1.6 billion tonnes. Compare this with Australia's production of around 346 million tonnes in 2003. In 2003 China was the second biggest exporting nation of thermal coal; in that year it exported around 81 million tonnes of thermal coal. However, a redirection of Chinese thermal coal production away from the export market and towards the domestic market during 2003-04 has been a key factor behind the significant increase in global thermal coal prices over the course of this year. Spot thermal coal prices have increased from around \$US 25 per tonne in August 2003 to around \$US 60 per tonne in August 2004, an increase of some 140 per cent. Chinese domestic consumption of thermal coal is expected to increase even further over the next few years as new electricity generation capacity comes on line.

Coal fires three-quarters of China's power capacity—the second largest after the United States. China is rushing to build new power plants to ease its worst coal shortage in decades. I am advised that China is currently building 18 new power stations. Chinese power generators usually secure part of their annual coal supplies at a nationwide coal trade fair. These prices are much lower than those on the spot market. However, few supply deals were made at this year's fair because coalmining firms were unwilling to sell their coal at bargain prices. Therefore generators have been buying most of their fuel on the spot market, and this has had a significant effect on our export thermal coal markets and prices. Japan is our largest coal customer. Our exports to Japan are worth over \$2 billion in 2002-03 and account for around 54 per cent, or over 40 million tonnes, of total New South Wales coal exports. Contract prices for the Japanese financial year 2004-05 for hard coking coal increased by around \$US 10 to \$US 57 a tonne and semisoft prices rose by \$US 12 to \$US 42 a tonne.

Productivity in the New South Wales coal industry has increased by more than 92 per cent between 1993-94 and 2002-03, from 5,940 to 11,410 tonnes per employee per year. All of this is great news for New South Wales, but more importantly to me, as a Hunter member of Parliament, it is great for the Hunter. The headlines tell it as it is: "Coal Producers Tip Good Times To Stay", "Excel Beats Prospectus Forecasts", "Centennial Lifts Profits, Expects Higher Prices", "Coal Exports Boom", and "Economy Boosted by Coal". I could go on; the good news just does not stop. New South Wales has 31 new or expanding coal projects at various stages of development. Seventeen of these are located in the Hunter coalfield. Together, these projects represent over \$2 billion of potential investment and over 2,800 new jobs, and a nominated increase in potential supply capacity of around 35 million tonnes per annum in the next 10 years. Projected capital investment stands at approximately \$1.5 billion with these new projects and extensions.

The Hunter Valley is the engine room of the New South Wales coal industry. The coal industry makes a massive contribution to the Hunter economy, generating pay packets that support thousands of families, income for local businesses, electricity for domestic consumption, and export revenue for the State. There are more than 5,200 direct coalmining jobs in the Hunter. Even using a conservative economic multiplier, those 5,200 direct jobs would mean close to 16,000 indirect jobs. Undoubtedly the honourable member for Murrumbidgee will again today ignore the tremendous partnership between the coal industry and the Carr Labor Government. He will again have scratchy notes supplied to him by the honourable member for Gosford, the swamp fox, that bear no relevance to the industry's great achievements. He has no idea that New South Wales

saleable coal production has increased by 32.7 per cent, from 84.0 million tonnes in 1993-94 to almost 112 million tonnes in 2002-03, valued at \$5.0 billion.

Does the honourable member for Murrumbidgee know, as the honourable members on the Hunter Task Force know, that recoverable coal reserves in New South Wales exceed 8,700 million tonnes? New South Wales coal production is forecast to increase by 6 per cent to 118 million tonnes by 2004-05, an increase of around six million tonnes per year. I am pleased to advise the House that the only way for the coal industry in the Hunter to go is up. I assure all honourable members that the Carr Labor Government is here to help the mining industry, and to continue to support the businesses and people of the Hunter.

Recently the honourable member for Murray-Darling summed up the honourable member for Murrumbidgee when he said the shadow spokesperson on mineral resources issues would not know the difference between a long drop and a shaft. That is becoming clearer to the industry every time the honourable member for Murrumbidgee speaks in this House. Since the shadow spokesperson's last effort, the CFMEU has been on the airwaves condemning him for his attempts to look after the industry at the expense of the work force. The honourable member for Murrumbidgee does not care how much blood he has on his hands. He does not care about the workers in the industry, he does not care about the industry, and he does not care about the great things the industry does. It will be great to hear what he has to say in this debate. [*Time expired.*]

**Mr ADRIAN PICCOLI** (Murrumbidgee) [3.57 p.m.]: I am sorry the Minister for Mineral Resources feels compelled to make this debate so personal. I am sure he acts in what he believes to be the best interests of the mining industry. As the Opposition spokesperson on mineral resources issues, I also act in the best interests of mining in New South Wales. Like all Coalition members of this place, I support the New South Wales mining industry, particularly the coalmining industry in the Hunter Valley, which is the major employer in the Hunter Valley. The industry employs thousands of people who derive income to support local families and it generates income for local businesses. That is why the New South Wales Government should do everything in its power to support and facilitate mining right across New South Wales, particularly in the Hunter Valley.

The Federal Government also has a significant role to play in supporting the mining industry. Beyond that, however, economic forces influence the viability of mining and therefore the ability of mining companies to employ people. I refer in particular to the value of the Australian dollar, interest rates, and economic growth around the world, particularly in Japan and Korea, our major trading partners. Obviously, the economic growth of other countries, which is out of our control, has a significant effect on the current and future demand for coal. Fortunately, in the past 12 or 18 months we have seen the spot price of coal increase significantly, which has been a great benefit to the mining companies that operate in the Hunter Valley; it has allowed them to be far more profitable than 12 or 18 months ago when a number of mines in the Hunter Valley were really at breaking point. We saw some mines close over the past few years because of the international price of coal.

Every person employed in mining in the Hunter Valley has to appreciate the benefit to their jobs that the increase in the price of coal has given. It is easy to look at the bottom line of these multinational coalmining companies such as Xstrata and Rio Tinto and see that they are making lots of money, but at the end of the day those companies have to make money in order to maintain their businesses and employment. That really is at the heart of the motion moved today by the Minister for Mineral Resources: it is about supporting jobs in the Hunter Valley. We need those companies to be viable, we need those companies to grow, we need to maintain the demand for Australian coal and we need to support innovation in the coal industry. There is a lot of pressure on coal, particularly the coal-fired generation of electricity: pressure in terms of greenhouse gas emissions and pressure about the ratification of the Kyoto protocols—

**Mr Milton Orkopoulos:** Why don't you ratify it?

**Mr ADRIAN PICCOLI:** I believe the Australian Government has been reluctant to ratify it because of the potential impact on jobs. It would affect jobs right here in the Hunter Valley, including the jobs of people who are employed and live in the electorate of Swansea. If the honourable member for Swansea wants a nuclear reactor to generate electricity in New South Wales instead of coal-fired power plants, maybe he could volunteer the electorate of Swansea as a site for Australia's first nuclear reactor. I am sure that his constituents would be happy about that. But the Kyoto protocol cannot be seen in isolation. If you stop generating electricity with coal, how do you generate electricity? You either ask the community to put up with rolling blackouts—which we may eventually see in years to come in New South Wales—or you look at alternative forms of electricity generation. I am afraid that the evidence I have seen with things like wind power, solar power, et cetera—

**Mr Kerry Hickey:** Point of order: The motion is very clear that this House supports jobs associated with the coal industry. I would ask you to direct the shadow Minister back to the leave of the motion and away from nuclear reactors, Kyoto agreements and so on.

**Mr ACTING-SPEAKER (Mr John Mills):** Order! At this stage I will rule that there is no point of order. However, I will listen a little more carefully to the contribution of the honourable member for Murrumbidgee.

**Mr ADRIAN PICCOLI:** You have the alternative of living with rolling blackouts or finding alternative ways of generating electricity. In the evidence that I have been shown so far the only real substantial alternative for baseload electricity generation really is nuclear power. If that is what we are talking about I would be happy to hear the member for Swansea volunteer his electorate as a site for the first nuclear reactor. I believe that the Federal Government is reluctant to ratify the Kyoto protocols because it sees the impact that it is going to have on jobs and economic development in Australia, and particularly in a place like the Hunter Valley. This is relevant to the motion because it is relevant to jobs in the Hunter Valley. If coal is not being pulled out of the coalmines in the Hunter Valley then people are going to lose their jobs. It is as simple as that.

The coalmining industry is doing better now than it has for many, many years. That is why this is perhaps a good opportunity for the New South Wales Government—for the New South Wales Minister—to really have a good look at policies of the New South Wales Government going forward 10, 20 or 30 years to see what we can do to support the coalmining industry in the event that the price of coal does go down. Questions have been raised about whether the Chinese economy will continue to be as strong as it is now. That is going to have an impact on the price of coal and it is also going to have an impact on jobs in the Hunter Valley.

I guess one can say we should make hay while the sun shines. While things are going relatively well for the coalmining industry after many years of pretty tough times, the New South Wales Government should look at things it can do to help the industry. Instead, earlier this year the Government changed the royalty system. It saw that coalmining companies were making a few dollars so it changed the royalty system and made sure it squeezed another couple of hundred million dollars a year out of the coalmining industry. But it is during the times when things are really tough in the coalmining industry that we have to worry. I know this is not in the direct portfolio of the Minister for Mineral Resources, but the Government can assist with things like transport, particularly rail transport, in the Hunter Valley and other parts of New South Wales. I know that the Federal Government has taken over some responsibility for rail infrastructure funding, but in terms of industrial relations I have raised many times the issue of workers compensation. Unfortunately, the Government has failed to listen. There are many industrial relations reforms that the New South Wales Government can put in place that will assist the coal-mining industry with jobs growth, development and maintenance.

I know that the Labor Party is fundamentally opposed to anybody trying to make a profit, but you cannot employ people unless you are a viable business, and I know that many of these major mining companies—Xstrata, BHP, Coal and Allied and all these other mining companies, big and small—are all regarded as big, terrible companies by the Labor Party because of this class warfare attitude, but if those companies were not profitable and able to operate in a good business climate in New South Wales they would not employ the people in the Hunter Valley that we are all supporting in the Minister's motion. That is why I say to the Minister: Now that times are good, now that prices are good, look at some of the reforms that need to be done. Get ready for the times when the price of coal goes down and when the sector is not performing so well, so that it will be able to survive those periods without the loss of jobs in the Hunter Valley. That is all I ask the Minister to do.

**Mr JEFF HUNTER** (Lake Macquarie) [4.07 p.m.]: It gives me great pleasure to join the Minister to show our support for the jobs associated with the Hunter mining industry, particularly those in the Lake Macquarie electorate. There are about five underground mines and one open-cut mine on the western side of Lake Macquarie. The Minister has outlined the economic drivers for the continued success of the industry. I would like to focus on the many positives that the strength of the industry brings to the wider community.

The industry makes a massive contribution to the communities of the Hunter, stretching from my electorate of Lake Macquarie to the upper reaches of the valley. The obvious benefits are the pay packets that support the families of more than 5,200 people who are currently directly employed in our coalmines. Even if we apply a conservative economic multiplier, those jobs help sustain another 15,600 jobs in the broader community, in industries such as retail, hospitality, construction and professional services. On an even broader scale, the coal these workers produce means all of us has access to a cheap and secure supply of electricity—

much of it generated in the Hunter, thus employing hundreds more workers. Being a former electricity worker working at both the old Wangi and the newer Eraring power stations, I know how important that is to the Hunter region.

I am the convener of the Hunter Labor Task Force, and I know that the Minister mentioned the task force when he moved the motion. I know that what particularly impresses me and the other members of the task force about the Hunter mining industry is the way the miners and the operators give something back to the community that goes beyond the positive economic impact. Historically, mining communities have helped build the social fabric and institutions of the Hunter. Wherever coal was mined, miners created permanent bases for their families. These mining villages, their schools, hospitals and roads, were often built either through direct contribution from miners or thanks to the pressure they applied on the council or the government of the day.

Today miners, and the companies that employ them, continue these proud traditions and I do not think we should forget the ongoing commitment of retired mineworkers to the industry and to our local community. I know that the retired mineworkers organisation, the Westlakes branch, in particular, is very active in the local community. Many of our young people receive valuable training and vocational support thanks to our major mining companies. The Hunter mining industry consistently produces young apprentices with the highest skill standards, many of whom go on to showcase their talents at prestigious events.

One recent success story is Robert Thraves. Robert is employed by Dartbrook Coal and is recognised as one of the region's brightest young electricians. This year he competed at the WorldSkills Australia National Competition. In my own area of Lake Macquarie, Centennial Coal has launched a community partnership with the Smith Family to assist financially disadvantaged children and young people. Centennial Coal donates funds to the Smith Family's Learning for Life Program in the local region, which aims to help children stay at school and reach their full potential. The program encourages and supports the students in their studies, and helps them to plan post-school options. It also aims to address confidence and self-esteem issues, improve numeracy and literacy skills, and foster better school retention rates.

Centennial Coal has several operating mines in my electorate and I know that it has the support of both the local community and its employees for its community involvement. This program is not just a result of Centennial Coal's robust financial position and the jobs these mines generate; it will ultimately help young people from 50 local families to get the best out of their education and a platform to start their own careers. While I am talking about Centennial Coal, I would like to thank the company for its support of the Toronto 175th anniversary village fair, which will be held later this month. As convener of the co-ordinating committee, on behalf of everybody involved I would like to express my thanks and those of committee members to Centennial Coal for its sponsorship.

Also, Rio Tinto Coal Australia, through its Hunter-based Coal and Allied Community Trust, has recently committed \$620,000 to the local community, establishing six new partnerships covering the entire Upper Hunter, Maitland and Cessnock districts. These new projects have all been developed in response to community needs, most importantly through the identification of potential employment growth in the small business sector, and identifying and addressing skill gaps. Projects supported this year include student training programs and traineeships through the Hunter Valley Training Company; a four-week practical at the Hunter Plant Operator Training School, Building Better Business in the Hunter, a free advice and facilitation service provided by the Lower Hunter Business Enterprise Centre, and a distance education centre through the Upper Hunter Learning Co-operative. Activities and partnerships such as these go towards job training and creation across a range of industries to help build stronger communities throughout the Hunter. As a proud representative of this region, I support the motion and commend it to the House. [*Time expired.*]

**Mr JOHN TURNER** (Myall Lakes) [4.12 p.m.]: I was loath to interrupt the honourable member for Lake Macquarie because he actually addressed the motion, which deals with employment in the coal industry, unlike the Minister, who provided considerable economic information but little information on employment. Newcastle coalfield, which includes Cessnock and Maitland, has both soft coking and thermal coal, located within 10 seams in three coal measures—the Greta coal measure, the Tomago coal measure and the Newcastle coal measures. The coalfield is divided into four main resource or production areas: the western area near Cessnock, which regrettably no longer has mines operating after Southland closed; the northern area near Maitland; the central area near Teralba; and the southern area near Wyong.

The main coal-producing regions of the Newcastle coalfield are the central and southern areas. There is also the Gloucester coalfield up in Stratford, which has just come on line, and Jurally is being considered at the present time. With the inclusion of Jurally and removal of Southland, about 18 coalmines operate in the area.

The Hunter coalfield has about 27 operating mines and is the largest coal producing area in New South Wales, with 60 coal seams developed in three measures—the Greta coal measure, the Wittingham coal measure and the Wollombi coal measure. A significant proportion of the coal is at relatively shallow depths, making it accessible to large-scale, multi-seam open-cut operations, which in employment terms means that fewer miners are involved than the coalfield traditional tunnelling systems we have been used to in the lower Hunter areas.

The Hunter coalfield is the fastest-growing area of coal production in the State. Over the past decade, the Singleton and Muswellbrook areas have experienced the greatest expansion in mining operations, particularly open-cut. However, the area has a long and proud history of coalmining, starting from when Lieutenant Shortland found coal in the Hunter River in 1797. Only two years later the first export of 50 tonnes of coal went out of the port of Hunter on the *Hunter* to Bengal in India. Compare that with what is happening today: in 1999 the *Iron Pacific*, which has been around for a long time, took a load of 183,904 tonnes out of Newcastle. The changes will lead to significant increases in the potential for new jobs. The honourable member for Lake Macquarie referred to the fact that there are about 5,500 coalminers in that the Hunter region out of the 10,500 in New South Wales.

The Cessnock-Maitland coalfield was founded by Sir Edgeworth David and there has been toing and froing with respect to the coal industry over a long period of time. Back in those days the coal barons treated their employers in a disgraceful manner, whereas today we have massive loaders that require only one or two operators. The industry has changed considerably, particularly measures with respect to the safety of employees. The coalmining industry has left us with a great legacy, and I refer to the Welsh and Scottish miners who had towns, such as Aberdare, named after their home towns in the vales of Wales and the mountains of Scotland, and to black beer and pit horses. Indeed, I can clearly remember the pit horse derby, when the poor jockeys from Randwick had no control over the horses down the straight.

Of course, I should also mention the significant tragedies, which I have spoken about in this House previously. As a kid in Cessnock I knew that the bells would ring at 3 o'clock when it was knockoff, but if the bells rang at any other time it was to alert people that there had been an accident in the pit. One of the biggest tragedies in the Hunter and Cessnock coalfields was the one at Bellbird. We have seen changes, closures, opening of new Upper Hunter mines, and changes to methods and types of mining—as I mentioned, the Hunter coalfield is susceptible to open-cut mining—but some foresight has been shown. Infrastructure in the area will be improved and I note that four Hunter Valley coal producers have formed a group to improve infrastructure at the Port of Newcastle in order to increase the export capacity at the port by about 30 million tonnes over the next five to 10 years. Of course, hopefully that will mean more employment opportunities for people in the mining industry in the Hunter Valley and Upper Hunter Valley. I am sure that this augurs well for all those involved in the industry.

**Pursuant to sessional orders business interrupted and motion lapsed.**

## **SPECIAL ADJOURNMENT**

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

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

## **BUSINESS OF THE HOUSE**

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

#### **Special Adjournment**

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

- (1) That standing and sessional orders be suspended to provide for the following routine of business on Friday 12 November 2004:
  - 10.00 a.m. University Legislation Amendment Bill—resumption of the adjourned second reading debate;
  - 11.00 a.m. Private members' statements.
- (2) That the House rise at the conclusion of private members' statements and stand adjourned until Tuesday 16 November 2004 at 2.15 p.m.

## PRIVATE MEMBERS' STATEMENTS

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### FEDERAL GOVERNMENT EDUCATION POLICY

**Ms REBA MEAGHER** (Cabramatta—Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [4.18 p.m.]: I wish to bring to the attention of the House concerns raised by local parent and citizens school associations in my electorate of Cabramatta in relation to the Federal Government's education policy that will force these associations to compete against one another for funding. The Federal Government's education policy released prior to the election is a divisive policy, set to turn region against region, school against school. The Howard policy entitled "Investing in our Schools" essentially creates a two-tier structure, whereby Catholic and independent schools receive a block grant and their head offices then determine allocation on a priority needs basis. Compare this to the funding provisions proposed for the public schools whereby parents and citizens councils will have to compete against others for this funding and submit detailed funding proposals for capital infrastructure programs to construct buildings and other school facilities. On a recent visit to Canley Heights Public School, the president of the parents and citizens association, Bev Sheeves, informed me that she was dismayed with Howard's funding proposal. Canley Heights parents and citizens association, like many others in Cabramatta, is primarily comprised of elderly people whose grandchildren attend the school, or parents from a non-English speaking background, whose writing and language skills are limited.

Parents and citizens play a vital role in our schools, raising money to supplement the funding provided by the State Government. They tirelessly raise funds for computers, books and playground equipment, to name but a few things. They organize raffles, fetes and cake stalls, with the focus always being on helping their children and grandchildren get the most out of their educational opportunities. The Canley Heights parents and citizens are angry that they will have to compete with other schools in Cabramatta, as well as public schools in more affluent areas whose parents and citizens may consist of professional people with the skills, experience or expertise to put forth detailed funding submissions. The Federal Government's policy is not about directing capital works funding to schools that are in most need of facilities; it is about the Federal Government determining public education priorities.

However, it is the State Government that administers the public education system. It has a clearer picture of the priority and needs of public schools. In John Howard's policy speech he stated that his Government was not going to pay the money to the State governments. Howard wants to deal directly with the parent bodies and ask them to submit their plans directly to the Federal Government. The crux of the policy is competition—not fair competition on a level playing field, but a humiliating fight for funds between schools and parents for Federal grants from the Howard Government. The Howard Government's current education funding arrangements are inequitable, with every \$4 in Federal funding directed to the non-government sector and only \$1 directed to public schools. Howard's new education policy cements the inequity in the Federal Government's funding arrangements to schools.

It is undeniable that not all parents and citizens are equally equipped to submit applications and compete for funds. Schools in more wealthy areas will be able to submit more professional applications and receive more funding, thus advancing their children's education and continuing the wealth cycle. Schools in Cabramatta will be disadvantaged as their parents and citizens may lack the ability to submit comparable applications and, as such, schools in Cabramatta may miss out on additional funding, inhibiting their children's education. Yet again this policy demonstrates the Howard Government's disregard for people living in south-west Sydney. This is a kick in the teeth for the families of Cabramatta that work hard to provide a brighter future for their children.

### BSR SOLUTIONS CONSULTANTS

**Ms PETA SEATON** (Southern Highlands) [4.22 p.m.]: I raise concerns expressed to me by a constituent, who noted the issues raised in this place and in an estimates committee regarding the commissioning by the Director-General of the Department of Infrastructure, Planning and Natural Resources [DIPNR], Jennifer Westacott, of the firm BSR Solutions [BSRS] to provide \$2.1 million of consulting services at a time when DIPNR is shedding hundreds of experienced staff. At the time the Opposition became aware of the issue I was contacted by a person who was gravely concerned about revelations in an internal audit report in March-April 2004, in which it was found that the appointment of an employee of BSR Solutions, originally brought in as a consultant and then parachuted into a senior State executive service position, could be seen as a



conflict of interest and give rise to accusations of bias in further procurement decisions that may be biased in favour of BSR Solutions.

The report also stated that the appointment of Tony Kafer and others appeared inconsistent with the Public Sector Employment and Management Act 2002, and that this situation "would also be inconsistent with ICAC's guideline". There are concerns that BSR Solutions may have found itself in a favourable position as a result of a longstanding relationship between BSR's Director Sharron Kennedy and the director-general when they both worked together at the Department of Housing. Alarm bells about these concerns were covered up by the Government. The director-general commissioned another audit report, known as the Deloitte report, which the Government claimed solved the problem. Further concerns arise from evidence given by the director-general to the parliamentary estimates inquiry on 14 September 2004 regarding this subsequent report, a tactic which seems designed to discredit the truth of the internal audit. The Opposition asked how much the report had cost, and the director-general said:

I can confirm that Deloitte did their work under the existing contract at no extra cost.

Yet documents obtained by the Opposition suggest that an internal audit review report was specifically costing at around \$9,000, and possibly up to \$52,000, in a payment record in May 2004, which suggests that Parliament was misled in that exchange. This Deloitte report remains under Government lock and key. Recent attempts to contact Mr Kafer at DIPNR were unsuccessful, and I now understand that Mr Kafer is inexplicably no longer employed by DIPNR as of two months ago. Why is that? Why has this external BSR wunderkind suddenly gone? The Minister for Infrastructure and Planning must account to Parliament for the sudden disappearance of Mr Kafer, the high-flyer chief information officer. The Minister must also reveal whether any issues to do with Mr Kafer's departure are currently before the ICAC, including concerns that another employee in the same area was promoted from a mid-grade to a high-grade position, and a sudden salary increase of around \$24,000 based on the published salary range for administrative and clerical officers in circular 2001-65 to all public sector chief executives.

I am also aware of concerns about how \$39,983 of travel expenses was clocked up by a staff member in Mr Kafer's unit for almost weekly travel, 43 return trips to and from Wagga Wagga between December 2003 and October 2004. Payment records indicate payments to BSR Solutions between 1 July 2004 and 28 September 2004 of \$2,554,766 to providers, including T. Kafer, Interim Chief Info Officer, G. Reid, S. Kennedy and C. Boyle. My constituent is concerned that at a time when DIPNR is under orders to save \$75 million and shed 500 staff, it is inexplicable that more economical arrangements for whatever information technology expertise was involved were not made. The Minister for Planning and Infrastructure must come clean and explain what is going on in his department, and the reasons behind these extraordinary events at the most senior levels of his administration. He must also explain the part his director-general has played in the recruitment of BSR Solutions Consulting and any issues being investigated by the ICAC or any other oversight body. The ICAC will not confirm or deny whether these matters are under investigation, as it is within its power to choose not to do so.

I will be referring to the ICAC information that has come to the attention of the Opposition regarding continuing high expenditure levels on BSR-related consultants and staff, reaching \$2.55 million in accounts for the period from August 2003 to the present, at a time of staff cuts; questions concerning the appointment of Mr Tony Kafer and his apparent departure from a senior high-flyer job at DIPNR; questions concerning unusual levels of travel for a staff member in Mr Kafer's job area, involving nearly \$40,000 worth of air travel in almost weekly trips; and contradictions between statements made by Ms Westacott to a parliamentary estimates committee and accounting records, regarding the cost of an audit report commissioned after the damning internal audit which initially revealed concerns about the appointment processes.

#### **ST MATTHEWS CATHOLIC CHURCH, JAMBEROO, 125TH ANNIVERSARY**

**Mr MATT BROWN** (Kiama) [4.27 p.m.]: Recently I attended a fantastic celebration in the valley of Jamberoo. The 125th anniversary of St Matthews Catholic Church, Jamberoo, was celebrated on 19 September. On the morning I took my son, Isaac, to the church, where we were greeted by a congregation of proud parishioners. It was a terrific day. I pay tribute to the many people who took part in the celebration. Mr Guy Lee was chair of the St Matthews Community Team, which co-ordinated the day's activities, assisted by Peter and Joan McPherson, Ann Lee, Maggie Phelan, Kevin Tarlinton, Peter McGlinchey, Jenny Judd, Helen Hunter and Denise Adams. All in all, about 260 people attended the celebrations that day, including the mayor of Kiama.

St Matthews Catholic Church has a long history. In the 1800s a couple of acres of land were given to Bishop Polding by the O'Mara family, and a church-school was built there in 1839. But a more sturdy church

needed to be built, and work on that got under way later in that century. In 1875 collectors were appointed to receive donations for the new church, and on 18 November 1875 the foundation stone was laid by Bishop Vaughan, auxiliary to Bishop Polding. The church was finally blessed and opened on 7 September 1879 by Archbishop Roger Vaughan. Back then the building cost £1,648. The old church-school was in use for many years, and today a new hall is a hive of activity for the community and the Catholics of Jamberoo.

That day's celebrations included an anniversary hymn, which was set to music by Gustav Holst, with lyrics by parishioners Guy Lee, Cathy Hewitt, Chris Wade and Peter McPherson. The prayers of the faithful were written by Ann Lee after extensive interviewing of parishioners of longstanding, along with newer arrivals and the youth congregation. On that day the prayers contained the feelings and hopes for St Matthews. The mass was celebrated by the Bishop of Wollongong, the Most Reverend Peter Ingham, DD, assisted by retired bishop William Murray, a past parish administrator now at Wagga Wagga. Father Peter Thompson and Father Paul Gurr, O.Carm., Chaplain of the Jamberoo Benedictine Abbey, were also there, as were the local nuns.

A fantastic quilt was made to celebrate the day. It measured 2.5 metres wide by 1.8 metres in height. It took six months to design and 14 months to stitch. Seventeen stitchers were involved, and a number of others participated in the design, historical research, artwork, communication, administration and fundraising. Most of the people live around Jamberoo but a few from Kiama and elsewhere also put a lot of hard work into the event. When Bishop Ingham was to display the quilt, the curtain covering it would not fall at the right moment. We were all looking forward to seeing this fantastic quilt but after a lot of moving around with ropes, it was found that the best way to remove the curtain covering the quilt was to use the bishop's crook. The fantastic quilt was then displayed to the whole parish and to those who were there to celebrate. There was then a fellowship with morning tea. I make special mention of Beth Downes, who made an anniversary cake that was cut by Margaret Brennan, the most senior parishioner. Bishop Ingram planted an Illawarra flame tree to mark the occasion. It was a great day and I was pleased to be a part of that event. [*Time expired.*]

#### MANNING RIVER OPENING MAINTENANCE

**Mr JOHN TURNER** (Myall Lakes) [4.32 p.m.]: The Manning River is one of only three rivers in the world that have two openings. The southern opening routinely shoals up and closes the river mouth to the sea. That has consequences for the environment and on the important oyster and fishing industries as well as affecting tourism. A number of different attempts have been made over a long period to resolve the problem. At this time the river is open because the council mechanically opened it recently when floodwater came down the river. That floodwater could have caused significant damage to surrounding areas had the river not been mechanically opened. The remaining problem is that the river continually shoals up and a permanent solution is needed.

A few months ago I placed on notice questions to six different Ministers to ascertain who was responsible for maintaining the opening of the river. All six said, *inter alia*, that it was primarily the council's responsibility. The council has now accepted that, but has said it does not have the funds to provide a long-term solution and is, therefore, seeking funds from the Government. I went to the Minister for Transport Services in his capacity as the Minister responsible for waterways, believing him to be the appropriate person. I was then told he was not the Minister responsible for administering funding to keep the river open; it was the Minister for Lands. An officer from Minister Costa's office arranged to send my representations to the Minister for Lands so he could look at the matter. I have received an acknowledgement from the Minister for Lands.

I then received another letter from another person in Minister Costa's office to say that it was not the Department of Lands that was responsible but the Department of Infrastructure, Planning and Natural Resources [DIPNR], and that that person had sent my representations to DIPNR. One officer in Minister Costa's office kindly sent my representations to the Minister for Lands and the other sent them to Minister Knowles. On 17 August I received an acknowledgement from the Department of Lands, saying:

Minister Kelly asked me to inform you that the matter you have raised is being investigated and that a reply will be forwarded to you at the conclusion of that investigation.

A letter dated 7 October from the office of the Director-General of the Department of Infrastructure, Planning and Natural Resources states that Minister Kelly had forwarded my letter to the Minister for Infrastructure, Planning and Natural Resources for consideration. I arranged a deputation to Minister Kelly, as we were referred to him down the line by one side of Minister Costa's office. Two days ago we were informed that Minister Kelly is not the Minister involved and that Minister Knowles is the appropriate Minister, as the issues come under the flood plain management program and the local government grants program, both of which are administered by the Department of Infrastructure, Planning and Natural Resources.

For years we have received the run-around on this issue. The council does not have the financial capacity to provide a long-term solution to the problem, but a long-term solution must be found. That will need the financial support of the Government. We have been all over the shop on this issue. We have been to Waterways, to DIPNR and to the Department of Lands, and I have asked questions of other Ministers. However, we still seem to be going around in circles. We must try to resolve this matter so the river can remain open, the environment can remain sustainable and, more important, public safety is not jeopardised. When the river floods, as it did a couple of weeks ago—and, fortunately, that flooding was not major—there is the possibility of water backing up and causing major inundation at the mouth of the river and further back along the river. That is dangerous to the people living near the river and in the city of Taree. I intend to pursue the matter with DIPNR in the hope that it can be resolved. I look forward to a favourable reply.

### MOBILE PHONE TOWERS

**Mr PAUL PEARCE** (Coogee) [4.37 p.m.]: I inform the House of a major issue of corporate insensitivity and greed, combined with regulatory connivance, to achieve commercial outcomes rather than community protection. It is an issue that particularly affects suburbs in my electorate, but is impacting on communities broadly across Sydney. I refer to the proliferation of 3G masts being installed by Hutchison Communications, better known as Orange. Not only are these devices visually intrusive, but European studies have also concluded that they are potentially injurious to health. The failure of the Australian Radiation Protection and Nuclear Safety Agency [ARPANSA], being the Federal agency responsible for the establishment of standards for emissions of electromagnetic radiation [EMR], to consider the adoption of the precautionary approach to the emission standards borders on the negligent. The standard adopted by ARPANSA is primarily designed to facilitate the introduction of 3G technology, and thus its commercial success, rather than being predicated on the objective of ensuring the protection of public health. ARPANSA's role in the facilitation of the introduction of the 3G network needs to be examined.

At a so-called community information session conducted by Hutchison, the community was shocked to see representatives of the standards-setting authority speaking on behalf of the carrier. At no point did any representative of Hutchison seek to address any of the substantive issues raised by the community. Indeed, the best way to describe the presentation by ARPANSA representatives was a snow job. They peddled the usual drivel that the emissions from a base station are comparable to that of a 60-watt light bulb and are, thus, equally harmless. Several researchers have comprehensively debunked that comparison. It is highly inappropriate that representatives of a Federal Government agency charged with a public responsibility to set standards to protect the general public from harm should treat questions from the community with contempt and provide answers more appropriate to a kindergarten class.

Hutchison Communications, a Hong Kong-based multinational company, bid for one of the 3G licences. It paid a significant amount of money for it. Indeed, it would seem that it paid too much and has recently been forced to deal with Telstra. In order to get a return on its investment it needs to get blanket coverage over the major metropolitan centres. This essentially means putting masts roughly every kilometre, depending on the topography. It also means installing them regardless of the development pattern of the area. In Bronte, it has callously installed a mast immediately adjacent to a children's playground, within 200 metres of Bronte Public School, within 300 metres of a child care centre and in the heart of a residential area. Hutchison ignored hundreds of objections, petitions and submissions from State and Federal members and public meetings. Indeed, Hutchison personally attacked me for questioning its proposal by way of a broadly distributed letter. Whilst I thank the company for promoting me, its hysterical reaction to a valid criticism came as a surprise. I could almost feel that I had touched a raw nerve.

I add that councillors from Waverley Council and members of the public who challenged Hutchison's actions also were attacked. The only acknowledgement of public sentiment was to "reconsider" its proposal for the duration of the Federal election campaign, thus defusing the issue during the Federal campaign and letting Malcolm Turnbull, who claimed that he had acted on the issue, off the hook. Within two weeks of the election, a curt letter was sent advising residents that it was proceeding with the original proposal. Hutchison is fully aware of the potential risks arising from the EMR emissions. In an earlier application, Waverley Council sought to impose a condition seeking a waiver for liability for any future health impacts arising from the consent. Hutchison refused to give such a waiver and successfully appealed to the Land and Environment Court.

It should be noted that under the Federal legislation telecommunications carriers can override local and State planning schemes. This provision was included to ensure the expansion of core public infrastructure for community benefit. It is now being used to ensure the expansion of networks for commercial benefit. I point out

that the sole advantage—and I use that word advisedly—of the 3G technology is that video can be sent through mobile phones. It is hardly what I would consider a core need of the community and certainly not a need that warrants the potential health impacts. I refer to a study conducted by G. J. Hyland of the University of Warwick in which he identifies non-thermal influences on human physiology and a further study conducted on behalf of the Dutch Government. The latter study concluded that the test group was exposed to third generation base station signals. The exposure had a significant impact in that the test group felt tingling sensations, headaches and nausea.

These findings replicate findings from eastern European studies, particularly Russian studies. Russia has set a standard requiring much lower levels of emissions than that set by ARPANSA. Germany has required the establishment of low or no emission zones around sensitive sites, such as schools. Regrettably, ARPANSA bases its standards on purely thermal guidelines. The British inquiry by the Stewart commission concluded that there was an undefined impact on persons of higher sensitivity, including prepubescent children. Yet Hutchison has placed its facility, for its commercial benefit, right next door to a children's playground. Corporate greed, corporate callousness!

This whole sorry episode demonstrates the essential flaw in allowing core infrastructure, such as telecommunications, to become the subject of commercial objectives. Core infrastructure should be for the greater public good, not private gain. There is an urgent need for the Federal Act that regulates communication carriers to be changed to ensure that local communities have a right to decide whether as a community the supposed benefits of the new technology outweigh the risks. There is also an urgent need for an inquiry into the rationale used by ARPANSA to determine the appropriate level of human exposure to EMR, whether the standard was set to facilitate industry needs, the reliance on industry-sourced data rather than independent research and whether it is appropriate for the agency charged with setting the standard for EMR emission to attend a public forum organised by a commercial licence holder to advance the commercial interests of that licence holder.

#### **BEAUFIGHTER UNITS COMMEMORATION**

**Mr STEVEN PRINGLE** (Hawkesbury) [4.42 p.m.]: Today is Remembrance Day when we reflect on the sacrifices of the men and women of our armed services over a number of generations. It is a particularly apt time to focus on a significant gap in the commemoration of the efforts of Air Force personnel in World War II. This gap centres around the Australian Beaufighter units—"whispering death" to the Japanese—which were critical to the defence of Australia in the dark days of 1942 and 1943. The Beaufighter has the most significant history in the Pacific theatre of operations in World War II. First acquired directly from the United Kingdom, the aircraft was utilised in March 1943 when the unit participated, to deadly effect, in the Battle of the Bismarck Sea. The Battle of the Bismarck Sea ended Japanese plans for the invasion or total isolation of Australia. Beaufighter units went on supporting the Army and ground operations for the rest of the war, right up to the landings at Labuan. Its crews exhibited the highest degree of courage and devotion to duty in the strafing and bombing of Japanese positions, airfields and harbours. Its ground crews made a major contribution as they maintained the aircraft in extremely difficult and arduous conditions.

That is not the whole story. Before World War II Australia did not have an aircraft industry. The United States of America and Britain, our major allies, supplied all our aircraft equipment before the war, but were unable to continue to do so. Australia needed to have its own aircraft industry. Several aircraft designs were selected to be built in Australia. One of these was the Beaufighter. Plans were purchased from the United Kingdom in the form of an amazing 16,000 microphotographs. These were developed into blueprints and the aircraft was constructed using about 500 subcontractors and seven major factories. The first Australian-built aircraft rolled off the production line and was test flown only 14 months after the photographs were received. That is an amazing achievement.

In New South Wales our own railway workshops at Chullora did their bit for the war effort. They built the front fuselage section, the stern frame and the engine nacelles. Victorian and South Australian workshops built the rest. Assembly was done at Mascot and Fishermens Bend in Melbourne. Test flying was carried out at Bankstown airport. The aircraft was produced in Australia at a rate of about one per day, believe it or not, and also included spares. The cost was directly comparable to the imported versions. There are at least three remaining Beaufighter aircraft in Australia. One of them, A8-328, is held at the Australian Air Museum at Moorabbin in Victoria. The second, A8-186, lives close by at Camden. Both of these are Australian-built versions.

The third, A19-144, is in the hands of the Royal Australian Air Force at Point Cook in Victoria. This aircraft saw operational service with the No. 31 squadron but came to an unfortunate end in October 1943. It was reduced to components but survived the disaster and, indeed, the war and is still in a recognisable form. After the war virtually all Beaufighter aircraft ended up as scrap metal. The Beaufighter aircraft is a recognisable memorial to the Australians who built it, those who flew it, those who maintained it and, most importantly, those who fought in it when our nation's future was in doubt.

We owe the Beaufighter pilots, ground crew and maintenance personnel a permanent memorial, which should be located at the Australian War Memorial. I urge all members to support this project. I particularly commend Air Commodore Stanley Clark of the Royal Australian Air Force Association, an important Hawkesbury community leader, for his effort to date. I also commend Fred Cassidy, the President of the No. 30 Squadron Association, now a part of the 30 Squadron Branch of the Royal Australian Air Force Association, and all his colleagues. Australia owes a great debt to the men and women associated with the Royal Australian Air Force Beaufighter units. It is time their dedication and duty received a lasting memorial, and that memorial belongs at the Australian War Memorial in Canberra.

### TWEED RIVER HIGH SCHOOL

**Mr NEVILLE NEWELL** (Tweed—Parliamentary Secretary) [4.47 p.m.]: I acknowledge the good work that has been done in establishing educational facilities at Tweed River High School and pay tribute to the people who made it possible. In particular, I pay tribute to two of the retiring Parents and Citizens Association executives of Tweed River High School. They are Lyn Swaddle, the former president, and Lesley Davis, the former treasurer, who retired from their executive positions on Thursday 28 October. They will remain as members of the Parent and Citizens Association committee. Whilst I did not work as closely with Lesley as I did with Lyn, I acknowledge and appreciate Lesley's accounting and other work. I am sure the school community appreciates her efforts as well.

In my role as the State member I worked closely with Lyn Swaddle. As president of the Parents and Citizens Association she was always lobbying me and working hard to acquire facilities for Tweed River High School. To that extent, before she retired from the position of president, Lyn had the pleasure of seeing the opening of the new buildings that had been promised by me and delivered by the Government as part of the school's upgrade. On Monday 1 November the students moved into their new performance learning unit and gymnasium when they were officially handed over to the school. I am very proud of the school, which is located at Tweed Heads. I consider it to be the top high school in New South Wales. It has an enviable reputation for producing wonderful sportspeople and for its academic success, which has been achieved through the dedication of its staff and the quality of its students.

I also acknowledge the hard work of the previous principal, Ros Davis, who retired a few months ago. I know that the school is in good hands with Mrs Howell as acting principal. We hope that a new principal is appointed next year who is up to the standard of the school, staff and students. Apart from the gymnasium and performance workshop, work was also done on the storerooms, changing rooms and toilets, covered links were provided to some of the existing buildings and landscaping was undertaken. That work was done using money from the \$3 million upgrade package. A new high school was also built at Banora Point and it has been occupied by year 7 students. This is a tribute to Lyn's work. I know that other people were involved, but Lyn worked tirelessly over the years to have the gymnasium constructed. It is something she always wanted.

Other schools in the area have benefited from government programs. Crabbes Creek Public School, Cudgen Public School, Kingscliff Public School, Terranora Public School and Uki Public School have all recently received dollar-for-dollar grants from the State Government. Uki Public School has been waiting for funding for some time. It received \$80,000, which it will match and use for facilities and classrooms. The school ran a successful fundraising function at its centenary celebrations some years ago and it has been waiting since for dollar-for-dollar funding to use that money. The school community greatly appreciates the funds that have been made available.

In addition, 11 small schools in my area have been given priority in the computer rollout program. The 100,000 computers and IT support that will be delivered to schools across the State over the next four years will also be greatly appreciated. Carool Public School, Crabbes Creek Public School, Duranbah Public School, Tumbulghum Public School, Chillingham Public School, Crystal Creek Public School, Fingal Head Public School, Tyalgum Public School, Condong Public School, Dungay Public School and Stokers Siding Public School have all received equipment under that rollout. It augurs well for public education in the Tweed. I again congratulate the community of Tweed River High School.

## HOSPITAL WAITING LISTS

**Mr STEVE CANSDELL** (Clarence) [4.52 p.m.]: We are coming up to the tenth anniversary of the embattled Labor Premier's pledge to halve the State's hospital waiting lists or resign. While it appears that the Premier may well be forced to resign soon, the hospital system is worse than ever. We talk a lot in this place about figures and statistics and Labor cooks the books and plays with numbers. However, I remind the Government that the hospital statistics it manipulates represent real people in real pain because it cannot or will not get it right on health. One of the worse cases I have seen is that of my constituent Mark Mathews of Yamba. Mr Mathews suffers from an extremely painful disease that causes blockages to the arteries in the lower half of his body. He has already lost several toes and unhealed wounds on his feet mean that any infection could force him to have his leg amputated.

Mr Mathews was admitted to Gold Coast Hospital as an emergency patient in July this year. He was advised that surgery was too risky an option and that he needed hyperbaric treatment. He was referred to Wesley Hospital in Brisbane, where he was told on 9 August he needed funding approval from New South Wales Health to get the treatment that would end his daily suffering. Mr Mathews and this doctor spent the next two months trying to obtain the funding approval. That meant two months of daily pain for Mr Mathews. He was advised on a number of occasions that someone from NSW Health would ring him, but no contact has been made. Last month his doctor advised him that the vascular specialist had retired from public practice and stated that he would contact NSW Health again and ask them to contact Mr Mathews as he was unable to keep chasing it for treatment authority on his behalf. His doctor added that he "had never been so frustrated".

Mr Mathews' doctor advised him at the time that if NSW Health did not contact him within two weeks he should ring the Prince of Wales Hyperbaric Centre in Sydney. He suffered another three weeks of daily pain, and still he heard nothing from NSW Health. Mr Mathews called Prince of Wales to no avail. He was advised the hospital would contact NSW Health and ask someone to contact him within the next two days. Five days later he still had not been contacted by NSW Health, so he contacted the Prince of Wales Hospital again and was advised that it would contact NSW Health again.

That same day Wesley Hyperbaric Centre in Brisbane contacted Mr Mathews, horrified that he could still not get this urgent medical attention in New South Wales, and agreed to treat him and sort out the paperwork with Sydney later. Mr Mathews travelled to Brisbane on Tuesday this week, where he is receiving the care he has desperately needed for so long. That is a happy ending perhaps, but Mr Mathews has gone through intolerable and unnecessary pain for months all because this dreadful Labor Government has let the health system it was elected to fix fall apart at the seams. I will finish by reading a little from Mr Mathews' letter to me. It states:

I have been in constant pain for a year now. I sleep in a chair for at best four hours a night.

My 15 year-old son has been caring for me since leaving hospital in July. I can barely walk, can't work and have watched life pass me by for the last 12 months.

I have contemplated suicide as it would be the easiest way out, but I have my son Charlie, my partner Alison and our one-year old Lewis to consider.

I could not continue thought the way I am without it causing damage physically and mentally.

There are probably many people in similar situations to mine, but to be considered an emergency on the ninth of August only to have no contact with me by the ninth of November is dumbfounding.

My ulcerated wounds are now twice the size they were in August and even more painful.

I take seven different medications and dress my wounds everyday. One infection could result in me losing my foot or leg.

I would like to thank the doctors who have tried to help and have given me hope and the belief that some people do still care more about patients than costs.

This sad story is just one of thousands that prove the Premier has utterly failed the people of New South Wales with regard to health. It is high time the Premier kept the other half of his 10-year-old promise and resigned.

## ASSOCIAZIONE PUGLIA TWENTY-FIFTH ANNIVERSARY

**Ms ANGELA D'AMORE** (Drummoyne) [4.57 p.m.]: Today I acknowledge the twenty-fifth anniversary of the Associazione Puglia celebrated on 30 October 2004 at the Mediterranean House at Five

Dock. Official guests included the representative of Dott Marco Graziosi—Italian Vice Consul General in Sydney—Padre Atanasio Gonelli, Cavalleri Vincenzo Cammereri, Mr Gianluca Buttarello Editor of *La Fiamma*, the Hon. Don Harwin and me representing Premier Bob Carr. The Puglia community came together as an organised association 25 years ago, in 1979. The Italian region of Puglia is located on the south-east part of Italy. A group of 10 people residing in Sydney decided that it was appropriate for the community to be organised and represented in the form of an association.

In 1989 the association established a sister-city relationship between the Leichhardt municipality and Giovinazzo, a city located in the region of Puglia. Giovinazzo has a large contingent of people who migrated to Sydney and reside mainly in the Drummoyne, Ryde and Leichhardt areas. The Puglia community has evolved from an association into a co-operative, allowing it to acquire and upgrade the cultural and community centre, which is located at 65 Renwick Street, Leichhardt. On 8 February 2004 the Associazione Puglia's Cultural and Community Centre was officially opened by the Hon. Reba Meagher, Minister for Fair Trading. The Minister and I enjoyed a lovely afternoon with the association members and board of directors.

People from the Italian region of Puglia of first, second and third generation residing in New South Wales number more than 10,000. To date the Puglia co-operative counts more than 500 families as members and/or associates. I have visited many cities and towns in the Puglia region and I am proud to state that my Aunty Santina Giarrizzo and her family were born and bred in Bari and live in Monopoli, which is in the Puglia region. In addition to the co-operative, the association includes the Business and Commerce Committee, headed by Mr Joe Marzullo, with more than 100 members; the Women's Committee, headed by Ms Lella Liantonio, with more than 200 members; the Youth Committee, headed by Mr Anthony Pecere, with more than 100 members; the Pensioners Committee, headed by Mr Vittorio D'Aprile, with more than 100 members; the Cultural Committee, headed by Mr Phil Montrone, with more than 200 members; and the Social Committee, headed by Mr Len Volpicella, with more than 200 members.

The Pugliesi Women's Association of Australia, in collaboration with the board of directors and Committee of the Associazione Puglia have organised a week-long photographic exhibition entitled "La Puglia dei Due Continenti", which translates to "The two continents of Puglia". The exhibition will officially open on Sunday 14 November 2004 at 2.00 p.m. at the Associazione Puglia's Cultural and Community Centre at Leichhardt and will conclude on Sunday 21 November 2004 with a food and wine fair from the region of Puglia. The display will contain 800 images of members, their families and friends at functions, conferences and festivities held over the 25 years history of the Associazione Puglia.

In late October 2004 President Gianni Carelli and Vice President Phil Montrone sought my assistance to secure a New South Wales State Government grant to assist in the production and staging of the twenty-fifth anniversary celebration of the Associazione Puglia. Following strong representation to Premier Bob Carr, I was pleased to announce at the twenty-fifth anniversary celebration dinner a \$3,000 grant by the State Government to the Associazione Puglia. I extend my thanks to the Premier, and I note in particular the assistance provided to me by ministerial staff member Sassoon Grigorian in relation to securing the State Government grant on behalf of the Associazione Puglia.

The Associazione Puglia Co-operative (New South Wales) Ltd continues to act as a fixed point of reference and assistance for business and commerce, women and youth, and supports the cultural, social and pensioner needs of the Pugliesi community. I extend my thanks to the board of directors—President Gianni Carelli, Vice President Phil Montrone, Secretary Anthony Pecere, Social Functions Director Len Volpicella, and Treasurer Giuseppe Marzullo—for their dedication and work undertaken on behalf of the association. I also note the contribution of committee members Alfonso Pozzolungo, Vincenzo Dentamaro, Peter Cusmai and Leo Miranda.

This year the association celebrated the twenty-fifth anniversary of its formation. The strength that the Pugliesi community provides will ensure a strong future for the association. I personally look forward to a strengthened relationship with the association and its members, and I will continue to provide a strong voice and continued support for the association and many other Italian-Australian associations throughout New South Wales. The Italian-Australian Pugliesi community can rest assured that their interests are well represented by Italian-Australian associations such as Associazione Puglia. Congratulations Associazione Puglia, you have developed into a professional and well-organised association that I, as a daughter of Italian migrants, am proud to be associated with.

#### MILTON-ULLADULLA HOSPITAL

**Mr ANDREW CONSTANCE** (Bega) [5.02 p.m.]: I wish to speak about the Milton-Ulladulla Hospital and express my disappointment and disgust at the Carr Labor Government's decision to break yet another

promise to the people on the South Coast. Earlier this week during a meeting with doctors the Government unveiled its decision to renege on its promise to fund five new beds for Milton-Ulladulla Hospital, ignoring all the hard work put in by the community for a number of years to get the beds in place and the hospital upgraded.

Given the Government's track record in managing the New South Wales health system, this is no surprise. However, it is a blow to a community that has been persistent and reasonable in its demands. I am advised that local doctors were informed of the Government's decision last Tuesday evening, and that the excuse provided was that there was no money to fund the manning of the beds. This means that while the beds may be physically at the hospital, the funds to utilise them are not. Where is the logic? I cannot understand how the Premier and the Minister for Health can go home at night comfortable in the knowledge that they are responsible for a health system that turns sick people away.

The Milton-Ulladulla community has lobbied the Government relentlessly after plans were drawn up some years ago for the extension of the hospital under the direction of the then Milton Hospital board. The plan initially highlighted the need for an extra 40 beds, which would cater for the needs of a rapidly growing population. Just prior to the 2003 State election, at a public meeting attended by a large number of community members, including me, the Government promised an extra five beds with the redevelopment of the hospital. Although the extra five beds only scratched the surface, it was a start, and the community expected that the Government would have the decency to uphold its commitment. The community will be bitterly disappointed to hear that the Government has reneged on its promise. It seems fit to justify spending \$61 million in an attempt to avert a train strike in Sydney, but it cannot find the money to fund five beds in a local hospital.

This broken promise is also timely given that during the past 24 hours the House has debated the Health Services Amendment Bill 2004, which abolishes hospital boards, a measure the Coalition does not support. The Government's decision to withdraw the recurrent funding was made without consultation and without local input. Such a decision demonstrates that the legislation basically supports the disenfranchisement of local communities and the centralisation of a growing and powerful bureaucratic system. The Government's decision to renege on the funding only epitomises the ridiculousness of the bill, which boasts a saving of \$100 million, an amount that is meant to be ploughed back into front-line services. The Milton-Ulladulla community will be asking why its front-line services continue to be sacrificed while the Government tells lies about its cost-saving measures.

Prior to the March State election the Coalition promised the establishment of a new hospital for Milton on a greenfields site, in recognition of the rapid growth of the area and the fact that redevelopment of the current hospital would be merely a short-term fix. The redevelopment is now awash. Construction of the new building is almost completed, but we will not have the necessary recurrent funding to service the beds. I feel confident in saying that this situation would not have occurred if Milton hospital had its own board. The reinstatement of hospital boards is a Liberal commitment and it is in stark contrast to Labor's centralised approach.

This decision was made by Sydney bureaucrats, rather than by local communities who understand their needs. The Milton-Ulladulla community will fight hard for recurrent funding for the extra beds. It is ridiculous that in the order of \$7 million is being spent on the redevelopment of the hospital. The beds will be in place but recurrent funding will not be available to man them. The Government's decision clearly shows that it is out of touch with people's needs, particularly in an area that is experiencing unprecedented growth and significant development. The Minister for Infrastructure and Planning and his departmental staff have told us how much the Shoalhaven will grow as a result of the urban sprawl in Sydney, yet the Government is not willing to fund the extra beds that have been promised as part of the Government's commitment to the Milton-Ulladulla community. I call on the Minister for Health to ensure that recurrent funding is made available for the five extra beds.

### COMO PLEASURE GROUNDS REOPENING

**Mr BARRY COLLIER** (Miranda) [5.07 p.m.]: Last Saturday I joined with the mayor of Sutherland Shire and about 200 shire residents to officially reopen the Como Pleasure Grounds. The reopening marks the completion of the first stages of a joint State Government-Sutherland Shire Council project to rehabilitate and restore the historic pleasure grounds, which are located on the banks of the Georges River near the Como rail bridge. The reopening was a day of celebration; it was also a day of history, and a day of pride for the people of the shire. In officially reopening the Como Pleasure Grounds we were doing far more than celebrating their restoration as one of the great landmarks of the shire; we were celebrating a culture that extends back well beyond the first European settlers. We were also celebrating our heritage and the vision of Pioneer James



Murphy. The reopening marks the official turning of a page, the beginning of a new chapter in the life of this beautiful place, with its sandstone lookout, native vegetation and panoramic views of the Georges River.

The book of this amazing site begins at the dawn of human history. It was a place of great significance for our indigenous peoples, a place where the Sweetwater, or Freshwater, people of the nearby Woronora River met the Bitterwater, or Saltwater, people of the Georges River. Every book has a central theme. It is this idea of a meeting place, the coming together to enjoy each other's company to celebrate a special occasion, to relax, to play, or simply to take in the view, that is the central theme of the book and of the place we know today as the Como Pleasure Grounds. History records that the Como Pleasure Grounds were built in 1886, shortly after the completion of the Como rail bridge. James Murphy built a large pavilion in which bands played on the rocky promontory. He held dances and parties. He built a promenade with summer houses, picnic shelters and children's play areas. I quote shire historian Daphne Salt:

James Murphy "... built a boat shed and general store to cater for tourists to his Pleasure Grounds. He installed swings and razzle dazzles and swimming baths to attract visitors ...

Murphy created a seaside resort at Como, and the generosity of Mother Nature and the trains did the rest. Day trippers flocked to Como. It was the place to see and be seen."

A note from a heritage bus tour in 1987 records:

The Pleasure Grounds were to become the most popular place in Sydney for the meeting and courting of elegant young ladies and gentlemen. The natural environment, river view and picnic gardens drew the city's young lovers and families to Como during the area's golden period between 1890 and 1910 ...

This theme of a meeting place has continued, firmly fixed as part of our culture and our heritage in the Sutherland shire. When one looks at the restoration, with its modern facilities, it is not hard to see why the Como Pleasure Grounds remain so popular and attractive to Sutherland shire residents, visitors and their families. The razzle-dazzle is long gone, but the Como Pleasure Grounds—renewed, revitalised and restored—have something for all ages and stages of life. It is a place to relax and take time out, a place for a family barbecue, a place for a wedding photo, a place for a kid's playgroup, an outing for seniors, a tourist stop, a place to simply reflect and take in the view.

We are indeed fortunate to have such a place in the Sutherland shire—a place of historical and cultural significance, a place of great beauty, yet utility and amenity, a place with that certain wonderful, indefinable, magical quality that extends across time and unites all ages. I attended community consultations and watched the progress of the Como pleasure grounds upgrade. I walked the promenade and talked to residents, visitors and those who had simply thrown down a blanket to enjoy a family picnic. The interest in the project is so incredibly intense and the feeling for the recreational area is so passionate that it somehow defines the feeling of uniqueness that we who live in the shire all share.

The upgrade of the Como Pleasure Grounds is a partnership between the State Government and the Sutherland Shire Council. Over the past four years the State Government has provided funding of \$390,000 towards the upgrade of the Como pleasure grounds under the Georges River Foreshore Improvement Program and the Metropolitan Green Space Program. The council put in dollar for dollar for the upgrade and I congratulate the council on its commitment to the project. I congratulate all who worked on the project, including contractors, council staff and staff from the office of the Minister for Planning, Infrastructure and Natural Resources. I also congratulate and thank the members of the Parents and Citizens Association of the nearby and very historic Como Public School for their part in making the reopening of the Pleasure Grounds such a memorable day.

To date the project has seen the restoration of seawalls and the installation of barbecues, pathways, seating, turfing and play equipment, all aimed at improving the site as a key recreational facility in the Sutherland shire. I recognise, of course, that there is more work to be done and a number of issues to be resolved. But, in the longer term, we will have a place that highlights also the indigenous and non-indigenous values of this very important site. The council has applied for more funding and that application has my support. As the member for Miranda I am privileged to have the Como pleasure grounds in my electorate and I was deeply honoured to play my part in their official reopening.

#### ORANGE HOSPITAL PROPOSAL

**Mr RUSSELL TURNER** (Orange) [5.11 p.m.]: Today I raise concerns that have been expressed to me by doctors, nurses, hospital staff, patients and the general public about the uncertainty and delay in the

commencement of the new hospital for Orange, which was promised by this Government. Some of the questions I have been asked are: When will the new hospital commence construction, where will the site be, and when will the new hospital be open for patients? It has been some two years now since the very welcome announcement that Orange was to get a new hospital, Bathurst was to get a new hospital, and the Bloomfield mental facility was to be rebuilt at a total cost of some \$200 million.

We went through the process of selecting a site and conducting public consultations, and eventually the Department of Health chose the Bloomfield site as the most preferred site, against the site where the hospital is at the moment and the site that was offered by the University of Sydney near the Orange campus. The city was unanimous in saying, "Once we have agreed on a particular site, let's get on with it". Soil tests have been carried out to assess the suitability of the site, and we were told a design process was under way. The new Minister for Health said that this was going to be a state-of-the-art hospital, that it was going to be an example for future regional hospitals, and that we needed to get it right. The general public were quite happy with that statement, assuming that the process was going on behind the scenes.

I do not know whether the Government is stalling or whether it is genuine, but this week it is talking about the existing hospital site, and I understand it is going to approach council regarding the closure of one of the streets and building over the streets alongside the hospital. So once again the future of the hospital—including when it will open—is right back to square one. The general public are very confused and disillusioned with the Government. We also need some reassurance that the new mental health facility at Bloomfield will be built, as well as continuing assurance about the Cudal hospital. That rather small hospital was very important to the people of Cudal. The Government condemned the old hospital because it was unsafe and a fire hazard, and so on, and the new hospital to replace it was supposed to open in June this year. As yet, the old hospital has not even been demolished. The Government has given a vague promise of \$400,000, I think, in this financial year for the new hospital to go ahead, but the derelict old hospital still stands. The promise to have the new hospital open in June has been broken. It is no wonder the general public and the staff of Cudal and Orange hospitals do not trust anything this Government says, because it keeps breaking its promises.

We are concerned that with regard to Orange hospital we have virtually lost two years going through this supposed site selection and design process. We had the opportunity to take up the University of Sydney's wonderful offer of free land alongside the university. Many people were quite happy with that proposal, but once we had chosen Bloomfield as the preferred site we thought that was it. We were going to get on with the process; we were going to the design process and we wanted to make sure, like the Government, that we got it right. But now, as I said, it appears that we are back to square one. The Government is looking at the old hospital site, it is going through negotiations with the council, and the general public are totally disillusioned by the whole process.

### **PARRAMATTA MISSION**

**Ms TANYA GADIEL** (Parramatta) [5.16 p.m.]: Today I draw the attention of the House to the magnificent work done in the Parramatta community by a very special organisation. The Parramatta Mission has existed in its current form for over 30 years. Each year it costs approximately \$3 million to operate its programs. About 80 per cent of its funds come from the Government and client fees, and the remainder is made up by fundraising and commercial operations. I will talk more about the fundraising in a moment. Before that I want to talk about the types of services that the Parramatta Mission delivers to those in our community who need them most.

There is crisis accommodation for women, men, children and families, medium to long-term accommodation and Meals Plus—which is a free midday meal with a support and referral service. Mental health services are also provided by the mission, particularly in the area of suicide prevention. The Parramatta Mission also runs Lifeline in Western Sydney: a 24-hour seven days a week telephone counselling service that provides crisis accommodation, financial counselling and gambling counselling. The mission's commercial facilities include the Wesley Lodge Motel, AJ's Cafe and the Bluebird Laundry.

Earlier this year I had the honour of officially opening the mission's women's refuge located within a set of units in a suburb in Parramatta. At the time of the opening I indicated that it was a tragedy that such places had to exist; that women and their children are subjected to such horrific abuse that they have to flee their family homes and find accommodation such as that offered by the Parramatta Mission. As I mentioned before, the mission is reliant on its fundraising to make up the shortfall of funds required to run such fantastic services. As members may already be aware, Parramatta has a huge homeless population. On the night of the last census

there were 80 homeless people living on our streets. Parramatta Mission does a great deal to assist our homeless. It provides meals and accommodation, and, naturally, this costs money.

Recently, Parramatta Mission organised its annual "Big Jump for the Homeless". I was happy to volunteer to do my bit to assist. Actually, I should say I was happy to assist until push came to shove and I actually had to do the jump. Happiness soon turned to terror. On paper the challenge did not seem too bad: to ride a flying fox across Telstra Stadium. I accepted without hesitation and gathered my sponsors to raise my share of the money. I would like to thank my very good friend the honourable member for Wollongong—who joins me in the Chamber today—for her \$200 donation. I also thank the Electrical Trades Union, the Labor Council of New South Wales, Parramatta Leagues Club, James Cullen and Theresa Chidiac, who all sponsored me to take the leap of faith. On the day of the jump, after getting the elevator to level 6 of Telstra Stadium, I became a little more apprehensive. By the time I was strapped into my harness and saw the wire suspended across the stadium I was absolutely terrified.

When I was offered either the Spiderman harness or the more conservative harness, which would allow me the option of holding something as I flew across the stadium, naturally I elected to have the Spiderman version, believing I was brave enough not to hold anything. As I jumped off the stadium I dearly wished I had something to hold. It is amazing how many things went through my mind as I did the free fall off the stadium and waited for the slack to catch so that my journey across the stadium could begin. I thought I was going to fall and splatter. I wished I had something to hold and I swear my life flashed before my eyes. Finally, the falling and the screaming stopped and then I glided across the stadium. That bit was really fun. So in spite of my initial trauma it was actually a lot of fun and I am going to do it again next year.

I want to throw down the challenge for other members of Parliament to join me. They should rest assured that I will let them all know when it is on next year. In the John Howard vernacular, that is a core promise. This year the Parramatta Mission raised over \$25,000 in its Big Jump for Homeless, with about 100 people participating. That is a great effort but next year I hope we raise a lot more money. I want to thank the Parramatta Mission and all staff for their amazing work in our community. Parramatta would be lost without them. The Reverend Brian Smith, who runs the mission, is a man who is as inspirational as he is kind, and I am very proud to work so closely with him and his team at the mission.

### EMERGENCY SERVICES CALLS

**Mr GREG APLIN** (Albury) [5.21 p.m.]: I wish to raise the concerns of residents in the Albury electorate in relation to response efficiency of ambulances called via the 000 call system. On 29 October Kerry Keillor of Brocklesby, a small town west of Albury, wrote to the *Border Mail* to describe the health system in the district as a sick joke. The letter relays the story of a friend's child who suffered a severe asthma attack, so they rang 000 to call an ambulance. The letter states:

The operator we spoke to is in Wollongong, probably doesn't know where Albury is, let alone Brocklesby.

After 10 minutes talking to this person, with him telling you that by his computer details we don't live here, when we finally get through to him that we do live here, he rings the ambos in Albury.

Meanwhile the asthma attack goes on.

Forty minutes later the ambos arrive at the wrong address, so I run up the street to tell the ambos where the sick child is.

It's a serious asthma attack, serious enough for the ambulance to take her to the Albury Base Hospital.

The hospital, in its infinite wisdom, sends the child and mother home and says if she gets worse to come back.

The ambulance did a great job, when they got there.

The bloke in Wollongong didn't have a clue, the Albury Base Hospital didn't seem to care.

The bureaucrats that implement this system would not have any idea of how it is in the real world of the unemployed, elderly or pensioners.

We are a large number of this society who are disadvantaged by the public system.

This has to change, and soon!

The situation is of great concern, and it is not an isolated example across the State. In March this year the honourable member for Lachlan brought to the attention of the House an even more serious case which occurred

near Griffith when a woman died after an asthma attack while the ambulance officer was seeking directions to her house. Her husband was quoted as saying that if he could only have just called the ambulance himself like in the old days, "She'd still be alive." Of course, last month in Sydney there was the tragic death that resulted in the Premier launching an inquiry into the 000 system. The Premier's news release announced an independent investigation of the ambulance telephone dispatch system. The news release stated:

The Ambulance Service last week installed a new \$350,000 telephone system to improve Ambulance response times

The system, specially designed ... to meet the needs of the Ambulance Service allows call centre operators to see the address of the caller on a computer screen saving valuable seconds or minutes in response times.

Because the caller address appears automatically on the computer screen, the possibility for human error in taking the address is also reduced.

The new system allows calls to be answered and made via a computer screen, and combines the PABX, call line identification and telephone of the old system into one unit. The previous system had been in place for five years.

The *Daily Telegraph* editorial of 15 October had this to say:

Yesterday, the NSW Ambulance Service launched its own internal inquiry into the tragedy but saw fit also to declare that a new phone system designed to improve ambulance response times was "most likely" to blame.

But worryingly, other sources inside the service said further changes planned for January next year could actually make the problem worse.

It is interesting that back in 2001, when the new phone service, called the Ambulance Computer Aided Dispatch System—AmbCAD—was introduced, it was to be based at Warilla, in Wollongong, for our region. We were told:

The new system will make the ambulance service more efficient with a quicker call taking procedure, shorter more consistent response times, accurate location and map references, and improved information available to ambulance officers.

With the new technology there will be four AmbCAD sites around the State, namely Sydney, Warilla (Wollongong), Dubbo and Charlestown (Newcastle).

We were told that the Warilla Operations Centre will take calls from the Albury and Wagga Wagga areas. We were also told that people calling for an ambulance would not notice any difference, except that now an ambulance can be dispatched more quickly than ever before. Therefore, I was sad to receive earlier this week an approach from a gentleman in my electorate who told me that at the weekend his father-in-law took ill with chest and stomach pains. He phoned for an ambulance on the 13 number and was informed that he should ring 000, which he did. The person at the other end of the line certainly did not reside in Albury or surrounding districts.

Mr Duncombe was asked for the address that the ambulance had to attend and he advised it was 1044 Alemein Avenue. He was advised that his house number was not listed. He advised the nearest intersections and again was told that this was no good. The call was terminated with Mr Duncombe being told to "leave this with me". To the credit of the ambulance operator, 20 minutes later the emergency ambulance arrived but was travelling in the wrong direction. Mr Duncombe had to flag the ambulance down and it did a U-turn. The problem is the relationship between telephone directories and maps. It is something that the inquiry should take into account to ensure that this does not happen again.

### DEEPAVALI CELEBRATION

**Ms VIRGINIA JUDGE** (Strathfield) [5.26 p.m.]: May I greet members present in the Chamber with the Hindu greeting Namaste! It is with great pleasure that I rise to draw the House's attention to the Deepavali festival being held at Parliament House, Macquarie Street, Sydney, in the premier State of Australia. Deepavali is known as the festival of lights and it is the most widely celebrated festival of the people from the Indian subcontinent. It aims to promote multiculturalism, unity in diversity, peace and harmony. This is only the second time that this special festival has been celebrated at the New South Wales Parliament. In recognising and celebrating the Deepavali festival, this Parliament is acknowledging that all peoples are connected in civilisation's mighty cultural mosaic. In the seat of Strathfield around half of my constituents are born overseas. Last year we had the first modest celebration here on the roof of the Parliament.

This year it is more spectacular due to the work of the Deepavali Festival Committee of New South Wales, in particular, the hardworking Chairman, Mr Raj Datta, who has spent many long hours arranging this festival. The Deepavali festival being held here at Parliament commenced on Saturday 6 November and will

conclude on Friday 19 November 2004. In a historic first, the Macquarie Street facade of the New South Wales Parliament House is being lit up during these two weeks with diyas lights as part of this special Hindu festival. The Fountain Court is also beautifully illuminated. For us as parliamentarians, these lights are intended to illuminate our minds and to guide us in our decision making. The Deepavali festival here at Parliament also includes a fascinating exhibition in the foyer of art and artefacts from the Indian subcontinent.

Film screenings are also being held in the Parliamentary Theatre on Wednesday 10 November and 16 November. I have it on good advice that these Bollywood movies will be very enjoyable. On Tuesday evening, 9 November 2004, a formal ceremony was held in the Jubilee Room to commemorate Deepavali. There was a tremendous excitement in the air at Parliament on this night, as more than 200 guests, most in colourful traditional dress, arrived to attend this ceremony. The guests included political, religious and spiritual leaders as well as the wider community. The Hon. John Hatzistergos, MLC, Minister for Justice, and Minister Assisting the Premier on Citizenship, who was representing the Premier at this official ceremony, was the host for the evening. At this point I would like to thank the Minister for making this occasion an extremely successful one. While the Premier was unable to attend, his wife, the lovely Mrs Helena Carr, arrived to celebrate this evening.

Our master of ceremonies for the night was a beautifully peaceful young lady, Miss Praveena Karunakaran. I wish to commend her for introducing our program items for the evening in a most delightful, calm, caring and reverent manner. I was extremely honoured to have Auntie Sylvia Scott, an Aboriginal elder, present the welcome to the land. I would like to express my sincere thanks to Auntie Sylvia and her good friend Trudy for their attendance at this very special ceremony. The ceremony featured the symbolic lighting of the traditional oil lamp. I have been told that the lamps at the Deepavali celebration symbolise knowledge, so that when the lamps are ignited the darkness of ignorance, hatred, violence, bigotry, greed and fear are dispelled. Other key participants at the official ceremony included the Consul General of India, Mr Ganapathi; Swami Sridharananda, President of the Vedanta centre of Sydney Ashfield; and many other guests.

This very colourful celebration featured a magnificent cultural display of dancing by the Geetanjali School of Dance and Performing Arts at Baulkham Hills and the Lingalayam Dance Company at Strathfield. Sponsors are critical to the success of any event, and I acknowledge the following four main sponsors: India Tourism, Trilogy, SATYAM and Qantas. Other participants and contributing organisations and their members included: Balar Malar, Dr. T. Nallathambi; Bangladesh Society for Puja and Culture, Mr Nirmal Paul; Bengali Association of New South Wales, Bharatiya Vidya Bhavan; Mr Watts; Federation of Australian Indian Associations, Mr Jayant Pattekar; Hindu Council of Australia, Mr Surinder Jain; Mukti-Gupteshwar Mandir Society, Mr Misra; Nepalese Australian Association, Ms Indra Ban; Shiva Temple, Mr Chawla; Sri Ayappa Swami Centre, Mr Vanadeva; Sri Durga Devi Devasthanam, Mr Ratnam; Sri Venkateswara Temple, Mr Sri Ganeshwaran; Sydney Murugan Temple, Mr Sundaram; United India Association, Dr Rohitas Batta; and the Vedanta Centre of Sydney.

Additional assistance was provided by Mr Sivathondan, Mr Vasu Narasimhan and Mr Vijayratnam. To commemorate this special celebration, a commemorative souvenir program was given to guests. Members of Parliament present included the honourable member for Canterbury, Ms Amanda Fazio, the honourable member for Parramatta, the honourable member for Lake Macquarie, the honourable member for Menai, the honourable member for Wollongong, the honourable member for Heathcote, the honourable member for Wallsend, the honourable member for Charlestown, the honourable member for Peats and the honourable member for Londonderry. Also present were Mr Russell Grove, Clerk of the Legislative Assembly, Mr John Evans, the Clerk of the Parliaments, heads of religious communities and spiritual groups, and Mr Stepan Kerkyasharian, Chairperson of the Community Relations Commission.

I acknowledge the Consul Generals from India, Korea, Royal Nepalese, Russia, Thailand, and the Republic of Trinidad and Tobago, as well as Mr Belgrade representing the United States of America, Mr Phiet representing Vietnam and Mr Garland representing the Solomon Islands. I also acknowledge Mr Neville Roach, who was unable to attend but gave us lots of advice; leaders of all community groups; Mr Sassoon Grigorian from the Premier's Office; the media; my staff, Paul Higgins and Rhonda Woodford; and finally many other volunteers, including Maree Turner, Tony Strachan, Sarah Longes, Magalli Mendez, George Mannah, Lola Neilley, Radha Giridhax, Alison Rudman and Christina and Andrzej Czajk. [*Time expired.*]

**Ms ALISON MEGARRITY** (Menai—Parliamentary Secretary) [5.31 p.m.]: It was both an honour and a pleasure to be present at the function referred to by the honourable member for Strathfield. The lighting display outside the Parliament and in the rooftop garden is beautiful and symbolic. I add to the words of thanks by the honourable member our appreciation of all those involved in the organisation of such a successful event.

Hopefully, it will become a routine event, an event we might see for many years to come in this Parliament. I congratulate the honourable member on her initiative in making sure that this event came to fruition and, indeed, improved on last year's events.

### **CROWN STREET RESERVOIR**

**Ms CLOVER MOORE** (Bligh) [5.32 p.m.]: Tonight I shall talk about the Crown Street reservoir, which is bounded by Crown, Campbell, Riley and Reservoir streets in Surry Hills and is State heritage listed. The reservoir was built in 1859. It is Australia's oldest working reservoir, and it is a Sydney Water publicly owned asset. The site comprises a heritage reservoir and the former office buildings of Sydney Water. The office buildings are no longer in use and Sydney Water has plans to redevelop the site. The 1890s shed and workshop, the sandstone boundary wall, the reservoir and the 1950s pumping station and valve house are all structures on the site that have heritage significance. In November last year Sydney Water commenced a master planning process for the site. At that time I requested that public involvement for the master plan was critical to ensure that real consideration was given to public uses for the site in accordance with its heritage significance.

I also called for a comprehensive master planning process that addressed the entire site, not just the surplus 1960s office buildings on Crown Street and the disused workshop, as was initially proposed. I called on the Government to ensure that the master plan take a holistic view of the area and celebrate the heritage of the site. Sydney Water engaged Elton Consulting to facilitate consultation with the community about future plans for the site. In June Elton Consulting held the second public consultation, where three options for residential development were presented. I am concerned that the conservation master management plan was developed and presented to this meeting without the opportunity for community input into this key planning document. At the June meeting the community expressed its frustration at the failure to consider creating much-needed open space as a possible option. I understand that public access on the reservoir is not permitted, and this will continue because the reservoir will remain as an operational facility.

Surry Hills has experienced high levels of development recently. It has one of the highest residential densities in Australia, with some of the lowest ratios of open space per person. I support the expressed community expectation that consideration be given to the creation of open space to serve community needs before the disposal of this publicly owned asset. The broader issue is the alarming rate that publicly owned land and assets are being sold off by the Government without investigation of alternative options for public use and benefit. I have written to the Minister and spoken about this issue before. I again call for a comprehensive assessment of publicly owned land and assets before decisions are made about their disposal.

There is a fundamental flaw in the Government's assumption that publicly owned assets are available for short-term financial gain. These assets are in community ownership, and it is only after all available options that could benefit the community have been exhausted that disposal options should be considered. This includes long-term and future options as well as change of use to meet community needs. Over the past decade the community has battled to protect public land and assets in the face of Government authorities determined to sell them off for short-term financial gain. I remember in the early 1990s the Premier had large posters stating, "See New South Wales before Greiner and Murray sell it off". I should like him to remember those words, particularly in relation to this important city site.

Community awareness about the importance of public assets has grown. Increasingly, local communities are becoming active and willing to campaign to protect their assets and public land from disposal and development. The community is acutely aware that once public land and assets are disposed of they are lost forever. Recent campaigns include the water police site at Pyrmont, the Australian Defence Industries site, North Head Quarantine Station, Gladesville Hospital, Hunters Hill High School, Erskineville public school and Prince Henry Hospital. In September I wrote to the Minister for Energy and Utilities opposing development of the Crown Street reservoir in Surry Hills and calling for the creation of public open space. More than 500 local residents have signed petitions in support of this outcome. There is a clear expectation that the office buildings on the reservoir site will be demolished for the creation of open space. I again call on the Government to preserve the heritage significance of the reservoir site and provide for long-term public benefit in any future decision of this important inner-city site.

**Ms ALISON MEGARRITY** (Menai—Parliamentary Secretary) [5.36 p.m.]: I note what the honourable member for Bligh has said in the House today. I will ensure that the Minister responds to the issues she has raised.

**BELMONT GOLF CLUB LTD DEVELOPMENT**

**Mr PAUL CRITTENDEN** (Wyang) [5.36 p.m.]: Honourable members will recall the Gold Walkley winning series by Anne Davies in the *Sydney Morning Herald* about the deal between the Bulldogs Club, Macquarie Bank and Liverpool City Council. This deal triggered a departmental inquiry, which led to the sacking of Liverpool City Council, ICAC public hearings into the behaviour of club directors and amendments to the Registered Clubs Act. The Minister for Gaming and Racing has argued that his amendments increased the protection of club members' interests by requiring independent valuations of assets and for them to be sold and disposed only by way of public auction or a tender process. One of the central questions about the Belmont Golf Club Terrace Tower deal is whether the club breached the new provisions of the Registered Clubs Act. When the *Sydney Morning Herald* initially asked the question of a club manager we were told that the club signed an agreement with the Terrace Tower Group in July 2003, before the legislation was proclaimed on 9 April 2004. I then asked the department how it was possible for the deal to have been signed before proclamation when the deal was between the club and a company called Kalayla Pty Ltd, which was not incorporated until 7 July 2004. A reply I received today from Darell Loewenthal of the department states:

Insofar as compliance with Section 41J of the Act is concerned, it has been established that the actions of the Club fall within guidelines issued to address situations where negotiations for the disposal of land had been entered into prior to the commencement of the new legislation. In this regard, as negotiations involving the development commenced prior to 10 December 2003, the Club is not captured by the provisions of Section 41J of the Act.

Not only does this raise questions about the department's investigation into Belmont Golf Club, it blows a massive hole in the amendments that the current Minister claimed would protect the interests of club members. Basically, this letter is stating that the extra protection for club members does not apply if a club began negotiations—whatever that means—before enactment of the legislation. In this case the company that entered into the deal with Belmont Golf Club did not even exist until after the legislation was proclaimed. Yet the claim of some prior negotiations is used by the department to allow the club to breach the Act. This means that if a club began negotiations with Dodgy Brothers Developers Incorporated before 10 December 2003 there is absolutely no protection for the rights of club members under the law enacted by this Parliament. How can a department issue guidelines that overrule this Parliament?

There are two unfortunate scenarios: either the Minister for Gaming and Racing has introduced amendments in this House, trumpeting that they offer club members extra protection, and has then allowed his department to issue guidelines with his knowledge or approval to neuter the extra protection for club members, or the Minister had no knowledge that his department was overruling Parliament's amendments—and that is probably an even bigger worry. I challenge the Minister to explain to the House which one it is. Did he know his department was blowing a hole in his safety net for club members or did he just not know what it was doing?

This departmental letter also dismisses the many questions I have been raising in this House, describing them as peripheral and not warranting further investigation. It states the investigation is finalised. Apparently it was peripheral for me to ask why the interests of club members have not been protected by asking for independent financial analysis of the deal between the club and Terrace Tower. It was peripheral for the honourable member for Charlestown, the honourable member for Swansea, the honourable member for Murray-Darling and me to ask about the impact of this deal on the coastal environment. It was peripheral for me to ask about the unusual circumstances of the appointment of lucky Geoff Perkins to the club at the very time it was in negotiation with a developer he knew well. It was peripheral for me to ask about the club allowing its local suburban solicitor to give financial advice—an area in which he had no expertise—to members before a crucial vote. I think these are central and not peripheral, and I intend to keep asking questions on behalf of club members until we get answers.

If this letter is any guide, this department could be accurately renamed the department for clubs. We need a Minister for club members, someone to protect their rights; not a Minister and a department for clubs, club executives and their developer mates. Parliament will be pleased to know that my solicitor, Mr Tim Kelly of T. D. Kelly & Co., has already responded to the Director-General of the Department of Gaming and Racing, Mr Ken Brown, this afternoon. Part of that letter states:

It is we suggest something of a farce for the Minister to be urging the Parliament to pass legislation enhancing transparency and accountability in the conduct of the affairs of registered clubs in New South Wales if your department does not intend to enforce that legislation.

For completeness we should add that we have perused the Minister's second reading speech of 14 November 2003 and are unable to find any reference to the "guidelines" to which Mr Loewenthal refers.

Indeed the Minister said in that speech:

"Hence this Bill provides for changes that will prevent the disposal of major assets without a majority resolution of all members. When such disposal is approved by all members, it will also be required that it be done by way of public auction or open tender process. Failure to comply with these provisions will render the contract null and void."

### **NORTHERN BEACHES HOSPITAL PROPOSAL**

**Mr DAVID BARR** (Manly) [5.41 p.m.]: The subject of a hospital on the northern beaches has been ticking away for a long time and there have been differing political points of view as to where it should be located and the kinds of services it should provide. I am pleased to say today that the other three members on the northern beaches, that is the honourable member for Pittwater and Leader of the Opposition, the honourable member for Wakehurst and the honourable member for Davidson, and I have signed a statement of understanding in which we agree on general principles concerning the new hospital.

The basic agreement we have come to is that there should be two hospitals on the northern beaches, comprising a new general hospital to replace Manly hospital and an ongoing complementary role for Mona Vale hospital serving its local community. The new general hospital should be located near the population centre in the southern peninsula area within the general precincts of Dee Why, Brookvale and Frenchs Forest. The only point of difference between the three other members on the northern beaches and me is that they are opposed to the current Dee Why Civic Centre proposal—which is the preferred site although it is not definite yet—and I am not opposed to it. However, we are all in agreement that if that site is rejected by the current assessment process we will all support a location in the Dee Why, Brookvale, Frenchs Forest area.

My position on the Dee Why site has been that, on the face of it, it seemed like a very good location for the new hospital—subject to due planning process, subject to traffic studies and all the other sorts of studies. The real stumbling block now for that site is the heritage of the two existing buildings that were built in the mid-1960s and are described as a sort of precursor to the 1970's brutalistic style of architecture. It is not one I care for and I question the architectural value of them, but I am a layperson and I will not buy into that. We all agree that the final choice as to the site should be determined by experts with regard to various factors including the clinical needs of residents of the northern beaches, transport issues, traffic issues, local heritage, environment and the general amenity of the local neighbourhood, and that the final choice should be subject to proper professional assessment of all these sorts of issues in consultation with the community.

Finally, we agree that the Manly hospital site should support aged care services and accommodation in conjunction with other complementary uses. There is a chronic shortage of nursing home beds, and we all now believe strongly that the Manly site should contain a nursing home and other related aged care facilities. This agreement was signed by us this afternoon. I think the community will be pleased that the local members have united on this matter. It has taken a long while for that to happen. I am pleased that basically the position we have reached is pretty much the one I have considered to be appropriate for the northern beaches for a long time.

The matter is coming to a head. I believe it will not be long before a site will be named and plans put forward to the Minister to sign off on. I think we are getting very close to that position. I welcome it. It has been too long coming. There has been endless public consultation. There has been more consultation by Northern Area Health Service on this matter than by all the other health services put together. It has gone on and on. Rather than bringing people together, that process is often divisive because people worry about their particular facilities, and that has been the case at Mona Vale.

All along, my view has been that we need a good centralised general hospital catering for the 232,000 people on the peninsular, not a particular community at Manly or Mona Vale or points in between. The community is all those people on the northern beaches and it is in all our interests; everyone will gain from a good new hospital. I say to the Minister and the Government that it is time to move this matter on quickly and reach a resolution of the site and plans so construction of the hospital can begin soon.

**Private members' statements noted.**

**The House adjourned at 5.46 p.m. until Friday 12 November 2004 at 10.00 a.m.**

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