

LEGISLATIVE ASSEMBLY

Wednesday 8 December 2004

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

Mr Speaker offered the Prayer.

BUSINESS OF THE HOUSE

Inaugural Speech

Motion by Mr Carl Scully agreed to:

That the first item of business be the inaugural speech by the honourable member for Dubbo.

INAUGURAL SPEECH

Mrs DAWN FARDELL (Dubbo) [10.00 a.m.] (Inaugural Speech): This moment cannot help but be tinged with sadness. I stand here today in the same Chamber where almost two months earlier members farewelled the much-loved Independent member for Dubbo, Tony McGrane. I do not pretend to replace Tony but I am thankful that I have been given the opportunity to carry on his legacy and that his heartfelt wish for the seat to remain Independent has been granted by the people. Be assured that I take this responsibility very seriously—all the more because I knew the person from whose hands the baton has passed. His commitment remains a shining example both now and in the future.

No doubt Tony's sudden and tragic death is being felt more keenly through these tough times. We are in the grip of a savage drought, swarms of locusts have decimated crops and last week bushfires swept over 8,000 hectares of farmland around Alectown and Parkes. More than 900 head of stock was destroyed in what some are calling the district's worst fires in almost 80 years. Hardship can be a constant companion in these parts. Yet it would be wrong to suggest our communities are easily trampled by calamity; I am constantly astounded by their resilience and resourcefulness.

Within Parkes, Narromine, Wellington, Dubbo and all the towns and villages in between, abides an unquenchable determination to "get ahead". All that is required is the support of forward-thinking State and Federal Governments. For without vibrant rural communities the future prosperity of the whole nation is jeopardised. Having lived both east and west of the sandstone curtain there is one thing I know: we are all in this together. Thankfully our area can boast some recent wins. Last week came the long-awaited announcement of a \$10 million police station in Dubbo and \$200,000 for an Aboriginal security service. Finally, the way has been cleared for the \$3 million Police and Community Youth Clubs [PCYC] redevelopment. The health Minister has confirmed a new hospital will be built in Parkes—a tribute to the unrelenting efforts of the community, Mayor Robert Wilson, the health council and local media. Main Road 354, which runs between Narromine and Tullamore, has received an extra \$200,000 in funding and has been renamed McGrane Way—an acknowledgement of Tony's work with the local community and roads Minister Carl Scully.

I thank the Minister for his continuing interest in this project and will encourage him—often—to stick with it. I shall soon be knocking on his door over another matter of equal gravity: Main Road 353 in the Wellington Shire. That has been in desperate need of upgrading for some 50 years. Lest other Ministers think they are off the hook, my list is long. It includes, but is not limited to, commitments to passenger and freight rail, improved water supply, better youth facilities, and decentralised Government departments to boost jobs and take the pressure off a State capital bursting at the seams. I have already met with the mayors of the electorate and will continue to hold monthly talks so that the needs of their communities are continually brought before the Government.

Let me say it is a great honour to raise these matters in the oldest Parliament in Australia, a building steeped in history and tradition, and yet fitted with all the mod cons of our age such as airconditioning. We might wonder how we ever got on without it. Indeed, it is in stark contrast to the boiler-room conditions experienced in many classrooms at Parkes High School, about 360 kilometres west of here. Unlike the members of Parliament, students and teachers at the school are forced to work in temperatures hovering between 34 and

42 degrees. The lunchtime quadrangle can settle to a stifling 39 degrees in the shade. If students suffer heat stress, and some do, they can be carted off to the sick bay, which, because it is an administration area, is not airconditioned at all. Most members will recall Tuesday last week—a corker of a summer day if you happened to be bodysurfing off Bondi. In the physical education staffroom at Parkes High School it was 40 degrees. At the current rate it could take years to completely aircondition the school, and I urge the Government to fast track the program for the sake of our young people and teachers.

The person that stands before you today is somewhat changed. During the frantic three-week campaign I lost six kilograms. I walked much of it off in shopping malls, street meets, market days and climbing in and out of a minibus that took my team around an electorate covering 16,454 square kilometres. I have taken a load off physically but I am conscious of the great weight of responsibility that follows my election. Two issues stand out at this time: health and law and order. Let me tell the House how these issues affect real people. Recently I spoke with a man nearly 80 years of age who has cataracts on both eyes. He lives in a rural town with an invalid wife he cares for and a brother in a nursing home whom he visits regularly. At the moment he must rely on the goodwill of others to transport him around. His driver's licence comes up for renewal in a matter of weeks. Much depends on an eye operation, and he has already been waiting 12 months. As a pensioner he cannot afford the \$3,000 to go privately and at last count the operation had been cancelled twice at the local base hospital. Another woman I spoke with has been placed on morphine while she awaits a hip replacement, which is likely to take place at Katoomba in the Blue Mountains, hundreds of kilometres from family and friends.

A survey by the Australian Medical Association suggests the region is facing more serious shortages as specialists retire and are not replaced. Unless governments get serious about regional health services many small communities will be emptied and an even greater burden will be placed on Sydney's struggling hospital system. Once again, I am heartened to see our communities taking a proactive approach to their health needs. In the Trundle Cafe we came across a petition calling for the appointment of a nurse practitioner to strengthen the community's health services, particularly at a time when they no longer have a doctor. I have already raised the matter with the health Minister and the petition was tabled yesterday.

Crime in the region is a constant concern, but innovative programs are making inroads. The Police and Community Youth Club [PCYC] before school breakfast program, which I am involved in, is combating school truancy rates. One student's absences have been reduced from 92 days in 2003 to 19 this year. Support is also needed for the establishment of a "withdrawal room" at schools where students can be taught education rather than be suspended from school for bad behaviour. On the other side of the coin a cluster of businesses in Dubbo has developed their own crime response strategy to tackle theft. The Aboriginal Employment Strategy [AES] has had remarkable success since opening in Dubbo nine months ago, placing more than 120 Aboriginal people in jobs.

AES manager, Peter Gibbs, has also shared with me an exciting proposal to encourage more indigenous young people into the police force by establishing a local training base. It is a sad fact that many rural towns with significant Aboriginal populations have not a single indigenous officer in their ranks. Mr Gibbs's vision, which I share, would utilise the existing facilities at the Charles Sturt University campus and the new multilevel police station. These are the kind of innovative programs that will make our region great, if our governments will only support them. On a more personal note, it is often said that Balmain boys do not cry—well Balmain girls are pretty hardy too. I was born in that suburb and grew up in the western suburb of Panania.

Mr Alan Ashton: Hear! Hear!

Mrs DAWN FARDELL: Thank you. It was a good life filled with love and care, but few luxuries: My love always to my mother, Dot Erwin, and to my father, who passed away in June 2003. I was among the first group of women executives appointed by the Commonwealth Bank, only the third female deputy mayor elected in Dubbo, and the first female MP for the State seat. In that sense it has been a pioneering life. My husband, Leo, has been a great source of inspiration. He left school when he was 12 and went on to build a prosperous earth-moving business. Throughout the campaign, he was a constant comfort and support. The hour was never too late or too early for a scotch and for a campaign debriefing. If only the State Government could legislate a Leo in everyone's life—he is a great support.

To our three wonderful children—Jane, Alan and Veronica—who handed out leaflets, answered phones, painted signs, manned polling booths, fed and watered the volunteers and bought the biggest chocolate cake I have ever seen, you are my heroes. It was a diverse bunch that gathered in the backyard of the Fardell family home to celebrate the by-election. People from all walks of life were brought together. Many had lived in

the area for years and were meeting for the first time. A good number were novices who had cut their political teeth on this campaign, and came with nothing but the promise to give it their all, which they certainly did. Such unwavering enthusiasm was crucial to the result, and I thank them deeply. My unflappable campaign manager, Des O'Malley, often remarked that our opponents were always on the back foot, never knowing what we were going to do next—principally because, at times, we did not know ourselves. It certainly felt like that at times—a fast and furious seat-of-your-pants experience! But we never lost sight of the ultimate aim to keep the seat Independent, to be a voice for all, and to carry on the good work.

It is true that Independent campaigns are not as slick as some. There is nothing glamorous about a 15-hour day in a cramped office with one computer, an urn, a shared phone line and a dodgy email service. I am indebted to my campaign team—some of them raw recruits—for making the impossible appear effortless. To the other Independents, Federal and State, I am grateful for your advice, example and good humour during this period, in particular the member for Northern Tablelands, Richard Torbay, the member for Tamworth, Peter Draper, the member for Port Macquarie, Rob Oakeshott, and the member for Manly, David Barr—it is a great privilege to sit with them on the crossbenches. The Federal Independents, Peter Andren and Tony Windsor, have my deepest respect and admiration.

There have been very few opportunities to reflect on the by-election result. From day one, the phones have been running hot. I am fortunate that the windows of my electorate office look onto a picturesque pedestrian mall, without which I might not see sunlight from one day to the next. Indeed it was only a few metres from my office, and just two days after the ballot, that I enjoyed some rare down time with my campaign team over a late lunch outside one of the many fine cafés in Dubbo. An Aboriginal gentleman, who had been of great assistance in the weeks earlier, passed by and I called out to Frank, for him to join us. Unfortunately, he was on his way to an appointment. In any case he thanked me and remarked, "What a buzz—a politician calling out to a black man in the street." It brings me no joy to recount that incident. It tells me that there are still people in our community who, even today, feel unheard and undervalued, and people who find it remarkable that an elected representative should approach them in a public place.

But if the people's representative is not talking with the people, to whom are they talking—the party hacks, the pollsters, the bureaucrats? The great strength of Independents is that they have only one sounding board—the men, women and children of the electorate. It is their voices I want to raise in this Chamber during the remainder of this term, and for as long as I am fortunate to represent them. If sometimes I sound like a Parkes retailer, an Alectown farmer, a Peak Hill miner, a Trundle mother, a Narromine pensioner, a Wellington nurse or a Geurie digger—then all the better. They deserve to be heard. They have something valuable to say and, yes, they have solutions for the electorate of Dubbo and its vital place in the great State of New South Wales. I thank them for the opportunity to work and walk with them on this journey toward better days.

BUSINESS OF THE HOUSE

Bills: Suspension of Standing and Sessional Orders

Motion by Mr Carl Scully agreed to:

That standing and sessional orders be suspended to permit the introduction without notice, and progress up to and including the Minister's second reading speech, of the following bills at this sitting:

Photo Card Bill
Road Transport (General) Bill
Transport Administration Amendment (Public Transport Ticketing Corporation) Bill

SPECIAL ADJOURNMENT

Mr CARL SCULLY (Smithfield—Minister for Roads, and Minister for Housing) [10.16 a.m.]: I move:

That the House at its rising this day do adjourn until Thursday 9 December 2004 at 10.00 a.m.

Tomorrow the House will follow the normal routine of business and adjourn at the conclusion of private members' statements.

Motion agreed to.

MARINE SAFETY AMENDMENT (RANDOM BREATH TESTING) BILL

Bill introduced and read a first time.

Second Reading

Mr GRAHAM WEST (Campbelltown—Parliamentary Secretary) [10.17 a.m.], on behalf of Mr Craig Knowles: I move:

That this bill be now read a second time.

The Marine Safety Amendment (Random Breath Testing) Bill amends the Marine Safety Act 1998 to provide for random breath testing by police officers on New South Wales navigable waters. The bill implements a recommendation of the New South Wales Alcohol Summit and is a symbol of the Government's continued commitment toward the safety of the boating and general public on New South Wales waters. The effects of alcohol on boating can be devastating. Alcohol consumption can lead to diminished judgment, slower reaction in response times, reduced depth perception, reduced night vision and focus, and accelerated onset of hypothermia if a person who has consumed alcohol falls into the water.

Research conducted by the National Maritime Safety Committee has shown that alcohol has been involved in at least 35 per cent of all boating fatalities nationwide. In New South Wales alcohol has been a factor in more than 25 per cent of all boating-related deaths since 1992. Nearly one-quarter of those killed when alcohol was a factor returned an alcohol content in the high range of 0.15 grams of alcohol in 100 millilitres of blood or greater. In the light of such evidence, the Alcohol Summit recommended that the NSW Police investigate the feasibility of random breath testing in New South Wales waterways.

The Government's response to the Alcohol Summit indicated that legislation would be developed to enable random breath testing on New South Wales waterways during 2004. The Marine Safety Amendment (Random Breath Testing) Bill 2004 implements this commitment. Currently police have the power to conduct a breath test on a vessel operator only if there is reasonable cause to believe that a person operated a vessel, or supervised the operation of the vessel by a juvenile, while there is or was alcohol in that person's blood; or was involved in an accident which resulted in the death or injury of any person; or was operating a vessel involved in an accident which resulted in damage to property in excess of \$1,000 or damage to a vessel such that its seaworthiness or the safety of persons on board was compromised. The Marine Safety Amendment (Random Breath Testing) Bill 2004 will enable police to conduct random breath tests.

I will now describe the provisions of the bill in more detail. Random breath testing will apply to persons who were or are operating a vessel. In addition to a person piloting, steering or exercising control over a vessel, a person supervising a juvenile in control of a vessel may also be randomly tested. The existing definition of a vessel operator in section 20 of the Marine Safety Act will apply, which means that a person may be randomly tested if they are being towed by a vessel, whether on a water ski, aquaplane, paraflaying device or other device; or acting as an observer, for safety purposes, of any person being towed by the vessel.

Persons on vessels that are moored, berthed or at anchor will not be subject to random breath testing. Nevertheless, it would be prudent for persons in charge of a moored vessel to remain under the legal limit when on the water in case they need to move their vessel for any reason. To ensure consistency with the Road Transport (Safety and Traffic Management) Act 1999, the bill brings the drink-driving provisions applying on the water into line with those currently applying on the roads. NSW Police, NSW Health, the Roads and Traffic Authority and NSW Maritime all support consistency between the breath testing laws. Increased uniformity of legislation effectively removes any potential for confusion by the public, health care professionals and enforcement agencies, as there is only one set of requirements to observe.

To be consistent with roads legislation, the bill introduces new section 24 (1A). This section reduces the prescribed concentration of alcohol for persons under the age of 18 years from 0.02 to 0.00 grams of alcohol in 100 millilitres of blood. It is appropriate that the same levels of alcohol apply across both road and marine legislation. New section 24A of the bill means that the same defences are available on the water as on the roads for traces of alcohol detected in the blood following consumption of food or medicine. Currently the penalties associated with operating a vessel whilst under the influence of alcohol range from \$550 for a first offence in the low range to \$2,200 or 12 months imprisonment, or both, for a second or subsequent offence of operating a vessel with a high range prescribed concentration of alcohol.

To bring them into line with the road laws, these penalties will now increase to \$1,100 for a first offence in the low range to \$5,500 or two years imprisonment, or both, for second or subsequent high range offences. The bill will promote water safety by discouraging drinking and driving on New South Wales waterways. Although police alone will have the authority to conduct random breath testing, NSW Maritime will work with police to conduct joint patrols where necessary. NSW Maritime will also be responsible for developing new safety broadcasting messages and multilingual campaigns to promote responsible use of alcohol prior to the introduction of random breath testing. These campaigns will complement the regional and local boating safety education and compliance campaigns conducted by NSW Maritime. Over 90 such campaigns are conducted on various waterways annually. These programs address all aspects of boating safety including alcohol and boating issues and will be continued on a regular basis. I commend the bill to the House.

Debate adjourned on motion by Mr Peter Debnam.

CIVIL LIABILITY AMENDMENT (FOOD DONATIONS) BILL

Bill introduced and read a first time.

Second Reading

Mr GRAHAM WEST (Campbelltown—Parliamentary Secretary) [10.24 a.m.], on behalf of Mr Bob Debus: I move:

That this bill be now read a second time.

In 2002 this Government introduced broad-ranging reforms to the law of negligence. These reforms focused on ensuring a more sustainable approach to civil liability that provided solutions for people affected by the public liability crisis and protected the simple pleasures enjoyed by our community. The reforms also protect the good faith actions of people who come to the assistance of a person in danger or who work as volunteers. This bill responds to some further concerns about the possible legal consequences of good faith actions of those who provide food to some of most disadvantaged members of our community.

Charities are reporting that companies are now refraining from donating food. These companies believe that they may be subject to civil proceedings for liability for death or injury resulting from eating the donated food. Such concerns are not surprising given the climate of fear that seems to surround issues of public liability. The bill will address these concerns and provide protection from civil liability to those generous members of the community who donate food to charities. This protection will be provided where the food has been donated in good faith for a charitable purpose, with the intention that the person being given the food will not have to pay for it; and the food was safe to eat at the time it left the possession or control of the donor.

Those who donate the food will have an obligation to inform the recipient of any relevant handling requirements for the food, such as whether the food needs to be refrigerated. If the food is only safe to consume for a particular period of time, the donor will also have an obligation to inform the recipient of the relevant time limit. These provisions are similar to reforms introduced in Victoria. One Victorian charity now has a major supporter who donates about 50 crates of milk each week. This donor began donating only once legislation was introduced to clarify that food that is safe to eat can be safely donated, without fear of litigation. Many other charities also report a substantial increase in donations of food in the wake of the legislation.

Similar legislation has been passed in Canada and the United States of America. This legislation works effectively to support the important partnerships that have been developed between businesses and charities to benefit the community. The bill balances food safety considerations against the need to support the work of those who provide emergency relief food services to those in need. It will clarify the responsibilities of food donors and make this area of the law more accessible to the community. The bill will encourage businesses to donate good quality, nutritious food that they might otherwise throw out, as well as reduce rubbish collection costs. With the festive season fast approaching, I commend this bill to the House as a wonderful opportunity to support the goodwill of businesses and the work of charities.

Debate adjourned on motion by Mr Thomas George.

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (DEVELOPMENT CONTRIBUTIONS) BILL

Bill introduced and read a first time.

Second Reading

Mr GRAHAM WEST (Campbelltown—Parliamentary Secretary) [10.28 a.m.], on behalf of Mr Craig Knowles: I move:

That this bill be now read a second time.

I am pleased to introduce the Environmental Planning and Assessment Amendment (Development Contributions) Bill. This bill makes a number of significant amendments to the development contribution system under the Environmental Planning and Assessment Act 1979 and is an important legislative step in the reform of the New South Wales planning system. It demonstrates the priority of the Government in this critical area and is positive news in that it puts in place some innovative funding mechanisms to enable the provision of infrastructure and facilities. The bill will now lie on the table of the House and there will be further opportunity to discuss any specific issues that are identified. This will allow for consultation on the preparation of the draft regulations that need to be made prior to the commencement of the bill and the updating of guidelines contained in the section 94 contributions plans manual. The Government is committed to continuing to work with stakeholders in finalising the complete package.

Section 94 of the Environmental Planning and Assessment Act is the principal method enabling councils to levy contributions for public amenities and services required as a consequence of development. This may be the provision of new facilities for a new area, or may be the expansion of existing facilities where a developed area is growing. To make the system more transparent, since 1993 councils have been able to levy section 94 contributions only if they have prepared and exhibited a contributions plan. Before outlining the key elements of the bill, I advise the House that these reforms are the product of an extensive consultation process involving all key interest groups.

Section 94 of the Environmental Planning and Assessment Act has been under review for some time in response to concerns raised by the development industry and local councils. The merits of maintaining the existing system and making improvements have been explored, as have alternatives that are more or less prescriptive than section 94. A section 94 review committee reported to the former Minister for Planning, the Hon. Andrew Refshauge, in January 2000. As that report recommended a range of significant reforms, the Minister had the report published in May 2000 and submissions were invited from interested stakeholders. Following the formation of the new Department of Infrastructure, Planning and Natural Resources in 2003, the Minister for Infrastructure and Planning, and Minister for Natural Resources established a task force to look more closely at the way the section 94 developer contribution system currently operates and in particular the alternative mechanisms by which planning authorities may obtain a development contribution.

That task force strongly supported the intent and function of a well administered section 94 regime for funding local infrastructure, for which there is a nexus with new development. The task force also endorsed a number of improvements to the operation and accountability of the current system as well as the introduction of alternative approaches for obtaining development contributions. In a contemporary planning and urban management environment, section 94 is seen by both the development industry and councils as being too inflexible to deal with the uncertainties of development in some areas. The changes proposed recognise that the pattern of development is changing and that a differential approach to the levying of development contributions is needed.

For greenfield areas, the traditional section 94 contributions plan may be the most appropriate. However, in established inner areas, where there is little opportunity to acquire open space, or for small rural councils, where the administration costs associated with preparing a section 94 contributions plan may be exorbitant, application of a flat percentage levy may be the most suitable option. The reforms brought forward today aim to facilitate the means by which planning authorities may obtain a development contribution to be applied for a public purpose. In addition to obtaining such a contribution under the existing section 94 scheme of the Act, a consent authority will have the option of obtaining development contributions through a defined system of voluntary planning agreements, or imposing a condition of a development consent that requires developers to pay a percentage of the proposed cost of carrying out the development.

It will be up to the consent authority to determine which approach best suits its particular needs. If, for example, a council proposes to use the existing section 94 regime in its release areas but apply the flat percentage levy in its established town centres, it will set out those arrangements in a contributions plan so that an applicant can clearly see what the contribution rate will be for a certain development. I turn now to the provisions of the bill itself. I will cover first one of the specific amendments to the existing section 94 provisions. The bill includes a provision, in clause 93E, designed to clarify the legitimacy of a current practice by councils that allows them to sensibly manage their resources to get the maximum benefit from section 94 funds collected. That provision clearly authorises borrowing between section 94 funds.

In the Sydney region and around the State there is in excess of \$800 million locked up in section 94 contribution accounts, unable to be spent. This amendment means freeing up that money, which is trapped in local government accounts, for the provision of infrastructure. Each contribution plan usually involves raising funds for a number of facilities such as libraries, child care centres and local roads. Sufficient funds are rarely raised to allow all works to be carried out at the same time. Instead, as an interim measure, funds are often transferred between section 94 accounts in order to produce sufficient funds to allow councils to build priority works. However, there is no explicit recognition within the Act of the appropriateness of such borrowing or pooling of contributions.

The bill clearly authorises that monetary contributions paid in accordance with conditions of development consents for a particular purpose may be pooled and applied towards any other purpose for which a monetary contribution is required to be paid. This will promote efficient use of funds and is not designed to weaken the nexus. All borrowing should be accounted for and repaid and this provision is subject to the requirements of any relevant contributions plan or a ministerial direction setting out, for example, the circumstances and facilities for which borrowing will occur, accounting and reporting requirements, and information as to when the actual facility for which the contribution was originally raised will be provided.

Councils and industry groups supported this change on the basis that it provides flexibility and promotes efficient use of funds, provided there is transparency and firm arrangements for the restitution of funds. The pooled use of section 94 funds is a common and reasonable practice that makes for good financial management. Without it fewer facilities could be built, delays in their provision would multiply and councils would retain larger unspent section 94 funds. The practice of entering into planning arrangements to provide agreed infrastructure and appropriate public benefits, in addition to or as an alternative to section 94, is not new. Planning arrangements have existed for some years and in recent times have merged as a market response for development or redevelopment of large-scale sites in single ownership such as the Australian Defence Industries site at St Marys and in the Greystanes development.

However, the legal framework surrounding agreements is uncertain and the existing practice is often hidden from public scrutiny and is, therefore, unaccountable. The bill seeks to make best practice in planning arrangements common practice. The amendments set out in the bill clarify and make the approach less cumbersome by expressly acknowledging the role planning agreements play as part of the development contributions system. Planning authorities and developers will be able to voluntarily enter into planning agreements under which the developer is required to dedicate land free of cost, pay a monetary contribution or provide any other material public benefit, or any combination of them, to be used for or applied to a public purpose.

Planning authorities include local councils, the Minister, a development corporation or other public authority prescribed by the regulations. I stress that the governing principle for planning agreements is that they are intended to be voluntary arrangements between a planning authority and a developer. Planning agreements are particularly appropriate in the case of large-scale developments which have longer time frames and which are likely to be developed in stages and in situations in which the impact upon public infrastructure can be substantial and the developer has a key interest in delivery of public infrastructure.

In the case of such developments it may be necessary and reasonable for the developer to contribute to a range of non-capital added costs, including costs of ongoing monitoring of development impacts and the costs of environmental management, in order for the development to proceed. In many cases planning agreements have been the best way in which vital local and State infrastructure can be guaranteed. Planning agreements can offer different and better outcomes through efficiencies in the process or through innovation by the parties. By recognising the reality in legislation, the Government is regulating the nature and extent of the agreements and also regulating the way in which the agreements are entered into, publicised and reported on. For the first time there will be standards for planning authorities to meet when entering into planning agreements—whether making, amending or revoking them.

The bill will enable communities and the Government to scrutinise the public infrastructure decisions made by planning authorities. The absence of a regulated, fair and transparent system of planning agreements creates an environment conducive to some practices recently reported in the press. However, the system of planning agreements provided for in the bill will ensure that all arrangements between planning authorities and developers are transparent and in the public interest so that the public have the opportunity to comment to the responsible planning authority about the proposed planning agreement and that planning authorities are accountable in the collection and expenditure of funds and the provision of facilities.

The regulations will contain safeguards to ensure that there is no abuse of planning agreements by either planning authorities or developers. Planning agreements must promote the objects of the Environmental Planning and Assessment Act and the applicable environmental planning instrument. They must be directed towards a legitimate planning purpose and provide for a reasonable means of achieving that purpose. The public interest will be the overriding consideration. The procedures in the regulations governing the entering into of planning arrangements will be transparent, accessible and fair to all parties. They will provide for effective public participation and accountability and will protect the regulatory independence of the planning authority involved in negotiating an agreement.

Any evidence of corruption or maladministration in relation to planning agreements will be dealt with by the appropriate courts, the Independent Commission against Corruption, the Ombudsman, the Minister for Local Government or the Minister for Infrastructure and Planning, as appropriate in the circumstances. The key features of the scheme, set out in clauses 93F to 93K, include the provision that planning agreements between a developer and a planning authority would be voluntary. This is clearly spelt out in clauses 93C and 93F. It is important to understand that no planning authority can compel a developer to enter into a planning agreement before a development application [DA] is made or a development consent is granted.

Agreements can be entered into at either the rezoning or development application stage. In order to ensure open, transparent, accountable and consistent decision making, planning agreements must be weighed against other planning considerations when the consent authority determines an application. Hence, a planning agreement that accompanies a development application will be a matter for consideration under section 79C of the Act. Once a planning agreement has been made it will be legally binding and, if registered, bind successors in title and so be enforceable by planning authorities against subsequent purchasers to whom all or part of the land is on-sold by the developer. The agreement would clearly state whether it is an alternative to or co-exists with the usual section 94 contribution.

The State Government can be a party to, and receive contributions under, an agreement. In order to provide for flexible outcomes that best serve the public interest, there does not have to be a direct nexus or connection between development to which a planning agreement relates and the object of expenditure of any money required to be paid under the agreement. Unlike traditional section 94 contributions, a planning agreement is a voluntary arrangement that redistributes the costs and benefits of development through a process that involves public participation. However, clearly, money paid under a planning agreement must be applied for the purpose for which it was paid within a reasonable time.

Planning agreements can provide for infrastructure for a range of public purposes, not just those permitted by section 94. Public purpose includes the provision of, or recoupment of the cost of providing, public amenities or public services, affordable housing, transport or other infrastructure, the funding of resulting recurrent expenditure, monitoring of the impacts of development and the conservation or enhancement of the natural environment. A council may enter into a joint planning agreement with another council or another planning authority. An agreement will be publicly available and exhibited at the rezoning or DA stage as relevant. A copy of the agreement would also be lodged with the Minister or the council, in the event that one is not party to a planning agreement. It is recognised that a properly entered into planning agreement is a relevant consideration for the consent authority when determining a development application or rezoning land.

Acknowledging the voluntary nature of planning agreements, a developer cannot appeal to the Land and Environment Court against the failure of a planning authority to enter into a planning agreement or against the terms of a planning agreement. This approach is consistent with the current law that developers cannot appeal to the court in relation to matters concerning development applications about which they agreed or acquiesced. The bill will enable civil proceedings to be brought by any person in the Land and Environment Court to remedy or restrain a breach of a planning agreement under the Act.

Nothing in a planning agreement will be able to authorise a breach of any environmental planning instrument or development consent. This will ensure that the integrity of planning and assessment decisions is

maintained. As well, planning authorities will be prevented from converting planning agreements into mandatory requirements of a planning instrument. Planning authorities will not be able to include provisions in their environmental instruments that would force developers to enter into a planning agreement as a precondition to the grant of consent. Similarly, when negotiations between developers and planning authorities to enter into a planning agreement have failed, the planning authority is not able to refuse consent simply because the developer did not ultimately enter into a planning agreement. A planning authority may not issue a condition of development consent requiring a planning agreement to be made.

In addition, the regulations to be made following the passage of the bill will set out the circumstances in which planning agreements will be publicly available after they are made, their availability at the rezoning or DA stage as relevant and the form and subject matter of agreements. Ministerial directions about the negotiating procedures and other matters will also be able to be given. This will ensure that the new system is implemented reliably and that the planning agreements scheme will operate consistently amongst all planning authorities. The Department of Infrastructure, Planning and Natural Resources [DIPNR] will consult with stakeholders on the preparation of the supporting regulations that need to be made prior to the commencement of the bill. By recognising planning agreements under the Act, the Government will be able to set standards for best practice covering planning and public interest criteria that agreements must meet, as well as the way in which agreements are drafted and entered into.

A further major matter to be covered under the bill is a provision to enable the imposition of a fixed-rate levy. The recent section 94 task force was of the view that flat percentage levies can have a role in circumstances where the strength of either imposing section 94 contributions or entering into a planning agreement is not as great. This would be in situations, for example, where growth rates and development patterns are slow or unpredictable, and therefore accrual of section 94 contribution funds is slow, such as in established urban areas; where there are multiple owners undertaking dispersed and unrelated development; where there is little scope for the receipt of relevant land dedications or works-in-kind; where contributions cannot fund the high administrative demands relative to low outputs of a contributions plan in a slow growth area; or where the costs of needed infrastructure are relatively low and spread over time.

Councils generally agree that a flat percentage levy may be useful in limited circumstances, particularly in slow growth areas. However, the general use of a flat-rate levy would not recognise inherent differences between localities, community needs and the availability of existing infrastructure. By way of example, a flat-rate levies system has been operating in the city of Sydney for some years now. It has been an effective alternative to section 94 contributions due to the difficulties in establishing the strict nexus required for section 94 contributions in the city. The contributions raised assist the council in the provision of public infrastructure, community projects and facilities.

Under clause 94A, a consent authority can impose as a condition of development consent a requirement that the applicant pay a levy of the percentage of the proposed cost of carrying out the development. The levy must be authorised by a contributions plan. However, like planning agreements, there does not have to be a connection between the development the subject of the levy and the object of expenditure of any money required to be paid. Money required to be paid by such a condition is to be applied towards the provision and recoupment, extension or augmentation of public amenities or services. A consent authority will need to identify these public amenities or services in its contributions plan, including an estimated cost of each and an estimate of the proposed timing for their provision. A consent authority cannot in the same development impose a condition requiring the payment of both the percentage levy and a normal section 94 contribution.

Under the regulations to be made following the passage of the bill, I can foreshadow that the Minister will, amongst other things, set the maximum percentage of the levy at 1 per cent, as is currently the case under equivalent provisions applying to the city of Sydney, as well as prescribe the means by which the proposed cost of a development is to be estimated or determined. The Minister will also set out the requirements for councils to publicise and consult on their intention to adopt a flat percentage levy and report on the expenditure of money collected. The Minister will review this rate and the general operation of this provision in two years, following commencement of the legislation. Indeed, this means that there is a high level of accountability to ensure that the regulations adopted are fair and in the interests of all.

Let me be clear that although the Minister may prescribe the rate of the levy, it will be up to councils to choose whether or not they apply it in their local government area. The regulation-making powers provide sufficient protections to ensure that percentage levies operate within a clear, certain and robust planning framework, and to ensure consistent, reasonable and equitable application. Let me now return to the other major

changes to the current section 94 contribution arrangements. A further important position of the bill, clause 94C, concerns cross-council boundary contributions. Council boundaries and facility catchments do not always match. This can lead to inequities between council areas if a development significantly impacts on more than one local government area yet contributes to facilities only in the consent authority's area.

Under the current interpretation of section 94, a neighbouring council cannot levy contributions, nor can levies be spent in a neighbouring council area. This creates inequities as a development might pay one area's section 94 levies for new facilities while creating a demand for facilities in another area where no payment is made. The inability to impose cross-boundary levies also acts as a disincentive to the achievement of economies of scale and related efficiencies in providing facilities which are usually funded from section 94 contributions.

Examples of cross-boundary impacts where it would be reasonable to seek a contribution from developments include community facilities and contributions for cross local government area road or drainage works associated with major developments. The demand for these types of facilities or works would involve clear impacts on the neighbouring area and the need to supply the facility in both places. Duplication of facilities must be avoided. This will be achieved by compliance with the basic section 94 requirements to substantiate demand and demonstrate nexus with the facilities to be provided. The management of cross-boundary issues by councils will be assisted by improved regional and sub-regional planning, now being carried out in both the metropolitan area and regional New South Wales as part of the Government's planning reforms.

The bill allows for joint contributions plans to be prepared by two or more councils to clearly allocate demand in each local government area to substantiate the nexus with the facility that is the subject of the levy. The plan should also set out financial accountability processes for collection and distribution of contributions. A condition can be imposed for the benefit of an adjoining local government area and for the apportionment among the relevant councils of any monetary contribution required to be paid under the condition. A further matter covered by the bill is that section 94 contributions for the recoupment of the historical cost of previously provided public services and amenities will be able to be indexed in accordance with the regulations.

Finally, the bill re-enacts the development contributions provisions in the current Act and makes minor and consequential changes to those provisions. These are important reforms to the Environmental Protection and Assessment Act to improve the system of providing services and facilities required as a result of development. In short, the main object of this bill is to extend the means by which planning authorities may obtain development contributions to be applied for the provision of public amenities and services and for other public purposes. As an alternative to obtaining contributions towards public amenities and services through the imposition of conditions of development consent, as is currently provided for under section 94 of the Environmental Planning and Assessment Act, a council or other consent authority may, if authorised by a development contributions plan, impose a condition of development consent that requires applicants to pay a levy of the percentage of the proposed cost of the development.

In addition, planning authorities will be specifically authorised to obtain development contributions for any public purpose through planning agreements with a developer. I wish to thank all those parties that have contributed to the review process since 1997 when the Urban Development Institute of Australia published a report recommending changes to section 94 through to the recent detailed and extensive comments provided by local government and development industry interests on the draft legislative proposals. Finally, I assure stakeholders of the Government's commitment to continue consultation during the implementation phase of the bill. I note that the Department of Infrastructure, Planning and Natural Resources will consult with stakeholders on the preparation of the supporting regulations and the revision of guidelines on section 94 contained in the section 94 contributions plans manual. Apart from the matters already mentioned, these will also deal with issues like consistency in the format and preparation of contributions plans, the regular review of contributions plans, and better accounting practices. I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George.

ROAD TRANSPORT (GENERAL) BILL

Bill introduced and read a first time.

Second Reading

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [10.54 a.m.], on behalf of Mr Carl Scully: I move:

That this bill be now read a second time.

The Road Transport (General) Bill seeks to improve compliance within the heavy industry with load restraint, mass and dimension requirements for heavy vehicles as well as with fatigue and driving hours obligations. The bill extends liability for breaches of these requirements from truck drivers and/or operators to consigners, loaders, packers and owners, thereby establishing a so-called chain of responsibility throughout the road transport supply chain. The bill also provides the Roads and Traffic Authority with additional powers to search business premises with a warrant or by consent and to search trucks. To date, only truck drivers and/or operators have been held responsible for breaches of road transport laws. The National Transport Commission, however, recommended that uniform legislation be introduced by all States and Territories that would enable other parties in the supply chain to be held liable for breaches of road transport laws. This was approved by Australian transport and roads Ministers in November 2003.

This legislation has been developed to achieve a number of outcomes: to extend accountability to parties in the road transport supply chain other than the driver and transport operator who may bear significant responsibility for the occurrence of an offence; to strengthen enforcement powers and sanctions in relation to chain of responsibility investigations attached to the road laws; and to encourage parties to the road transport task to adopt active risk-management strategies to prevent breaches of applicable road laws. The main focus of the bill is to improve compliance with loading, mass and dimensions requirements as well as compliance with fatigue and driving hours obligations. However, the bill recognises that not all offences pose the same degree of risk to safety, infrastructure or the environment and therefore penalties need to be applied accordingly. An important concept in the new provisions is the extensive chain of responsibility requirements. Under the chain of responsibility, prescribed parties including consigners, packers, loaders or consignees of goods, drivers and operators of vehicles who had control over a step in the process of distributing goods by road may in relevant circumstances be legally liable for breaches of road transport laws.

These provisions recognise that to date drivers and operators have generally been the focus of enforcement action for breaches of road transport law. Under this new regulatory framework, those other parties in the transport chain who by their actions, inactions or demands put drivers and other road users at risk and gain unfair commercial advantages may also be committing an offence and liable to substantial penalties. In practical terms, this means it is essential that all parties in the supply chain need to be aware of the requirements of road transport law and have active systems in place to manage these risks to minimise the chance of road transport laws being breached. This legislation also mandates special requirements for the transport of containers by road. Accurate container weight declarations must be provided by the person defined as the responsible entity, namely, the person in Australia who consigns the container for transport or otherwise arranges its transport by road. Without a container weight declaration, a driver is not permitted to transport the container.

These provisions are designed to ensure that drivers and road transport operators receive the correct information to enable the selection of the appropriate vehicle to transport the container within the relevant legal mass limits. Liability for a mass, dimension and load restraint offence will apply in relevant circumstances unless a defendant can establish that he or she did not know and could not reasonably be expected to know of the contravention and had taken all reasonable steps to avoid a breach, even though he or she may not have been physically involved in the breach. This will apply both inside and outside road transport companies. Within the company those people identified with control over transport operations could be personally responsible and subject to large fines. Outside a company this may apply to any party who places unreasonable demands on others in the transport chain. This includes directors, senior management, employees and/or sub-contractors. In a departure from the national scheme, the bill provides a reasonable-steps defence for mass offences for drivers, operators and owners. The model bill provided this defence only for minor risk breaches.

This bill extends the available defence to substantial and severe risk breaches, but in limited circumstances where the load had been weighed or the defendant was in possession of sufficient and reliable evidence from which that weight was calculated. This is consistent with existing New South Wales provisions and encourages drivers, owners and operators to take specific active steps to prevent a breach of relevant mass requirements. In an effort to foster a culture of compliance within the heavy vehicle industry, these reforms include a range of new and innovative penalties that have been tailored to address specific types of offences. For example, the bill distinguishes between first-time offenders and systemic offenders with more serious sanctions for those who persistently break the law.

The new penalty regime is anticipated to act as a better deterrent to those who have been willing to break road transport rules for unfair commercial gain. Penalties will be both administrative and court-imposed. Examples of administrative penalties the RTA may issue include improvement notices, which identify improvements a business can make to its systems to ensure compliance. The bill also makes provision for the

issue of formal warnings which may be applied in certain circumstances where a minor breach—for example, a load restraint requirement—has unintentionally occurred. Infringement notices and court-imposed penalties for specific offences will also apply.

Courts will have the ability to impose a range of additional sanctions, including intervention orders, licensing and registration sanctions, prohibition orders, and, in appropriate cases, commercial benefits penalties. The model national provisions adopted in the bill will also allow recognition and effective enforcement in New South Wales of court-imposed and administrative sanctions imposed in other Australian jurisdictions, and vice versa. Importantly, whistleblower protection for people who assist with investigations or report breaches will also be in place as part of this new regulatory framework.

Heavy-vehicle driver fatigue is a major road safety issue in Australia. The extension of powers under this bill to investigate these offences will allow better enforcement of the existing provisions. Under the new provisions, greater enforcement powers may be granted to authorised officers to gather evidence and investigate or pursue relevant parties to offences relating to mass, loading, dimension and fatigue. These enhanced powers will be made available to specially trained officers of the Roads and Traffic Authority. In certain circumstances authorised officers will also be able to stop, direct, or move a heavy vehicle. They will also be empowered to inspect or search heavy vehicles for compliance purposes, and to inspect business premises for compliance purposes.

The bill also allows authorised officers to search premises, with the consent of the occupier or under the authority of a search warrant, if the officer believes on reasonable grounds that evidence of an offence is present, or if a vehicle connected with the premises has been involved in an accident causing death or personal injury or damage to property. The inspection and search powers do not apply to unattended or residential premises without consent or a warrant. For the first time, officers will be able to search heavy vehicle cabins on the roadside without a warrant if a breach of road transport legislation is suspected. Authorised officers will also be empowered to direct responsible persons to produce records, transport documentation, or information about a vehicle, combination, or load, and to require reasonable assistance in performing their duties.

The bill will give enforcement agencies in New South Wales the tools to move to a more systematic and strategic approach to enforcing road transport laws, particularly where non-compliant parties are gaining a commercial advantage over compliant parties. Parties in the supply chain other than drivers and operators will now be required to take an active approach to ensuring that the road freight task is undertaken in compliance with relevant road rules. This will ultimately lead to safer roads, protect our infrastructure, and provide a level playing field for the delivery of the growing freight task in New South Wales. I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George.

ROAD TRANSPORT LEGISLATION (SPEED LIMITERS) AMENDMENT BILL

Bill introduced and read a first time.

Second Reading

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [11.04 a.m.], on behalf of Mr Carl Scully: I move:

That this bill be now read a second time.

The purpose of the Road Transport Legislation (Speed Limiters) Amendment Bill is to allow the delivery of sanctions to persons who allow their heavy vehicles to travel at excessive speed due to speed limiters that are faulty or not functioning as they should. The community is concerned about speeding heavy vehicles in this State, and it rightly questions how a truck supposedly speed limited to 100 kilometres per hour can possibly overtake a car doing 110 kilometres per hour. Roads and Traffic Authority [RTA] speed surveys on major freight routes in New South Wales show that almost 4 per cent of heavy vehicles are travelling at over 115 kilometres per hour. In theory, these speeds should not be possible, but clearly they are for some trucks. Speed limiters were introduced in 1991 to limit the maximum speed of heavy vehicles. They form an important part of the heavy vehicle speed management strategy.

There is strong anecdotal evidence that speed limiters on some heavy vehicles are being tampered with to allow heavy vehicles to exceed 100 kilometres per hour. It is clear from the public's experience and RTA

surveys that this is occurring. Responsible heavy vehicle operators must have policies and systems in place to monitor the speed of their vehicles. Operators who recklessly set unattainable timetables, encourage their drivers to speed, and allow their speed limiters to be tampered with, will no longer be able to do so with impunity. This forms part of the Government's overall heavy vehicle reform strategy, which will focus on ensuring that all parties along the chain of responsibility are held accountable for their actions. The legislative framework for the bill will provide the general power to make evidentiary regulations in relation to speed limiters. The responsible person for a vehicle will commit a speed limiter offence when a heavy vehicle, which is required by law to be speed limited to 100 kilometres per hour, travels at a speed in excess of 115 kilometres per hour.

Currently, under clause 140 of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999 a person must not cause, permit, or allow a heavy vehicle which is required to be speed limited to be used, unless the speed at which it can be driven is limited to 100 kilometres per hour. As the law stands, however, the fact that a vehicle is detected travelling at more than 115 kilometres per hour is not sufficient evidence that the speed limiter is not functioning as required and that the responsible person has not met their duty. The passing of this bill will change this, so that it will be clear that heavy vehicles that speed in a manner that is impossible with a functioning speed limiter, will be deemed not to be speed limited, and that the responsible person is at fault.

The bill will apply to vehicles irrespective of whether they are registered in New South Wales, and to drivers of those vehicles and persons responsible for them. It is important that the sanction apply to interstate vehicles as well as those registered in New South Wales, as an estimated 80 per cent of interstate freight travels through New South Wales. The passing of this bill will provide for an offence by the responsible person when a heavy vehicle which is required by law to be speed limited to 100 kilometres per hour travels at a speed in excess of 115 kilometres per hour.

Two defences have been proposed. Firstly, it will be a defence to a prosecution for the new offence if the defendant proves that the vehicle was a stolen vehicle, or had been illegally taken or used; or, secondly, if the vehicle is speed limited as required but the circumstances in which it was travelling at the time meant that the speed limiter did not operate to limit the speed to 100 kilometres per hour. The latter defence recognises that the gradient of a length of road or road-related area may in certain circumstances affect the speed of a vehicle even if it is properly speed limited. The speed limiter offence will apply at the time the speeding over 115 kilometres per hour is detected, either by a police officer or by a speed camera. The Roads and Traffic Authority will provide NSW Police with information on the gradients of major freight routes in New South Wales so they will be able to apply this sanction at appropriate sites.

The traffic infringement notice to accompany the offence will impose a fine of \$1,550. This penalty will be on top of the appropriate speeding fine for the driver. If the responsible person elects to go to court, the offence is punishable by a maximum penalty of 30 penalty points, which is currently \$3,300, for an individual, or 150 penalty units, \$16,500, for a corporation. This bill sends a strong message to heavy vehicle operators that they must have policies and systems in place to monitor the speed of their vehicles and ensure they are appropriately speed limited at all times. I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George.

HEALTH LEGISLATION AMENDMENT (COMPLAINTS) BILL

In Committee

Consideration of the Legislative Council's amendment.

Schedule of the amendment referred to in message of 17 November

Page 16, Schedule 1 [30], line 21. Omit "that is". Insert instead "knowing that it is".

Legislative Council's amendment agreed to on motion by Mr Tony Stewart.

Resolution reported from Committee and report adopted.

Message sent to the Legislative Council advising it of the resolution.

HEALTH SERVICES AMENDMENT BILL**In Committee****Consideration of the Legislative Council's amendment.**

Schedule of the amendment referred to in message of 18 November

Page 6, Schedule 1 [2]. Insert after line 5:

29A Annual report

- (1) As soon as practicable after 30 June (but on or before 31 December) of each year, the chairperson of an area health advisory council is to provide the Minister with a report on the performance by the area health advisory council of its role and functions under this Act during the period of 12 months ending on 30 June in that year.
- (2) The report is to include performance indicators to measure the area health advisory council's success in the performance of its role and functions under this Act.
- (3) The Minister is to cause the report to be laid before both Houses of Parliament as soon as practicable after receiving the report.

Legislative Council's amendment agreed to on motion by Mr Tony Stewart.

Resolution reported from Committee and report adopted.

Message sent to the Legislative Council advising it of the resolution.

SMOKE-FREE ENVIRONMENT AMENDMENT BILL**In Committee****Consideration of the Legislative Council's amendment.**

Schedule of the amendment referred to in message of 7 December

No. 1 Page 7, Schedule 1 [11]. Insert after line 18:

- (f) the determination of what is a room (including a bar room, gaming machine room or recreation room) for the purposes of this Act.

Legislative Council's amendment agreed to on motion by Mr Tony Stewart.

Resolution reported from Committee and report adopted.

Message sent to the Legislative Council advising it of the resolution.

PHOTO CARD BILL

Bill introduced and read a first time.

Second Reading.

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [11.17 a.m.], on behalf of Mr Carl Scully: I move:

That this bill be now read a second time.

The purpose of the Photo Card Bill is to authorise the Roads and Traffic Authority [RTA] to introduce a New South Wales photo card for those who do not hold a drivers licence, a proof of age card, or other form of identification such as a passport or a New South Wales photo birth card. The New South Wales photo card will be a voluntary card and will be available to residents of New South Wales aged 16 years and above who do not hold a drivers licence. The New South Wales photo card is not an Australia card. The card will be purely

voluntary and will help those in the community who have a need for a photo card but cannot have one because they do not fit the criteria for other photo identification. For example, they may not be medically fit to hold a drivers licence; they may be older than 25 years of age and cannot obtain a proof of age card; or they may not be born in New South Wales and cannot obtain a photo birth card. The card will provide New South Wales residents who do not hold a drivers licence with a document that will assist them to establish their entitlement to rights and privileges in the community.

Many people often have a need to produce some form of personal identification in order to secure goods and services. Businesses and government agencies also rely on a photo identification document to provide assurance that the person they are dealing with is who they say they are. The New South Wales Government has been approached by numerous community groups asking for a New South Wales photo card. The RTA will also undertake a community education campaign to inform people about the purpose of the card. The New South Wales drivers licence was designed specifically to achieve driver management goals. Over recent years the New South Wales drivers licence card has increasingly been relied upon as a trusted and reliable photo identification document. This has placed an obligation on the Government to ensure that people who are unable to obtain a drivers licence for whatever reason are not unfairly disadvantaged. The voluntary New South Wales photo card will make it easier for older people and people with disabilities who require photo identification but cannot obtain a valid photo identification document.

The card will replace the existing proof of age card, which will be phased out over the next three years, and it will contain security and design features that will assist service providers in establishing evidence that a photo card holder is at least 18 years of age. The bill will enable the RTA to produce photo cards under different eligibility requirements. These include requirements that only New South Wales residents may apply for the voluntary card and that a resident may not hold both a New South Wales photo card and a New South Wales drivers licence. The eligibility requirements and the customer enrolment and proof of identity processes used by the RTA to establish entitlement to the photo card are consistent with New South Wales and national strategies to prevent identity fraud. The RTA will apply stringent proof-of-identity checks on each individual and will implement a new technical capacity to ensure that the photo image management regime is of the highest integrity and security. The bill will enable the re-use of the latest valid photo images for the purposes of the Government licensing service. Business rules will be consistent across both schemes.

The bill will also enable the RTA to adapt the photo card to incorporate future developments in security technology that will help prevent identity fraud. The RTA is at the forefront of national strategies to protect the integrity of these systems, which in future may include the use of biometric indicators and anti-tampering and anti-forgery technologies. Of course biometric indicators would only be introduced after proper community consultation and would be strictly regulated under legislation or regulation. It is desirable that any technological solutions in these areas should be developed nationally to ensure compatibility and interoperability between jurisdictions.

In developing the New South Wales photo card, the RTA has sought a co-ordinated and co-operative national approach to maximise work being undertaken to prevent identity crime. The bill authorises the RTA to refuse an application for the issue of a photo card in circumstances when the RTA forms the opinion that the applicant is not a fit and proper person to hold such a card. The bill also provides the RTA with the power to cancel a photo card. Grounds for such cancellation action will be prescribed by regulation and will include fraudulent use of a photo card and misuse of a photo card.

The cost of the card will be \$40 for a five-year period. This will ensure that the full cost of the card is recovered and that improvements to the security of the card can be introduced over time as new technologies emerge. The RTA will index the photo card fee annually from 1 July to ensure that cost recovery is maintained, applying the consumer price index in line with other RTA fees and charges. Given the voluntary nature of the card, no concessions will be available. However, if an elderly holder of a New South Wales drivers licence is directed to surrender his or her licence on medical or age grounds, the fee for the photo card may not apply. It is worth noting that the current proof of age card and the birth, deaths and marriages photo birth card do not have pensioner concessions. The New South Wales photo card will provide real benefits to a large number of New South Wales resident, and I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George.

BUSINESS OF THE HOUSE**Private Members' Statements**

Leave granted for private members' statements to be noted until 1.00 p.m.

PRIVATE MEMBERS' STATEMENTS

YOUNG DRIVERS SAFETY

Mrs KARYN PALUZZANO (Penrith) [11.24 a.m.]: Recently there has been a lot of discussion in the media about possible ways to reduce the number of young drivers and passengers being killed on New South Wales roads—and with good reason. Drivers aged between 16 and 20 years represent only 7 per cent of all drivers but are involved in 18 per cent of fatalities. The same 7 per cent are involved in 20 per cent of fatal crashes that occur between 10.00 p.m. and 2.00 a.m. With young driver safety in mind, I have been out and about in the Penrith community, speaking to the youth of Penrith and asking for their ideas about this issue.

Every month the Penrith Student's Forum gathers in my office in Penrith. The group decided to write to all 36 schools in the Penrith electorate, though our interest was mainly in the high schools, seeking feedback on young drivers and young driver safety. The forum received more than 100 submissions. Those submissions were collated into various categories, including curfews, power-to-weight ratios, driver education, the media, and other aspects relating to driving licences for young people. I invited a group of young people from Penrith to visit Parliament during a sitting week when the Minister for Roads accepted the submissions from Penrith's youth. Following that we were able to organise another forum at a local school, Jamieson High School. The Minister to Roads attended the forum and met with the more than 30 year 10 and year 12 students to discuss these issues.

I appreciate that the Minister for Roads took the time to listen to these students, who, in an open and honest way, talked about their own driving habits and about their experiences as young drivers. It was interesting to note that the idea of imposing driver curfews in the Penrith area was not given a tick of approval. This was because many local young people have jobs that require them to work beyond 10.00 p.m. In addition, a number of young people who have apprenticeships are required to travel early in the day. That issue was also discussed with the Minister.

I was very proud of the comments made by these young people about driver education. As I said, most fatal road crashes involving young people occur between 10.00 p.m. and 2.00 a.m. The forum noted that young drivers in New South Wales are not required to undergo driver education. I thought it was a very valid point that education should relate to driving at times of high risk for young people, and that it should be a requirement to gaining a driving licence to drive in the evening or at peak times.

The young people also raised the suggestion of limitations on passenger numbers, a more extensive testing process, and greater education in schools. It was interesting to note that they considered the power-to-weight ratio issue. They noted that a motorcycle licence is limited to experience and the type of motorcycle you can ride, and they contrasted that with there being no restriction on a less experienced person driving a powerful the car. It was refreshing to note.

I would also like to add that, following the discussion and the input I received from school children within the Penrith electorate, in the near future I will also seek input from young people who are working, those aged from 18 to about 25, about young driver safety. I hope they will be able to make submissions to the young drivers forum and add their voices as clearly and concisely as those from Nepean High School, St Dominic's High School, Jamieson High School, and Penrith Anglican College. I commend the young drivers from Penrith.

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [11.29 p.m.]: I thank the honourable member for Penrith for bringing this important issue to the attention of the House, and particularly for highlighting the importance of the youth forums on driver safety being conducted throughout the State by the Minister for Roads. I also thank the Minister for listening to young people and for being receptive to their ideas, which, as the honourable member for Penrith said, are important. They are good ideas and they demonstrate a level of responsibility on the part of young people that needs to be encouraged.

As the Minister for Roads said to me in my capacity as Parliamentary Secretary for Roads, it is giving young people ownership and a sense of responsibility and accountability in relation to changes to encourage safety among young drivers. The honourable member for Penrith highlighted the importance of that process and how young people in her electorate have been part of the decision-making process that the Government is putting into place. That ownership and accountability is part of democracy. I am pleased to be part of a government that is prepared to listen before it delivers.

MUDGEES TAFE AND POLICE AND COMMUNITY YOUTH CLUB BUILDING PROJECT

Mr GEORGE SOURIS (Upper Hunter) [11.30 a.m.]: I am pleased to advise the House of a special and successful project in Mudgee. The handover of a four-bedroom, brick-veneer house occurred in Mudgee on Saturday. The house was constructed by 17 pre-apprenticeship building students at Mudgee TAFE college as a joint venture between the college and the Mudgee Police and Community Youth Club [PCYC]. The PCYC was acting more or less as a client of the college, which constructed a house that would ultimately be auctioned, with the net proceeds going to the PCYC. Fortunately, Sue Peterson and Greg Peterson, the honorary treasurer of the PCYC, who are not without means, were able to provide the interim funding required to enable the PCYC to undertake the project. About \$350,000 was involved and the project, which was under construction for about six months, has come to fruition with the completion of a very well constructed house. In fact, I had the pleasure of inspecting it on Saturday. It is a four-bedroom house with built-in wardrobes in all the bedrooms and an en suite off the main bedroom. It will be auctioned in late January and the proceeds will cover the temporary finance and provide surplus funds to the PCYC.

I believe that this is the first time that a TAFE and a PCYC have undertaken a joint venture of this type in the State. It has been so successful that Greg and Sue Peterson have agreed to finance a second building. I understand that it will be a duplex home and that it will be constructed in 2005. Once again a group of pre-apprenticeship students will be involved. Of the 17 students involved in the recent project, 15 have already gained full-time employment in the building industry and the other two have pursued careers in unrelated fields. It has been a wonderful experience for all involved. It is not the first time I have seen pre-apprenticeship students from Mudgee TAFE college construct buildings on behalf of clients. Usually the client has been the Department of Housing and the buildings have been constructed for the community tenancy scheme. The students have also constructed houses, flats and units for the aged hostel in Mudgee. On this occasion, for the first time, the partnership has involved the PCYC.

I give particular credit to Geoff Hawes and Jason Boxsell, the teachers involved in the project. Geoff has participated in the scheme since its establishment, and I have attended about five handover ceremonies over the years. It is always a great pleasure to acknowledge the involvement of the students and teachers and to inspect the superb buildings they have constructed. I commend this type of partnership project to other areas of New South Wales. It is the only such project that I am aware of that has occurred in my electorate. It sets a good example and provides a template for other TAFE colleges throughout the State. I congratulate all involved, including the many businesses which contributed time and made donations to the project. On the day \$5,000 was handed over by Mr Phil Petrie of Mitre 10 on behalf of 40 businesses in the Mudgee area. That is a wonderful result and Mudgee should be proud of it.

METELLA ROAD PUBLIC SCHOOL

Ms PAM ALLAN (Wentworthville) [11.35 a.m.]: I refer the House to the provision of airconditioning and a power upgrade at Metella Road Public School in Toongabbie in my electorate. The school has an excellent, active and generous parents and citizens association. In 2003 the association, in conjunction with the school, funded airconditioning for a number of classrooms. The worst affected classrooms were airconditioned initially and, as at March 2004, plans were in place for airconditioning the remaining 11 classrooms. The association contributed almost \$6,000 for the project, which is yet another of the many it has conducted for the local school community. It has funded other infrastructure improvements at the school, including weather protection, an all-weather court, sports equipment storage, maths and English programs, and library resources. It also paid for a security fence around the school before the Government decided to provide such fences. The association often provides between \$15,00 and \$20,000 annually.

The school community is experiencing enormous tension about continuing the provision of airconditioning for the classrooms. The problem is not insufficient funding; the association has the necessary funding and the Toongabbie Christian Community School has offered to donate funds. There is tremendous support within the school community for the airconditioning project to be completed. Unfortunately, in the

process of providing the airconditioning it has been established that the school's power supply is not adequate to meet the demand that will be placed on it when the 11 extra classrooms are airconditioned. As a result, the Department of Education has undertaken a study to establish the cost of upgrading the school's power system. It is estimated that the work would cost \$150,000, which is a significant amount. In March this year, Dave Clarke, the president of the parents and citizens association, wrote an extraordinarily polite letter to the Minister for Education and Training pointing out that the association had the money to spend but that it could not do so because the school needed a power upgrade. He received a reply from the Minister indicating that the power supply upgrade would not happen in the near future and that the school would have to wait for future capital works priorities to be determined. That means the capital works priorities for next financial year, not the current financial year.

Not surprisingly, the situation became a major issue during the recent Federal election campaign. Metella Road Public School is in the Federal electorate of Greenway, which, as honourable members know, was hotly contested by the Coalition and the Labor Party. Louise Markus, a member of the Federal Coalition, is the new local member. In her maiden speech delivered only last week, she noted the contribution of Dave Clarke, the president of the parents and citizens association, and the raising by the school community of tens of thousands of dollars to buy the airconditioning system for the students. She also noted that the power supply is inadequate to run it and that the State Government "refuses to pay for an upgrade". I am not sure that is an entirely accurate assessment. She also notes that the Federal Government has indicated that this money could become available under its new \$700 million program for government schools and parents and citizens associations.

I congratulate Louise Markus on her maiden speech and hope that she continues her campaign on behalf of the school community in Metella Road to make sure that the power upgrade can be provided. During the very hot weather last week I received a number of hostile emails from parents who were concerned about the ongoing lack of airconditioning in a number of classrooms. That does not let the State Government off the hook, of course, and it is important that the Minister for Education and Training and the Premier know that this power upgrade must be dealt with. I will certainly continue to campaign on behalf of the Metella Road school community to make sure the school gets the power upgrade as soon as possible.

PARLIAMENT HOUSE YOUTH FORUM

Mr STEVEN PRINGLE (Hawkesbury) [11.40 a.m.]: A few months ago a youth forum was held in this place. It was arranged by my office and various members of the community. More than 90 young people from a variety of backgrounds attended. I mention specifically a number of those who attended and the schools they represented. Some of those schools were Windsor High School, Richmond High School, Colo High School, Hawkesbury High School, Galston High School, The Hills Grammar School, Northolm Grammar School, Marian College, Redfield College, William Clarke College, Bede Polding College and Arndell College. That is quite a wide cross-section.

A range of local community leaders were also present. They included Councillor Neville Wearne from Hawkesbury City Council; Senior Constable Brett Barnes, the Youth Liaison Officer with the Hawkesbury Local Area Command; Sharon Stone from the Hawkesbury City Chamber of Commerce, which is keen to get involved in youth issues; Kirsty Lewis, the Hawkesbury City Chamber of Commerce youth officer, which again shows the chamber's commitment to youth issues; Belinda Spalding and Melissa Day, youth workers from the Hawkesbury church at Windsor—they were excellent facilitators; Nita Van Der Steen from Bligh Park Youth Service; and Kate Lumby from the Wayside Chapel. In addition, and very importantly, the Leader of the Opposition and the Federal Attorney General attended. They mingled with the various youth ambassadors and provided some good ideas on local issues.

The number one issue by a long shot that was raised by virtually everyone in the room was the potential for restrictions on P-plate drivers. The general agreement was that such an idea was totally impractical and that it disadvantaged people working in the building industry—for example, those who need to be at work at 7.00 a.m., those going to TAFE colleges and those involved in the restaurant industry. How the lack of public transport in the Hawkesbury area impacted more strongly on the young than the wider population was also particularly identified. Forum participants also spoke about the need to have more money spent on driver education programs that can effectively equip young drivers with the skills and knowledge they need so much. I note that the honourable member for Penrith mentioned that issue earlier. Rotary's U Turn the Wheel Program received a great deal of support during and after the meeting.

I also mention the implications of the dramatic increase in TAFE fees in the recent State budget. Those on this side of the House strongly opposed those increases. It emerged from the forum that TAFE courses often do not cater for young people who left school in year 10 and that more money needed to be spent on education to address the skills shortage. Thanks to the Federal Government, unemployment levels have dropped dramatically to one of the lowest in 30-odd years. As a result, there is a range of skills shortages. Young people want to try to remedy those shortages, but, unfortunately, often the courses are not available or their cost is simply far too high. Young people want to get into some of the higher paying jobs in finance, information technology and the many service sectors of the economy. However, not enough traineeships and apprenticeships are being provided.

The need for a more strategic approach to the provision of some local youth services was also mentioned. Andrew Wheatley, the captain of William Clarke College, is involved with the Baulkham Hills Shire Council Youth Centre. I commend the council for its action in this area. It is certainly working with service providers from a large cross-section of the local government area, both government and non-government organisations, to develop a management plan for the new centre that incorporates many local government service providers. The new youth centre will develop into a one-stop shop model—a model that I believe everyone in this House would favour—so that we are able to provide for drivers' needs and other requirements of young people.

The data and evidence collected so far during the trial of the model indicates that the trial has certainly been a positive initiative, and I commend those involved in it. The model ought to be supported and more State Government funding is needed for such a youth service. It is also important to mention the isolated areas of the shire, those rural areas that are particularly disadvantaged by the lack of services and public transport. As would be expected, there was a wide range of opinions about drugs and alcohol, one of the final issues the young people considered. However, the majority, including myself, expressed their opposition to the Kings Cross injecting room. [*Time expired.*]

MANGROVE MOUNTAIN COUNTRY FAIR

Ms MARIE ANDREWS (Peats) [11.45 a.m.]: Today I place on record the wonderful community spirit of the local residents of the mountains district on the Central Coast. I am sure honourable members on both sides of the House will be interested to learn that since 1963 the local residents have banded together to run the Mangrove Mountain Country Fair. The original purpose of running the country fair was to raise funds to support the bush nurse centre. After the New South Wales Health Commission, as it was then called, agreed to fund the bush nurse in 1975, the various community groups involved in running the fair decided that it should continue.

I am pleased to inform the House that since 1975 approximately \$300,000 has been raised and distributed to a number of local community projects. In the best year for the country fair \$21,000 was raised. A number of community projects have benefited from the country fair, including the preschool centre at Mangrove Mountain, community halls, the sports centre, local schools, the pony club, the girl guides, and the scouts. In more recent years funds have gone towards the construction of a beautiful playground area and a skateboard park, both conveniently located within the sports ground area.

The current goal of the organising committee is to raise funds for an indoor sports centre. I am indebted to Sue Douglas for providing me with the notes to which I am referring to make this private member's statement. Sue and Phil Douglas, who are long-time residents of the mountains district, have been at the forefront in organising the Mangrove Mountain Country Fair for many years. There are approximately 40 groups involved in organising the fair both in the lead-up to the day and on the day itself. I was there on Saturday 23 October, a beautiful day, and, once again, it was a most successful event. The Mangrove Mountain Country Fair has gone a long way towards helping the rehabilitation of that area following the devastating outbreak of Newcastle Disease in 1999. I know that the honourable member for Mount Druitt, who was then the Minister for Agriculture, who is in the Chamber, visited the area on that terrible occasion.

The fair shows off the local residents' talents and many bargains are available. Of course, the local people are terribly friendly. The fair attracts a number of non-local visitors, including a number from other parts of the Peats electorate down in the Woy Woy peninsula, for example, and, indeed, a number of people from Sydney come up. Many have only just discovered the fair and they have been enjoying the country atmosphere and the wonderful little country fair that it is. It is an occasion of great rivalry and competition between axeman, archers, crate climbers, stallholders—there is an award for the best stall of all—and children to see who has the most prize money to spend.

The Helen Fitzsimons Memorial Family Aggregate Awards are hotly contested from first to fifth places. The family aggregate is awarded to the family with the most points scored, based on the places gained in all the arts, crafts and photography categories. Indeed, I describe those awards as the equivalent of a mini Royal Easter Show. Helen Fitzsimons and her husband were farmers and were very active in the local community. Helen's memory lives on through this award. I point out that Peter Fitzsimons, who is Helen's son, wrote the autobiography of Kim Beazley, former Federal Labor Leader of the Opposition.

I pay tribute to some of the people who have been involved in the fair for many years. Ed Morris and Zac Sidiropoulos run the chocolate wheel, but, unfortunately on this occasion Zac's wife, Sue, was not well and they were not able to attend. However, I know that Zac and his family contribute significantly to the Mangrove Mountain Country Fair, as do George and Georgia Sidiropoulos and their family, Ed Morris, Reg Bennett, Phil and Sue Douglas, Sharon Peruch, Peter Callaghan, the boys and girls from Mangrove Mountain Fire Brigade, Andrew Smith and Peter Dean. I also pay tribute to Lorraine and Roger Wilson, Annette and Brian McKelvey and a number of people who, unfortunately, I do not have time to mention. I place on record my appreciation to everyone involved in the Mangrove Mountain Country Fair. [*Time expired.*]

MERCY COMMUNITY CARE

Mrs JUDY HOPWOOD (Hornsby) [11.50 a.m.]: It gives me great pleasure to speak about Catholic Health Care Services in my area and, more specifically, the Mercy Community Care group. Recently I attended two important events. First, on 30 November I attended the launch of a day care program set up for elderly Lebanese people under the auspices of Mercy Community Care and St George Maronite Church. Second, a couple of nights ago I attended a dinner to thank volunteers. Kerry Lovell is in charge of Mercy Community Care volunteers and well over 100 volunteers were recognised for their work at that enjoyable evening.

Mercy Community Care is a division of Catholic Health Care Services. It provides community services to frail elderly people, people with a disability, and people with dementia and their families in northern Sydney. Currently, Mercy Community Care provides services to 900 people from two offices based at Waitara and Crows Nest. Mercy Community Care has 130 staff and 140 volunteers, who work in partnership with individuals, families, communities and other services to support people to live in their own homes and local communities. The focus is on assisting people who are vulnerable and in crisis, socially isolated or have dual diagnoses or complex care needs. Supporting them to maintain their skills, interests and activities while providing care and support is a mainstay.

The complex care services include case management and transitional care from hospital to home; dementia care services, including counselling and information, support for younger people with dementia and dementia-specific day care; carer support; respite care, including day care programs; personal care; and domestic assistance. Current new projects include the establishment of the Lebanese Maronite Day Care Program, in partnership with the St George Maronite Church at Thornleigh; the living conditions project in partnership with the Ryde mental health team, which provides domestic assistance to those with mental health needs and those who are travelling in severe domestic squalor and are at risk of losing their tenancies; social support programs for younger people with dementia and their families; and art therapy for people with dementia.

I shall focus now on the establishment of the day care program associated with the Maronite community. The official launch took place recently in the presence of Bishop AbiKaram. The key players who formed the advisory group are Sadie Maait, sister of Anthony Sukari, a leading Lebanese businessman in the area, and Monya Khamis from the Lebanese Maronite Church. I also mention Pauline Armour, Jane Clarke and Robyn Helm from Mercy Community Care, Bernice Redman from the non-English-speaking background [NESB] access project, Sue Maddrell from Migrant Network Services and Niveen Nasiff from Mid-West Community Care. The advisory group received considerable support from Father Pierre and Greg Baynie from the Lebanese Maronite community, Heather Pinto from Eastwood Christian Aid, and Catholic Health Care Services, the umbrella organisation for Mercy Community Care.

The service originated from a realisation by the community and local health authorities of the need for a special service to be initiated for older members of the Maronite community. Mercy Community Care was approached to provide the service. An advisory group was formed comprising members of the Lebanese Maronite community, Mid-West Community Care, the New South Wales NESB access project, Eastwood Christian Aid and staff members from Mercy Community Care, who worked over many months to ensure that all needs would be met and that the program would be successful into the future.

After the receipt of initial funding, meetings were held over a period of six months, with the recruitment of bilingual staff resulting in significant delay. The planning stage took into account the special needs and interests of Lebanese Maronite community members to ensure that the service adequately meets their needs. I highlight the support given by Bishop AbiKaram and many members from the Sydney region of the Lebanese Maronite community, who met to discuss the partnership. Indeed, many friendships were formed during that process. I thank everyone involved, especially the volunteers. This will be a fantastic project. The service, which will run for two days a week, will provide day care centre activities, and food and other requirements for elderly people in the Lebanese community. I should like to end with a quote:

To the world you might be one person,
But to one person you just might be the world.

TREUER MEMORIAL PACING EVENT

Mr ALAN ASHTON (East Hills) [11.55 a.m.]: Last Saturday I had the privilege of attending the Treuer Memorial, Australasia's premier provincial pacing event at Bankstown City Paceway. Unfortunately, Bankstown now has only one or two Saturday and Thursday evening meetings. The events at Bankstown have been moved to Monday afternoon. That may be good for the Sky Channel and the TAB, but it is not necessarily good for attracting crowds to what is a tremendous venue. This year Camlach won the Treuer Memorial. Indeed, its driver, Neil Day, had a very successful evening. At one stage Neil had won three races and, as he was both the driver and the trainer, he took home six watches. Who knows—he might have been seen down at the hotel on the way home!

This year's Treuer Memorial was a great race with a blanket finish. The general opinion was that it was one of the best finishes in what is one of Australia's great group one races; it is certainly the greatest provincial race outside of Harold Park. Indeed, the race caller called Smooth Satin, a great Bathurst horse which had just returned from illness, as the winner. The honourable member for Bathurst would appreciate that. Smooth Satin has won the Interdominion and some years ago won the Miracle Mile. I congratulate the committee of the Bankstown Harness Racing and Agricultural Society on staging such a fine night's racing. I thank President Les Bentley, Vice-President Richard Weaving, Treasurer Loretta Dewsbury and the committee, who do an excellent job in furthering the interests of the society. I also acknowledge Bankstown District Trotting and Recreational Club President Noel Scanlon and his board of directors for their continued support, and Secretary Manager Dennis Patten, who has supported trotting in the Bankstown district.

The Treuer Memorial is named in honour of Mr Max Treuer, who served as local Bankstown councillor, successful businessman and champion of harness racing. Max Treuer helped establish the trotting club and was the first President of the Harness Society. Many of Max's relatives were present on Saturday night, including Max Junior, Ron Treuer, Bill Treuer and other family members, who continue to support the pacing industry and the Bankstown area, in particular. They are still involved in many activities in the wider social community of Bankstown. The crowd was entertained by old-style racing cars similar to those seen at Sydney Speedway during the 1960s and 1970s.

The Treuer Memorial is a group one race with prize money of more than \$105,000, which is big money in the pacing industry. The National Anthem was not the usual Julie Anthony rendition that has been played a million times. It was sung by Ian McNamara—Macca—whose ABC radio program *Australia All Over* has long entertained millions of Australians on Sunday mornings. I listen to it every Sunday to find out what is going on in Australia and what Australians are doing throughout the world. Ian McNamara is a great supporter of pacing; he gets to as many pacing events as possible. He has been to Bankstown many times, and we look forward to seeing him there as often as he can get there.

One great thing about pacing is that it is a sport for ordinary horse lovers. Many people are drivers, trainers and owners rolled into one. They own their horse, train it and drive it. People do not have to be multimillionaires or billionaires to be involved in the pacing industry. It is not necessarily the sport of kings, but a lot of great people are involved in it. People may not win the Caulfield Cup or the Melbourne Cup, and they do not need to dress to the nines to enter the members' enclosure. It is simply a great event of the horses themselves. Pacing allows battlers to become part of a syndicate of owners and enjoy the thrill of being involved in such a great sport.

Condell Park in my electorate has stables and special council zonings, which ensure that the pacing industry can survive near the paceway and the trotting club. Once again I congratulate all those involved in the running of the nineteenth Treuer Memorial race, celebrating the life and achievements of Max Treuer senior,

who was born in 1898 and died in 1982. Therefore, his life over two centuries is celebrated by this race. I have a couple of final words: keep your eye on a horse named Red Marvel from Bathurst and Panay from Bankstown. I wish the connections of those horses all the best. I note that my parliamentary colleague the honourable member for Bankstown is a keen supporter of the trotting club, the Treuer Memorial event and the harness paceway.

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [12.00 p.m.]: I thank the honourable member for East Hills for highlighting one of the most significant events held in Bankstown annually, the Treuer Memorial cup. It is significant because it represents the peak of harness racing in New South Wales on a yearly basis. We are fortunate that it is held in the great area of Bankstown—an area that the honourable member for East Hills and I as the member for Bankstown share. We are pleased that the area is representative of many walks of life. One such walk of life, which has been discussed today, is harness racing. I grew up in Gleason Avenue, Bankstown, where a lot of harness racers lived. My first job was cleaning out the horse stables. I think that that probably became a metaphor for me later in life, depending on how one sees things.

Nevertheless, harness racing has historically been important to Bankstown, as the honourable member for East Hills pointed out. The Treuer family has been instrumental in making Bankstown move forward, and the Treuer Memorial race is representative of that; it remembers Max Treuer senior. The Treuer family is still well established in the Bankstown area, with Max Treuer junior and his two brothers, Ron and Bill, who are still very involved in harness racing. Together with the honourable member for East Hills, I thank them for their contribution to this great sport. The Treuer Memorial event is an opportunity for people to visit Bankstown and watch harness racing at one of the finest clubs in Australia. I thank the club representatives for making the club what it is—a club that is truly representative of harness racing at its peak.

EUROPEAN AMBASSADORS ORANGE VISIT

Mr RUSSELL TURNER (Orange) [12.02 p.m.]: I am proud to draw to the attention of honourable members a significant event yesterday when 21 ambassadors or heads of diplomatic missions, principally from Canberra, visited Orange. Yesterday's visit was the result of the Irish Ambassador to Australia and New Zealand, Mr Declan Kelly, opening the Australia national field days in Orange last October. In his speech he made a plea to the exporters and importers of Australia not to forget Europe; he had the impression that our most significant trade was with Asia, India and China in terms of imports and exports. The *Central Western Daily* reported:

"But don't forget Europe. Europe is the single biggest investor in Australia... What we have to do is make sure we connect together in the 21st century," he [Mr Kelly] said.

Connecting will be an important part of a visit to Orange next week when 21 ambassadors and their diplomatic staff visit Orange.

It is an impressive list, including the return of Ambassador Kelly.

The dignitaries are from... Austria, Belgium, Finland, France, Germany, Greece, Ireland, Italy, The Netherlands, Portugal, Spain, Sweden, the United Kingdom, Cyprus, the Czech Republic, Hungary, Malta, Poland, Slovenia and the Slovak Republic.

The ambassador to Australia for the European Commission, Piergiorgio Mazzochi will also attend.

The Commission is the bureaucratic body, which effectively runs the affairs of the EU—a kind of European public service.

The EU has five other country members—Denmark, Lithuania, Latvia, Estonia and Luxembourg—but those countries do not have full diplomatic missions here in Australia.

The EU was established 53 years ago.

Importantly, amongst the ambassadors visiting Orange yesterday was the Swedish Ambassador, Mrs Karin Ehnbohm-Palmquist, who visited the Electrolux plant at the first opportunity. That plant, which is important to the economy and employment in Orange, employs some 800 people. An article about the visit, which appeared in today's *Central Western Daily*, stated:

Closer ties between Orange and the European Union would be the immediate spin-off of yesterday's groundbreaking visit by 21 EU ambassadors and heads of diplomatic missions to the region.

However, the longer-term and more significant spin-off could be a sizeable increase in European business opportunities for small to medium-sized firms in the Central West.

Both Dr Hans Sondall, who headed up yesterday's EU delegation visit—

It was his second visit to Orange recently. Some months ago he attended an important celebration when the Governor, Professor Marie Bashir, visited Orange—

and Orange Mayor John Davis expressed confidence that such opportunities would eventually develop.

Yesterday's visit was the first time a regional centre in Australia had been host to so many diplomats...

"This is a very significant day for Orange, a great coup for Orange, having 25 representatives of the EU here," he said...

Dr Sondall, The Netherlands Ambassador to Australia, said the trip to Orange was "an exploratory visit with the purpose of explaining what we (the EU) do, learning from Orange and the region and hopefully that will lead to very concrete results.

He said small to medium-sized firms stood to benefit most from the sorts of contacts yesterday's visit generated...

He said Orange was chosen because it was a prosperous regional centre not too far from Canberra, where the ambassadors are based.

It also has significance from the Dutch, who hold the presidency of the EU at the moment—Orange was named after Prince William of Orange.

AUSTRALIAN VOLUNTEER COAST GUARD PORT HACKING FLOTILLA

Mr BARRY COLLIER (Miranda) [12.07 p.m.]: On Sunday 7 November my wife and I had the pleasure of attending the commissioning and naming of the newest search and rescue vessel in the Australian Volunteer Coast Guard fleet, CG041. The new vessel is part of the Port Hacking flotilla NF4 headed by Commander David Robertson-Dick. The naming and commissioning ceremony took place at the Port Hacking flotilla base at the Port Hacking Open Sailing Club wharf in Yowie Bay. I was pleased to attend, along with 70 others, not only in my capacity as the local member and the Minister's representative but also as patron of Port Hacking Open Sailing Club. Among those who attended were National Commodore Chris Gillette, Deputy National Commodore Tony Holmes, Squadron Commodore Frank Robards and Solander Division Commander Ian Baker. The blessing was conducted by Squadron Chaplain Reverend Brian Jago.

Also in attendance were representatives from the water rescue services community, water police and the Cronulla offshore rescue service, as well as members of the Volunteer Coastguard NF4, and other coastguard flotillas and also the commodore of the Port Hacking Open Sailing Club, Mr Nev Murray. The new vessel was named the *Ron O'Connor* by his daughter Mrs Debra O'Connor, in memory of the late, esteemed flotilla member. Mr Ron O'Connor joined the Australian Volunteer Coastguard Association in 1977 and was Solander standby base operator for 19 years prior to his recent passing. Mr O'Connor received the Australian Rescue Award in 1999 for his outstanding contribution to search and rescue, and was a recipient of the National Medal and clasp for 25 years service to the Australian emergency services.

With 9,000 members, the Australian Volunteer Coast Guard Association is our nation's largest single volunteer marine rescue and marine education organisation. Every year, marine rescue units along our coast attend about 5,500 calls for help, assisting more than 8,500 people, saving lives and assisting their moorings vessels worth hundreds of thousands of dollars. The Port Hacking flotilla alone covers the vast area from Cape Solander to Stanwell Park. The new vessel costs around \$150,000, and I am advised that the State Government contributed \$53,000 to the cost of acquiring the vessel. Even so, without the generosity of supporters and sponsors, as well as the hard work, perseverance and commitment of the members of NF4 and their families, the commissioning of the *Ron O'Connor* would not have been possible. I congratulate the members of NF4 on their new vessel and I thank them for their work as volunteers.

As patron of the Port Hacking Open Sailing Club I acknowledge publicly the great local partnership that has been formed between the Port Hacking Open Sailing Club and the Port Hacking flotilla. The Port Hacking flotilla has moored its vessels at the club's new wharf in Yowie Bay for the past year, making use of a very important community facility. That wharf was built with the help of grants from the State Government—from the Department of Land and Water Conservation, as it was called at the time, and the Department of Sport and Recreation. The wharf is used not only by the open sailing club but also by the flotilla. As I said, it is a very valuable and mutually beneficial local partnership in the shire. I congratulate the Australian Volunteer Coastguard Association, Port Hacking flotilla, for the valuable contribution it makes in providing a first-class sea and waterways rescue service for the people of the shire and for the people of New South Wales. I also pay tribute to Mr O'Connor and his family.

CRONULLA ELECTORATE YOUTH CONCERNS

Mr MALCOLM KERR (Cronulla) [12.12 p.m.]: I speak about a number of concerns of youth in my electorate. Recently, as other honourable members have noted, suggestions have been made in relation to P-plate drivers and curfews, and a number of honourable members have spoken in the House about that. I conducted a survey and received a considerable response by young drivers. The first question was:

Do you support the introduction of a night time curfew between 10pm and 6am for novice drivers?

The response was yes, 3 per cent; no, 96 per cent; don't know, 1 per cent. The second question was:

Do you support the introduction of a limit on the numbers and/or type of passengers who can travel with novice drivers?

In reply 22 per cent said yes; 77 per cent said no and 1 per cent said don't know. The next question was:

Do you support the introduction of limits on the type and power-to-weight ratio of vehicles novice drivers can operate?

To that question, 53 per cent said yes; 40 per cent said no and 7 per cent said don't know. The fourth question was:

Do you support the ... call for all drivers to be required to re-sit the driver's licence exam every 5 or 10 years?

To that question, 39 per cent said yes; 56 per cent said no and 5 per cent said don't know. The fifth question was:

This year the ... Government introduced zero alcohol limits for P plate drivers. Do you support the measure?

To that question, 67 per cent said yes; 30 per cent said no and 3 per cent said don't know. The sixth question was:

Motorcyclists are required to undertake 13 hours of mandatory training, and a one hour, eight part practical test before qualifying for a provisional rider's licence. Should motor vehicle drivers have to undertake a similar mandatory course?

In answer, 36 per cent said yes; 56 per cent said no and 8 per cent said don't know. The final question was:

Should driver education—both practical and theoretical—form part of the high school curricula?

In reply, 81 per cent said yes; 17 per cent said no and 2 per cent said don't know. That is an interesting response to a vexed question that I think all members of the House would like to see resolved in the sense of improving the driving capacity of young people and decreasing the involvement of young people in motor accidents and traffic offences. That is not the only concern of young people in my electorate. There is considerable concern about the future of Kurnell and the proposal by Rocla for underground sand mining. The Greiner Government proposed the phasing out of sand mining. That has not been done and now we will see the extension of sand mining in this area.

The Carr Labor Government stripped the planning powers from Sutherland Shire Council and made the Carr Government the responsible planning authority in relation to both the Rocla sand mining proposal and also the proposal by Australand in relation to housing. I would have thought that the people in an environment should determine their environment through their local representatives. So, I call on the Carr Labor Government to restore the planning powers to Sutherland Shire Council so that all members of the council have a say. In relation to the Rocla proposal, I note the honourable member for Miranda said that that company should be a good corporate citizen and should take its sand mining elsewhere. I note he nods.

Mr Barry Collier: Why wouldn't I?

Mr MALCOLM KERR: Why wouldn't he, as a member of the Sutherland shire? Why would the member, along with Labor members, not be opposed to the Government taking the planning powers off the local representatives?

Mr DEPUTY-SPEAKER: Order! The honourable member for Cronulla has introduced two subjects into his private member's statement.

Mr MALCOLM KERR: No, only one, relating to the concerns of youth. But I thank you for your forbearance.

Mr DEPUTY-SPEAKER: It concerned novice driving.

Mr MALCOLM KERR: I am just driving at another point in relation to the concerns of young people. That is, they are concerned about the future of the birthplace of modern Australia.

Mr DEPUTY-SPEAKER: Order! I have allowed the honourable member some latitude, but that will not happen again.

PORT STEPHENS SCHOOLS AIRCONDITIONING AND SOUNDPROOFING

Mr JOHN BARTLETT (Port Stephens) [12.17 p.m.]: Today I talk about the airconditioning problem at Grahamstown Public School in the Port Stephens electorate. However, the problem does not apply only to Grahamstown Public School. Six schools around the RAAF base Williamtown and Newcastle airport are affected by aircraft noise. For years the Federal Government has been telling us that the airconditioning and noise problems at the schools are State Government problems. The noise from the strip where aircrafts take off and land affects Williamtown school and Grahamstown Public School, and the bombing range affects Salt Ash, Wirreanda, Tanilba Bay and Karuah, as well as Bobs Farm. Something like 1,300 civilian aircraft a year are now using the strip as well as the FA-18 Hornets. Last year something like 200,000 passengers landed at the strip and that number is expected to rise to 500,000 next year. The other day, a Virgin aircraft flew over the school at such a low altitude that the words on the side of the aircraft could be seen.

For years the local Federal member has been saying that this is a State Government problem and it is up to the State Government to fix it. Only three weeks ago we found out that 16 schools around Sydney airport had been airconditioned and soundproofed at an average cost of \$2.2 million per school, a total cost of just under \$39.5 million. In the past few months, just before the election, we learned that Salt Ash Public School was going to have noise attenuation problems fixed at a cost of \$2 million and last week an announcement was made that the school will get a new library and airconditioning. At Grahamstown Public School the Federal Government is taking an ad hoc approach to the installation of airconditioning.

Around Sydney airport the Federal Government implemented a plan of action for 16 schools but at Grahamstown Public School it takes an ad hoc piecemeal approach. The installation of airconditioning was supposed to take place when the school was built in 1994. The Federal Government has soundproofed the buildings but did not install airconditioning. On hot summer days the classroom doors and windows are opened to let the breeze through to keep the students cool. Airconditioning, which could be installed at a cost of \$30,000, would greatly improve the learning conditions of the children.

Toni Murry, President of the Parents and Citizens Association, has worked tremendously hard. When she came to see me the other day her children said to me, "Mr Bartlett, could you try and solve this problem? We would like our mum back." The Minister for Education and Training wrote to the Federal Minister for Defence months ago asking for a resolution of this problem. I have written to the Minister for Defence, the Minister for Civil Aviation and the Prime Minister stating that the ad hoc approach is not good enough and asking why it cannot install airconditioning in 6 schools around the Williamtown RAAF base when it has fixed 16 schools in Sydney at a cost of \$2.2 million each.

Recently the Teachers Federation representative showed me a study undertaken in New Zealand about the learning difficulties of primary school children who live in noisy environments. The New Zealand perspective by authors Joanne Valentine and Oriole Wilson presented findings on the classroom acoustic characteristics of New Zealand primary schools. When classrooms did not experience constant noise in the background, the study found that there was less noise, reduced frustration, better hearing, more on-task behaviour, and the ability to successfully work at different tasks in small groups. When young people are learning to read, overhead noise severely affects their ability to hear words and pronunciations. I call on the Federal Government to address this serious issue affecting our schools in Port Stephens.

SCHOOLS SPECTACULAR

Mr THOMAS GEORGE (Lismore) [12.22 p.m.]: It is Christmas time, a time to rejoice. On Friday 26 November I had the pleasure to rejoice at the Schools Spectacular. The honourable member for Blacktown, who is present in the Chamber, sat beside me at the Schools Spectacular and also enjoyed the entertainment. This year marked 21 years of the Schools Spectacular production. I congratulate the organisers, in particular the director Mary Lopez, the producer Dianne Duff, who is manager of the arts unit, and the compere John Foreman. John, who is a product of the Schools Spectacular, did a fantastic job as the MC for the evening.

As a country member of Parliament I pay particular tribute to this event because country school students often do not have the opportunity to perform at a high level in a venue such as the Entertainment Centre in Sydney. School students from my electorate in the north of the State and from the electorates of the honourable member for Clarence and the honourable member for Orange, who are also present in the Chamber, took part in this year's production. It was a great thrill for them to be a part of this event. It was not only a great thrill for the children, but also for the parents, many of whom I met that evening. They seemed more excited than the children.

The Ballina-Lismore Dance Ensemble, Alstonville Public School, Ballina High School, Casino Public School, Richmond River High School, South Grafton High School, Tabulam Public School and Woolgoolga High School all took part in the event. Mollie McClymont, who comes from a famous family of entertainers at Grafton and Robyn Ludeke from Kingscliff High School played important roles in this event. One of the main attractions on the night was the Spaghetti Circus from Mullumbimby. The circus presentation, which was performed at a high level, was greatly appreciated by the audience. Chris Sheehy from Maclean High School and Mollie McClymont performed in the "Best Years of Our Lives" segment. The students who live in the north of the State appreciate the opportunity to take part in the Schools Spectacular production.

I have the honour of being a patron of the Northern Stars Under the Big Top. Next year this event will be held in Lismore on 7, 8 and 9 April 2005. The schools north of Taree to the Queensland border stage this event. Together with the support of the community and Lismore City Council, they put together a magnificent show under the big top. It is a great thrill for my electorate that the event will be held next year in Lismore. Greg Cloak, Director, Lismore School Education, and Regional Director Carol Carrigan have been great supporters of all the schools getting involved in this project. Director Robyn Ludeke and producer Michael Coleman, together with a team of dedicated teachers throughout the Northern Rivers area, have had the 3,000 students who were selected to participate practising their performance for two months already in preparation for the event in April 2005.

The event is a credit to all involved. I pay tribute to the parents who provide their children with the opportunity to participate; it is not a cheap exercise. I also pay tribute to the sponsors of Northern Stars Under the Big Top because it takes a great deal of money to put these shows together. I assure them that the community appreciates their support. I encourage all members of this House who represent participating schools to attend at Lismore on 7, 8 or 9 April 2005 and enjoy this spectacular event.

HOXTON PARK AIRPORT

Mr PAUL LYNCH (Liverpool) [12.27 p.m.]: Today I wish to make some comments about Hoxton Park Airport, which is located in my electorate. In 2003 the Federal Government, which owns the airport, announced that the airport would be sold. Its announcement concerned three airports: Hoxton Park, Camden and Bankstown. The Federal Government insisted that the sale of the other two airports include an ongoing lease that would guarantee those airports continue in operation. As to Hoxton Park Airport, the Federal Government sold the site with only a five-year lease for the airport and a possible two-year extension. At the end of that time it would revert to freehold title and the purchaser could do with it what it will. It inevitably meant the closure of the airport. My only regret about that arrangement is it has taken so long for that position to come about and the airport was in operation for another five years. The Federal Government eventually made the right decision, but it took some considerable time. The factors leading to the closure were obvious.

Hoxton Park airport was the busiest uncontrolled airport in Australia. It did not have radar or a control tower. The lack of those facilities was supported by the aviation industry. The vast majority of people using the airport are learners, that is, they learn how to fly and make their mistakes over the electorate that I represent. Apart from the danger, it is also a matter of considerable inconvenience to many residents. Even as recently as last Monday night a number of people at the Liverpool South Branch of the Labor Party, including Steve Bowman, spoke to me about the considerable inconvenience caused by aircraft, and particularly helicopters, early on Saturdays and Sundays. They are very disturbing to the amenity of the area.

There has been an extraordinary lack of response by the aviation industry to any of these concerns, and whenever a complaint is made to the aviation industry, whenever someone rings up the airport, they are abused by the operators there. I have detailed in the House on a number of occasions a very long and quite serious list of concerns and incidents. One would have thought, in light of this history and in light of the Federal decision,

that there is probably not much need to ventilate these issues again: the decision has been taken. Regrettably, a number of the operators at the airport are still pursuing their selfish, and in many cases profit-driven, obsessions about trying to keep the airport open.

As recently as 17 November there appeared on the front page of the *Liverpool Champion* some patently absurd comments by people with an interest in the airport. The *Champion*, to begin with, quoted local pilots saying it had been a State Government decision to close the airport. One really has to wonder what illegal substances those pilots were using at the time they made that statement, granted that the decisions were clearly made by the Federal Government because the Federal Government owned the airport.

What was even more bizarre was that people like Keith Robey, who were quoted in the article, said that the closure of Hoxton Park Airport would somehow or other increase the likelihood of crashes. One has to have a particularly interesting thought process to come to that conclusion. There is no doubt that the closure of the airport will very much be a step towards making Liverpool a much safer place. Of course, I had the temerity to point out in a subsequent issue of the *Champion* the absurdity of some of Mr Robey's arguments. That seems to have elicited a response from one Amer Younes, who seems to want to continue the argument that somehow or other it was not a Federal Government responsibility for the airport to be closed.

Granted that the Federal Government owned the site and that it sold the site with a limited lease for the airport, it just beggars logic and commonsense to see how the decision to close the airport was taken by anyone other than the Federal Government. It is also even more disturbing that Amer Younes continues to want to dispute the danger this airport poses to people in Liverpool. The reality of what has happened is that a bunch of often silvertail grubs from places outside Liverpool are pursuing their hobbies and making a whole lot of money out of operating an airport that has caused considerable danger to people in Liverpool, and caused a plane to crash into Arnold Avenue at Green Valley a number of years ago—and a series of other crashes have occurred since that time. In light of that I am amazed and astonished at the gall of these private operators, who, for their personal pleasure or their personal moneymaking, want to continue a campaign which has thus far been gloriously unsuccessful. They ought to be treated with the contempt they deserve. The only regret I have about this is that the airport has not closed a whole lot earlier than it is going to close.

BONDI BEACH COLE CLASSIC OCEAN SWIM

Mr PETER DEBNAM (Vaucluse) [12.32 p.m.]: I wish to speak briefly about the Cole Classic Ocean Swim. On 17 November the Hon. Ian Cohen used parliamentary privilege in the other place to launch a grubby and simplistic attack on North Bondi Surf Life Saving Club [SLSC] and the Mayor of Waverley. While the Labor mayor can defend himself, I wish to correct the record on behalf of the North Bondi Surf Life Saving Club. In so doing I am drawing on notes from the surf club. In his speech in the Legislative Council on Wednesday 17 November 2004 Mr Ian Cohen spoke of the 22-year history of the Cole Classic Ocean Swim and its organisers, the Cole Classic Committee, as being a voluntary, not-for-profit organisation.

North Bondi Surf Life Saving Club is also a voluntary, not-for-profit organisation, with a history stretching back 100 years. The club's 450-plus active members who patrol Bondi beach from October to April each surf season do so not because they are paid but because they take pleasure in providing the invaluable service to the community that the surf life saving movement does, as do the 50 or so parents who run Nippers for 625 lifesavers-in-the-making each Sunday morning, and the multitude of club members who voluntarily fulfil other roles, such as instructing or manning the barbecue. It is this same spirit of community service that drives more than 130 club members to voluntarily provide water safety and other administrative assistance for fundraising events such as ocean swims. North Bondi SLSC's fine tradition of community service has seen 11,978 rescues performed since the inception of the club.

Education programs and youth development programs are particularly well recognised within the surf life saving movement and, indeed, the general community, as is the standard of the club's surf lifesavers. However, with the rising cost of technology, public liability insurance, and the like, it is becoming increasingly expensive to provide these and other lifesaving services. As such, it is crucial that the club maximises returns from all its activities so it can continue to carry out its primary function of maintaining a safe beach and aquatic environment at Bondi. The Cole Classic Committee has never guaranteed the club a return on the Cole Classic event. In fact, for many years, the club has requested a written guarantee for the event, a request that has been flatly refused. In some years, the club has received little or even no return from the event in spite of its enormous commitment in terms of providing volunteer personnel and resources.

Notwithstanding that the club is a not-for-profit organisation, as a prudent community organisation it is seeking a similar return to that received by other clubs conducting similar ocean swims. According to the

oceanswims.com website, Whale Beach SLSC and Bronte SLSC raised approximately \$40,000, 1,900 swimmers, and \$30,000, 1,100 swimmers, respectively from their 2004 events. By comparison, North Bondi SLSC received a donation of \$18,500, 2,200 swimmers, from the 2004 Cole Classic. This year the club has made the decision not to utilise the "administrative services" of the Cole Classic Committee to organise the 2005 event. This will allow the club to maximise the return from this endeavour, which, as has been the case in the past, goes directly back into ensuring the ongoing performance of the club in all aspects of its work in and about the community.

Each year North Bondi SLSC applies to Waverley Council for permission to hold two annual swims. In past years these events have been the Cole Classic Swim and the Easts Roughwater Ocean Swim. Seeking council's permission is the last of a series of formal steps undertaken by the club each year to have these events approved. Prior to this step, the club is required to seek approval from Surf Life Saving New South Wales, via its Special Events Form. This comprehensive document is completed by the club to ensure it has surf life saving's liability insurance cover for the event. In approving the February 2005 event, the council has not granted any additional permission to North Bondi SLSC over and above that given in previous years. Council was obviously satisfied with the club's water safety management plans and its extensive track record, which, coupled with Surf Life Saving New South Wales approval, meets the approval criteria. The naming of the event and specific operational details are secondary to the fulfilment of water safety protocols.

They are a few points that the club wished to have placed on the public record to balance the view put by the Hon. Ian Cohen in the other place last month. It is a reminder to members of Parliament who use parliamentary privilege to attack people who cannot respond—especially community service organisations—that they should be extremely careful with their words. The fact that Ian Cohen and his colleague in the Upper House swam in the race does not provide sufficient credibility for him to stand up and talk in a very uninformed way about this race. It has been a very difficult period of negotiation for the whole Bondi community over the past year. I suggest that the politicians should stay out of it.

SCHOOLS SPECTACULAR

Mr PAUL GIBSON (Blacktown) [12.37 p.m.]: It is a pleasure to follow on from what the honourable member for Lismore had to say about the Schools Spectacular. The Premier gave us some good news in the Chamber yesterday; he said that when it comes to student literacy we are equal to the leading countries in the world. One area where New South Wales does not run second or third or fourth is youth talent and performers at the New South Wales Schools Spectacular would have to be among the best talent in the world. I say that every year. I have attended the event for the past 18 years and I can assure honourable members that it is the best form of entertainment they will find in Sydney, Australia, or overseas. It is a most enjoyable night.

Mary Lopez, a great friend, came up with the concept for the Schools Spectacular in 1984. She has directed it for the 21 years of its life and she should be highly commended and congratulated. John Foreman has been the compere for the past few years. His talent was fostered through the event and he has gone on to better things. He is well known for his 13 years on the *Bert Newton Show* and he has worked with some of the greatest entertainers in the industry, including Shirley Bassey, Peter Allen, and many others. He is also a renowned writer. He wrote *The Flame*, which was used at the 2000 Olympics, and the anthems for the Goodwill Games and the Manchester Commonwealth Games.

On Friday night the show was opened with the national anthem, sung by Ben Hazell from Tamworth High School, who also sang *The Road Less Travelled* very well. He was followed by performances of *All Things* and *I've Got The Music In Me* by Roshani Priddis and Shona Vertue. If I had the time I would sing my version. I am sure all honourable members are familiar with *Final Countdown*. It was performed by the Schools Spectacular marching band, which comprises bands from 50 schools. It was something to see and hear. *Girls Just Want To Have Fun* was performed with Carmel Anthony from Newtown High School as the lead vocalist. *Video Killed The Radio Star* was performed by Liam Bradbury from Hunter High School of the Performing Arts. Liam also sang *It's A Wiggly World*, *Here Come The Wiggles* and *Happy Days*. What a great performance! Rowan James from Merewether High School performed *Five Hundred Miles* and *What I Like About You*. David Morris from the Talent Development Project performed *Wake Me Up Before You Go Go*, which could be applied to many honourable members from time to time.

Sabrina Batshon deserves special mention. Sabrina entertained the Schools Spectacular audience with *I've Got The Music In Me* and *I Surrender*. She sang at a function I hosted here a few months ago, and she knocked the audience into the aisles. She is as talented as any singer in this country. She has been signed up by

Barbara Streisand's company and leaves for the United States very soon. I am sure we will soon be hailing her as one of the greatest performers in the world. The New South Wales Drama Company Spaghetti Circus gave an amazing highwire performance without nets. I was very pleased when the act concluded because I was afraid someone might fall. Thank God that did not happen. We have a great deal of talent in this State and it is good to see it emerging. Travis Collins, an ex-student, sang *We Are One*. We are one, we are Australians, and we are very proud of it. Everyone in the audience would have walked out feeling very proud to be Australian, acknowledging that we live in a great country and that the State school system is turning out great students and performers. The Schools Spectacular is a credit to Mary Lopez and the members of her committee, the Talent Development Project, and Alan Jones of 2GB.

UNITED HOSPITAL AUXILIARIES OF NEW SOUTH WALES INC. GRAFTON BRANCH

Mr STEVE CANSDELL (Clarence) [12.42 p.m.]: With much pleasure I draw the attention of honourable members to the great work of the Grafton Branch of the United Hospital Auxiliaries of New South Wales Inc., which raises much-needed funds to purchase vital hospital equipment. The branch was established in 1899 and has provided 105 years of service by raising millions of dollars for local hospitals. Over the past three years it has raised more than \$70,000 and last year it raised \$28,000. What a team! President Norma Merlino, vice-president Maureen Whitton, secretary Merrelle Byrnes, assistant secretary Helen Bailey, treasurer Judy Erving, assistant treasurer Judy Dransfield and the 49 hard-working members are a good bunch of women—and, of course, there is a sprinkling of men to assist them.

It takes a great deal of work to raise \$28,000 in a small community. There have been many morning teas. Like other honourable members, I have been to auxiliary functions at which there has been a mountain of food, raffles, fashion parades, coin tables and so on. A large amount was recently raised when a computer donated by PC Tech. Custom Built Computers of Grafton was raffled, and \$7,000 was raised by raffling a lawnmower donated by T&G Mower Centre of Grafton. Over the past four years the auxiliary has purchased four electric beds, and it recently spent \$10,000 on a mattress for the hospital's high-dependency unit. The mattress vibrates under the patient and saves staff having to turn the patient to prevent bedsores.

A disturbing issue arose recently when the director of nursing and the executive officer of the hospital asked the auxiliary to buy 25 extra thick mattresses for overweight and elderly patients to make them more comfortable. The auxiliary put the proposal to the committee and the community and everyone agreed. Unfortunately, the director of the Northern Rivers Area Health Service rejected the proposal and stated that the hospital would have to be satisfied with the mattresses provided from government stores. The government-provided mattresses are half as thick and much cheaper. This interference by the expanded area health service demonstrates that the local element is being removed from community health services. The money was raised locally and it should be spent locally, especially given that the request came from the local hospital. The hospital auxiliary wrote to me stating:

I am writing on behalf of the United Hospital Auxiliary Grafton Branch concerning recent events. At a meeting held on 23rd August 2004 the Auxiliary agreed to purchase 25 Mattresses at a cost of \$449.00 each. Totalling \$11,000.

We have received notification by Northern Rivers Area Health Service through John Wickham (Executive Officer) at Grafton Base Hospital that the purchase has not been approved.

We feel the community will lose faith with the Auxiliary if the purchase doesn't proceed as we have stated publicly that funds have been raised for this purpose.

The Grafton Auxiliary has been in operation since 1899 and is a very well respected Organisation.

Our process has always been the Hospital gives us a wish list which we put to our members then in agreement between the Auxiliary and Hospital the equipment is then purchased.

Our Motto is **LET US HOLD HIGH THE LAMP OF SERVICE FOR THE WELFARE OF OUR HOSPITALS.**

The auxiliary is concerned, as am I, that this purchase has been rejected by the Northern Rivers Area Health Service. For 105 years the auxiliary has approached the nursing staff and the executive officer for directions about what to buy. However, a request has been rejected by a body located outside Grafton—at Lismore. Once again, the local element has been left out of the process.

COMMUNITY PARTICIPATION PROGRAM

Mr RICHARD TORBAY (Northern Tablelands) [12.47 p.m.]: The recently announced restructure of the Community Participation Program for people with disabilities is a sell-out. It does not meet the needs of those it is intended to serve, their families, or service providers. Despite volumes of advice from the sector, the Department of Ageing, Disability and Home Care has moved ahead with a one-size-fits-all strategy. One positive result of the new program is that funding will be recurrent. However, that funding represents a significant reduction for those with the greatest needs. It assumes there is only one category of disability and the program has been planned accordingly.

As a result, people with greater support needs, more medical and personal care needs, and often challenging behaviour requiring a higher level of staffing support will not receive adequate services. A model was suggested to assess individuals according to their particular needs. It is well established that the degree of disability varies enormously. Some people are relatively independent and need less support, some need slightly more support, and some need maximum attention. Through the guidelines of this new program they will all receive funding of \$13,500, regardless of their particular requirements.

It is difficult to understand the reasoning behind this, as a superior model already exists through accommodation services delivered to people with disabilities. This model, which operates successfully in Inverell, Armidale, and other centres, offers flexibility in the delivery of services to clients according to their needs. It is a much more sensible and workable arrangement. By contrast, the process undertaken by the Department of Ageing, Disability and Home Care [DADAHC] to introduce these changes has been without proper consultation with the service users or the service providers. DADAHC has not followed its own disability services standards in introducing the changes. People with a disability, their families, and service providers have been extremely active and vocal about their distress, anxiety, and disbelief in the way they have been treated during this process. It could be easily described as one of the worst examples of change management possible.

Although the Australian Council for Rehabilitation of the Disabled New South Wales [ACROD] has been involved in negotiations with the department, it has not represented the thoughts and feelings of people with a disability, their families, and their service providers. In fact, ACROD has badly let down the people who need most support. ACROD has not participated in protests and rallies statewide, preferring to separately negotiate with DADAHC whilst falsely claiming to represent the sector. It is interesting that in a media release issued by ACROD, its executive officer, Patrick Maher—who, incidentally, was also the State chairman of The Nationals in New South Wales—says:

The Minister sought additional information from the sector and her department has clearly listened.

He is welcoming this initiative on behalf of the sector, which is saying that that organisation has not welcomed it. Patrick Maher and ACROD need to say why they have served up the interests of the members that they purport to represent. Patrick Maher has sat down and done some sort of deal behind closed doors, and I think that should be pursued. It is shameful that the Government and ACROD have targeted the most vulnerable group—people with a disability—who need the most support. To reduce funds and then claim a better service outcome is deceitful. Even taking into account the \$1.4 million for participants with high support needs, if one in two were to access the service, only an additional \$1,866 would be available: or \$3,733 if one in four were approved. In other words, there is going to be a reduction. Yet the service provider, the advocacy body—ACROD—is saying, "It is great news. We are going to have less funding".

In a climate where State and Federal governments are attacking funding for the most vulnerable in our community—people with disabilities—one would hope that their advocacy body would do a bit better than issue a media release, which happened to coincide exactly with the Minister's release, welcoming the reduction in funding. Goodness me, I think I have heard it all now! There are other opportunities available to target those services to meet needs. That is something that I believe the New South Wales and Federal ministers could target in terms of better accessing support needs for people with disabilities. The General Manager of Challenge Armidale, Kevin Mead, has been very disappointed about the way ACROD has represented their interests—or has not represented their interests, as has been the case in this matter. This issue is not going to go away; the people's views will continue to be put.

PORT MACQUARIE AND MID NORTH COAST HEALTH SERVICES

Mr ROBERT OAKESHOTT (Port Macquarie) [12.52 p.m.]: Today I speak on three important health issues for Port Macquarie and the mid North Coast. First is the current area health service restructures across the

State, which are due to commence on 1 January. There is widespread concern, particularly in Port Macquarie, about the second-level management positions, how positions based in Port Macquarie appear to have been lost despite the fact that assurances have been provided by those in higher places that there will be a role for a second office within the new North Coast Area Health Service.

It appears that the North Coast Area Health Service will be the only regionally based area health service that does not have a second service office to support its head office, which in this case will be based in Lismore. Every other regionally based area health service will have a second office. The area health service directly to the west of us, which has its main head office in Newcastle, also has a second service office based in Tamworth. I believe that there are very strong arguments, due to the geographic size of the North Coast Area Health Service, to do exactly the same thing and have a second service office.

There are still staffing issues about the transfer from the mid North Coast Area Health Service to the North Coast Area Health Service, with staff based in Taree. It will be absurd for the North Coast Area Health Service to have staff employed in Taree, which will be part of a completely different area health service post 1 January. Also, if there are no second-level management positions based in Port Macquarie, there are concerns about the future of the old base hospital site, where those positions are currently located. The old hospital site will be basically defunct and questions will be raised about whether to sell the site or transfer it to another role.

That is why there has been lobbying to try to attract one of the corporate service centres to the old base hospital site and to Port Macquarie. I would urge the Minister for Health to strongly consider basing one of the corporate service centres in Port Macquarie, particularly now that it looks like the North Coast Area Health Service is going to move all the second-level management positions to the new headquarters in Lismore.

As well, we have ongoing issues surrounding the Port Macquarie Base Hospital contract and the continued legal action between the private providers and the State Government. As we head towards the Christmas break I once again take the opportunity to urge the Minister for Health to provide certainty to Port Macquarie and the mid North Coast about the future of the hospital site. The ideological warfare of the past 10 years really needs to be put to bed. The community is looking for nothing other than certainty about the future of the management of the hospital. It is not a case of whether the community is looking for the public sector or the private sector to run the hospital; as a matter of urgency we are desperately seeking certainty about who is running the hospital and what under what circumstances.

It was very disappointing today, for example, to see contingency planning called off at the hospital because the private companies involved felt that any contingency planning or transfer planning taking place by the area health service was pre-emptive, and therefore they stepped in and basically got rid of it. It is disappointing also that planning has broken down at that level when the staff want to know what their futures are.

The third issue is the radiotherapy unit site. I would once again urge both parties involved, the private sector and the State Government, to resolve the site for the radiotherapy unit. Rotary is involved in improving the accommodation at the site and is seeking funding of \$250,000 for that. Whilst I and most people within the planning area recognise that the original agreement was that the State provide the actual infrastructure of the \$6.4 million radiotherapy units, the Rotary chairman is doing the right thing by asking for more money, \$250,000, to improve the accommodation, as well as \$50,000 for lift services for people with disabilities who stay at the accommodation. I therefore ask the Premier, the Minister for Health, and the Minister for Disability Services to consider these requests.

GUNNEDAH AMBULANCE STATION

Mr PETER DRAPER (Tamworth) [12.57 p.m.]: Today I thank the New South Wales Minister for Health, Morris Iemma, for having the flexibility in his schedule during a recent visit to the electorate of Tamworth to inspect the Gunnedah ambulance station. The Minister travelled to the north-west region to open a new medical centre at Gunnedah Hospital and to inspect facilities at Tamworth Base Hospital, including New England Pathology and the University Department of Rural Health building, which is currently under construction. While en route from Gunnedah to Tamworth, upon my request and at the urging of the mayor of Gunnedah, Gae Swain, Minister Iemma also agreed to undertake an unscheduled detour so he could view first-hand the disgraceful state of Gunnedah ambulance station.

We arrived at the station shortly after midday, accompanied by the New England Area Health Service Administrator, Terry Clout, and his administrative staff, Mayor Gae Swain, Deputy Mayor Stephen Smith and

concerned councillors. We were informed that the station's two ambulance officers on duty that day, Luis Luzuriaga and Peter Patterson, had already responded to three call-outs. The Minister seemed impressed to learn that the station's seven ambulance officers respond to an average of 700 call-outs per year, travelling to outlying centres such as Breeza, Mullaley, Tambar Springs, Lake Keepit and Kelvin. On the day of the Minister's visit the officers were in the process of regrouping and attempting to cool down on what had developed into quite a warm afternoon.

I believe this first-hand inspection was critical to the Minister's understanding of the need for a new ambulance station for Gunnedah. On what was an average November day, Mr Iemma was able to experience the stifling heat inside the ageing building, with its interior rooms cooled only from one end by an antiquated refrigerated airconditioning unit. Consequently, one end of the mess area remains isolated from the cooled air, with the station manager's office on the western side of the building being permanently locked and out of use due to the insufferable heat, which often reaches well into the forties.

Minister Iemma was also able to observe one of two late model \$100,000 Mercedes Benz ambulance vehicles with only its bonnet parked under the station garage due to the fact that the garage ceiling is too low for the remainder of the vehicle to fit underneath. With the sun beating down on the rear of the ambulance, one could only imagine conditions in the vehicle for drivers as they leave for a call-out during hot weather. As I have stated previously in this House, the entire station is in a terrible state of repair, with the building's structure and presentation suffering from many years of neglect. It is my understanding that the station was originally constructed in the 1950s as a temporary building. Plans were drawn up for proposed new premises in 1974. I gave a copy of those plans to the Minister's staff this week, but, unfortunately, the project has never left the architect's drawing board. The ambulance station garage is open-ended with unprotected windows. The building has poor and inadequate security bearing in mind the assets it is supposed to contain. In addition to insufficient heating and cooling systems, the facility has an inoperable washing bay because wastewater flows directly into the town's sewage.

During his visit Minister Iemma was informed that the council's preferred option would be for the Government to sell the building and the adjoining rental home owned by the Ambulance Service and put those funds towards a brand new ambulance station located on the grounds of the hospital, which is located in a central area of the town. The New England Area Health Service has an overall blueprint for the hospital that has made provision for such a development, and I agree that the location of an ambulance station on the hospital site makes a great deal of practical sense.

As I mentioned earlier, the Minister spent the morning at the hospital to open the new \$320,000 medical centre and to witness progress on a chapel that is currently under construction within the main hospital precinct. Community members who gathered for the ceremony were pleased to hear Minister Iemma acknowledge the efforts of Gunnedah resident Mrs Catherine Turner, who raised \$56,803 toward this much-needed centre of reflection and prayer. The Minister noted the fact that Mrs Turner raised much of the money through the sale of individual bricks. Inspired by her efforts the Health Department has matched the funds dollar-for-dollar and the chapel is well on its way to completion early next year.

Mr Iemma acknowledged the Gunnedah community spirit as embodied in Mrs Turner for which the town is renowned. I strongly believe such a show of community spirit in support of a new ambulance station would be helpful in pushing this project much higher on the list of the department's spending priorities. Consequently, I call on the community to throw support behind this project and demonstrate to the Government that Gunnedah is just as keen to attract State Government funding as other centres. I intend to work closely with Gunnedah Mayor Gae Swain in harnessing the community's resolve to deliver a new ambulance station for the town. It is well and truly time that our hardworking ambulance officers had a functional, comfortable working environment that would engender a sense of pride and commitment to the service. Having inspected the station first-hand, the Minister must surely now acknowledge that Gunnedah deserves a decent ambulance station that is consistent with the vital service its officers provide to the Gunnedah and wider community.

Private members' statements noted.

[Mr Deputy-Speaker left the chair at 1.02 p.m. The House resumed at 2.15 p.m.]

MINISTRY

Mr BOB CARR: In the absence of the Minister for Tourism and Sport and Recreation, and Minister for Women, the Deputy Premier, Minister for Education and Training, and Minister for Aboriginal Affairs will answer questions on her behalf. In the absence of the Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), who is ill, the Minister for Infrastructure and Planning, and Minister for Natural Resources will answer questions on her behalf.

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**.

Croppa Creek Public School

Petition opposing any changes to the current teacher numbers at Croppa Creek Public School, received from **Mr Ian Slack-Smith**.

Gaming Machine Tax

Petitions opposing the decision to increase poker machine tax, received from **Mrs Judy Hopwood**, **Mr Malcolm Kerr** and **Mr Andrew Tink**.

Narooma Structure Plan

Petition opposing the Narooma Structure Plan proposed by the Department of Infrastructure, Planning and Natural Resources, received from **Mr Andrew Constance**.

Young Driver Curfew

Petition opposing the proposed curfew on young drivers, received from **Mr Matt Brown**.

Road Tunnel Air Filtration

Petition asking the Government to ensure that all Sydney road tunnels are fitted with air filters, received from **Ms Clover Moore**.

Manly and Mona Vale Hospitals

Petition requesting that Manly and Mona Vale hospitals be retained, upgraded and redeveloped on their existing sites, received from **Mr John Brogden**.

Yass District Hospital

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

Breast Screening Funding

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

Mental Health Services

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

Broadmeadow to Newcastle Rail Services

Petitions opposing the proposed closure of the railway line from Broadmeadow to Newcastle, received from **Mr Bryce Gaudry, Mr Jeff Hunter, Mr John Mills, Mr Matthew Morris and Mr Milton Orkopoulos**.

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 **Mrs Judy Hopwood, Mr Andrew Stoner and Mr John Turner**.

Newcastle Rail Services

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

Murwillumbah to Casino Rail Service

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

Albury Electorate Policing

Petition requesting more police on the beat in the Albury electorate, received from **Mr Greg Aplin**.

Adult Training, Learning and Support Program

Petitions opposing proposed changes to the Adult Training, Learning and Support Program, received from **Mr David Barr and Mrs Judy Hopwood**.

Silverlea Community Care

Petition requesting that services for the care of disabled adult persons at Broken Hill remain with Silverlea Community Care, received from **Mr Peter Black**.

Isolated Patients Travel and Accommodation Assistance Scheme

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

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**.

Lismore Fire Service

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

Cowra Poultry Pavilion

Petition requesting that the Cowra Poultry Pavilion be made available to all users and that it be maintained, received from **Mr Russell Turner**.

Water-Access-Only Property Policy

Petition requesting a review of the water-access-only property policy, received from **Mrs Judy Hopwood**.

Hotels and Clubs Smoking Restrictions

Petition supporting the banning of smoking in hotels and clubs, received from **Mr David Barr**.

BUSINESS OF THE HOUSE**Withdrawal of Business**

General Business Order of the Day (General Notice) No. 14, withdrawn by Mr Michael Richardson.

STANDING COMMITTEE ON PUBLIC WORKS**Report**

Mr Kevin Greene, as Chairman, tabled the report entitled "Inquiry into the Joint Use and Co-location of Public Buildings", dated December 2004.

Ordered to be printed.

QUESTIONS WITHOUT NOTICE

REDFERN RIOT WORKCOVER INVESTIGATION

Mr JOHN BROGDEN: My question is directed to the Minister for Police. Is the Minister able to confirm that two of the State's most senior police, Deputy Commissioner Dave Madden and Senior Assistant Commissioner Dick Adams and the New South Wales police department are being investigated by WorkCover for their failure to provide front-line police with adequate riot gear prior to the Redfern riot, which may result in a fine of \$825,000 for the police department and up to \$55,000 each for Mr Madden and Mr Adams?

Mr JOHN WATKINS: We have a number of inquiries ongoing about the Redfern riot and related events: the internal Coburn inquiry, which spurred the major police response to the events last February; the upper House committee hearings into Redfern; and the WorkCover investigation into the police response to that incident. This is public knowledge. The WorkCover inquiry has been ongoing for months and is publicly known. These three inquiries are all appropriate. As I have said on numerous occasions since 16 February, there are lessons that we must learn from the events of that weekend at Redfern, because it must never be allowed to happen again.

I am advised that officers from WorkCover recently interviewed senior police, including Deputy Commissioner Dave Madden and Assistant Commissioner Bob Waites. They were asked about the public order responses at Redfern, and in general for NSW Police. As far as NSW Police is aware, those WorkCover inquiries are continuing, as they have been for many months. NSW Police will co-operate fully with those inquiries, including any final decisions by WorkCover, even if that means prosecution. In July the Commissioner of Police and I announced a range of reforms to fight crime and provide an enhanced policing presence for the Redfern community. The 32-point plan will make Redfern police and the community they patrol much safer, and it is already working. This plan is based on advice from operational police, on advice received from the Upper House inquiry and the internal Coburn report provided to the commissioner.

It provides NSW Police with additional resources and strategies to drive down crime and help those officers in Redfern. But, let me remind the House of the support of the Leader of the Opposition for police who patrol in Redfern. He told *Stateline* on ABC TV on 13 August, "I don't think there's a single thing police did right at the Redfern riot." That is a direct insult to the 50 police officers who put their lives on the line and acted so bravely at that riot. We learned from the mistakes that happened in Redfern in February this year, but nothing can take away from the bravery and dedication of those brave police serving in Redfern.

INTERNATIONAL FRAUD

Mr ALLAN SHEARAN: My question without notice is directed to the Minister for Police. What is the Government's response to community concerns about international fraud schemes targeting New South Wales and related matters?

Mr JOHN WATKINS: I thank the honourable member for Londonderry for his question. When he referred to the fraud squad he was not referring to the Coalition's Dubbo campaign team. NSW Police is working hard to reduce the incidence of fraud, to capture offenders and to better protect our businesses and communities. As we all know, consumers around the world are increasingly using the Internet, which can open up a worldwide web of danger. Not only are we purchasing products over the Internet but we are also using the technology for day-to-day banking, and that is appropriate. The Internet has increased efficiency and access for consumers but also for criminals.

In a new crime phenomenon known as "phishing" fraudsters are capitalising on the electronic trading world by creating phoney warnings for customers designed to obtain private bank details, passwords and access numbers. The NSW Police fraud squad has identified a fraudulent email being sent around the State claiming to be from one of the world's largest banks. The fake Citibank email purports to be from the bank's identity theft solutions unit and a fraud-protection measure. It requests customers to protect their accounts by providing details and passwords via email. The fraud squad has found that the email originated overseas, most probably from Russia. It has arrived on the personal computers of people who have Citibank accounts and people who do not, and even in the operational memo inboxes of NSW Police officers. It looks real, asks real questions and has real Citibank logos. It is personally addressed to private email accounts, but it is a dangerous overseas financial scam that could clean out accounts very quickly. This is a warning to consumers in New South Wales that scam artists have become expert in using cyberspace. They are ready to take up any and every opportunity to fleece unsuspecting account holders.

As honourable members are aware, these international fraud offences are primarily a Commonwealth responsibility. However, as a result of lobbying by the New South Wales Government, the Commonwealth Government has developed a new set of offences to cover credit card skimming and this so-called phishing—the practice of using emails to deceive people into providing confidential banking details. A ministerial taskforce was established in 2002 specifically charged with responsibility for developing initiatives to combat fraud. Our fraud squad has been very active in developing special strike forces to target major offences. Strike Force Venlo targeted credit card skimming and made 23 arrests resulting in 125 charges being laid and nine deportations. Strike Force Bowers was established to investigate allegations of identity and financial institution fraud by a group of North-East Asians.

Another series of identity crime stings resulted in six Korean nationals being arrested and two being deported. The group was involved in attracting Korean students through newspaper advertisements to use the photographs and identities of people living in Korea to rort credit cards, loans and cheques. Thousands of fraudulent identity documents, including drivers licences, Medicare cards and credit cards, and computerised manufacturing equipment were seized. Since a New South Wales and Federal taskforce began operations in July 2003, more than 550 State and Federal charges have been laid and approximately 400 identity documents have been seized. We believe that that successfully prevented fraud to the value of about \$50 million. I acknowledge the work of the NSW Police fraud squad and its dedicated officers for the fine work they are doing in protecting the community against organised fraud. The squad is doing a great job. I am pleased to report that the latest figures from the Bureau of Crime Statistics and Research indicate that fraud in New South Wales has fallen 7.7 per cent over the 24 months to 30 September 2004.

LIFELINE TELEPHONE COUNSELLING LINE FUNDING

Mr ANDREW STONER: I direct my question to the Minister for Health. With the latest figures indicating that 35 suicides have occurred in country New South Wales over the past 12 months, why will the Minister not follow the Victorian Government's lead and provide funding to Lifeline's telephone counselling line, particularly given that his department actively refers people to the service?

Mr MORRIS IEMMA: The New South Wales Government has a non-government organisation grant program involving in excess of \$89 million. The bulk of those non-government organisation grants go to three areas: Aboriginal health services, drug and alcohol services and mental health services. The issues to which the honourable member referred and which are of particular concern to Lifeline are more than adequately covered

by that grant program, which deals with support for people with a mental illness, who are the most vulnerable in our community. This Government's mental health budget is more than \$700 million. Dozens of non-government organisations are assisted through this program, which, as I said, has a budget of more than \$89 million and which supports dozens of non-government organisations that provide drug and alcohol and mental health services to the most vulnerable in our community, including Aboriginals. This is a comprehensive non-government organisation grant program.

PUBLIC HOSPITAL TRAINEE POSITIONS

Ms LINDA BURNEY: I direct my question to the Minister for Health. What is the latest information on the appointment of new trainee physicians to public hospitals?

Mr MORRIS IEMMA: I am pleased to provide additional information to the House on the New South Wales Government's efforts to recruit medical specialists for rural and regional hospitals. Yesterday I updated the House on the success that Dubbo Base Hospital and Health Service has had in recruiting ear, nose and throat specialists, paediatric specialists and emergency department specialists. I am very pleased to inform the honourable member for Canterbury about the progress of the Government's plan for the distribution of physician training positions in New South Wales hospitals. In the middle of this year I announced a landmark plan—an Australian first—for the training and distribution of physician trainees in our public hospitals.

The plan centralises training positions by creating a central pool and dividing New South Wales into eight networks. The networks all comprise a large city teaching hospital, a metropolitan district hospital and regional and rural hospitals. The plan has been devised to ensure, firstly, that rural hospitals fill their training positions; secondly, that there are more trainees; thirdly, that rural hospitals get first pick and, fourthly, that the trainees spend more time on a rural, regional and outer-metropolitan rotation. The plan replaces the system under which our rural hospitals often went without—positions were often unfilled or they were filled only after city teaching hospitals had the first choice of trainees. I can provide the honourable member for Canterbury with the results of the advertising and selection process that has been undertaken since the new networks were launched.

For example, the Northern Sydney Coastal Network, which includes the Royal North Shore, Gosford and Lismore hospitals, has had a very successful time. That network is fully subscribed, as is the East Coast Medical Network, which links the Prince of Wales Hospital with Wollongong, Port Macquarie and Shellharbour. I am pleased to advise that all eight of these networks have seen an increase of 37 physician trainees for 2005, bringing the total to 306 that will be participating in the new physician training plan. The benefits will accrue firstly to our rural hospitals. For example, the Concord-Nepean network, which comprises Canterbury, Concord, Nepean, Ryde, the Blue Mountains and Tweed hospitals, will have 40 trainee specialists next year, a 42 per cent increase. The Hunter Regional Network, which comprises John Hunter, the Mater of Newcastle, Royal Newcastle, Belmont, Maitland, Tamworth and Wyong hospitals, will have 53 trainees next year, a 30 per cent increase.

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

Mr MORRIS IEMMA: I mentioned that for 2005 the northern Sydney network, which comprises Royal North Shore, Gosford, Manly, Mona Vale and Lismore, will have 38 trainees, a 40 per cent increase. These networks mean that there will be extra trainee positions at rural hospitals such as Tamworth, Dubbo, Orange—

Mr Andrew Fraser: Coffs Harbour.

Mr MORRIS IEMMA: We have an ear, nose and throat specialist for the honourable member for Coffs Harbour, and a urologist is on the way, don't worry. Taking into account positions filled by senior resident medical officers, locums and overseas trained doctors, the vacancy rate on this new plan will mean that the basic physician trainee network will see the vacancy rate for trainees drop to 5½ per cent: an extra 36 trainees bringing the total to 306 for 2005. The new plan has delivered on its objective: firstly, an increase of 36 physician trainees for 2005, secondly, it has been a better distribution of these trainee specialists into our rural hospitals and, thirdly, it has meant that the rural positions get filled first, ensuring that our rural hospitals get first pick and that their positions are filled first and not by the city teaching hospitals. I am very pleased to inform the House of the progress of this plan and the Government's efforts in getting more specialist doctors into rural and regional New South Wales.

MR JOHN GRAHAM HOSPITAL ADMISSION

Mr JOHN BROGDEN: My question without notice is directed to the Minister for Health. When will the Minister take action to get paraplegic John Graham a hospital bed so he can undergo remedial surgery for a cyst and not have to spend his third Christmas in pain waiting for his operation, unable to work and unable to leave his home without risk of infection?

Mr MORRIS IEMMA: I was informed of this matter just before question time so I have initiated inquiries into the matter. Not all the details on this matter have been delivered to me, but I will inform the House when that occurs. However, I am advised by the area health service that Mr Graham will be reviewed by the spinal injuries team at Prince of Wales Hospital later this week.

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

Mr MORRIS IEMMA: Pending that review, I am advised that Mr Graham's surgery is scheduled for next week.

BEEKEEPING INDUSTRY

Mr NEVILLE NEWELL: My question without notice is directed to the Premier. What is the latest information on beekeeping in New South Wales and related matters?

Mr BOB CARR: Beekeeping is a \$30 million industry for the State. It makes a huge contribution to exports—50 per cent of its product is exported to the world on behalf of Australia—and there are no fewer than 1,000 commercial beekeepers in New South Wales. Why should we not have a question on their interests from a Country Labor representative? While Andrew Stonehenge over there giggles at the fact that we have got a question about this industry, I can assure him that in the Riverina, western New South Wales, the Hunter, the mid North Coast, the North Coast and the South Coast, producing honey for our breakfast tables is a serious economic activity. The beekeepers are in trouble because of the drought. We have been working with them and we are doing our best to shore up this industry.

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

Mr BOB CARR: When beekeepers came in to see me recently they presented me with several generous jars of honey. Unlike the Leader of the Opposition's \$110,000 from PricewaterhouseCoopers, I will declare this on my pecuniary interest register. I had a very good briefing on this industry. For the benefit of The Nationals, an apiarist is a keeper of beehives. Beehives are very much like The Nationals' 16-member party room because they are abuzz with plots and perturbations, disloyalty and dismay, legs quivering, feelers waving, wings aflutter, in the wake of the disastrous Dubbo by-election result. The new honourable member for Dubbo, who on their argument should not be in this House, got terrific press today in the wake of her inaugural question to me yesterday. The *Daily Liberal* praised the way she handled her challenging and difficult first day in Parliament. Today's *Daily Liberal* in Dubbo stated—and we all know that Dubbo is a vibrant centre of beekeeping activity:

The rookie member had a big first day – not only was Mrs Fardell officially sworn in to State Parliament, she managed to squeeze off a question to the Premier as well.

And she got an answer. This was even before the outstanding inaugural speech that she gave this morning. Her local press—and, golly, didn't she get a lot of attention on radio and television as well—talked up her debut as amazing, but noted, with a tone of dismay, that there was some heckling and carrying on from the Coalition members. We know how that goes down in a country electorate: a lack of respect and a lack of chivalry towards the new honourable member for Dubbo is not appreciated by the community of Dubbo.

Mr Barry O'Farrell: Point of order: My point of order relates to relevance. This was a question about beekeeping. If we want to talk about chivalry let us hear what the honourable member did to the staff of the former honourable member for Dubbo. If the Premier wants to talk about what is on the front pages of the *Daily Liberal*, ask what has gone up since she was elected—unemployment in Dubbo, because she sacked Tony McGrane's staff. Shame on her!

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

Mr BOB CARR: He was put up to that by Andrew Stockholm. In the immortal words of Bob Dylan, "You better start swimmin' or you'll sink like a stone, for the times they are a-changin'."

Mr Ian Armstrong: Point of order: The standing orders clearly state that when a point of order is taken, the member with the call shall be seated. Twice in the last two minutes the Premier has defied the standing orders. I ask that you uphold the standing orders.

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

Mr BOB CARR: Isn't it nice how The Nationals looks after its veterans! The honourable member for Lachlan is down to his last cup of caviar, being sustained by them through the hard autumn years of his political existence. The Leader of the Opposition sat there, one might say stony-faced yesterday during the House's—

Mr Andrew Stoner: Point of order: My point of order is relevance. I remind Bob Carp-on that the question was about beekeepers and it was his Government that kicked them out of national parks.

Mr BOB CARR: I can assure Frank Stonestreet—or whatever his name is—that I am going to come to the very question of national park access and the fee charged. I am very touched that the New South Wales Apiarists Association presented me with this certificate of appreciation because we handled that very question of national park access; we solved it for them.

[*Interruption*]

It is not a forgery, you silly person; it is authentic. You can examine the signature and even do a DNA test. It is as real and as touching in its own way as the honey. In the whole history of beekeeping activity in New South Wales and the work of this association the award has only been bestowed twice before. I am very proud of it. It will be there with my World Conservation Union International Parks Merit Award and the Fulbright Distinguished Fellow Award, if you will just pardon me that observation. I was so stimulated by meeting with the beekeepers that I consulted a very useful guide, which I would recommend to any member of the House who wants to know more about the making of honey. It is "Small Scale Beekeeping" by Curtis Gentry, and chapter three is entitled "Bee Basics". When I read it I was struck by the analogy with The Nationals party room. It says that drones cannot sting. Isn't that interesting! In fact, it also says that one of their other characteristics—and this seems to have been written for Andrew Stonewell himself—is that they die after they have stung.

Mr Andrew Stoner: Point of order: The standing orders require that members refer to other members by their electorate or their official title. I remind Bob Carcass that he should abide by the standing orders.

Mr SPEAKER: Order! That is quite so, but in taking a point of order the Leader of The Nationals should not contravene the standing orders. The Premier has the call.

Mr BOB CARR: Small-scale beekeepers advise me that during periods of stress in the hive, the workers run the drones out of the colony. But enough of these distractions. Let me talk about the industry, which was always my intention.

Mr Andrew Tink: Point of order: The Premier defines "a drone". The Premier might define a queen bee in defining himself. Tell us about a queen bee!

Mr SPEAKER: Order! No point of order is involved. I call the honourable member for Epping to order for the second time. He will resume his seat.

Mr BOB CARR: I can reveal from files on the member for Epping not only that he did make representations on the part of the sexual predator he spoke about yesterday but also that he has made representations that have been thrown out of court five times on the basis of the evidence of an inmate who was so deranged that he thought he was a horse.

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

Mr BOB CARR: But back to the industry. When this industry was hit by drought the association came to the Government and we offered them assistance.

Mr SPEAKER: Order! Fourteen minutes remain for questions, and I would like question time to finish with a full House. A number of members have been called to order a varying number of times. Those members are now deemed to be on three calls.

Mr BOB CARR: When the industry came to see the Government to request assistance in the middle of the worst drought in 100 years, there had been no precedent for the Government assisting the beekeeping industry. We gave them the benefit of being included in our primary assistance drought package. We suspended all fees that beekeepers were charged for locating hives in national parks and State forests. Now, in recognition of the continuing impact of the worst drought in a century, I want to announce—

Mr SPEAKER: Order! I remind the honourable member for Murrumbidgee that he is on three calls to order, as are a number of other members. This is the last time I will warn members who have been called to order. If they again attract the attention of the Chair, they will be removed from the Chamber.

Mr BOB CARR: As a result of our good working relationship with this important industry, I want to announce that we will suspend, for the third year running, the fees these beekeepers would be charged for access to public land. I know that is greatly appreciated by the 1,000 commercial beekeepers in New South Wales. Our goal is that they can claim back their rightful market share from foreign importers, and they will do it with the support of the Government. We are, with this industry, the only side of politics to take up their interests and to give them relief from the drought. It never happened when the Coalition was in government. We delivered for them. We are the only side of politics to effectively represent their interest. I thank the Country Labor member for his question in the wake of the fall of The Nationals in Dubbo. I appreciate this great honour from the New South Wales apiarists, who so amply and generously testify their appreciation through this award, which I accept on behalf of the whole Government and on behalf of all of my colleagues who have worked with this industry. I thank the House for its attention.

Mr SPEAKER: Order! The honourable member for Vaucluse is using a mobile phone in the Chamber. That is a serious matter. I have made statements previously in relation to the use of mobile phones in the Chamber; it is grossly disorderly to do so. In future I will take a more serious view of the use of mobile phones in the Chamber by members. The honourable member for Vaucluse should either put away his mobile phone or use it outside the Chamber.

Mr Brad Hazzard: Point of order: I do not wish to canvas your ruling, but if a telephone is used as an electronic notepad, it could not be said that the member is using it as a telephone.

Mr SPEAKER: No, not at all.

Mr Brad Hazzard: It is no different to handwriting notes, which is what the honourable member for Vaucluse was doing, as do other members.

Mr SPEAKER: No.

Mr Brad Hazzard: On behalf of honourable members, I ask that the rule be revisited and clarified because mobile phones are used as other than just telephones. The honourable member for Vaucluse did not have it up to his ear; he was not making a call; he was using it as a notepad.

Mr SPEAKER: Order! In the past the relevant procedures in relation to mobile phones have been followed. However, in view of the issues raised by the honourable member for Wakehurst, and bearing in mind the large amount of electronic equipment now issued to members, I agree that further consideration should be given to the type of mobile phone used in the parliamentary precincts and how that equipment is used. This matter has been discussed on previous occasions.

MINISTER FOR REGIONAL DEVELOPMENT PORTFOLIO PERFORMANCE

Mr GREG APLIN: My question without notice is addressed to the Minister for Regional Development. How can the Minister justify spending at least \$149,000 on a new director of communications who, along with 12 other departmental spin doctors, is employed to "limit the impact of unpopular media coverage" when more than 170 manufacturing jobs have been lost in the Albury electorate because of his failure to create investment opportunities in rural and regional New South Wales?

Mr DAVID CAMPBELL: The Opposition has moved a great distance from Dubbo with this question, and one must wonder why. The Government and I are concerned that the directors of Ion Ltd have appointed voluntary administrators to the company and its Australian subsidiaries. The appointment of McGrath Nicol and Partners as voluntary administrators follows the decision by Ion's bankers to cancel its main lending facility.

The Ion transmission plant at Albury is one of the largest employers in the Murray region and has been a major operation in that area since 1971. The plant employs 750 workers to produce auto transmissions, transfer cases, and rear differentials for the export and domestic markets, and it is an important supplier of automotive transmissions to Ford in Melbourne and Sanyong in Korea. Later this week officers of the Department of State and Regional Development will hold a meeting with the voluntary administrators to obtain more information on how we might assist the company, particularly with finding prospective buyers for the business.

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

Mr DAVID CAMPBELL: The New South Wales Government will continue to monitor Ion's position and continue to work with the company to try to ensure that jobs are not lost. I note that public statements by the administrators indicate they believe that the company has sufficient assets to ensure that all workers' entitlements can be met in the unfortunate, and possibly unlikely, circumstance of the business being wound up.

INSTITUTE OF TEACHERS

Mr PAUL LYNCH: My question without notice is directed to the Minister for Education and Training. What is the latest information on the Institute of Teachers and related matters?

Dr ANDREW REFSHAUGE: From 1 January next year, New South Wales will, for the first time, have a formal process to ensure the quality of teachers across the State. This is a major reform to the New South Wales education system. The Institute of Teachers will be the first teacher accreditation body in this country. Parents want and expect that their children will have a highly motivated, qualified teacher, and the institute will provide parents with that assurance. We want to support the dedicated, professional teachers in our schools, and ensure that teachers receive the recognition they deserve. From next year every student who has finished their university teaching course will begin their career as a graduate teacher. The majority will be accredited as competent within their first two years in front of a classroom, and it will be a requirement that they are accredited within three years.

These professional standards prescribe what all teachers should know and should be able to do. As they continue their careers they will have the opportunity to apply for accreditation as accomplished teachers, and finally at the highest level the State's outstanding classroom teachers can be accredited as educational leaders. Work on establishing the institute is well under way. Every teaching student graduating from university this year has received a letter from the institute telling them what they need to do to be accredited for next year. Government and non-government schools are being told what they need to do to have their teachers accredited. Work is under way to ensure that all accredited teachers take part in professional development from 2006.

The institute will be working with universities to ensure that teacher training is of the highest quality and relevant to today's classrooms. The institute will be run by a five-person Board of Governance and a 21-member Quality Teaching Council. Today I am pleased to inform the House that the board will include a mix of people with an impressive array of experience and expertise. The chair of the institute will be the respected educator Dr Jim McMorrow. Dr McMorrow has had a distinguished career in education, working in both government and non-government school sectors and across a wide range of educational policy and planning issues. He was the convener of the New South Wales Teacher Education Review Task Force, which produced the blueprint for the institute.

Dr McMorrow has been a senior adviser to the Deputy Leader of the Federal Opposition, Deputy Director General of Planning and Policy for the New South Wales Department of Education and Training, a director in the Ministry of Education and Youth Affairs, and Executive Director of the National Catholic Education Commission. His appointment has been widely welcomed. Sharryn Brownlee from the Federation of Parents and Citizens has said:

Jim has a longstanding commitment to quality education in NSW and he has held a number of senior roles during his career.

Brian Croke from the Catholic Education Commission has said:

Few people have Jim's extensive experience in dealing with the administrative and policy challenges of the NSW Institute of Teachers. He has been engaged in developing the teacher professionalism agenda under successive NSW governments, Liberal and Labor, for more than a decade.

The Association of Independent schools has said that it has:

... worked with Dr McMorrow in many positions over the past 30 years and congratulate him on his appointment to this new position.

The New South Wales Teachers Federation said that Dr McMorrow is:

... a person of great integrity.

He has a strong respect for teachers, a deep understanding of the importance of quality teaching for all students, and he has won the respect of a broad range of education stakeholder groups.

The Professional Teaching Council said:

Dr Jim McMorrow is known for his integrity, sound educational background, genuine open and transparent consultation processes, and fairness in dealing with all major education stakeholder is.

Dick Shearman of the Independent Education Union said:

Jim has always demonstrated a commitment to improving the quality of education, while recognising the professionalism and commitment of the teaching profession.

Along with the chair and the chief executive officer, there will be three other board members. One is Ms Jenni Neary, who is head of knowledge and data management at Insurance Australia Group. Ms Neary has had a distinguished career across the business and public sectors. She is a former teacher who now has specific expertise in marketing, finance, and business strategy. Another is Mr John Azarias, who is a senior partner at Deloitte Touche Tohmatsu. Mr Azarias has had an impressive professional career. He is a past president of Australian Business in Europe. In May 2002 the Federal Trade Minister, Mark Vaile, appointed him to report on ways to improve business links between Australia and Europe. The third is Ms Penny Morris, who is a professional company director, holding directorships with Country Road, the Colonial State Bank, the Sydney Harbour Foreshore Authority, Landcom, and Howard Smith Ltd.

The board will hold its first meeting early next year. Along with the board, the institute's Quality Teaching Council will provide expertise and advice to the Government. Elections for the positions for teachers on the council will be held in the second half of next year. Together, the board and the council will provide the Government with a wealth of expertise to build on this landmark reform. Through the institute, we can give beginning teachers vital extra support during their first years in the teaching profession, encouraging them to continue with their careers and to strive for excellence. Quality teaching is the most important ingredient in a student's success, and all quality teachers should be held in the highest regard by the community. I am pleased to say that progress towards implementing the institute's work is well on track.

MENTAL HEALTH BEDS

Ms CLOVER MOORE: My question is addressed to the Minister for Health. How many mental health patients are discharged from psychiatric hospitals with an on-leave classification, although they have not yet stabilised, because their hospital bed is needed for someone whose illness is more acute? What action is the Minister taking to prevent this from occurring?

Mr MORRIS IEMMA: I will obtain the statistics and report back to the honourable member for Bligh. However, I am happy to report that in 2002 the Government commenced an accelerated mental health bed program, which will see an additional approximately 380 acute and subacute beds provided to our hospital system by 2007. I can inform the honourable member that a 50-bed, \$33 million acute facility is under construction at Liverpool, and that another 50-bed, \$15 million project at Wyong has been commissioned. The Dubbo mental health unit is currently under construction at \$5 million, providing 15 acute beds for the Dubbo unit. I also inform the House that the Richmond clinic is currently being planned for redevelopment, which will provide 25 acute mental health beds, including a component of child and adolescent beds. I also inform the honourable member for Bligh that an additional six projects are currently in the planning stage for submission as part of the Government's development of the budget. I can certainly provide additional details to her on those locations and the cost of those projects.

In relation to our efforts to improve the delivery of mental health services in our emergency departments, I inform the honourable member for Bligh that pilots are being trialled at Liverpool and Nepean hospitals on psychiatric assessment centres inside emergency departments. St Vincent's Hospital is also on the list should the pilot prove successful. On Monday departmental officers met with staff at St Vincent's Hospital to determine whether it is an appropriate venue for a psychiatric emergency assessment centre. I advise the

honourable member that that determination will include the feasibility of space near the emergency department to provide additional mental health beds and services for those suffering from mental illness. The Government has an extensive program to add to our acute and subacute bed base for those suffering mental illness, and I will be pleased to report back to the honourable member on the statistics she sought.

BARWON-DARLING RIVER SYSTEM WATER SUPPLY

Mr PETER BLACK: My question without notice is to the Minister for Infrastructure and Planning. What is the latest information that will assist water users on the Barwon-Darling River system?

Mr CRAIG KNOWLES: I have some good news for western New South Wales. Just last week the Murray Darling Basin Commission endorsed our proposal to spend \$72 million to recover approximately 71,000 megalitres as the first step in the long-term planning to return the Murray to a sustainable basis for future generations. The \$72 million is a mix of on-ground and on-farm works as well as money to take advantage of the opportunities that are being opened up as part of the national water trading regime. There will be some big infrastructure projects in the western part of the State as part of our long-term plan to sustain water.

The most spectacular project is the proposal to pipe the Darling anabranch of the Darling River between Menindee Lakes and its confluence with the Murray River, a distance of more than 200 kilometres. It is that sort of lack of interest from The Nationals that saw them get trounced—absolutely smashed—in Dubbo. I give them a small word of advice: if they do not care for the people of the bush, they will not care for them. They know The Nationals are not interested in them.

When the Leader of The Nationals does not bother to turn up to the New South Wales Farmers Federation for a shadow Cabinet briefing, one has to ask what is left of The Nationals? I could not conceive of any former National Party leader—not Armstrong, not Souris, none of them, right back to Page—who would not turn up to a New South Wales Farmers Federation briefing. As a journalist in the *Sun-Herald* gloated, it is a bit like Cardinal Pell missing a conclave of cardinals to attend a tombola evening. One has to wonder what is going on with The Nationals when the New South Wales Farmers Federation bungs on a shadow Cabinet briefing—

Mr Donald Page: Point of order—

Mr CRAIG KNOWLES: I do not know what planet the honourable member for Ballina is living on, but for him to give that notice of motion earlier is beyond comprehension. I have heard of loyalty to your leader, but that is taking it too far.

Mr Donald Page: To answer the question, I gave notice of the motion to put the facts on the record. My point of order is that the question was about water in the Barwon-Darling system. It is a very important issue. The Minister has sidetracked the House and himself by talking about The Nationals. I ask him to return to the question.

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

Mr CRAIG KNOWLES: The honourable member for Ballina is in delusion land, telling everyone The Nationals just won the seat of Dubbo despite the fact there is a woman up there who has been sworn into this House. Members opposite are not interested and mumble among themselves, and I want it recorded in *Hansard* that this once great party—the Country Party, the National Party, now The Nationals—that occupied both sides of this Chamber for generations, could not win back one of its previously safest seats. Gerald Beresford Ponsonby Peacocke would not be a happy man with that performance.

Mr Donald Page: Point of order: The question was about water policy—

Mr SPEAKER: I understand the honourable member's point of order.

Mr Donald Page: No, I want to make it plain that the former Minister complimented The Nationals on—

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

[*Interruption*]

Mr SPEAKER: Order! The honourable member for Ballina will resume his seat. I ask the Minister to keep his answer relevant to the question.

Mr CRAIG KNOWLES: It is either the butcher or the block. I am happy to work with John Anderson, but he is a fundamentally different human being and a fundamentally different leader to the Leader of The Nationals in this House. I say to the Leader of The Nationals, here is an application form for New South Wales Farmers. It lists all the things he might have learned had he bothered to turn up.

[Interruption]

He turned up to the Christmas drinks! That says it all. A whole lot of us turned up for the New South Wales Farmers Christmas drinks. Even Lee Rhiannon from the Greens turned up. Even the honourable member for Murray-Darling was there, representing the western part of New South Wales and Country Labor. When there is work to be done, when there is advocacy for country New South Wales, when there is a need to stand up for the people of the bush, he does not bother to front. In the context of the Premier's previous answer, if he were an apiarist and turned up to the briefing he could join New South Wales Farmers. But if he filled out the application form on behalf of The Nationals, under which category would he join? What organisation or agricultural activity is he representing? Is he representing a mob of sheep, a mob of beef, a mob of goats or, based on the comments of the honourable member for Ballina earlier, with that head in the sand attitude—

Mr Ian Armstrong: Point of order: To assist the Minister with his answer, I have been a member of New South Wales Farmers for 50 years. How long has the Minister been a member?

Mr CRAIG KNOWLES: I am happy to declare I am not a member; I am always happy to declare that I am a fellow traveller with them. For the benefit of the current leader of The Nationals, here is a list of the current executive. If he gets to know a few of them he might learn something.

Mr Donald Page: Point of order: The behaviour of the Minister in throwing that document across the table is not within standing orders and is very discourteous. I ask you to rule that that behaviour was unparliamentary and I ask you to direct him to take back that piece of paper.

Mr CRAIG KNOWLES: I apologise without reservation. They are just a mob of sooks; they are sore losers. They lost in Dubbo and they can't cop it. Out further west, where the honourable member for Murray-Darling resides, the pipeline will provide stock and domestic water to 42 station properties north of Wentworth.

Mr Donald Page: Let's have a ruling.

Mr CRAIG KNOWLES: Don't be a baby! Sit down and cop it. You are just a sook; you dish it out but you can't cop it. A new pipeline will provide water to 42 station properties. At present 50,000 megalitres of water every year is stored in 17 weir pools. Of that 50,000 megalitres only 3,000 megalitres is used. The other 47,000 megalitres evaporate or run into the dry dust in the west of the State. This project has the potential to save about 47,000 megalitres of water, provide secure stock and water supply to pastoral holdings and return 460 kilometres of ephemeral creeks to natural flows. It provides a clear dividend for both the regional economy and the regional environment.

They are just two proposals of our Living Murray initiative. We need to continue to look at innovative ways of managing our scarce water resources. At present we are undertaking discussions with water users along the Murray-Darling—indeed, the whole of the Barwon-Darling system—to determine the most commonsense way of establishing extraction limits that meet the national agreement. In simple terms, we have to establish a sustainable level of water. That will inevitably mean some change. I again make the point that as a consequence of the representations and demands of the honourable member for Murray-Darling—and I give him full credit—before any decisions are made on any proposal for the Murray-Darling and Barwon systems, a socioeconomic assessment will be undertaken to determine the impacts of any preferred strategy.

That is only fair. It is the same principle that has been adopted in co-operation with the Commonwealth Government in the assessment of the impact of our ground water sharing plans around the State. Those assessments have been deferred until the end of June next year to allow that work to be completed. What is missing is John Anderson's \$55 million, a commitment he made on behalf of the Commonwealth Government after the last Council of Australian Governments [COAG] meeting almost six months ago. The point I make to the Commonwealth Government is if it is good enough for John Anderson to back his constituents on the

Namoi, it should be good enough for users on the Barwon-Darling system as well. I congratulate the honourable member for Murray-Darling. As a result of his representations and determination, an agreement has been reached to conduct a socioeconomic study before any further work is done. That is good news for the western parts of New South Wales.

Questions without notice concluded.

BUSINESS OF THE HOUSE

Urgent Motions: Suspension of Standing and Sessional Orders

Motion by Mr Carl Scully agreed to:

That standing and sessional orders be suspended to allow consideration of both notices of motions for urgent consideration at this sitting in the order in which they were given.

HONOURABLE MEMBER FOR EPPING JUDICIAL COMMISSION COMPLAINT

Urgent Motion

Mr BOB DEBUS (Blue Mountains—Attorney General, and Minister for the Environment) [3.43 p.m.]:

I move:

That this House:

- (1) calls on the Leader of the Opposition to discipline the shadow Attorney General, the honourable member for Epping, who made representations on behalf of convicted child sexual offender Roger David Cheney to the Judicial Commission; and
- (2) calls on the honourable member for Epping to publicly apologise to the victims of Roger David Cheney and their families.

It does not give me any pleasure to move this motion. The honourable member for Epping is a legal practitioner who is presumably well educated in the principles of law from the Australian National University. He is aware of the principles of evidence and the need to research matters, verify dates and check and recheck before making any assertions. In the past I have found him to be a person who understands rational propositions and can respond to propositions in a rational manner, a trait that distinguishes him from some of his more rash, hot-headed colleagues. Under the leadership of my old sparring partner, Mrs Chikarovski, the honourable member for Epping, or the member for Eastwood as he then was, appeared to come under no particular pressure—

[*Quorum formed.*]

In this place yesterday the honourable member hinted that from time to time he receives instructions from his leader, presumably to participate in stunts and to launch into attacks that go against the grain of his years of legal training. Nevertheless, he has participated, often with an expression of distaste, in the exploitation of the grief and distress of various victims of crime. Standing by the side of his leader, he has called for appeals in cases where there is no reasonable prospect of success. Under the pernicious influence of the Leader of the Opposition the honourable member for Epping has espoused, for example, a policy of ruthless and personal attack upon the Director of Public Prosecutions [DPP]. Earlier this year that headlong destruction of the member's own legal credentials appeared to have reached the height of absurdity when in April he denounced the DPP for refusing to order a sixth trial of an offender, Earl Heatley. It did not matter to the honourable member that the case had been thrown out of court five times, including two hung juries, and it did not matter that the brief of evidence—

Mr Brad Hazzard: Point of order: The standing orders specify clearly that a member has to speak to his motion and cannot move outside the leave of the motion. The Minister is addressing issues that relate to the Director of Public Prosecutions which have absolutely nothing to do with this motion.

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

Mr Brad Hazzard: If you would look at the motion—

Mr ACTING-SPEAKER (Mr John Mills): Order! There is no point of order. The Minister has the call.

Mr BOB DEBUS: The relevance is that the honourable member has become so obsessed with these crazy campaigns of attacking the various institutions of the law that he is prepared to do almost anything that will contradict his legal ethics.

Mr Barry O'Farrell: Point of order: It is perfectly acceptable for the Attorney General to make points that are encompassed by his motion. His motion is very specific: it relates to a single instance involving a single allegation and has nothing to do with the line of attack that the Attorney General is pursuing. The Attorney General is meant to be the first law officer of the land. He cannot even draft a notice of motion.

Mr ACTING-SPEAKER (Mr John Mills): Order! I rule against the point of order.

Mr Barry O'Farrell: I will not cede the floor until you tell me under what standing order you reject the point of order. What is the point of drafting notices of motion? What is the point of having standing orders? What is the point of having an Acting-Speaker in the chair if you are going to ignore those orders?

Mr ACTING-SPEAKER (Mr John Mills): Order! The Attorney General has the call.

Mr Barry O'Farrell: What is the standing order? On what basis do you make that ruling? On what basis do you make that ruling? This has nothing to do with the notice of motion. I simply ask in all reasonableness on what basis you rule against the point of order. On what page, on what clause, on what motion do you base that ruling?

Mr ACTING-SPEAKER (Mr John Mills): Order! The Deputy Leader of the Opposition will resume his seat. The Attorney General has the call.

Mr Barry O'Farrell: When you tell me on what clause, on what basis, on what page of your rules he is allowed to do this. He cannot even draft a notice of motion that encompasses the issues he wants to raise.

Mr BOB DEBUS: The Deputy Leader of the Opposition is obviously very worried about this. The consequence of the honourable member's attitude is that he has become so upset—

Mr Brad Hazzard: Point of order—

Mr ACTING-SPEAKER (Mr John Mills): Is this a different point of order?

Mr Brad Hazzard: It certainly is. If the Minister wants to attack the character of the honourable member for Epping, or any member, Standing Order No. 82 specifically requires him to draft and present a substantive motion about an assessment of the member's character. This motion calls on the Leader of the Opposition to do something and on the honourable member for Epping to apologise. It is not a substantive motion that allows an attack on the character of the honourable member for Epping. The Minister should be ruled out of order and told to sit down. I invite you to read the motion—

Mr ACTING-SPEAKER (Mr John Mills): Order! I do not accept what the honourable member for Wakehurst says is correct in relation to the motion moved by the Attorney General. Therefore, there is no point of order under Standing Order No. 82.

Mr Brad Hazzard: Are you saying that it fits within Standing Order No. 82?

Mr ACTING-SPEAKER (Mr John Mills): Order! I have given my ruling. The Attorney General has the call.

Mr Andrew Fraser: Point of order—

Mr ACTING-SPEAKER (Mr John Mills): Nothing has happened since I gave my previous ruling.

Mr Andrew Fraser: Point of order: I draw your attention to Standing Order No. 105, which says that when a member rises on a point of order the person speaking should be seated and the Chair will hear the point of order. On two occasions here this afternoon—

Mr ACTING-SPEAKER (Mr John Mills): Order! There is no point of order. The Attorney General has the call.

[*Interruption*]

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Coffs Harbour is making a fool of himself. There is no point of order.

[*Interruption*]

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Coffs Harbour will resume his seat.

[*Interruption*]

Mr ACTING-SPEAKER (Mr John Mills): Order! The Chair is on his feet. The honourable member for Coffs Harbour will resume his seat. The Attorney General has the call.

Mr BOB DEBUS: The honourable member has made ridiculous and groundless claims that he was ethically, legally and professionally bound to make a complaint to the Judicial Commission on behalf of this vile inmate. No obligation of any such kind exists. What the member saw in the letter that he received from that reprehensible criminal was some spidery handwriting, four pages on prison stationery, and an incoherent denunciation of Justice Jeff Shaw. I believe the honourable member for Epping lost his head when he saw those words. He saw a chance to create another story for himself and for some journalists at the *Australian* newspaper. In past years the shadow Attorney General would have written me a cautious letter asking for more information and I would have answered that letter in private and quietly.

Mr Brad Hazzard: Point of order: Under the standing order as to relevance, Standing Order No. 83, the Minister has to acknowledge that it was a cautious letter, a bare minimum of a letter. He certainly should not be arguing this sort of case, trying to cast aspersions on a member of Parliament who simply did his job.

Mr BOB DEBUS: No, he did not do his job. He pulled a stunt.

Mr Brad Hazzard: Who is pulling a stunt? You are pulling a stunt.

Mr BOB DEBUS: The honourable member for Epping was pulling a stunt. [*Time expired.*]

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [3.53 p.m.]: It is with great pleasure that I take an opportunity to defend the hard work and integrity of the honourable member for Epping. The honourable member for Epping, unlike the Attorney General, understands what the people of New South Wales want when it comes to the administration of justice in this State. Because of that I move:

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

"this House calls on the Premier to discipline his Attorney General for incompetence and mismanagement of his portfolio".

Let us get on to the real topic. The modus operandi of the Government, which has been in office for nearly 10 years, is well-known. Indeed, it is a badge of honour for any member of the front bench or, indeed, any member of the Opposition to be singled out for attack. The only reason the Government is attacking the honourable member for Epping is because he is doing a great job, day after day, in ensuring that the worst Attorney General in the history of New South Wales, Robert John Debus, is held to account. In all that the honourable member for Epping does, he ensures that the weak and pathetic administration of the Attorney General and his incompetence, which is displayed daily, are highlighted for ridicule and criticism. We wish there were more days in the week to criticise the Attorney General because the one thing he has refused to do is to use the powers given to him under statute in this State to directly lodge appeals in cases where justice has not been done.

Time and again the Opposition and the people of New South Wales have called on the Government, in particular the Attorney General, to lodge appeals in cases where clearly justice has not been done. But the Attorney General runs and hides under the self-made Labor precedent that Attorneys General in Labor governments will not use their power to appeal. I make it clear that a Liberal-National Coalition Government will use the power of the Attorney General to lodge appeals to ensure that justice is done in this State. The honourable member for Epping will ensure that, should the court fail or, indeed, should the Director of Public Prosecutions again fail again to meet public expectations, a Liberal-National Government and my Attorney

General will ensure that an appeal is put in place. I wish I had more than 10 minutes because time and again there have been cases where the Attorney General has refused to appeal. For example, November 2002—

Mr Bob Debus: Point of order: Will the Leader of the Opposition indicate which previous Liberal Attorney General ever lodged an appeal in these circumstances? Was it Hannaford? Was it Collins? Who was it?

Mr ACTING-SPEAKER (Mr John Mills): Order! There is no point of order. The Leader of the Opposition has the call.

Mr JOHN BROGDEN: That is right, there is no point of order. There is no point to this motion at all. It is all about the shame of the Attorney General about his role in the appointment of Jeff Shaw. For weeks now the Attorney General has maintained the facade that he did not know about Jeff Shaw's alcohol problem, when he did. It is inconceivable that the Attorney General, a member of the same faction as Jeff Shaw, did not know about the alcohol—

Miss Cherie Burton: Point of order: I refer to relevance. I draw the attention of the Leader of the Opposition to the motion before the House. I did not think for one minute that I would hear the leader of a major political party defending the rights of a paedophile! The Leader of the Opposition said it was a badge of honour! He should not compare Jeff Shaw with the Liberal Party sticking up for paedophiles. It is a disgrace!

Mr ACTING-SPEAKER (Mr John Mills): Order! The Chair could not hear the second part of the point of order. However, on the point of relevance, there is no point of order.

Mr JOHN BROGDEN: The honourable member for Kogarah should be aware that the amendment to the motion states:

... this House calls on the Premier to discipline the Attorney General for incompetence and mismanagement of his portfolio.

One of the responsibilities of that portfolio is the appointment of Supreme Court justices and in that role this Attorney General appointed Jeffrey Shaw, a former New South Wales Attorney General and member of the same faction as this Attorney General. He appointed Mr Shaw to the Supreme Court! It is appalling that he has tried to turn the tables on the honourable member for Epping because of his embarrassment about this issue. The tragedy is that if the Attorney General were a real friend he would have taken the opportunity to help Jeff Shaw with his personal problem. But, no, that is not the way it works in the Labor Party. It is ludicrous for the Attorney General to suggest that he knew nothing about Jeff Shaw's drinking problem. It is beyond all consideration.

Mr Bob Debus: Are you saying that you knew?

Mr JOHN BROGDEN: As I have said publicly in the past, like many other honourable members I knew that he had a drinking problem, but I did not know the severity.

Miss Cherie Burton: Point of order: I refer again to relevance. The Leader of the Opposition's comments do not relate even to the amendment to the motion. I ask him to return to the original motion or to the amendment. The motion and the amendment have nothing to do with Jeff Shaw, but the Leader of the Opposition is going on and on about him. The House has heard enough of his slanderous comments.

Mr Bob Debus: To the point of order: Is it relevant that the Leader of the Opposition said on radio on the day that Jeff Shaw was sworn in that he was a lovely man, highly intelligent and that he was a great addition to the Supreme Court?

Mr ACTING-SPEAKER (Mr John Mills): Order! The remarks of the Leader of the Opposition are still relevant. However, bearing in mind that his amendment refers to "incompetence and mismanagement of his portfolio", if he intends to spend the remainder of his speaking time talking about only one issue, I suggest that he broaden his remarks.

Mr JOHN BROGDEN: There are attacks from within. Even the honourable member knows there is plenty of reason to criticise the Attorney General. Like the Attorney General, I attended Jeff Shaw's swearing in and I thought he was a good and appropriate appointment to the bench. Unlike the Attorney General, who sat around a table with him and worked with him for many years, I was not aware of the extent of his problem. The Attorney General was, and he has lied about it. The same applies to every other member of the Labor Party.

They have been lying about this for weeks and they are embarrassed. In fact, their embarrassment is so great that they have tried to turn the tables on the honourable member for Epping, who has done one thing and one thing only, that is, to fulfil his responsibility to a member of the public.

If a complaint is brought to a member, he or she should pass it on to the relevant authority. That is all the honourable member for Epping did. The correspondence from the shadow Attorney General to the Chief Justice and the Attorney General makes it clear that the honourable member for Epping did nothing more than pass on a complaint. He offered no opinion on the case, nor did he provide any weight to the criminal's argument. As any honourable member should when a serious allegation is presented, he simply passed it on to the relevant authority. It is part of the daily life of members—either as local members or shadow Ministers—that people present matters of concerns. The Attorney General is saying that if a citizen brings to a member of Parliament an allegation of corruption the member should ignore it; a member should not pass a complaint on to the Independent Commission Against Corruption. This is the worst Attorney General in the history of the State, and the day he stands down will be a great day for justice. [*Time expired.*]

Mr PAUL LYNCH (Liverpool) [4.03 p.m.]: The honourable member for Epping stands charged with making totally unmeritorious representations to the Judicial Commission on behalf of Roger Cheney. His defence, such as it is, has two legs. Last night we heard the rather spurious argument that as a barrister he had an obligation to do what he did. That was and remains nonsense unless he claims he is acting for Cheney. I would be delighted to hear him say that that is the case. The second leg of his defence, which was put by the Leader of the Opposition, was that he had to pass on this serious matter of corruption, otherwise it would be hidden. That is an interesting argument. Why on earth did Cheney make the complaint to the Judicial Commission directly? He lodged that complaint before the honourable member for Epping sent a letter anywhere.

That makes an absolute mockery of the argument put by the honourable member and the Leader of the Opposition. I suspect that the Leader of the Opposition did not know that and that the honourable member for Epping did not tell him exactly what happened, because he was not the first person to make a complaint. The first complaint was made by Cheney directly. Insofar as there is any obligation to refer the matter to the Judicial Commission, it was done well before the honourable member for Epping got involved. The honourable member's argument that he simply acted as a postbox is interesting. If there is one person in this Chamber who is not entitled to use the postbox defence it is the honourable member for Epping. The one thing that has distinguished his career in this place is his consistent and absolute demand that more people go to gaol to serve longer sentences. For the past decade he has repeatedly stated that there should be more offences and more people in gaol for longer periods. It is now hard for him to turn around and say that this convicted paedophile should be released.

I can list the campaigns he has run to put people into gaol. He has consistently attacked this Government for not putting people in gaol or for not leaving them there long enough, except for Cheney. He cannot use the postbox defence in this case. He has blamed the Government because Bell, Mulder, Pak Lun Chan, Grayson, Speyer, Rowley, Jamal and others have not been gaoled, or for long enough. The honourable member has been doing that for years. If, as honourable members opposite say, he is correct, how on earth can he justify doing what he has done in respect of Cheney? How can he do that and then defend a paedophile? He has been the doyen of the law-and-order lobby, which means his actions with regard to Cheney can only be labelled hypocrisy. There can be only two explanations for that hypocrisy: either what he has done in respect of Cheney is what he believes, and his tub-thumping law and order rhetoric is a cynical, political opportunist ploy to deal with the tabloid media, or he now has an obsession about Jeff Shaw to match his obsession with the Director of Public Prosecutions.

What the honourable member for Epping has done is in total contrast to everything else he has done over the past 10 years. He was the leader of the whip-'em-hard-hang-'em-high school, but he has now decided to try to defend a paedophile. If legislation to re-introduce death by hanging was introduced, the honourable member for Epping would say, "Hang 'em higher!" However, the leader of the law-and-order lobby now wants to defend paedophiles. We need an explanation for this hypocrisy. It is not good enough simply to say that it is hypocritical.

Mr Peter Debnam: Point of order: Clearly the words are offensive, and I am reminded of the honourable member's maiden speech, which is the only maiden speech in this House that has ever been shouted down—

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

[*Interruption*]

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Liverpool has the call. I have already ruled on the point of order.

Mr PAUL LYNCH: I would simply note that that interjection is on par with the rest of the Opposition's position: it is no substantive response.

Mr Brad Hazzard: Point of order—

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Wakehurst has nine seconds to state his point of order.

Mr BRAD HAZZARD: I would just like to point out that of all the people in the Parliament the member for Liverpool is the most hypocritical, after what he did to Liz Kernohan. To come here and carry on like this is quite ridiculous. Under Standing Order 85—

Mr ACTING-SPEAKER (Mr John Mills): Order! There is no point of order. I call the honourable member for Wakehurst to order for taking a frivolous point of order.

Mr ANDREW TINK (Epping) [4.08 p.m.]: The one thing that has distinguished the career of the honourable member for Liverpool is personal attacks on members. He began his career with a personal attack on the honourable member for Camden and he has been going downhill ever since. What I did was to refer to the proper authorities, namely the Attorney General and the Judicial Commission, a piece of correspondence, which has been received by me as shadow Attorney General, raising a question about something that had been decided by the Judicial Commission. I did what I thought was the right thing, which was to refer it off to the Judicial Commission and the Attorney General for their consideration and advice.

I have now got their consideration and advice and there is no further action required on the matter, none whatever—end of story. I did not advocate for this man; I did not support this man. I do not advocate for this man; I do not support this man. When I got a letter from him raising a question I did what I would imagine any reasonable member of the House would do, which is to refer it off to the appropriate authorities for their advice on the matter he has raised. When I got advice back from both of them, the Attorney General and the Chief Justice in his capacity as chairman of the Judicial Commission, I formed what I thought was the reasonable view that there was nothing further to be done. And I state here that there is nothing further to be done.

I personally wrote to the Judicial Commission and to the Attorney General taking the prudent step to seek their views on whether or not there was anything to what he was saying. If I had wanted to use this letter to go and attack, as the Government seems to conspiratorially think, former judge Jeff Shaw, then I would have said something in here about it at that time. I chose not to do that precisely because I did not want to use that letter as a vehicle for doing that very thing. In fact, as far as I was concerned the matter was a private matter, that is to say, a matter between me as a member of Parliament and the Attorney General as formerly a responsible Minister—which I would not say now—and the Judicial Commission, where I could get their advice precisely without going public.

I got their replies. I was not going to go public, and I do not choose to go public now. The only reason this matter is in the public domain is because the Attorney General, incompetent fool that he is, has chosen to make it public. The Attorney General said this, and I made a particular note of these comments: "Saw an opportunity to create another story for himself. Pulled a stunt". That is not me, that is the idiot Attorney General. This dope of an Attorney General saw an opportunity to create another story for himself; he saw it by using a piece of correspondence which I always intended to be private. He made it public and he has made a fool of himself. He has made things worse for Shaw, if they could possibly be worse for Shaw, and he is the one who ought to apologise to the family of the victims of the person involved in this note.

The Attorney General should apologise for breaking into the public domain a matter which should never have been public and which I never intended to be made public. The Attorney General pulled the stunt, I did not pull the stunt. I was doing my job as every other member of the Parliament should be doing. This man is the stunt puller. This man is the man who wanted to seek publicity for himself and he has got more egg on his face than there are eggs in Ingham chickens. Fair dinkum, he is a bloody fool. The Attorney General is in a position where he ought to reconsider his circumstances. What he has done in his handling of this matter is to

effectively discourage every member of this Parliament, and probably every member of the wider community, from ever raising an issue with him again. That is an absolute disgrace.

Mr Alan Ashton: Point of order—

Mr ANDREW TINK: What he should be doing is encouraging people to come privately to him and to provide information in the security of being able to get a private reply. When he turns the matter into a stunt he should resign. This is all about the Attorney General hiding behind his problems with the Shaw matter—

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

Mr ANDREW TINK: This is all about the Attorney General refusing to answer questions about what he knew and when he knew about the agreement to grant Jeff Shaw sick leave before he got into that traffic accident.

Mr ACTING-SPEAKER (Mr John Mills): Order! I call the honourable member for Epping to order for the second time. He will resume his seat.

Mr Alan Ashton: Point of order—

[Interruption]

The Opposition is not going to like it but it can hear it. In attacking the Attorney General the honourable member for Epping said that he wrote a letter to the Attorney General. The issue yesterday and today is that he wrote to the Judicial Commission after the matter had already been thrown out by three courts.

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

Mr Alan Ashton: The honourable member for Epping completely ignored your ruling.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for East Hills will resume his seat.

Miss CHERIE BURTON (Kogarah—Parliamentary Secretary) [4.13 p.m.]: I acknowledge the horrendous charges brought against Roger David Cheney, convicted of multiple accounts of sexual molestation of young children, of kidnapping, of sexual intercourse with children, of indecency and of assault. I acknowledge the victims themselves, children aged between the ages of nine and 10. I acknowledge their suffering and the scars they will forever carry with them as they go through life. I acknowledge the words of the sentencing judge in the District Court who said that Cheney had committed evil crimes and that he was a very resourceful and a very dangerous criminal.

Mr Brad Hazzard: Point of order: Sit down!

Miss CHERIE BURTON: A very dangerous criminal—he clearly is and he clearly was. And he was supported by the member for Epping.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Kogarah will resume her seat. I call the honourable member for Wakehurst to order. I have not kept a count of the calls to order because I thought the honourable member for Wakehurst had more sense. I am now keeping count. In view of that display I will not hear the point of order. The honourable member for Kogarah has the call.

Miss CHERIE BURTON: I acknowledge Crown advice obtained prior to his most recent attempt to petition the courts for release.

Mr Barry O'Farrell: Point of order—

Miss CHERIE BURTON: It said, "It is difficult to envision a less meritorious case for review of convictions".

Mr Barry O'Farrell: Point of order: I am prepared to stand here until Christmas to take this point of order. I want an acknowledgement.

Miss CHERIE BURTON: I can only add to that, let us imagine this horrendous criminal, this inhumane monster, sitting in his cell laughing at the victims.

Mr Barry O'Farrell: Point of order: I am taking a point of order, Mr Acting-Speaker, you absolute fool.

Mr ACTING-SPEAKER (Mr John Mills): Order! The Deputy Leader of the Opposition on a point of order.

Mr Barry O'Farrell: My point of order is twofold: firstly, there are standing orders in this place about members reading speeches, which the honourable member for Kogarah offends. My second point of order is that the honourable member for East Hills takes extra salary from this place for being a Whip. That does not mean to say that he can tell members to ignore the Speaker when the Speaker is on his feet. Mr Acting-Speaker, the member for East Hills should not tell the member for Kogarah to not listen to you, to stay on her feet and to continue to talk. I ask you to rule on both those issues.

Mr ACTING-SPEAKER (Mr John Mills): Order! I will take on board the two matters raised by the Deputy Leader of the Opposition. The honourable member for Kogarah has the call.

Miss CHERIE BURTON: I am quoting from a District Court Judge about a heinous crime and I want to make sure that I get it right for *Hansard*. Howard Brown from the Victims Crime Association League—

Mr Brad Hazzard: Point of order: Just to show what a charade and a game this is—

Mr ACTING-SPEAKER (Mr John Mills): Order! What is your point of order? I do not want to hear about charades and games. I want to hear your point of order.

Mr Brad Hazzard: It requires me to say first of all that this matter must be relevant under Standing Order 83. The honourable member for East Hills directed the honourable member for Kogarah to defy your order.

Mr ACTING-SPEAKER (Mr John Mills): Order! I have heard enough. There is no point of order. The honourable member for Kogarah has the call.

Miss CHERIE BURTON: The honourable member for Epping should apologise for what he did because he made a horrendous mistake. In the face of Mr Hadley holding the member for Epping to account, the member for Epping raised this most extraordinary excuse. I quote the transcript. Please remember these are not my words:

I'll continue to run my campaign. You know, nothing's changed here ... if I get a complaint I've got to forward it on.

On behalf of the victims, their support groups and the elected representatives on this side of the Chamber at least, let me say to the member for Epping just three words—like hell, mate. Finally, I note that the member for Epping has been condemned by the community, the media, the victims and their representatives. On the web site of the New South Wales Council for Civil Liberties is this media release, which is curiously titled—

Mr Peter Debnam: Point of order: What we are seeing here is a cheap member of one of the factions who does not know what she is talking about. She is simply reading a speech written by the Attorney General.

Mr ACTING-SPEAKER (Mr John Mills): Order!

Mr Peter Debnam: She should sit down and put down the piece of paper. It is offensive to the Parliament. You ought to throw her out.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Vaucluse does not have the call. He will resume his seat.

Miss CHERIE BURTON: It states:

Andrew Tink is correct: everyone has a right to be represented. Mr Tink should be congratulated for vigorously defending the right of all prisoners to obtain a fair and unbiased hearing.

You have got the support of the civil liberties council. Good on you! Well done! The honourable member for Epping has finally found an endorsement for his position that he can run with.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Wakehurst on a point of order.

Mr Brad Hazzard: Point of order—

[Time expired.]

Mr BOB DEBUS (Blue Mountains—Attorney General, and Minister for the Environment) [4.18 p.m.], in reply: When the member for Epping received a letter from Roger David Cheney, he made no attempt, for instance, to enter those words into Google. He did not check on Lawlink, as any decent lawyer would, and if he had, he would have seen the full details of Cheney's trial and conviction and, indeed, he would have been able to read for himself—

Mr Brad Hazzard: Point of order—

Mr ACTING-SPEAKER (Mr John Mills): Order! The Attorney General will resume his seat. The Chair is on his feet. The honourable member for Wakehurst will resume his seat also. I call the Deputy Leader of the Opposition to order.

Mr Brad Hazzard: Point of order: The standing orders indicate that the Minister at this point must address matters in reply. By definition that means he must address what has been raised in debate. At no point did any member, including the Minister, use the word "Google" or anything to do with searches. Mr Acting-Speaker, you either hear this point of order in fairness and justice or this place will be totally out of control.

Mr Carl Scully: How can you say that?

Mr Brad Hazzard: The Minister should not have come into the Chamber or he should have been here earlier to try to keep his members in order. The Minister can only speak in reply on issues raised during the course of debate. The Minister is not entitled to make new assertions and new allegations. I ask you to rule that way and bring him back to what has already been discussed.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Wakehurst is correct in what he says, but I rule that the word "Google" is not a contribution to the debate. It is a computer technique and, therefore, the point of order is not relevant. The Attorney General has the call.

Mr BOB DEBUS: He did not check on Lawlink, as any decent lawyer would have. If he had, he would have seen the full details of Cheney's trial and conviction. Indeed, he would have been able to read former Justice Shaw's eloquently reasoned rejection of the petition.

Mrs Jillian Skinner: Point of order: I ask you to ask the Attorney General to advise how many of his constituents he puts into Google before he drafts letters and to ask honourable member for Kogarah how many constituents she puts into Google before she drafts letters.

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

[Debate interrupted.]

BUSINESS OF THE HOUSE

Urgent Motion: Suspension of Standing and Sessional Orders

Mr CARL SCULLY (Smithfield—Minister for Roads, and Minister for Housing) [4.23 p.m.]: I move:

That standing and sessional orders be suspended to allow the Attorney General to speak for a further 10 minutes in reply.

Mr ANDREW TINK (Epping) [4.23 p.m.]: Rarely have I seen the need for the Leader of the House to intervene to save such a senior Minister as the Attorney General. Rarely could there be an example of greater incompetence than the Leader of the House having to come and save the Attorney General by moving this

pathetic motion for extension. These two gentlemen ought to get the sack this afternoon. They are an absolute disgrace. There is a motion of no confidence in the Attorney General if ever I saw one.

Mr CARL SCULLY (Smithfield—Minister for Roads, and Minister for Housing) [4.23 p.m.]: I move:

That the question be now put.

Division called for.

Mr Andrew Humpherson: Point of order: Standing Order 405 provides that closure cannot be moved when a member is speaking to a motion to suspend standing and sessional orders.

Mr SPEAKER: Order! The standing orders do not make provision for the moving of a closure motion when a member is speaking to a motion to suspend standing and sessional orders. I rule the motion out of order pursuant to Standing Order 405 (5).

Division called off.

Mr SPEAKER: Order! The speaking time of the honourable member for Epping has expired.

Mr Andrew Fraser: Point of order: Under the ruling you just gave, as the motion by the Minister under Standing Order 405 was out of order, the member's speaking time should resume from the time the Leader of the House moved his motion, which was out of order. Therefore, the honourable member for Epping should be given time to complete his contribution.

Mr SPEAKER: Order! The standing orders are explicit about that. If points of order are taken when a member is speaking, the member's speaking time is eroded by those points of order.

Mr Barry O'Farrell: Point of order—

Mr SPEAKER: Order! I will not entertain any further points of order. As I said, the standing orders are explicit about this matter. The speaking time of the honourable member for Epping has expired. The question now is: That the motion for the suspension of standing and sessional orders to enable the Attorney General to speak for a further 10 minutes in reply be agreed to.

The House divided.

Ayes, 53

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

Noes, 30

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

Pairs

Ms Beamer	Mr Armstrong
Ms Saliba	Mr Hartcher

Question resolved in the affirmative.

Motion agreed to.

HONOURABLE MEMBER FOR EPPING JUDICIAL COMMISSION COMPLAINT**Urgent Motion**

[Debate resumed.]

Mr BOB DEBUS: The honourable member for Epping made the ridiculous and groundless claim that he is ethically, legally and professionally bound to make a complaint to the Judicial Commission on behalf of this inmate. No obligation of any such kind exists. Other members of Parliament have received correspondence from this inmate. They have made their own careful assessment and they have written back to the inmate, rejecting his representations.

Mr Andrew Fraser: Name them!

Mr BOB DEBUS: I will name one. The Hon. Dr Meredith Burgmann, who yields to nobody in her devotion to civil liberties and to the rights of prisoners to review and redress, received such a letter. She assessed it and rejected the request from that inmate. If the honourable member had chosen even to look briefly at Lawlink, as any decent lawyer would have—

Mr Brad Hazzard: Point of order: The standing orders require that the honourable member speak to the motion before the Chair. At this point he is in reply and therefore must address matters raised in the course of debate thus far. He must not raise new matters. He is now making reference to a member in another place who has not been discussed and her practice and procedures in dealing with constituent inquiries. Those matters have not been raised at any point in debate. Therefore I ask that you direct the Minister to return to the motion and confine himself to matters that are proper to be dealt with in reply.

Mr SPEAKER: I am sure the Minister will heed the rules of the House.

Mr BOB DEBUS: That is a nonsense. If the honourable member had chosen to look at Lawlink—

Mr Brad Hazzard: Point of order—

Mr SPEAKER: Order! I will not hear anything further on the point of order. I have already indicated that the Minister should heed the rules of the House.

Mr Peter Debnam: I think the concern of the Parliament—

Mr SPEAKER: Clearly this is an exercise in time wasting.

Mr Peter Debnam: —would be that a Minister of the Crown just told you as Speaker that he was not interested at all in what you said 10 seconds before.

Mr SPEAKER: That is nonsense. The honourable member for Vaucluse will resume his seat.

[*Interruption*]

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

[*Interruption*]

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

Mr Peter Debnam: Mr Speaker, either you are going to tell the Minister to stick to the standing orders and to the rulings or this Parliament breaks down.

Mr SPEAKER: Order! The tactic of the honourable member for Vaucluse is transparent and it belittles him.

Mr BOB DEBUS: For the record, I was making a remark about the honourable member for Wakehurst and not about you.

Mr SPEAKER: Order! There is no point of order. The Minister will continue with his reply.

Mr BOB DEBUS: I have indicated several times—and I shall do so again—that the most elementary research by the honourable member would have shown him the full details of Cheney's trial and conviction, and he would have been able to read for himself Justice Shaw's extraordinarily well-argued rejection of the petition that had been presented by this serial child molester. There is no doubt that in past years, if the honourable member had a concern with the judge, he would have written to me in a cautious way and I would have responded to him with appropriate information.

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

[*Interruption*]

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

Mr BOB DEBUS: What happened in this case is, with the dispute regarding Justice Shaw at its height, the honourable member decided, contrary to all precedent, he would refer the matter to the Chief Justice as head of the Judicial Commission. Obviously he did that in haste. He did it without making preliminary checks that a good lawyer would make. He is under no obligation to do that without checking, and he attempted to make political capital, to seize political advantage, as he did so. What the honourable member did was to give an evil, manipulative man some fresh hope. The honourable member showed an offender that even in his prison cell he could still reach out and pull the strings of the justice system.

Mr SPEAKER: Order! I am not happy with the way this debate is being conducted. However, it will be completed in the proper way. All members in the Chamber are deemed to be on three calls to order. I will not hesitate to have them removed from the Chamber if they transgress further.

Mr BRAD HAZZARD (Wakehurst) [4.45 p.m.]: I move:

That the honourable member for Blue Mountains be not further heard.

The House divided.

Ayes, 29

Mr Aplin
Ms Berejiklian
Mr Cansdell
Mr Constance
Mr Debnam
Mr Fraser
Mrs Hancock
Mr Hazzard
Mrs Hopwood
Mr Humpherson

Mr Kerr
Mr Merton
Mr Oakeshott
Mr O'Farrell
Mr Page
Mr Piccoli
Mr Pringle
Mr Richardson
Mr Roberts
Ms Seaton

Mrs Skinner
Mr Slack-Smith
Mr Souris
Mr Stoner
Mr Tink
Mr J. H. Turner
Mr R. W. Turner
Tellers,
Mr George
Mr Maguire

Noes, 51

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

Pairs

Mr Brogden	Ms Beamer
Mr Hartcher	Ms Saliba

Question resolved in the negative.

Mr SPEAKER: Order! The Minister's time for speaking has expired. The question now is: That the words proposed to be left out stand part of the question

Question put.**The House divided.****Ayes, 52**

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

Noes, 30

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

Pairs

Ms Beamer	Mr Armstrong
Ms Saliba	Mr Hartcher

Question resolved in the affirmative.

Amendment negatived.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 51

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

Noes, 31

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

Pairs

Ms Beamer
Ms Saliba

Mr Armstrong
Mr Hartcher

Question resolved in the affirmative.

Motion agreed to.

BILLS RETURNED

The following bill was returned from the Legislative Council without amendment:

Statute Law (Miscellaneous Provisions) Bill (No. 2)

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

Motion by Mr Carl Scully agreed to:

That standing and sessional orders be suspended to provide that:

- (1) the matter of public importance selected for today be postponed and be the matter of public importance in the routine of business for Thursday 9 December 2004; and
- (2) at 5.30 p.m. private members' statements be heard and any business then before the House lapse.

ABORIGINAL HEALTH AND SOCIAL ISSUES**Urgent Motion**

Mr ANDREW STONER (Oxley—Leader of The Nationals) [5.10 p.m.]: I move:

That this House notes the serious health and social issues facing Aboriginal people and their communities in rural and remote New South Wales.

Today the House is debating two urgent motions that could not present a greater contrast. One involved a political witch-hunt initiated by the Labor Party and directed at the honourable member for Epping, and other is this motion, which relates to the appalling state of the wellbeing of Aboriginal people in this State, particularly in western New South Wales. It is sad that time will not permit a full debate on this motion. The Government chose to have its urgent motion debated before this motion, which deserves a far more comprehensive debate because there are few more pressing issues facing New South Wales than the various social and health indicators relating to Aboriginal people, particularly those in far western New South Wales.

For example, the average age of death of Aboriginal men in far western New South Wales is just 33. That is an absolute tragedy and a scandal. The incidence of blindness in Aboriginal people in the area is 10 times the national average. They also have the State's highest incidence of ear, nose and throat problems, which particularly affect children. The incidence of tobacco-related deaths of Aboriginal women in the area is 64 times the national average. They are shocking statistics, and this State—indeed, this nation as a whole—must come to grips with them. However, this is the New South Wales Parliament and I am talking about State responsibility for health and social programs. It is important to have a comprehensive debate on this issue, and I reiterate my disappointment at the limited time available to address it.

After 10 years of the Carr Labor Government Aboriginal people in New South Wales continue to wallow in misery. For example, three-year-old Joanie Shillingworth from Enngonia desperately needs an operation to clear a middle ear infection. Without the operation she will probably go deaf. However, under this State's health system the operation cannot be done locally in Bourke, which is the closest large town, or at Dubbo, which is a large regional city. For some reason, under the New South Wales health system the relevant treatment is available only in Sydney. Under the Labor Government this little girl and her mother are expected to travel to Sydney, but she can get funding to travel only to Dubbo. The irony is stark as the Premier jets off on

another overseas jaunt, this time to Paris. The 5 December edition of the *Sun Herald* quotes Joanie's mother as saying:

It's going to be tough... but we've just got to get her there somehow, poor kid.

Judy Johnson, the Chief Executive Officer of the Bourke Aboriginal Health Service, is also quoted in the article as saying:

We might as well be on Mars!

The articles continues:

As for health and social problems, outback means out of sight and out of mind. Mainstream Australia throws up its hands and says it's all too hard, all too depressing. Aboriginal health is not on the public agenda.

Judy Johnson is again quoted as saying:

People just don't want to know.

The article further states:

Johnson is constantly frustrated by the red-tape tangle of dealing with governments, yet she is upbeat. She's been wrangling over funding for 10 years and she's no quitter.

Judy Johnson is again quoted as saying:

We deal with these issues one on one or in groups but there just aren't enough health workers to go around. It's near impossible to get clinical staff to go to a remote area. They won't come past the curtain—the Blue Mountains.

It appears to that community that the Government is out of sight and out of mind in terms of its response to local problems. It obviously believes that the State health system is out of sight and out of mind. Community nurse Michel McGee is quoted in the article as saying:

... we get plenty of kids with glue ear and maggots in the ears.

The article continues:

Transport is a constant headache. "For getting clients to appointments there's only so much money to go around and we have to balance that," she says. "So decisions can bring a lot of criticism. We have access to the air ambulance but we can only fly people to Sydney if a doctor says they can't travel by any other means. Otherwise, they have to make their own way. Also, a lot of Aboriginal people don't like to fly."

Clearly there is a problem if these people cannot access the health services they need at a local centre. We need a decentralised health system that can save the hearing of little kids like Joanie Shillingworth. It appears to these people that the Government has turned its back on Aboriginal communities in western New South Wales. For the Sydney-centric Government it is a case of out of sight and out of mind. While the Premier fritters money away on upgrading the Belvoir Street Theatre at a cost of \$5.5 million, spending almost \$10 million on monitoring the Government's media performance, nearly \$2 million on empty office space and \$10 million on consultants, Aboriginal people in far western New South Wales have a teen pregnancy rate 16 times the State average and high rates of unemployment, drug and alcohol dependency, domestic violence and incarceration.

They are shameful statistics. They are a disgrace to the State and a damning indictment of the Carr Labor Government for its lack of effective policies to deal with these issues. These people are citizens of New South Wales but when one visits their communities one wonders whether that is the case. I hasten to add that there is some hope, particularly through the provision of jobs in those communities. The 5 December edition of the *Sun Herald* states:

Simpson—

the Mayor of Brewarrina—

believes only employment will bring hope, and plans to create 400 jobs in five years through a joint enterprise with other outback towns. "Give two people a job and you make 20 people happy," he says. "Hopefully, we can turn things around and give people back pride and dignity."

That is the sort of constructive approach we need and the type of initiative that the Government should get behind. Other programs such as the Aboriginal Employment Service, which is headed by Dick Estens, is based in Moree and has created 800 jobs since its inception in 1997. It is also working in Dubbo, where 120 jobs have been created, and Tamworth, where 150 jobs have been created. The Aboriginal Employment Service has had great success in creating jobs for these people and attacking poverty and the associated dysfunction that results in those communities. The Barwon Darling Alliance, a group of councils and other groups in far western New South Wales, has established enterprise zones that provide taxation and other incentives to encourage businesses and industry to provide jobs. However, the Labor Government has not given those programs any meaningful assistance.

There are some other statistics I would like to place on the record. In today's *Sydney Morning Herald* the Minister for Education and Training acknowledged that the most pressing need for improvement was in Aboriginal education. He said Aboriginal education results still remain one of our biggest and hardest nuts to crack. It is an important challenge. The Australian Council for Educational Research reported that the national mean indigenous score in mathematics literacy is 440 compared to a non-indigenous mean of 526.

These are huge problems. The Government has had nearly 10 years to crack these nuts, as the Minister for Education and Training says, and it is getting absolutely nowhere. That is why we have to have a full and proper debate in this place. What could be more important than the fact that citizens of this State are getting sick at an alarming rate, suffering misery due to drug and alcohol abuse and other social dysfunction, and ultimately many of them are dying far too young. In all good conscience, no member of this place, especially those representing electorates in western New South Wales, could vote against the motion. However, it is disappointing that we will not have the opportunity to fully debate this urgent matter.

Ms LINDA BURNEY (Canterbury) [5.20 p.m.]: The Leader of The Nationals is correct when he says this is a serious and urgent matter. Aboriginal people face serious health and social issues in many western communities and, indeed, in many other communities across New South Wales. However, in this discussion we need to remember that those communities are made up of Aboriginal and non-Aboriginal people and the effect of poor health and infrastructure problems necessarily have implications for the whole community.

Last Thursday I had a wonderful day. I drove down to Canberra with my daughter and walked the last seven kilometres into Canberra with Michael Long, who has inspired the nation. He decided that he would walk to Canberra because he had been to one funeral too many. It seems to me that this fits into this discussion. Not many people seem to grasp the fact that New South Wales has the highest Aboriginal population in Australia. In fact, the highest population is in Mount Druitt in Sydney. That is not to say that there are not substantial Aboriginal populations in inland New South Wales. As people move to the coast out of those communities—be it Dubbo, Tamworth, Walgett or wherever—the Aboriginal percentage of the population is increasing. We need to take that important policy consideration into account.

I remind the House that constitutionally the Commonwealth has responsibility for Aboriginal affairs. The Commonwealth funds almost entirely the Aboriginal non-government organisations that provide services in rural and regional towns. If the assertion is that we have done nothing over the past 10 years, I am not sure what my life has been about over that time because I have spent the past 25 years working on these issues. These social and health issues are complex and we need to understand where they come from. They come from long-standing poverty, which results from a history of dispossession, racism, capacity within communities, capacity of leadership within communities and some of the other issues the Leader of The Nationals has pointed out.

However, it is not true to say that the New South Wales Government has done nothing. That is far from the truth. When one looks at health—and this is something I worked on for many years—one sees that the NSW Health Otitis Media Program is second to none in this country, as is the Aboriginal Vascular Health Program. The Aboriginal Family Health Strategy is an amazingly innovative way of holistically approaching issues concerning family violence, sexual assault, child abuse and all the contributors to those problems. The New South Wales Aboriginal Environment Health Officer Traineeship Program, the Collaborative Centre on Aboriginal Health Promotions run by NSW Health Partnerships, and Housing for Health in the Aboriginal Communities Development Program are examples of the efforts being made by the New South Wales Government to deal with these problems.

Not one person on this side of the House will not accept there are still enormous problems. As a member of the Labor Party, I will not accept that good and strong efforts are not being made. The Circle Sentencing Program, which was implemented by the Attorney General, is a leading model in Australia and

internationally as a way of dealing with crime and punishment. The long-term 10-year commitment that has been made by the New South Wales Government to the development and implementation of a Two Ways Together policy, including making chief executive officers responsible in their performance agreements for a developed set of performance indicators, is also leading edge best practice in Australia. I do not claim that there are not enormous issues to be dealt with. I am simply saying that the New South Wales Government is making many innovative investments in social justice for indigenous people.

The Leader of The Nationals raised the matter of Jodie Shillingworth and asserted that somehow or other the Government could not give a damn. I was contacted by a woman in the electorate of Canterbury who will donate \$1,000 towards Jodie Shillingworth's treatment. Yesterday I called on the office of the Minister for Health, and I am following through on discussing ways we could collaboratively provide support for Jodie. People do give a damn, and people do care about the health outcomes for indigenous people. I am concerned about the current debate about proposed welfare reforms and the notion put forward by the Commonwealth Government of mutual obligation. I spent the day before yesterday in Canberra with Mick Dodson and a number of others involved in these discussions.

Mutual obligation and reciprocity are well known in the Aboriginal community. However, I am worried that coercion will be involved in implementing the proposed mutual obligations. If that is the case, I can guarantee that the Commonwealth's efforts will not bear fruit and there will be more serious health and social issues such as those we are discussing today. The Aboriginal communities are well known to me. I have visited them all on many, many occasions. The only one I have not been to is Weilmoringle, which is the most remote town in New South Wales. The Parliamentary Secretary for Aboriginal Affairs has visited that community on two occasions and is taking up these issues.

In conclusion, I would like to make three points. We need to understand the cycle of poverty that many Aboriginal families find themselves in. Governments must be concerned, as this side of the House is, about where that cycle is to be broken. The cycle of poverty goes a little like this. A poor education outcome will almost guarantee a poor employment outcome, keeping in mind that in many of these communities jobs are scarce and the capacity for business generation is limited. A poor employment experience will probably result in poor housing, which in turn will result in poor health, and so the cycle continues. In these communities the Aboriginal Community Development Program is doing amazing work in the provision and renovation of houses to ensure that they are safe and habitable under the Housing for Health Program. However, the outcome of the proposed welfare reforms could be jeopardised because the Aboriginal Community Development Program is also creating jobs, building companies and businesses. I conclude by agreeing that there are health and social issues to be addressed by the Government, but also by the broader community, the business sector and the non-government sector. The Government is committed to addressing those issues.

Pursuant to resolution business interrupted and motion lapsed.

GOVERNOR OF NEW SOUTH WALES HOSPITALISATION

Mr CARL SCULLY: I advise the House that a short while ago a statement was issued from the Chief of Staff of the Office of the Governor, Mr Brian Davies, who said:

The Governor, Professor Marie Bashir, has been taken to a Sydney hospital after a fall.

Professor Bashir is comfortable, in good spirits and is undergoing further tests.

I am sure all honourable members will join me in wishing the Governor a speedy recovery.

PRIVATE MEMBERS' STATEMENTS

SIR ERIC WOODWARD MEMORIAL SCHOOL NURSE POSITION

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [5.31 p.m.]: Two and a half years ago I raised an issue on behalf of parents of students at Sir Eric Woodward Memorial School at St Ives, which is a school for special purposes catering to some of the frailest students in the State, many of whom suffer multiple disabilities. In September 2002 I met with parents concerned about a proposal to withdraw the current full-time nursing position from the school. As a result of representations to the then Minister for

Education and Training, the honourable member for Ryde, and the Minister for Communities Services, Disability and Ageing, the Hon. Carmel Tebbutt, agreement was reached that the position would continue to be funded until the Department of Education and Training and the Department of Ageing, Disability and Home Care [DADAHC] could resolve funding issues surrounding it.

I was grateful at that time for Carmel Tebbutt's resolution of the matter in that manner because it accorded with the views of the parents and the needs of the students. With this issue, it is the needs of the students that are most important. It pains me to state that once again parents of the school have contacted me to tell me that this nursing position is under threat. The previous occupant of the position, Sandy Menzies, left her role a month or two ago to pursue another position and DADAHC is currently providing agent nurses to fulfil that role. Parents have informed me that the agency arrangements do not replicate that provided by the former full-time nurse and on some days no nurse has been available at the school.

DADAHC has recently suggested to parents that the nurse position will change at the end of this term—in other words, from the start of next school year—and in future it will be run on an individual referral basis. Once again we have a proposal to withdraw the full-time nursing position from Sir Eric Woodward Memorial School and to relocate the position to Hornsby, 10 to 15 minutes away. One may ask what is wrong with that? The reality is that these children suffer severe and multiple disabilities. They are prone to seizures. In many cases when those seizures occur, they are required to have medicines administered to them. In some instances, the medicine can be administered only by qualified nurses or paramedics.

It is unacceptable to place the responsibility of looking after students who may suffer a seizure on teachers and auxiliary staff at the school pending the arrival of a nurse located off-site. If we are to run schools in this State for people suffering severe disabilities as we should, and as I support, the Government, acting on behalf of taxpayers, must also accept the responsibility of providing appropriate care for those students whilst they attend school. I do not seek to reargue the case I made in this House on 25 September 2002. As I say, the Hon. Carmel Tebbutt accepted my position at that time. Suffice it to say that 17 severely and multiply disabled students attending the school may suffer serious consequences as a result of a failure to continue to have a nurse located full-time at the school.

It is not acceptable for teachers or auxiliary staff to have the responsibility, until a nurse arrives, of minding children suffering a seizure. I know that the New South Wales Teachers Federation and auxiliary staff are concerned about the matter. The delay in administering the sorts of medicines that have to be administered during emergency sessions at the school can have dire consequences. I take this opportunity, on behalf of my constituents who have children at the Sir Eric Woodward Memorial School, to again ask the Minister for Disability Services to continue with the arrangement that flowed from her commitment to me in 2002—that is, that the position would continue to be a full-time position funded at the school until such time as DADAHC and the Department of Education and Training have resolved funding. It is important that the Minister for Disability Services, of all Ministers in the Government, look after the interests of these severely and multiply disabled children, to ease the anxiety of parents and to provide these children with the necessary support and encouragement to pursue education at special schools, in particular, this special school in my electorate.

RETIREMENT OF DR GRAHAM BOYD AND WILMA SIMMONS

Mr JOHN MILLS (Wallsend) [5.36 p.m.]: At the end of the school year two of the finest high school teachers and principals I have known—Wilma Simmons, Principal of Wallsend Campus of Callaghan College, and Dr Graham Boyd, Principal of Callaghan College—will retire. Both will be greatly missed by the school communities they are leaving, but both can retire secure in the knowledge that their leadership over recent years has ensured that Callaghan College's first four years have been extremely successful. The college has provided students with better educational opportunities in public education that are sorely needed in the western suburbs of Newcastle. Staff have enthusiastically adopted the new pedagogies of senior school and middle school teaching, and parents have seen opportunities develop for their kids.

Graham Boyd grew up in country New South Wales. He gained his Leaving Certificate from Moree High School, and attained a Bachelor of Arts from the University of New England, a Diploma of Education from Sydney Teachers College, a Master of Educational Studies from the University of Newcastle and a Doctor of Education from Charles Sturt University. He taught for 38 years. He taught history and social studies at Enmore, Petersham, Westmead and Busby high schools. He was a TAFE teacher of business studies and liberal studies at Sydney and Newcastle. He was a senior lecturer in administrative studies at Newcastle College of Advanced Education and TAFE college principal at Young, Tuncurry, Cessnock and Glendale. He was director

of schools in the Upper Hunter and Newcastle wetlands clusters and Principal of Merewether Selective High School before becoming College Principal of Callaghan College.

Graham was responsible for the overall leadership of that comprehensive, multicampus public secondary school, with a senior campus at Jesmond and middle schooling campuses at Wallsend and Waratah. Significantly, Graham developed memoranda of understanding between Callaghan College and the University of Newcastle, with mutual support processes and TAFE in electronics, computing, textiles and contemporary music industry studies. He has a conjoint associate professor appointment in education with the University of Newcastle. His doctoral thesis proposed and developed a career education program as the basis of student welfare practices in a secondary school for gifted students and identified strategies for diffusion to secondary school settings in general. Graham certainly has a strong commitment to educational leadership and student welfare.

Wilma Simmons was born in Townsville. She has a bachelor of arts from the Australian National University and a diploma of education from the University of New England. She has two children and one grandchild. She taught at Bulahdelah Central School and high schools at Bombala, Taree, Wingham, Woolgoolga and Glendale, where I first met her. She arrived at Glendale in 1998. Teaching drama was her main love, but I know that she initiated a big, successful anti-bullying program at Glendale. When Wilma and the principal, June Hingston, arrived in tandem initially the school community was apprehensive about petticoat power. However, I think the school community is now pleased with the petticoat power at Glendale. In 1999 Wilma moved on to be principal of then Wallsend High School, and was there at the beginning of the process of developing Callaghan College to improve what we needed to improve—that is, the educational opportunities for the high school students in the western suburbs of Newcastle. At Wilma's presentation last week Wayne Ibel presented the retirement medal. Graham Boyd said:

Wilma was good at setting high expectations for the students and staff, and working to help both to achieve.

He presented a Certificate of Excellence in Educational Leadership. Wilma has the energy, style, vision, flair and initiative to carry things through to a conclusion. She had great empathy for the staff and was a great leader to them. Her work with the staff of the middle school campuses, who were initially apprehensive about their futures, to develop wonderful educational opportunities in middle schooling, with great attention to the welfare and nurturing that students of that age need, was truly outstanding. In the December Wallsend Campus newsletter Wilma wrote:

This, sadly, will be my last newsletter ... I have really enjoyed my time at Wallsend ... Together, I think we have developed a wonderful school community to be proud of. I am certainly very proud to be finishing my career as a principal in a school with so much positive energy, genuine care for one another and a focus on achieving one's best.

Congratulations to Wilma Simmons and Graham Boyd on outstanding public education careers.

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [5.41 p.m.]: I join my colleague the honourable member for Wallsend in congratulating and thanking two outstanding Callaghan College principals—the Principal of the Wallsend campus, Wilma Simmons, and the overall College Principal, Graham Boyd—for their outstanding careers in public education. As a member for the Waratah Technology High Campus of Callaghan College, I share with my colleague the honourable member for Wallsend a great admiration for the work being done at these three colleges to give educational excellence to the students at the three campuses and to give the leadership that was required during the changeover period and the establishment of the college. The principals, together with Robyn Cragg at the Waratah campus and Ian Nebauer at the Jesmond campus, did an excellent job of guiding the college through the early years.

The growth of the institution has been outstanding. I join my colleague in praising the principals for their work. As Parliamentary Secretary I had the opportunity to meet with principals of collegiates system at Great Lakes campus last year. I must say that they were among the top principals across New South Wales in their determination to ensure that public education in secondary schools in particular and schools generally is at the leading edge. That was demonstrated by the Premier recently with the display of reading and mathematics results in Parliament House. Congratulations and thank you, Wilma Simmons and Graham Boyd.

INTERNATIONAL DAY OF PEOPLE WITH DISABILITIES

Mr ADRIAN PICCOLI (Murrumbidgee) [5.43 p.m.]: Tonight I recognise the efforts of people with disabilities, their families and their carers. As last Friday was the International Day of People with Disabilities, a number of functions were held throughout the Murrumbidgee electorate, two of which I had the honour of

attending. The first was a lunch function at the Yallambee centre in Deniliquin, which provides services to post school aged people with disabilities. A group of ambitious, outgoing and courageous people use the facility and the services provided by Yallambee. The lunch was a barbecue with people with disabilities, their family and their carers. Everyone acknowledged the abilities of people with disabilities. Indeed, the theme of this year's International Day of People with Disabilities was the recognition of the abilities of people with disabilities.

Yallambee has a group of disabled people who are called the A team in Deniliquin. They provide a lawnmowing service and a maintenance service. The people involved in the A team proudly wear shirts with "A team" written on them. It was fantastic to talk to these people. One young man told me at great length about his investments and the shares he owns in the Commonwealth Bank, Telstra and various other things. He popped in to see one of the local finance companies to ask about shares. He was extremely proud of what he has achieved in terms of his share trading. It was terrific to hear that. Often we forget the abilities of people with disabilities. This young man was proud of his achievements.

Yallambee is proud of what its clients are achieving, and the families are proud of what their children and relatives are doing. On Friday afternoon I had the opportunity to attend the Artz ability function at Griffith regional theatre. There was an exhibition of paintings, drawings and sculptures done by people with disabilities in Griffith. Also on display were a number of paintings done by school students from a local primary school who were asked to complete an artistic impression of what they thought about people with disabilities. It was interesting to see the art done by these young children for the International Day of People with Disabilities. As one would expect, the art works were positive reflections of people with disabilities. These young children were proud to be part of the exhibition, and the people with disabilities were proud to look at what the kids presented. It is an unfortunate reality that prejudices in the community are inherited; people are not born with prejudices.

It was refreshing to see the artistic reflection of the young people in terms of what they think about people with disabilities. In the International Year of People with Disabilities it is important to acknowledge the contribution that people with disabilities make to our community, whether it be big or small. It is important also to acknowledge the families of people with disabilities who put up with a lot in their lives. Some people with disabilities can be difficult to manage and caring for them becomes almost a life task for their parents. We must acknowledge everything the parents do for their children and the community. We must acknowledge also the carers who spend much of their time and energy looking after people with disabilities. Such functions give people with disabilities an opportunity to smile and to know that the community recognises the great value we place in them.

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [5.48 p.m.]: I thank the honourable member for Murrumbidgee for a thoughtful presentation today. I think many honourable members were involved in their communities last Friday to take the "dis" out of disabilities. Many non-government organisations put forward programs and provide services for people with disabilities. The honourable member mentioned today Yallambee at Deniliquin and the tremendous work of the A team and the pleasure those people are getting from not only being involved in productive work but being involved in the community and not isolated from the community. That has been displayed recently by the honourable member's bringing forward the fact that for people with a disability the creative side of life is denied to them if they are not incorporated into a working group or an artistic group and given the same accessibility as other people. As the honourable member also said, people in the community, and in particular young people, who do not have preconceptions, can display in their own art a connection with these people. I thank the honourable member for reporting today on his electorate and his connection with disability.

ANZAC RESEARCH INSTITUTE

Ms ANGELA D'AMORE (Drummoyne) [5.50 p.m.]: Today I acknowledge the vital work undertaken by clinicians at the Anzac Research Institute at Concord hospital. The Anzac Health and Medical Research Foundation was established in 1995 on the occasion of the Australia Remembers campaign marking 50 years after the end of World War II. This also coincided with the transfer of Concord Repatriation Hospital to the New South Wales general hospital system whereby, to maintain the status of a major teaching hospital, dedicated research facilities had to be developed. The foundation's goal was to create a state-of-the-art medical research institute for cutting-edge medical research relevant to veterans and the general community.

The Anzac Research Institute is located in a new purpose-designed building on the Concord hospital campus. Capital funding for construction was shared between the Commonwealth and New South Wales governments. The Anzac Research Institute is the only medical research Institute in New South Wales with a

principal focus on ageing. The institute now has five research laboratories in the areas of andrology, that is men's health; biogerontology, that is the ageing process, liver and heart disease; bone biology, osteoporosis and bone cancer; neurobiology, which is the disease of the nerves and brain; and vascular biology, cardiovascular disease. The motto of the Anzac Research Institute is "To prolong enjoyable, independent living by preventing the preventable and delaying the inevitable."

The Anzac Research Institute is recognised by the New South Wales State Government as a major independent medical research institute. It has full academic status from the University of Sydney and is closely affiliated with the Central Sydney Area Health Service. This ensures full facilities to enrol graduate students for full-time or part-time university degrees in medicine—including PhDs and masters of medicine—and it also allows postgraduate research students to use all university facilities. The institute is undertaking a number of projects. The research programs will be directed towards devising improved prevention and better treatment for major health problems affecting the general community, especially men and women of older ages. The Anzac Research Institute consists of five independent research laboratories, as follows.

The andrology laboratory, headed by Professor David Handelsman, is studying men's health, including male reproductive health and biology at all phases of life. Its research into how hormones control the body and determine the origins of prostate cancer has produced major studies of potential new forms of hormone treatment for male ageing to prevent frailty, falls and fractures as well as prostate cancer. Key areas of research include developing the first hormonal male contraceptive and studying whether hormonal supplementation would help older men to prevent falls and fractures. This work has had great impact on the health and welfare of many men in the Australian community. Many of these disorders are poorly understood and treated in the community, leading to avoidable suffering and unnecessary ill health.

The biogerontology team, headed by Professor David Le Couteur of the Centre for Education and Research on Ageing, is undertaking fundamental research into the ageing process. The bone biology laboratory is headed by Professor Markus Seibel and is establishing research into osteoporosis and bone cancers. He is a leading German clinician and was recruited specifically to work at the Anzac Research Institute and Concord hospital. His group's work leads the world in biochemical markers of bone turnover and is developing novel approaches to preventing some forms of osteoporosis and reducing the pain and suffering from the latter stages of breast and prostate cancer.

The neurobiology laboratory is headed by Professor Garth Nicholson, an international leader in this type of research. It continues to be highly successful in identifying the genetic causes of, and the environmental triggers for, disease of the peripheral nervous system, which is very important work. Concord hospital's laboratory has been a pioneer in tracking down genetic causes of degenerative disease.

On 5 November Minister Sartor opened the neuroscience unit. I thank the staff for giving us an inspection. The chairman of the Anzac Health and Medical Research Foundation, Felicity Barr, was of great assistance to us. I commend the work of the doctors at the institute and other clinicians. They do outstanding work. The vascular biology laboratory, headed by Associate Professor Len Kritharides, is establishing a research program that will focus on the role of inflammatory and other mediators in cardiac and vascular injury. I thank them for their research and the input they have had into our community.

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [5.55 p.m.]: I claim a personal interest in the matters put before the House by the honourable member for Drummoyne—both the ageing process and issues to do with the prostate. Many ageing males in the community, including me, need the benefit of the research. What an important institute the Anzac Research Institute is, in bringing together all those relevant areas of research for the benefit of veterans and also for the benefit of the community. Its objective is to let people enjoy life in their own homes, independently living for as long as possible, and that comes from that research. I congratulate the honourable member for bringing that before the House and obviously I congratulate the institute for the extremely valuable work it undertakes.

ENNIS ROAD, MILSONS POINT, SHOP LEASES

Mrs JILLIAN SKINNER (North Shore) [5.56 p.m.]: There is a great deal of concern among residents and retailers in the Milsons Point area of my electorate. Not many people in this place live in that area, but I am sure many have got off the train at Milsons Point station, it being the nearest station to Luna Park, where I am sure most members in this place will claim they have been. The precincts of the Milsons Point station are heritage buildings. Along Ennis Road, the road on the Kirribilli side of the station, are located a number of

businesses and shops that have been there for many years. A number of shopkeepers who own or run those businesses have approached me because they have been told that all leases for the businesses in Ennis Road are due to expire at the same time in 2006. They believe the Roads and Traffic Authority [RTA] has problems with the buildings and requires work to be done. They believe they will be asked to vacate, and major work will be done to redevelop the precinct. They are concerned about whether they will be given the opportunity to return and run their businesses.

From memory, there is a pharmacy, a surgery, a newsagency, an Australia Post shop, a small supermarket, a cake shop and a butcher's shop. They have been there for a long time. They are well patronised by the local community. They are on the same level as the Greenway public housing estate, which has 450 units, and therefore probably more than 1,000 residents. Many of the residents of Greenway are older people and this is the only flat walk they have to shops. The retailers and the local community are concerned about being kept in the dark. All they know is their leases expire in 2006. In 2003 they were advised an architect would be appointed to look at the site and come up with options for the RTA and that community needs would be considered, but no attempt has been made to consult with the community—either those who use the retail outlets or the people who run them. A long time has elapsed since then.

Rumours are floating around that Coles Fresh may be built in the precinct and Ennis Road closed off, thereby blocking off parking in an area where parking is already limited. It would make it very difficult for people who wish to access and use the Greenway housing estate. I assure the House that the community reaction to a proposal by Woolworths to build another huge store at Neutral Bay has met with fierce opposition. It is another case of big business running out small business and ignoring the wishes of the local community to retain their shopping precinct. This case has the added dimension of heritage buildings, which would be affected by any redevelopment.

I call on the Parliamentary Secretary in the chair, the honourable member for Newcastle, and the Minister for Infrastructure and Planning to advise us of the precise intentions for the shops to be leased from the Roads and Traffic Authority [RTA] in Ennis Road, Milsons Point. When will the businesses have to vacate the premises? Where will they be relocated during the renovation? It should be borne in mind that some businesses, such as newsagents, must comply with licences. They cannot transfer their licence out of the area. Their licence permits them to sell newspapers, lottery tickets and so on. What is the RTA going to do to make sure that the goodwill of their business is maintained and they can continue to run their business? Will they be given first option to return when the building is upgraded? Above all, will the Government please rule out a modern shopping complex being built in the area and ensure that the heritage shops will be preserved for all time?

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [6.01 p.m.]: I have a great deal of empathy with the issues raised by the honourable member for North Shore. The honourable member for Swansea and I walked across the Harbour Bridge and had coffee in that vicinity. I note the issues the honourable member has raised about the loss of heritage and the plight of small business people. I assume she has already referred this matter directly to the Minister. The comments she has raised in the Parliament will obviously be forwarded to the Minister.

NEWCASTLE YOUTH FORUMS

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [6.02 p.m.]: I bring to the attention of the House three forums that were held in the past couple of weeks in Newcastle that have been of great value to the future development of the Newcastle city area and issues such as the safety of young drivers. Firstly, I refer to the Communities Future forum meeting, which was held on 23 November 2004 at Newcastle City Hall. The forum brought together 60 participants from all walks of life who were chosen at random to participate in the discussion on future planning for the lower Hunter region. The forum, which was addressed by the Minister for Infrastructure and Planning, comprised a most positive group of people who discussed the aspects that made the Hunter a very special place and the future planning that would be required to ensure it remained that way.

I know that similar forums have taken place across the Sydney region and, I assume, in the Illawarra. These forums are looking at the future of the greater metropolitan region—Sydney, Newcastle, Wollongong—and the issue of balancing the population growth in the next 30 years with the sustainability of the environment and jobs and places for people to live in the lifestyle we all love on the coast—without loving the coast to death. The Newcastle Communities Future forum was a very positive one. Secondly, I refer to the Young Drivers Forum that was organised on behalf of the Minister for Roads and held at Newcastle High School on 1 December. This forum also replicates meetings that have been held in other parts of the State. I attended the

Newcastle forum, with the members for Swansea, Charlestown, Lake Macquarie and Port Stephens and approximately 60 young people from the lower Hunter electorates.

The young students focused on the options paper issues that had been brought forward by Minister Scully. They were frank and forthcoming in their views on issues such as the embargo on the number of passengers in cars driven by P-plate drivers, the power ratio of cars driven by P-plate drivers, the proposed curfew and training. I was pleased to hear agreement by young people on the need for training so that young drivers were experienced in driving on our roads. We have an increasing number of cars on our roads and very high statistics of young people in accidents. Although 7 per cent of drivers are between the age of 16 and 20, 17 per cent of people involved in fatal accidents are from that age group. The young people at the forum were given the opportunity to state their very clear views on these issues. Further, those young people, their families and the community can participate by responding to the options paper at www.youngdrivers.com.au. That internet site is a most important initiative.

At the Newcastle Police and Community Youth Club hall last Friday a youth forum, organised by the Minister for Youth, once again gave young people the opportunity to discuss with people from a range of departments—the Roads and Traffic Authority, the New South Wales Police, the Attorney General's Department—safety on the roads, safety in the community, safety on public transport and personal safety issues. Once again, it was a chance for young people to talk with decision makers prior to decisions being made that will impact on their health and safety. At the Community Futures forum, which involved all age groups, people were able to participate in a decision-making process, through the metropolitan strategy working paper, on the future planning for the whole of the greater metropolitan region.

LAKE CARGELLIGO AND TULLIBIGEAL WATER SUPPLY

Mr IAN ARMSTRONG (Lachlan) [6.07 p.m.]: Today I want to speak about the Lake Cargelligo and Tullibigeal water supply. The supply of water comes under the responsibility of the Minister for Infrastructure and Planning, and Minister for Natural Resources. Following discussions with the Minister and his senior staff, the Minister has given an undertaking that the matter will be attended to. The supply of water comes from two different sectors. The Lake Cargelligo water supply comes from a lake of about 3,500 acres, which is adjacent to the town. The lake is filled from the Lachlan River, and there is a channel of approximately 6 to 7 kilometres between the lake and the river. The river has a gate, and water discharges from the river into the lake. Currently the lake holds 10,000 megalitres of water. With a capacity of 6,360 megalitres the lake is considered to be dead storage. In other words, at that capacity water will not be available.

Lachlan Shire Council has ascertained that the Lachlan Customer Service Committee, which allocates the water, has committed to maintain the water level at 154.5 metres until the end of January 2005. This morning the level is only 154.79 metres. Only 0.69 metres is available to take Lake Cargelligo through to the end of the drought. The strong possibility is that if the level drops further there will be insufficient flow even if the river gates are lifted. Not only does the Lachlan River supply the town of Lake Cargelligo, which has a population of 1,600, it is also home to many waterfowl, particularly migrating pelicans, about eight different species of wild duck, waterhen, and a large body of other bird life. It is a favourite nesting ground for bird life.

I ask the Minister to recognise the urgency of this matter and to order that there be a discharge of water from the Lachlan River into Lake Cargelligo to prevent that lake from drying up and to keep the town alive. Tullibigeal, a village 30 kilometres further south-east, is also dependent upon that lake for its water supply. It is also essential for the maintenance of the ecosystem. At the same time, the low level of the lake is causing water quality problems. That comes under the responsibility of the Minister for Energy and Utilities, the Hon. Frank Sartor. As I have said, the level is down to a stage where damage is now being done to the pumping equipment. It is only 18 months since Lake Cargelligo had a completely new water system.

Lachlan Shire Council is of the opinion, on the basis of the best available research, that three sums of money are necessary—\$50,000 emergency funding for the installation of a raw water disc filtration system at the Lake Cargelligo Water Filtration Plant; \$400,000 emergency funding for the design, construction and commissioning of a lagoon sedimentation system; and \$460,000 emergency funding for the purchase and installation of diesel foreshore pumps, transfer pipeline, and lake bed channel excavation works. Water storage levels for the lake are at a 21-year low, presently recorded at 11 per cent, with an average water depth of 1.2 to 1.4 metres, which is about waist high. Honourable members will appreciate that this is an impending disaster.

The third problem is the weir at Condobolin, which is the headquarters of the Lachlan Shire. The weir was built in the late 1800s and every day is leaking water equivalent to approximately 25 Olympic swimming

pools. The council has sought to have repairs undertaken. I approached the Minister in September of this year and there was a verbal agreement that \$50,000 would be made available. Lachlan Shire Council committed a similar sum of money. But there is a problem: no-one owns the weir; title has never been issued.

Between 21 November and 1 December we made approximately 14 phone calls to the Minister's office in an attempt to have title established for the weir. There was verbal agreement one day that it doesn't belong to anyone except the Crown, because title has never been issued, and therefore, the Crown is responsible. But for some reason the Minister and his office seem to be incapable of giving an instruction that they will stand by the insurance problems and so forth so the council can repair that weir. Meanwhile, 25 Olympic swimming pools of water are trickling down the Lachlan River every day, wasted. That is a disgrace. It is as simple as this: if title has not been issued on any property in this State it belongs to the Crown and the Crown is responsible for it. I understand there are other weirs in the north of the State that are in the same situation.

BELMONT GOLF CLUB LTD DEVELOPMENT

Mr PAUL CRITTENDEN (Wyang) [6.12 p.m.]: On 18 November I advised the House that the mysterious guidelines of the Department of Gaming and Racing concerning its alleged optional enforcement of the section 41J amendments to the Registered Clubs Amendment Act enacted in December 2003 had finally materialised. I am now advised by my solicitor, Mr Tim Kelly, that the guidelines had no sanction in either the Act or the regulations. On 17 November the Director-General of the Department of Gaming and Racing, Mr K. M. Brown, advised that he proposed taking no action in respect of the breaches under section 41J of the Act on the quite extra-legal basis of a view formed by him or his officers on the basis of material he has refused to disclose to my solicitor that the disposal has generally been for the benefit of the members of the club.

The board or management of the club could, had it wished, have sought the approval of the members at the general meeting on 20 July before entering into any contracts with the \$2 company Kalayla Pty Ltd. It deliberately refrained from doing so and instead presented the members with a *fait accompli* done earlier that day or the previous day. Mr Brown now purports to exercise a judgment in a quite extra-legal fashion as to what was for the benefit of the members, without stating any reasons, and based on material that he refuses to disclose. The purpose of the 2003 amendments, as presented by the Minister to the Parliament, were to restrain just this sort of activity by the board or management of a registered club. No mention was made to the Parliament of Mr Brown's intended flexible approach to enforcing the legislation. The potential losers in all of this are the members of the Belmont Golf Club, who in the main are persons of modest means who built the place up from scratch.

What has occurred within the club is no mere administrative oversight. It involves the disposal of prime oceanfront land to a city developer, when no valuation or financial analysis was obtained on behalf of the club—certainly none that has ever been presented to the members of the club—and when no approval was given by a general meeting to the contracts entered into with a \$2 company on behalf of the club. My solicitor, Mr Kelly, wrote to the director-general on 29 November posing 12 questions. I should point out that I am quoting only part of my solicitor's letter and that he has advised that Kalayla Pty Ltd was incorporated on 7 July 2004. The questions were as follows:

- (1) When were the updated "guidelines" enclosed with your letter of 17 November 2004 adopted by you?
- (2) Have you or your department been presented with any evidence of an agreement entered into on behalf of Belmont Golf Club, prior to 9 April 2004, with:
 - (a) Kalayla Pty Ltd; and/or
 - (b) any other entity in the Terrace Tower group?
- (3) If so, we again request a copy of any such evidence. (We point out that we were invited by the President of the Club to pursue our enquiries with your department.)
- (4) Have you or your department ever been presented with a valuation by an independent valuer or a financial analysis obtained on behalf of the club in respect of the land involved or in respect of the contracts with Kalayla Pty Ltd?
- (5) If so, we request a copy of that valuation or financial analysis on the same basis as in (3) above.
- (6) When were you or your department first approached:
 - (a) by anyone from the Board or management of the Club; and
 - (b) from anyone from or on behalf of the Terrace Tower Group of companies,

in relation to this matter?

- (7) What criteria have you or your department adopted in determining whether a disposal has generally been for the benefit of members of the Club? Have any such criteria been reduced to writing? If so, please let us have a copy of any such written criteria.
- (8) If such criteria have not been reduced to writing, are we to understand that the determination of the benefit to the members has been left to the personal opinion of one of the officers of your department? If not, how have such criteria been communicated to the officers within your department?
- (9) Who are the officers within your department who are empowered to decide under your "guidelines" whether any particular transaction in non-compliance with section 41J "has generally been for the benefit of members of the Club"?
- (10) How many other registered clubs have approached you or your department seeking that you take no action in respect of a transaction in breach of section 41J?
- (11) In respect of how many other registered clubs have you or your department taken a decision to take no action in respect of a breach of section 41J?
- (12) You advise in your letter of 17 November 2004 that "in accordance with departmental policy, I will not be making available to you any correspondence passing between the department or myself and Belmont Golf Club". Has that "departmental policy" been reduced to writing? If so, please let us have a copy. If not in writing what is the content of such policy, when and by whom was such policy adopted and how has such policy been communicated to the officers of your department?

I look forward to the Minister encouraging the director-general to answer these very important questions. I wish the Minister and the officers of his department a very happy Christmas and I look forward to pursuing this matter in the New Year. I hope we can resolve this matter satisfactorily because there are a number of very important issues at stake.

SOUTHERN HIGHLANDS ANNUAL SCHOOL CAPTAINS TEA

Ms PETA SEATON (Southern Highlands) [6.17 p.m.]: I commend the leadership of my local school captains, both the incoming captains who are in the year 11 this year and are assuming leadership positions next year, and all of the school captains who have done such great work and given service to their communities and their schools in the past year and are now leaving school to pursue whatever lies ahead for them in their career choices. In speaking to the captains at my annual school captains tea, which I was delighted to host a week or so ago at the Bowral Country Women's Association [CWA] rooms, we also touched on the issue of young drivers and whatever regulations or new rules might apply to P-plate drivers. I took the opportunity to ask the young leaders for their advice about the P-plate issue. I commend them for the approach they took and the very sensible and constructive comments they made about this difficult issue.

Honourable members may recall that there have been two major tragedies in my electorate in the last two years, in the Tahmoor area and in Kangaroo Valley. Two car accidents a week or so apart claimed the lives of first six and then three young people. That led to the establishment of a local road safety forum which brought together police, Rotary U-Turn the Wheel, the Lions Club, young people, and any members of the community who were interested. That forum came up with some new approaches and recommendations. I also sent a survey to constituents aged between 18 and 25 years to canvass their views. I talked to school captains about the results of the survey. They were all either about to learn to drive, already had P-plates, or were regularly passengers in vehicles driven by friends, and they made some very interesting points.

There was 100 per cent disagreement with a curfew. They considered a curfew impractical in a country electorate like ours, where public transport is virtually nonexistent and many young people work part time in pubs, hotels, and nursing homes, or stack shelves in supermarkets and so on. If they want to go to university or TAFE, they generally have to travel to Wollongong, the Macarthur area, or Moss Vale, and they rely on cars for transport. There was a variation in opinion about passenger limits. No-one suggested that seven or five passengers was appropriate, but some said they regularly took a friend to work or a younger sibling to a sporting or similar event and that they would not want to feel constrained in doing that. They were very positive about driver education and how essential it was to develop a good attitude to driving.

When I asked them whether they felt confident being in charge of a car, making decisions, and determining passenger behaviour they said they were. One young lady said that when she drives on a winding road in the Kangaroo Valley she feels very comfortable telling her passengers to be quiet because she has to concentrate, and that she turns off the radio. They all made the point that when they have company in the car they must make an extra effort to concentrate. Those young people were keen to ensure that good driver and passenger behaviour was encouraged.

The participants were complimentary about the local U-Turn the Wheel program, which is run by Rotary and other service clubs, and they would like to see it extended. After my road safety forum two years ago we wrote to all of our school principals and said there was a great deal of enthusiasm to extend the program to year 10, because many students leave school at that stage and miss the program. Education was seen to be very important and a great deal of interest was shown in additional private driver training. Affordability was also an issue and the participants felt strongly about it. I commend school leaders Gemma Cox, Lara Williams, Michael Giannakis, and Arvi Lehtsalu from Bowral High School, Rachel Smith from Chevalier College, and Cameron Sutton and Tegan Broadbent from Moss Vale High School, who all attended the forum. I also thank the ladies of the Bowral Country Women's Association for the wonderful venue and afternoon tea.

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [6.22 p.m.]: I thank the honourable member for Southern Highlands for detailing the result of her local school captains afternoon tea at Bowral Country Women's Association rooms. It was obviously an important event in communicating with young people and thanking them for the leadership they have shown in 2004 and thanking those taking up leadership roles in 2005. I listened with interest to the discussion about road safety; in many ways it mirrored the discussions held in Newcastle with Minister Scully. Once again young people were forthright and fair in their analysis of the various options available to them. The same concerns were raised in discussions with the Labor Government. I hope the young drivers will respond to the Minister's options paper. I imagine most of them have access to the Internet and that they can pursue the issue at www.youngdrivers.com.au. I thank the honourable member for raising the issue.

LONDONDERRY PUBLIC SCHOOL SEVENTIETH BIRTHDAY CELEBRATIONS

Mr ALLAN SHEARAN (Londonderry) [6.24 p.m.]: I wish to relate to the House details of my recent visit to Londonderry Public School for its seventieth birthday celebration. The celebration commenced at midday on 24 November with a traditional welcome to country followed by the school song, which was sung with enthusiasm by the whole school. Mrs Joy Connolly, the new principal, welcomed all. The welcome signalled the commencement of a presentation by the students about the history of Londonderry Public School. School captains Jack Lowe and Sharnie Francis and narrators Scott Emblem, Andrew Klippert, Tyanne Emblem, Andrew Refalo, Paris Cash and Kristy Giddings then walked us down the history lane. We learned that Londonderry was originally called "The Lakes of Kilarney Estate". As both names suggest, the residents of this area had very strong links with Ireland. In recognition of the strong ties of the first settlers, the school choir and Mrs Elizabeth Cooper sang a lovely Irish song called *Set Us Free*.

The birth of the school evolved from a desire by the people of Londonderry to have a school for their children. However, it came at a time when Australia was experiencing the Great Depression. The area had just opened up to settlement and, we were told, the people were very poor, mainly poultry farmers and vegetable growers. Those who could not find employment did community work for the relief workers benefit or pension. The difficult times did not deter the people of Londonderry, particularly Mr Robert Nutt, who was the owner of the local post office and store. He built a small hall behind his shop and sent a letter to the Department of Education listing all the children who lived in the area and urging the department to use these facilities until a proper school could be established. Miss Florence Colhoun, the first teacher, arrived at the temporary school on 30 January 1934 and it was officially opened on 19 February 1934. Things were primitive by today's standards: there was no equipment, no furniture, no electricity, no water, and no heating.

This was a time when there were no proper roads, only dirt tracks, and very few cars. Nevertheless, by May, 41 children were attending the school and the demand for proper facilities increased. Some relief came through the generosity of Mr S. Roberts of Kingswood, who donated the land where the present school is located. Like today's parents, parents then were very keen to see the education needs of their children met in favourable surrounds. As a consequence, parents and citizens working bees were held to clear the land, and that led to a portable room being placed on the land in 1935. During the telling of this historic journey the students from years 3 to 6 sang *The Road to Londonderry*, to the tune of *The Road to Gundagai*. Part of the song had the words, "Where the children were learning and beginning to strive, and the school was growing and coming alive", reminding us of the hardships but also the desire to learn.

A little later, students from years 4 and 5 presented some poetry, the first entitled "The First School", which described the early years of the establishment of the school, followed by a more contemporary poem entitled *The Londonderry Rap*, which was recited with gusto. It spoke of cool teachers, a cool dude principal, Mrs Connolly, cool chicks in the office, footy coach Mr Lowe, described as a champ, the best canteen ladies, the greatest cleaning lady, Mrs Kiir, the discipline of Mrs Beatty and so on. No-one was left out. The great affection

these children have for the school and all those involved in making it not only a traditional place for learning but also a place of character and fun was certainly evident. I hope the students will long remember it.

In continuing the story of Londonderry Public School, we were told of the impact of the Second World War. Mrs Bates, a student from 1934 to 1940, told us about the years leading to the war and the early years of the war. We learned how the children were involved in making camouflage nets and digging trenches for an air raid shelter, and how Mr Greer, one of the teachers, volunteered for service in the Army. As a memento of this period, the school and the choir sang *It's a Long Way to Tipperary*. The final song was a delightful rendition of *Remember the Days of the Old School Yard* by students in kindergarten to Year 2.

During the journey, mention was made of a school library started in 1956, the purchase of a wireless and a duplicator, the coming of electricity in the 1950s, the erection of a brick building in the 1960s, and the delivery free milk. In 1975 the school had expanded to eight teachers, in 1976 there were 12 classes, and by 1980 or 1982 there were 15 classes and 21 staff and a pre-school was established for a short time. It was later transferred to a neighbourhood centre. In 1987 the first female principal was appointed. Today, we have computers, all networked and with access to the Internet. Throughout this time there has been a very active parents and citizens association, which has helped in raising funds, improving the landscape of the school, providing playground equipment, and building a barbeque. Students and parents proceed through the school over time, but the one thing evident is their passionate support for it.

During these celebrations there were special guests, including former principals such as Mr Morris, the principal from 1976 to 1982, who made mention of heat and sewerage problems; Mrs Holman, principal from 1987 to 1990, who spoke about floods; and Mrs Edwards, the principal from 2000 to 2003, who spoke about snakes, working bees, possums, and community support. They all added to the special day with their experiences. The program was completed with the cutting of a cake by the youngest student, Cordelia Willcocks, and the longest serving teacher, Mrs Hill. The celebrations, the performances by students, our trip through history, the support of the parents, and the professionalism and dedication of the teachers illustrate that the Londonderry Public School has a proud history and a wonderful future. Accordingly, I place on record my congratulations to all involved.

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [6.28 p.m.]: I thank the honourable member for giving us the weft and weave of the history of the Londonderry Public School from its inception 70 years ago. The Irish heritage of the area and the hardship of the early parent body were evident, but these things all bind the school together. Obviously the teaching staff, the parents, the cleaning staff, the ground staff, and everybody involved have made this a great public school. I thank the honourable member for Londonderry for telling us about the former principals of the school. It shows that there is obviously a sense of connection between the school and the broader community. Congratulations Londonderry.

ARMIDALE TEACHERS COLLEGE

Mr RICHARD TORBAY (Northern Tablelands) [6.29 p.m.]: For a time this month, totalling about 10 minutes, I was the Premier of New South Wales. Members of this House might be unsurprised that I did not mind trying it out for that period of time. I spoke to my audience on a Saturday afternoon about the importance of education and about decentralisation. Apart from the fact that I was wearing a top hat, a good part of the speech could have been relevant today. The occasion was the re-enactment of the laying of the foundation stones at the teachers college in Armidale on 2 November 1929. It was the first teachers college in New South Wales to be built outside Sydney and it was an occasion of great significance to the city, which later became known as the Athens of the North, and to the State as a whole.

My role in the re-enactment was to play the Hon. T. R. Bavin, the New South Wales Premier in 1929, to read an edited version of the speech he delivered at the ceremony, and to lay a foundation stone. My Federal colleague the member for New England played the State Minister for Education of the day, the Hon. David Drummond, and also laid a foundation stone. Having read and listened to both speeches, I can assure members that there was a great deal of politics between the Premier and the Minister back then. I would like to read from Mr Bavin's speech to highlight not only the importance of this occasion in the history of education in New South Wales but also to emphasise the enlightened thinking regarding decentralisation expressed in the speech. Mr Bavin said:

The establishment of the Teachers' College marks a new departure in the Education Department's policy—the decentralisation of its activities. Hitherto the whole work of training the teachers has been carried out in Sydney. I would like to point out that the teaching of prospective teachers is one of the most important branches of the Department's work. There is no higher standard

demand in any other country than that set in New South Wales. We have got away from the old system under which the teachers learnt by practising on the children. Today teachers are thoroughly trained at an institution founded by the Government.

In ten years the amount spent on teacher training has risen from £82,000 to £136,000 and the number of teachers trained has risen from 786 to 1,033. Year by year the demand for new teachers is increasing. Eight thousand pupils have to be provided for each year. With each year up to four or five hundred additional men and women have to be added to the teaching staff.

These figures mean that there have to be thoroughly efficient machines for the training of teachers. Up to recently this machinery has been located in Sydney where there is a large and efficient College, but its accommodation is being taxed to a point when its efficiency is in danger of becoming impaired.

When it was decided that it would be better to decentralise the business of training teachers as far as practicable, I am glad to say that the first step in this direction was taken by Mr Drummond. However, this new Teachers College is not to be regarded as the Armidale Teachers College but as a Teachers College for the north and a college for New South Wales.

The new College is only the first step in the Government's program of educational development. Similar colleges will be built from time to time at other centres of the State. It is a most desirable thing that the system of decentralisation should extend over the State as a whole.

The ceremony today represents a new departure in educational policy and I am of the opinion that the system of centralising everything in the Capital is doing and has done enormous harm. I hope that the change in educational policy is only the first step in the direction of preventing the centralisation of all other public activities in Sydney.

What a great extract from a speech. I can imagine roars of approval from the audience at the time. The vision of the Bavin Government paid enormous dividends. Thousands of teachers graduated from the Armidale college, which continued its good work until its amalgamation with the University of New England in 1989. Through the amalgamation, the activities of the college were incorporated as the Faculty of Education, Nursing and Professional Studies. There was also much talk that day in 1929—and no doubt it echoed many years prior in the strategy meetings in Armidale—of a university being established in the city, and I am confident that had the teachers college, which was an essential part of this, not been the first step in 1929, the University of New England would not have been established and not be about to celebrate its 50th year of independence. The university is very significant and very important in New England. It is great to see that the Premier in 1929 made those comments about decentralisation, and it is interesting that they would be just as valid today.

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [6.34 p.m.]: I am a little worried about the quest of the honourable member for Northern Tablelands because I had in my mind that the State of New England perhaps was going to arise out of his speech. But he was in fact really just reflecting on the great steps taken in 1929 to establish the teachers college in Armidale, a college that has spawned so many excellent teachers across the whole of the public system, not only in New South Wales but also in other States. It was the forerunner of tertiary education in the area, which led eventually to the establishment of the University of New England and became amalgamated with it in 1989. While I have some trepidation about the member's potential for premiership of the State of New England, I congratulate him on his historical analysis of the development of the teachers college in Armidale.

REDFERN-WATERLOO AUTHORITY LEGISLATION

Ms CLOVER MOORE (Bligh) [6.36 p.m.]: Tonight I take the opportunity to again express my grave concerns about the Redfern-Waterloo legislation, which is at present going through the Legislative Council, and which went through this House a couple of weeks ago. On Monday I attended a rally at the foot of the Waterloo public housing flats. A large number of public housing tenants were at the rally, and those who were too elderly or too unwell to attend the rally were at the windows of the high-rise flats that surrounded the rally area.

The rally was called by local people because they are so alarmed about the legislation. I think that all those people at the rally would be traditional Labor voters and I think they were really shocked at the nature of the legislation. Many of them were elderly non-English-speaking Russian public housing tenants. They lost their homes once before and they fear they will lose them again. Many of them were, in fact, in tears. It was a very sad sight to see those public housing tenants. I believe that the passage of this legislation is very sad for democracy in this place and for proper process.

I waited until I saw the details of the bill when it was introduced into this House before making my judgment or comment. In his second reading speech the Minister referred to the similarity between this bill and the Sydney Harbour Foreshore Authority [SHFA] bill. However, I point out that the people of Pyrmont-Ultimo are very angry about the impact of the SHFA on their lives, and I also point out that the Redfern-Waterloo area is quite different from the Pyrmont-Ultimo area. Redfern-Waterloo is a well-established, densely populated residential area and it also has a cultural significance to indigenous Australia, not only locally but also

nationally. To impose this type of bureaucratic distancing from the government-planning model that was used for the development of Olympic Park, Darling Harbour, is quite inappropriate.

As we know, the bill will give clear and unfettered power to the Minister. It will remove accountability and the normal checks and balances that apply to local government and State-significant development. This is why the people of the area are alarmed. It is why I am alarmed. There are four areas of particular concern in this bill. The most objectionable are the clauses that give extensive and unnecessary powers to the Minister. What is very sad about the bill is that it is unnecessary. The new city council is committed to working with the State to address the urban renewal and social issues of the area, which are complex and extreme. This bill is only about land development; it is not about addressing urban renewal or the social issues of Redfern-Waterloo or the Block.

Clause 27 gives the Minister the ability to act as his own consent authority. Clause 28 gives the Minister power to override the Heritage Act. Indeed, only today I received a letter from the Attorney General telling me that the Government is about to sell Redfern courthouse. It is interesting that Redfern courthouse is up for sale just as this legislation is being debated in the Legislative Council. The bill will allow the Minister to override the Heritage Act and the first sale item will be the historic Redfern court, which is very important to those disempowered people living in the Redfern-Waterloo area—public housing tenants and Aboriginal women who want to go to a local court to access justice in domestic violence situations. They will find the Downing Centre intimidating. I know the Aboriginal Legal Centre is very concerned about the removal of this court because the lack of access ability will have a serious impact on this disempowered community.

Both South Sydney and the city had proposed to make the courthouse a village centre as part of the Redfern Street upgrade, but it is now up for sale so that will not be possible. That is only the most recent example. The legislation will allow the Minister to cherry-pick sites outside a designated area. Already his sights are set on the Carlton and United Breweries site. The bill sets a frightening precedent, and I believe that alarm bells will ring across the State. The Minister in this place said there was no plan but Cabinet documents revealed in the *Sydney Morning Herald* last week showed an extensive plan has been developed over a number of years. The bill has nothing to do with addressing the social needs of Redfern. The people of Redfern and Waterloo know this and they are alarmed. It is a sad day for proper process and for democracy.

Private members' statements noted.

[Madam Acting-Speaker (Ms Marie Andrews) left the chair at 6.41 p.m. The House resumed at 7.30 p.m.]

BUSINESS OF THE HOUSE

Routine of Business: Suspension of Standing and Sessional Orders

Motion by Mr Bryce Gaudry agreed to:

That standing and sessional orders be suspended to provide:

- (1) that for the remainder of this sitting until the rising of the House no divisions or quorums be called;
- (2) that the House forthwith resume debate on Government Business Order of the Day No. 7, the take-note debate on budget estimates, with up to 10 speakers to be heard; and
- (3) at the conclusion of which the House will adjourn without the question being put.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2004-05

Debate resumed from 1 September.

Mr PAUL LYNCH (Liverpool) [7.32 p.m.]: During the period of Labor Government since 1995 a succession of State budgets have delivered record capital expenditure in the State electorate of Liverpool. This has included the construction of a new Liverpool railway station, the redevelopment and largely rebuilding of Liverpool Hospital, several completely new schools, a new police station at Green Valley, the Liverpool to Parramatta transitway and the widening of Hoxton Park Road. This year's budget once again includes significant expenditure for the Liverpool electorate. The first items that I mention are numerically small, but very significant.

An allocation of \$1 million was made as the contribution of the Roads and Traffic Authority [RTA] to Illaroo Road, Whitford Road, and Hoxton Park Road intersection lights. This very busy and dangerous intersection is a main entry and exit point for the suburb of Hinchinbrook. Lights are badly needed at this intersection. Work will also involve straightening the intersection and widening a portion of Hoxton Park Road. The amount of \$500,000 has been allocated for planning of the widening of Hoxton Park Road from Banks Road to Cowpasture Road, which is also badly needed. Previous budgets have allocated funding for Hoxton Park Road to be widened up to Banks Road from Hill Road, and that work has been completed. It is now essential for the remainder of the work to be completed.

A further \$300,000 has been allocated for planning of the widening of Cowpasture Road from North Liverpool Road to the intersection with the M7. Cowpasture Road has already been widened from Elizabeth Drive to North Liverpool Road, and this funding will go towards the completion of the widening of that part of Cowpasture Road within my electorate. An amount of \$2.7 million has been allocated to widen Cowpasture Road between Hoxton Park Road and Latrobe Road, just south of my electorate, which will significantly benefit my constituents. As well, the budget allocates \$12 million for the widening of Hoxton Park Road from Hill Road to Brickmakers Creek.

When this work is completed Hoxton Park Road, which currently has four lanes, will be widened to six lanes, including two lanes for the Liverpool to Parramatta transitway. The funding will allow for the addition of the two transitway lanes, although the project will involve significant work beyond that and will represent completion of the Liverpool end of the transitway. In practical terms, it should lead to speedier trips for commuters, especially those who are travelling to Liverpool station in the mornings. A number of concerns have been raised about the construction of the transitway, some of which I have spoken about previously, such as the future of residue land between Hoxton Park Road and Dale Avenue.

Following resumption of a number of properties fronting onto Hoxton Park Road, residents of Dale Avenue whose properties back onto Hoxton Park Road are concerned about the level of noise to which they will be subjected as a result of this work. A number of constituents have raised this problem with me and I take this opportunity to again request the Minister for Roads to review the adequacy of the RTA response to date. One constituent in Dale Avenue said he can stand on his back veranda and see over the top of the noise abatement wall that has been constructed by the RTA. Looking over the wall he can see the wheels of trucks in contact with the road surface of Hoxton Park Road, and it follows logically that he will hear the noise from the trucks in his house. This significant change has resulted from the acquisition of properties and the work undertaken.

Another major piece of infrastructure that is referred to in the budget is the M7, which was previously known as the Western Sydney Orbital. This is an important road for Western Sydney and has generally been welcomed throughout the region, although it would have been more warmly welcomed if it had not become a tollway. It is hoped that this road will significantly ease traffic pressure, in particular by taking trucks off residential roads and arteries such as the Cumberland Highway. The road will also have a number of economic development advantages, such as making some trips faster and more efficient and, hopefully, it will have environmental advantages. It has the potential also to generate employment uses for Hoxton Park Airport, which now, thankfully, has only a limited lifespan. It has been a long, ongoing problem within my electorate and, indeed, I referred to it earlier during private members' statements, but I shall not traverse those issues.

Residents have expressed concern about the M7 being directly adjacent to the airport site and passing over Cowpasture Road. They are concerned about the potential danger because of the highly raised road's close proximity to the airport. I seek assurances from the relevant Minister that the matter was taken into account when planning work was originally done. Another problem that involves the M7 relates to a constituent, Wilhelm Haenschke, on behalf of whom I have already made a number of representations. I have also dealt with his son-in-law, Mr Ray Madden. In this case the impact of the M7 is the culmination of a series of decisions and actions by various government agencies. The cumulative effect has been to render the subject land worthless.

The land consists of four to five acres on Illaroo Road. Mr Haenschke has owned the land since 1960. In the mid-1960s he obtained council approval to build a cottage on the land. He decided not to proceed with that building for family reasons. The council has now said that he cannot build on the land because it is flood prone, although he continues to pay rates on the property. He is the victim of actions taken by water and electricity supply agencies and, most recently, the RTA. In 1963 an electricity easement was put across his land. A later easement, in almost the opposite direction, was also put on his land, without his knowledge. He cannot build on the easements. In the early 1990s three large gravity sewer pits were put on the land and large pipes were laid. Mr Haenschke was not notified of that work either.

Clearly, that will impede anything he might want to do with the land, considering construction difficulties that flow from those actions. In February 2003 his son-in-law, Mr Madden, noticed trucks entering and leaving the land, and the land being cleared. Once again, this was done by Sydney Water, and once again Mr Haenschke was not told his land would be used. With electricity easements and large water pipes going every which way, there is not much he can do with the property. Then came the M7. During construction the RTA or its contractors erected a fence, which prevented anyone accessing my constituent's property. That, too, was done without Mr Haenschke's knowledge. He had to obtain a key from the RTA in order to go onto his own land.

To add insult to injury, the RTA has now refused to purchase the land. It offered to buy all the neighbouring land except his. The combined effect of all these actions is that the land is virtually unusable. Despite a plethora of representations from me, the position does not seem to have improved. I take this opportunity to request the relevant Ministers to review the situation. Another problem that involves the M7, slightly to the north, relates to the Serbian Cultural Club, which is located at 256 Cowpasture Road, Hoxton Park. On 28 October I brought to the attention of the House matters of concern to the club. In short—and, once again, without traversing matters I have referred to earlier—the club lost part of its land for the construction of on-off ramps for the M7. Its entry is now off Seventeenth Avenue and people can no longer gain access to the club from Cowpasture Road.

As well as that, a massive wall and embankment towers over the clubhouse. As a result of construction work the club sustained considerable problems, including difficulties with sewerage pump out. The problem that concerns it at the moment is the inability of the RTA, or its lack of interest, to try to resolve the issue of compensation for the land that the RTA has acquired from the club. Until that issue is resolved the club cannot plan for the future. One of the concerns about the process of acquisition, apart from the considerable amount of time it has taken, is that the flood modelling that the RTA had done to work out whether the land would be affected by flooding did not seem to reflect the actual construction drawings, so the plans that were done to work out whether the land would be flooded are all irrelevant.

I understand from correspondence I have received from the Minister's office that that has actually been conceded. If that is the case, obviously no reliance can be placed upon the assertions by the RTA that the club premises would not be flood affected. After having raised the issue and receiving responses from the Parliamentary Secretary, I received a letter from Zoran Dragojevic, General Manager of the Serbian Cultural Club by facsimile dated 25 November, part which reads as follows:

We have only just now finished the flood report, which the club spent approximately \$20,000 on. Basically the report states that there will be no flood impact on the Clubs resident land. I believe had the Club not taken upon itself the preparation of its own report the RTA and ABI group Leighton would not have installed the correct measures to eliminate flooding. So I see our flood report as a necessary evil towards the clubs funds and for the mere fact of the club not being left underwater. Correct measures in planning and construction only took place once the RTA found out we were preparing our own report. There have been constant changes and upgrades to the plans of the WSO [Western Sydney Orbital] ever since it was started. Just some 3 weeks ago they stated that the final plans for construction were finalised. How could we prepare a case based on what has been happening up till now? The RTA tied our hands for some 2 years with its inability to prepare competent plans prior to constructions, this also leading to the Clubs funds diminishing on unnecessary procedures.

Only now after one of the bigger issues have been resolved to a greater extent, that being flooding, can the Club look at the other issues eventuating from the WSO.

It is interesting that the postscript on that letter states:

In the time I have been typing this letter I have received another fax from our Solicitor, and you wouldn't believe it. Now the RTA is suggesting that our Flood expert and theirs prepare a joint report, and this they say is to dispense with costs and time. I have now twice asked our Solicitor to request a Deed of Release from the RTA stating that there will be no flooding on the clubs residue property due to the WSO being built. This I see as a simple resolution to the problem. Let the RTA stand behind their progress and their designs. Unfortunately it seems they would rather not.

The final issue that I wish to raise about the M7 is the impact of noise generation upon the residents of Cecil Hills. In conjunction with the construction of the M7, improvements are being carried out to Elizabeth Drive and the on-off ramps that are also being constructed along Elizabeth Drive. This has the potential to have a significant impact on residents in areas of Cecil Hills, including, in particular, Isabel Street, Burgundy Close, portions of Lancaster Avenue, Angelo Street, Airlie Crescent, John Place and Meredith Way. I met with residents Lorraine Isaac and Val Simonea on 5 July and attended a public meeting in Isabel Street on 10 July. Residents had discussed some of the issues with Abigroup Leighton Joint Venture [ALJV]. Many residents of Cecil Hills are strongly of the view that a noise barrier should be erected along Elizabeth Drive at Cecil Hills. On 16 June Mr and Mrs Sanasi wrote:

We as concerned residents of Cecil Hills have just been made aware from other concerned residents that Abigroup Leighton will not be erecting a noise barrier on Elizabeth Drive.

As residents of the area, the noise now can be quite disturbing as well as the pollution from all the current traffic on Elizabeth Drive. Since all of the trees have been removed the noise has become more evident to us, also pollution levels have increased which shows with the amount of dust and black exhaust fumes found on most outdoor furniture and on clothes that are on the clothes line. What we find most disturbing is the fact that we have double standards within our community, that being that there were the noise barriers considered and erected on Cowpasture Road but for Elizabeth Drive they have not been considered.

The work on Elizabeth Drive involves a number of things. The road is being significantly widened. The widening is occurring on the side nearest to houses, not to open space on the other side. The widening and ramps will also mean more vehicles. So there are more vehicles than before and they are closer to houses than before. The roadway has also been raised, which may well have the adverse consequence of noise for residents. The work has also involved the removal of many trees separating houses from the roadway. This has considerably worsened the amenity of the area. The works are being designed and constructed by ALJV for Westlink Ltd, which is the consortium engaged by the RTA to finance, design, construct and operate the M7. Residents to date have largely directed their concerns to ALJV. On 18 August Lorraine Isaac wrote to the RTA and stated in part:

I am writing to you again to request that some type of barrier be erected. We have had a meeting with ALJV and it seems to me that the RTA is the body, which has to release extra money for a barrier.

One of our concerns was the noise issue, but we are also greatly concerned regarding the safety of our children in this area. There is a bike track which runs along the Elizabeth Drive and there are quite a number of children who use this track. There are also a lot of people that use the track for walking and our concern is that the road is coming so much closer now. What if a car careered off the road and came down the embankment? Is the RTA going to take responsibility if a child is killed along this track? According to the ALJV they will be planting trees along the road but that will not stop an accident from happening.

I am asking you again to release money for a barrier along this stretch of road. It is only a small section and I'm confident that the RTA would rather spend a little amount of money than have the safety of our children at risk.

It should also be noted that the raising of the road, the moving of the road closer to houses and removal of trees have had a significant impact on the privacy of residents. This has had a significant impact on the amenity of the area. I have made a number of representations, as one might expect. In another letter to me dated 3 November from Lorraine Isaac she states:

We have progressed a little further since my last correspondence. At a meeting held in September we were notified by the RTA that the wall will be erected along Elizabeth Drive, which we were very happy about.

At a meeting held in October, which I could not attend, my neighbour Val attended and they gave a visual presentation regarding the proposed wall. It will be 1.8m high and will be erected in timber and will be 500m long. She and I are not totally happy with this as we feel a timber fence will erode in a few years and will need to be maintained and also we feel that 1.8m will not be sufficient for total privacy along Elizabeth Drive as trucks and 4WD's will still be able to see into our back gardens

We have voiced our concerns to Abigroup who will pass these concerns onto the RTA and have asked neighbours to do the same. Apparently they have had a number of complaints from the residents lately regarding the noise factor.

Granted, the RTA has moved somewhat and agreed to install a fence, but it might go a little further and take on board the concerns of Lorraine Isaac and design and construct a fence in a style and manner that meets the concerns of residents. One other matter relating to budgetary expenditure has been given to me by Neil Rogers, who is a well-known community activist in Liverpool. For some time he has been campaigning for the construction of a bridge. On 19 October he wrote to me as follows:

As you know over the years I have taken a keen interest in community matters. I have for a number of years been lobbying Liverpool Council to Construct a Footbridge over Cabramatta Creek, Ireland Reserve with no result. It is very disappointing and time-consuming with council giving very little attention to an issue that will be of benefit to a large proportion of the community. I will not gain any personal benefit from the construction of the bridge, however on completion it would offer significant advantages to both the community as a whole and to the environment.

Over an extended period I have conducted needs analysis, which indicates the need for this facility. This analysis has been conducted at various times of the day and on every day of the week and different years. As a result of this study I have found that a large number of residents currently cross Cabramatta Creek at this point. The only means available to the community for crossing the Creek at present is for them to step on rubbish or vegetation or simply to walk through the water, none of which is healthy and or safe.

I have noted from my needs analysis that a cross-section of the community currently use this crossing with ages ranging from the very young to the elderly. My inquiries revealed that the users of this crossing do so for a variety of reasons, but mainly it is to travel from the valley to Liverpool and return. As part of my study I have spoken with both residents in the near proximity to the proposed crossing and those from the wider community, all of who have expressed a desire that the bridge be built.

I place that on record. It would seem to me that it is probably a matter more for the attention of the council than the State Government. [*Extension of time agreed to.*]

I certainly use this opportunity to encourage the council to seriously consider providing funding for that particular bit of infrastructure. I return to some other features of the budget that are of significance to Liverpool. One is the \$6.5 million allocated towards the redevelopment of the emergency department at Liverpool Hospital. That is well and truly welcomed. It reflects the need for those facilities at Liverpool. In addition is \$18.5 million to continue the development of the mental health facility at Liverpool Hospital. On a number of occasions I have said that one of the great, untold stories in Liverpool is the unmet need for mental health facilities. These are desperately needed in Liverpool. If nothing else, as a local member one sees daily the consequences of inadequate mental health facilities. I know that some of the professionals in the field are very excited that redeveloped facilities are being constructed there. I look forward to those works being completed.

There is one other extra facility at Liverpool Hospital that I do not welcome so warmly. I note that on 22 October 2004 the Minister for Health announced that the development application for the pharmacotherapy treatment service at Wetherill Park was withdrawn. That is an ongoing issue whose merits or demerits I do not particularly want to comment publicly about. My difficulty with this issue is that, as a result of the drug treatment facility at Wetherill Park or Fairfield not proceeding, there will be a significant expansion of pharmacotherapy places at Liverpool Hospital to meet the need to stabilise patients who are on methadone. I am a great supporter of the methadone program, and I am a great supporter of harm reduction strategies in relation to drug addictions. However, in relation to methadone places, Liverpool Hospital is already doing its fair share.

It seems to me to be fundamentally wrong, both as a matter of commonsense and as a matter of treatment, that people should be required to travel from Fairfield to Liverpool for their methadone or addiction treatment when those sorts of facilities should be much more readily available in Fairfield. I note that some health professionals in this field are gravely concerned that too many people are coming to Liverpool Hospital for those services. That is certainly the case, when alternative facilities should be available at Fairfield.

One other item that I should mention in this take-note budget debate does not receive a great deal of coverage in Liverpool papers, but it is terribly important. That is the fact that about \$27 million has been allocated for sewerage upgrades and recycled water projects. One of the positive things that has happened to Liverpool over recent years has been its growth. There has been dramatic growth. That has resulted in a lot of positive consequences, but there have also been some negative consequences. That growth cannot continue unless basic facilities such as sewerage upgrades are implemented. On that basis, I am particularly happy to welcome the budget allocation of that money for that purpose. I commend the motion to the House.

Ms GLADYS BEREJIKLIAN (Willoughby) [7.52 p.m.]: It is an indictment of the Government's management of the business of this House that the State budget was passed by this House on 22 June, yet today, 8 December, members are taking part in a take-note debate on the budget. That is an appalling state of affairs. It is a matter of regret that I and other members have had to wait six months to place on record the impact of the budget on our respective electorates.

Regrettably for the Willoughby electorate, the State budget has been a blow for local schools. I will take some time this evening to refer to a number of schools that have requested major and critical capital works upgrades but, unfortunately, to date have not seen the colour of any Government money. Firstly, the budget papers reveal that the stage one upgrade of Chatswood High School has blown out yet another year, with a completion date now of 2006 rather than 2005. The State Government has allocated only \$2.2 million of the \$5 million required to complete the project. If that were not enough of a blow, there is no mention of the much-needed stage two upgrade.

In addition, with its ever-increasing numbers, Chatswood Primary School also is in desperate need of additional permanent classrooms and upgraded facilities. The school community has been working extremely hard to secure funding. It has been extremely vigilant in sending correspondence to the Minister and to my office, but to date there has not been an allocation of funding for additional permanent classrooms at that school. It is ironic that, on the one hand, the State Government proposes three additional towers of 32, 18 and 12 storeys above the railway line at Chatswood. That invariably will bring an increase in the population of Chatswood. Yet, when it comes to supporting that proposal with necessary and consequential infrastructure, such as improved permanent classroom facilities and capital upgrades at local schools, the Government does not do that. So while on the one hand the Government advocates bringing more people into the community—a welcome gesture—on the other hand it does not support that advocacy with necessary infrastructure upgrades.

I mention the three-towers proposal at Chatswood because only this week a report was presented to RailCorp indicating that building structures above railway lines raises serious safety concerns. I have put questions on notice to the Minister asking him to assure me and the community that the three towers proposal in Chatswood meets the necessary benchmarks and safety conditions. Again I reiterate that when there is development of that magnitude in a community the Government needs to provide the necessary and commensurate infrastructure, in this case ensuring the provision of adequate facilities at Chatswood High School and Chatswood Primary School.

I now move to Castle Cove Primary School. The Castle Cove school community is in desperate need of a new library. The school community has already raised well in excess of \$100,000 and has asked for a contribution from the State Government. The final year in which they applied they were told that, because the request was a few days late, it would not even be considered. I understand that the school community has re-applied, but that to date it has been denied any funding, notwithstanding that it has raised a considerable sum.

The next example I raise, which is appalling, involves the Northbridge Primary School. Only a week or so ago I received representations from one of the school community who is a member of the Teachers Federation. She had detailed about 20 maintenance issues at the school that have not been addressed. They ranged from facilities in classrooms, to airconditioning, to other structural issues. I take this opportunity to say that Northbridge Primary School was approved funding for a permanent classroom block two financial years ago. Though that funding was approved in 2002, Northbridge Primary School still has not seen the colour of the Government's money. Imagine working hard to extract much-needed funding for the local school, and then being faced with uncertainty about when that money will materialise and when the construction work will commence!

Some parents have told me that their regret is that their children are likely to graduate from Northbridge Primary School without work on the permanent classrooms even commencing, notwithstanding that the money was promised two years ago. When I pursued this matter with the Minister's office a couple of months ago I received correspondence to the effect that he had appointed a tenderer for the project and that work would commence. However, from recent discussions with local parents, I understand that construction work is yet to begin. That is an appalling state of affairs.

I should like to mention some public transport issues in the electorate of Willoughby as they relate to the budget. Both Chatswood and Artarmon railway stations have missed out again on Easy Access funding. In relation to Chatswood railway station, I am gravely concerned that this means there will not be adequate access to Chatswood railway station for the elderly, the disabled, parents with prams, or people with injuries until 2008, when the Chatswood to Epping link is scheduled for completion. The State Government must reveal what options it has canvassed for interim access, and why it has rejected those options.

The vast majority of residents are currently prevented from using Chatswood railway station. When I held a street stall at Chatswood some months ago I heard the desperate story of an elderly lady pensioner who explained that she is forced to catch a taxi to St Leonards station, where she has access, because there are no escalators or lifts for her to use at Chatswood railway station. I have been told repeatedly that the interim options are not feasible and that they are too costly, but I would like the Government to present some evidence of the issues that it has canvassed and why it has rejected them.

I place on record my commendation to the Artarmon Probus Association, which has been active in trying to achieve Easy Access at Artarmon railway station. The association has made strong representations to me and to the Minister specifically requesting that Artarmon be placed on the Easy Access Program so that Artarmon residents, especially the elderly and the disabled, are able to use the station. Given that Artarmon station is in close proximity to medical facilities, that would seem to be worthwhile. In the budget papers the Government has made it difficult to track funding for the Chatswood to Epping rail link because it has converted the expected total cost figures to 2008 figures, as opposed to the 2000 figures used in last year's budget papers.

That makes it difficult to track how much money, comparatively and relatively, has been expended on that project to date and to what extent the money allocated to the project is within allocated time frames. Notwithstanding that there has been a cost blow-out for the new Chatswood police station—I believe the cost has blown out from about \$8.4 million to \$12.1 million—it is a relief to the community that the station will be completed on time. I understand from discussions at various levels that the North Shore Local Area Command will move into the station early next year. That is a huge relief for the community. We welcome it and, after many decades of the local police working in unfit premises, we look forward to our local hardworking police men and women being able to use modern facilities in the new police station.

It is regrettable that, despite the massive tax grab that the Government embarked upon in the mini-budget when it introduced the unfair vendor duty and abolished the land tax threshold, the New South Wales budgetary position continues to worsen. Beneath the Government's rhetoric about its financial performance lies an appalling record of inefficient financial management, unprecedented taxation revenue, and irresponsible spending overruns. The residents of the Willoughby electorate deserve much more for their hard-earned tax dollars, as indeed do all New South Wales residents and taxpayers. Taxes are up, we will be in deficit, and services are declining—all during a time of economic prosperity thanks to the Federal Government's great economic policy.

The dire economic position in New South Wales is the legacy of 10 years of Labor. Our railways are deteriorating, hospitals are struggling, schools are crumbling, infrastructure is in decay, blackouts are now commonplace, Sydney Water by its own admission, loses 10 per cent of drinking water through faulty pipes, and services at the local level are being ripped out and centralised. An example relevant to the Willoughby electorate that I will highlight is the State Government's decision to rip out the vital local community mental health centre from Chatswood and relocate it at the Royal North Shore Hospital. The Government failed to maintain two buildings in Hercules Street, Chatswood, which serviced at least 300 mental health care patients, their families, and their carers, and provided a venue from which many local mental health groups ran their services.

The Government allowed those buildings to run down, then put together a clumsy report claiming that the buildings were unsuitable for people to work in. It then used that as an excuse to transfer vital community services to the site of the Royal North Shore Hospital. Many parents, carers and patients have informed me that this is causing enormous angst and stress to many patients who do not want to face the intimidating environment of a hospital to receive what would otherwise be local and discreet mental health care in Chatswood.

I cannot speak on the budget tonight without commenting on the dire situation of the New South Wales rail network. According to Opposition research, 3.4 million train commuters arrived late at their destinations in November. On 1 December only four trains, or 1.9 per cent, ran on time. That is in appalling figure. Approximately 4,092 trains ran four or more minutes late during November. That equates to about 3.4 million people who were at least four minutes late to work or getting home to their families. It is appalling that only about one-third of afternoon trains arrived on time during November, and only about two-thirds arrived within 10 minutes. This is in appalling state of affairs, especially for residents in the Willoughby electorate who utilise the Artarmon, Chatswood and St Leonard's railway stations. They are now suffering due to the Government's appalling lack of management in this area.

Communities on the lower North Shore will not only have to deal with serious access issues because the Government has not invested in the Easy Access Program for the Chatswood and Artarmon railway stations. They will also face the prospect of even fewer services in off-peak periods, because the Government, in a desperate bid to extract itself from the current rail crisis, has issued a new rail timetable, which is a further blow for commuters. It is particularly distressing for part-time workers and shift workers, who will face increasing challenges in getting to work on time. Older communities that rely heavily on off-peak services will also be severely disadvantaged. People attending night time social events will be forced to wait longer for one of the few remaining trains.

Many residents have already contacted me to express concern about overcrowded and late trains and all-stations trains that fail to stop at Artarmon. These further cuts are a huge blow. Retail businesses may also be affected by fewer train services. Parking in Chatswood is difficult and a further reduction in rail services cannot be good for local business. This is all for the sake of reaching an artificial on-time running target. Effectively, the State Government will be running a peak hour train service while ignoring other parts of the day.

These cuts also coincide with the fact that the next stage of the construction of the Chatswood to Epping rail link will result in disruption to commuters using Chatswood railway station. Indeed, I have requested a briefing from CityRail as to what transitional arrangements will be made for communities in view of these cuts, given the next stage of construction at Chatswood railway station. Regrettably, we now know that further blackouts will become commonplace in Sydney. In the Willoughby electorate many businesses and residents, particularly those in Chatswood and Artarmon, have suffered enormously because of the Government's failed plans to address power infrastructure issues. Regrettably, blackouts in the Willoughby electorate and throughout the North Shore are becoming too regular, inconveniencing residents and adversely impacting on local businesses.

On 28 October the Minister for Energy and Utilities re-announced a plan to invest \$6.2 billion in the State's electricity network. However, the Minister failed to tell us that, despite this money, local residents and businesses suffering blackouts will experience little improvement even by 2009. According to documents obtained by the Coalition, EnergyAustralia customers will suffer only one minute's less blackouts by 2009. On average, residents across the whole of the EnergyAustralia area currently suffer 102 minutes of blackouts each year. Local residents in the Willoughby electorate are entitled to a guarantee that the blackouts we already suffer will be dramatically reduced. Businesses need certainty that further blackouts will not impact on their operations.

I have received a number of calls in my office from businesses in Chatswood that experience blackouts. The Government has been on notice for years that the electricity infrastructure has been run down and that we are moving towards increased risk of blackouts but it has done nothing about that. In submissions to the Independent Pricing and Regulatory Tribunal [IPART] in recent years major electricity suppliers have highlighted the need to renew infrastructure. The 2003 EnergyAustralia submission to IPART noted that there was an underspend by approximately \$70 million over the review period. In the past two years we have had estimates of billions of dollars being required across the entire electricity network, yet the Carr Government has continued to suck out billions of dollars in the form of dividends, tax equivalents and debt loading. I turn now to tax increases, and I want to canvass a few areas that impact particularly on the residents of Willoughby but which obviously also impact on taxpayers and residents throughout the State. [*Extension of time agreed to.*]

The vendor duty is having an extremely detrimental impact on the residents of the Willoughby electorate, which has about 8,000 people with investment properties and about 7,000 who rent. Every one of those people will suffer the impact of the imposition of this unfair tax. Even more concerning are revelations by the New South Wales Auditor-General that there has been a slowdown of the New South Wales property market. The Real Estate Institute quarterly property figures released on 1 December show that the negative results of Labor's greedy vendor tax grab have contributed to massive downturns in the sale of homes, which are down by 22 per cent, and units, which are down by 38 per cent.

The September quarter 2004 Property Focus report also reported a worrying downward trend in New South Wales building approvals, which have been in steady decline since April 2002. Labor's tax policy, combined with the paralysis and management chaos in the Department of Infrastructure, Planning and Natural Resources are driving investors to Queensland, Victoria and New Zealand. The Auditor-General's report released earlier this month proves the anecdotal frustration of numerous home builders who complain of major infrastructure projects sitting on the Minister's desk or the director-general's desk for months. The Auditor-General revealed at page 209 of volume 5 of his financial audits of 2004 that the assessment time in the Department of Infrastructure, Planning and Natural Resources for major infrastructure proposals has blown out from 95 days in 2002-03 to 121 days in 2003-04. The capital investment value of infrastructure projects has dropped dramatically from \$1,452 million to \$600 million in the same period and the number of construction jobs created has dropped from 660 to 640 in the same period.

All this is happening at a time when our infrastructure is in crisis. The Carr Government should be pulling out all stops to get our infrastructure up to scratch. Assessment times are now 40 per cent longer, which means more costs to home buyers, and lost opportunities in the economy for jobs. The property market is in slowdown, stamp duty revenue is declining dramatically, and the vendor duty has been a failure, in that Treasury forecasts will not be met. To add insult to injury, from January to March, tens of thousands of residents across New South Wales will pay land tax for the first time. That combination of factors will put further pressure on the budget deficit.

Other taxes have impacted on the Willoughby electorate. The tax on poker machines is having a clear impact on many of our local clubs. Many clubs have conveyed to me in a heartfelt manner the difficulties they are experiencing because of the tax. Many have had to cut the services they provide, such as subsidised meals to the elderly and free entertainment, because they cannot pay the poker machine tax and maintain the current levels of service. The tax is hurting the people who benefit from the generous community programs that clubs have in place. I thank all the clubs in the Willoughby electorate for contacting me about this, and I put on record again my support for their cause. I will use every opportunity in this House to draw attention to the positive contribution they make to the greater community.

In addition, residents within the Chatswood and North Sydney central business districts have to endure a car space levy introduced by this Government. Many Chatswood businesspeople, through representations made by the Chamber of Commerce, have told me about the impact the car space levy is having on business in

the electorate. The irony is that one of the reasons the Government gave for introducing the car space levy was the excellent public transport facilities. Anyone who has used Chatswood railway station or tried to catch buses leaving Chatswood knows that this is a farce. To use that as justification for imposing a car space levy is hypocritical, to say the least. I also place on record the plight of Northbridge residents and other residents on Middle Harbour who have to endure an increase of as much as 500 per cent in their water tenancy rates. That includes those who have pools, jetties or other facilities on their properties that border Middle Harbour. They have not had 18 per cent or 20 per cent increases. Letters I have received recently from constituents show that in some cases the rate has increased more than 500 per cent.

After 10 years of Labor New South Wales is facing a deficit. Services are declining. People who are working hard to raise families and to do their best are suffering because the Carr Government cannot manage the economy. The Government cannot put money into essential services. It cannot distinguish what should be a priority and what should not. I assure residents in the Willoughby electorate that I will use every opportunity in this House to push for better services for my community. I will also highlight the massive deficiencies in economic management across the State.

Mr PAUL CRITTENDEN (Wyong) [8.16 p.m.]: It gives me great pleasure to speak in this take-note debate. I understand that yesterday the Treasurer of New South Wales passed the previous record set by Robert Askin and has now become the longest serving Treasurer in the State. Tonight I want to draw an interesting parallel between the Budget Speech delivered by the Treasurer in this place this year and the budget speeches in 2001, 2002 and 2003. Last year when I spoke on the take-note debate on the budget I talked about so-called e-learning, and I return to that theme tonight. This year the Treasurer has departed from the spin term of e-learning and referred to the email accounts that will operate in schools. That is different to what occurred in 2001. In 2001 the Treasurer said:

Over the next four years \$41.6 million will be made available for the staged introduction of email addresses and Internet accounts for every student and teacher in a government school, in other words, individual e-learning accounts. By dialling up from school or home and logging on by the Internet students will be able to use learning materials and library resources on the education intranet, communicate with their teachers and classmates by email, participate in collaborative workgroups within their schools and across the State and have filtered access to relevant educational resources on the Internet.

In 2002 there was again a reference to e-learning when the Treasurer said that "\$82 million would be allocated for e-learning accounts for staff and students in schools and TAFE". In 2003 we again heard the term "e-learning", when the Treasurer spoke about the "\$84 million for technology initiatives, including the upgrade of bandwidth and the rollout of e-learning accounts for staff and students". I am pleased the former Minister for Information Technology, the honourable member for Granville, is in the Chamber. I point out to the Treasurer—and I have it on good authority—that by the end of 1996 every school in the State was able to dial up to the Internet because they had computers and modems and were all issued with accounts with Ozemail.

Of course, some of the money that has been allocated since that time has gone to improving the bandwidth. I know that was a matter of great interest to the honourable member for Granville. This year we have come to the nub of the issue, that is, email. The Treasurer is still talking of \$800 million being allocated to various technology initiatives, including the Computers in Schools Program, upgrading bandwidth in schools and TAFE colleges and the provision of email and other services for teachers and students. It is important that we recognise that the whole "web services" project has now been reduced to simply providing an email account.

Last year I pointed out that there were considerable legal issues with issuing a child with a basic email account from the Department of Education and Training [DET] server that simply had *firstname.lastname@education.nsw.gov.au*. I have done some research on this matter. I understand that Queensland has had some concerns, and it has not followed the simplistic path that DET has. It has given individual students an email address based on an initial, the first four letters of the surname and a number. The reason is that an estranged parent may seek to communicate with a child by email if a simple email address is in use. Obviously Queensland has not gone down the same track as New South Wales. The whole issue of web services is interesting. In December 2002 there was a web services update of the New South Wales web site by Wayne Houston, who has gone on to bigger and better things and is now the chief information officer in the Department of Infrastructure and Planning and Natural Resources. Mr Houston, who was at that time a sponsor of the web services project, said:

The feedback from the pilot had been extremely valuable. The students liked what they used and responses from teachers indicate that they see great potential for the use of the web services in teaching and learning. Technical issues identified during the pilot are being addressed and a range of support material is being developed to assist schools and TAFE when the services are rolled out for use.

Mr Houston went on to say:

Just by logging onto their e-learning accounts—

Again we use that word "e-learning"—

they will have immediate access to online learning and research material anywhere anytime.

That is, of course, if they have not exceeded the download limit. As I understand it, that limit has not been established. It is very likely to be 100 megabytes per user. To those with any experience of broadband plans, members would know that often there are limits and price schedules included according to how much is downloaded. To put that into context, theoretically at 2 megabits per second 100 megabytes can be transferred in 400 seconds, or 6 minutes and 40 seconds. Even if we say in practice network latency makes it half the speed, students could use up their yearly allowance during recess.

Some schools have been upgraded to 10 megabits per second. That brings the theoretical maximum down to 1 minute and 20 seconds. When we are talking about email accounts we need to define what restrictions, if any, will take place and whether those restrictions will be hard and fast, such as once you reach the download limit you are excluded or whether there will be some sort of trading between students. For example, if one student uses up his or her limit, can he or she go to another student who has not used up their limit at that point? These important issues need to be addressed.

Last year I referred to the issue of free email accounts from Yahoo and Hotmail. There have been some developments in this area in the past 12 months. Now Hotmail and Yahoo are offering 250 megabytes of free space to users and g-mail from Google offers one gigabyte of free space. Leaving that issue aside, the reason I suspect many students will not use the DET site is that it does not provide instant messaging. The DET schools network has a block on instant messaging. For many students instant messaging is very much in vogue. It is important that we address these issues. When we talk about the whole web services project, what we are getting is simply a chat room and a thing called "forum", which is just a location where emails can be posted to be read by multiple users.

The Department of Education and Training re-signed an agreement with Microsoft in the middle of this year, but it has not taken into account other Microsoft server products that could have been put in place which would have achieved more than the current project provided by the DET and web services. For example, if the negotiations had included such products as "sharepoint", "live communication server" and "Microsoft class server", much more would have been available than is now being introduced into schools. Instead, the web services project promises a web-based email system with an adjunct Java application that may or may not be customised. That is the nub of the problem. I do not expect the Treasurer to be fully aware of these issues. I took the trouble to find out from the Parliamentary Library that he was born in 1948. Obviously he is an early baby boomer and is doing his best to come to grips with the emerging technology.

We have to understand that there are emerging technologies, and things such as voice over Internet protocol [VOIP] need to be integrated into the web services project. We need to ensure that when we spend these tens of millions of dollars we are getting very good value for money. Notwithstanding that, the Treasurer has been grappling with this issue for some considerable time. Jennifer Hewett, in an article in the *Sydney Morning Herald* on 30 May 2001, said of the Treasurer:

He even labelled e-learning as the beginning of a revolution in education, one that would transform how children learn.

That revolution may take place in the future, and I hope it can be produced in an effective way. I am very pleased the Minister for Gaming and Racing is in the Chamber tonight. I have asked the Government Whip to place me on Government backbench gaming and racing policy committee. next year. I look forward to being involved in many interesting debates on policy issues affecting gaming and racing. I thank the House for doing me the courtesy of listening to me.

Mr STEVEN PRINGLE (Hawkesbury) [8.30 p.m.]: When I sat in this House preparing to hear the Treasurer deliver his now infamous State budget for 2004-05 I pondered what high needs of my electorate of Hawkesbury would benefit from the budget. As the Treasurer strode to the dispatch box with his pockets bulging with billions and billions of dollars from property tax and GST I thought: just a crust or two for the Hawkesbury and the north-western parts of Sydney, just a crust. What did the Hawkesbury receive—indeed what did most of north-west Sydney and my neighbouring electorates receive? Absolutely nothing. All the

Treasurer did was restate moneys that had already been allocated. That is right—in reality not a brass razoo that was new.

There was not a crust for our trains. Outside the Richmond railway station there is a sign that says "only 70 minutes to central station". What a joke! It is just like the rest of the sign that lists the fare to the city as zero dollars. The truth is far starker. Every day a commuter who travels to the city from the Richmond-Windsor area spends an average of 40 minutes travelling time over and above the scheduled time. That is an extra 160 hours per year or the equivalent of 20 working days per year. That is 20 working days that this Government is wasting, and days that are not contributing to the economic health of our State. The failure of the Labor Government is costing each commuter from Richmond 20 days that could have been spent growing and adding to our State's wealth.

Put simply, the Premier costs the residents of the Hawkesbury and the residents of New South Wales. And there is more. Not only do commuters lose 20 days of their lives or more, but they also have to do so in conditions that would be condemned as inhumane if we were talking about raising chickens. The trains used on the Richmond line are not airconditioned and in winter commuters travel in conditions that are colder than the temperatures we demand of butchers in their meat storage areas. In summer the carriages turn into hot boxes, and temperatures in excess of 40 degrees are common. You may be shocked, Mr Speaker, but that is how this Government treats its constituents. It can be summed up as follows. Before the last Federal Election I was accosted by a commuter who said, "If Labor can't run the railways how can we trust them to run the country?"

It is worth comparing what is happening in other States. How does our contribution to the railways compare with the contributions of other States? What is happening in Western Australia? A five-kilometre extension of the railway line from Currumbine to Clarkson has just been completed and a lot of brand-new rail cars are slowly being rolled out. Planning for construction of the new line to Mandurah is well under way. The Perth to Kalgoorlie line has new rail cars. What about South Australia? The Adelaide to Glenelg tramway will have new trams rolling out this time next year and the entire line will be upgraded.

What about the Victoria? Passenger services have been restored—yes, restored—and new passenger services created between Ararat and Ballarat. The regional fast rail project is also well under way, connecting those regional centres of Ballarat, Bendigo, Geelong and the Latrobe Valley with Melbourne; 38 railway V/Line city rail car sets are being delivered progressively. What is the Federal Government doing with railways? Major projects are under way in every State except Queensland and Tasmania, which of course are narrow-gauge railways. In New South Wales the Federal Government is spending \$110 million on the Hornsby bypass crossing loops and also crossing loops at Thornleigh and Rhodes. Major additional capacity at Port Botany and works in the country are well and truly under way. But what are we getting from this Government? We get lots of empty promises and nothing realistically being done on the Hawkesbury line. The proposed duplication of one section of the line is years away.

What about a crust or two for a decent bus service? Recently the Government announced its new deal in equality for people using public and private bus services. "Taking from the transport rich to give to the transport poor" was the quote in the *Sydney Morning Herald*. What a joke! The bus network map printed with the article shows the bus network stops at Rouse Hill, Blacktown and Hornsby. No mention is made of residents just that little bit further out in the Hawkesbury. It is time that the Government spoke to the residents of Wisemans Ferry or Canoelands, where children going to school have to catch two buses and in between buses are left unsupervised at a bus stop for up to a half hour in the middle of nowhere, some would say. Or the Government should talk to the pensioners in McGraths Hill trying to get to Windsor to do some shopping on the weekend.

It is lamentable that this Government can only offer a busway between Rouse Hill shopping centre and Parramatta—a project that was announced last weekend, yet again! This constant re-announcing of projects is a hallmark of this Government and a hallmark of its failure to deliver. With regard to this busway, obviously the Government is not happy with the white elephant it already has and now wants two white elephants. I suppose it is appropriate for a Government that has become an absolute circus. The Hawkesbury has inadequate trains and an inadequate bus network. Are we not suffering enough? Obviously not: there is more.

Perhaps we can have just a crust for housing for the poor, that traditional area that the Labor Party is supposed to be good at. Like many areas of Western Sydney, the Richmond-Windsor area has a significant amount of public housing. One of the characteristics of this public housing is that residents do not want to move. As one would expect, they love the Hawkesbury area. It is a great place to live and they want to remain there.

Who could blame them for enjoying the relaxed rural lifestyle that we have in the Hawkesbury. But this also means that many people want to move to the Hawkesbury and, just like Sydney, house prices have escalated beyond the pockets of many wage earners.

Can they get public housing in the Hawkesbury? No, siree. The waiting list for public housing is up to 12 years and the waiting list for emergency housing is up to two years. You virtually have to wait until someone dies to get a simple place. What has this budget done for housing in the area? Nothing, zilch, not a thing. It gets even worse as this budget closes the Department of Housing office in Richmond. Where do public housing tenants have to go to sort out maintenance and other issues? To Penrith. How do they get there? It is not surprising that many public housing tenants do not own cars.

Can they catch a train? Whoops, I forgot that the services have been reduced and they would have to go via Parramatta. But there is always the bus service. Whoops, there is no adequate bus service. Thanks to the Treasurer the poor can afford to take all day to sort out a leaky tap problem. That is what the budget says: the poor in the Hawkesbury do not count, and they do not matter. Indeed, the Labor Government has lost the plot in regard to public housing as it has with virtually everything else it does.

Perhaps we can have just a crust for schools. We have recently been through a heatwave, as honourable members in this Chamber would know. One has only to look at the weather map to see that the Richmond-Windsor area is one of the hotter parts of the State. Was there any major commitment to airconditioning in Hawkesbury schools? No, there is still no airconditioning. The Minister has given an agreement that all schools in areas over the 30 degree celsius mean average January temperatures will get priority in regard to airconditioning. The mean average January temperature for Colo High School is 31.4 degrees. Where is the allocation in the budget?

Where is the allocation in the budget for Windsor South Public School, where parents are prepared to pay for the airconditioning, but they need to have the electricity supply into the school upgraded. Yet again, there has been no such commitment. There are also problems with security fencing, which the Government has failed to deliver on in an adequate time frame. I also mention that the local railway stations are supposed to be manned at least during school hours. Mulgrave station, a station used by many Windsor High School students, is not staffed on many occasions during the day. On most days of the week the stationmaster from Mulgrave station is called away to fill gaps elsewhere in the system. That means that the toilets are locked and the 70-odd users from Windsor High School sit there unsupervised, hoping that a train might one day arrive. The lack of amenities presents an obvious problem.

We may not be getting anything for our schools, but this Government is taking something away. The Grose Wold Public School site was donated to the community many years ago and has been replaced by the Grose View Public School on a nearby site. The school community, like many other school communities, wants to use the old school and its land as part of its resources. Many schools find that an extremely attractive proposition. The Government has declared that the Grose Wold Public School site is surplus to requirements and has approved its sale. That is despite the huge number of petitions that have been sent to the Minister. Obviously they are falling on deaf ears. Yet again, thanks to the Labor Party, the community has lost dramatically.

We also need a crust for the Hawkesbury River. Each day millions of litres of partially treated sewage are dumped into the Hawkesbury River from more than 20 sewerage treatment plants along the river. This river is the lifeblood of the Hawkesbury. We use the water to grow the fruit and vegetables that we all enjoy every day. We also use it to grow turf on the many turf farms along the river and to repair lawns and gardens when the drought breaks. I am sure that all honourable members have seen photographs of the salvinia weed that has choked our river. Most of that weed has been removed as a direct result of local action. This year we had to beg the State Government to provide a miserly \$300,000 to hire a weed harvester. The Federal Government initiated the scheme, but it took the State Government a long time to match the commitment. We now need a permanent weed harvester on the river that can be hired out to other areas when required.

The salvinia outbreak is a direct result of the outflow from the sewage treatment plants. Experts agree that the plants will need perhaps \$1.5 billion to clean up the area. Given this Government's level of spending, it will take 50 years to complete the task. Clearly, the residents of the north west of Sydney cannot afford to wait that long. The Hawkesbury River is a major recreation and food production area. If the residents of Sydney want food and sand and if they want to bring their families to visit the Hawkesbury, we must be given adequate funding to improve the water quality.

We also need just a crust for New Line Road, which is a major road on the eastern side of my electorate. In 1998 the Roads and Transport Authority, in conjunction with Hornsby and Baulkham Hills councils, conducted a study into the future of Old Northern and New Line roads. The study presented several recommendations about making the road safer and suitable for the volume of traffic that it carries. I encouraged local residents to form a lobby group and they have done so to try to get the Government to fund essential public works. So far, again, nothing has happened.

It is now six months since the budget was delivered. It allocated funds for a much-needed upgrade of Windsor Road. Nothing has happened. Residents of the Hawkesbury electorate and I are concerned that despite that commitment the Government may renege on its agreement to undertake that desperately needed work. I am pleading with the Government to ensure that work commences soon. Once again, the budget contained no allocation for a new police station. The electorate of Hawkesbury is more than 100 kilometres from top to bottom and it covers about 3,600 square kilometres. It is traversed by many major roads and, as I have mentioned many times in this House, is a popular tourist destination. We have our share of crime and we rely on our local police to protect us on the roads and in our homes. They are an integral part of our community, yet they are expected to operate from a modified home that has been extended and changed over many years. The Government has promised a new police station on many occasions but, yet again, it has not delivered. This budget does nothing for the Hawkesbury or surrounding areas.

It also does nothing to help the local economy. The exit stamp duty has all but killed investment property turnover in the district. One real estate agency has told me that it once sold approximately 50 investment properties every year. Since the tax has been introduced it has sold only one property. Yet again, this is causing major damage to the economy. I and other Hawkesbury residents fear that the budget estimates, which included a large amount of revenue from the exit stamp duty, will not be realised. What other services will be cut to make up for that massive shortfall? Other services are clearly under threat.

I have made it clear that this budget, so lauded by the Premier six months ago, is in truth nothing but a sham. Given that the Premier had to rely on reannouncements to pad the content of the speech so that he could fill the allocated television time, there is no doubt that this budget has failed the people of the Hawkesbury and the rest of New South Wales. It is a budget from a failed Government. Carr costs and fails to deliver. Labor has failed our train and bus services, the poor, our schools and our environment. It has provided nothing for the roads or our police. The people of the Hawkesbury and the surrounding area sought only a crust from the Treasurer. They were not expecting the mugging they got from this appalling budget.

Mr JEFF HUNTER (Lake Macquarie) [8.45 p.m.]: It gives me great pleasure to speak to the 2004-05 budget. The Carr Labor Government's tenth budget was handed down in June this year and it included funding for a number of very important projects in the Lake Macquarie area. An important feature of the budget was the allocation of more than \$1 million to continue the lake clean-up program. The budget also contained an allocation of about \$5 million for the construction of the \$33.5 million duplication of the Five Islands Road, which is Main Road 217. That section of the road—approximately 1.7 kilometres—runs between Booragul and Speers Point.

The electorate has also been allocated \$750,000 for the new \$1.12 million Wangi fire station, which is under construction. In addition, the budget allocated \$600,000 for the new \$1 million Teralba fire station, which is also under construction. We are expecting construction to be completed later this month and official openings in early 2005. In addition to that funding, two new \$320,000 fire engines will be delivered during this financial year. One will go to the Wangi Fire Brigade and the other will go to the West Wallsend Fire Brigade. They will be great additions to the local firefighting capacity.

Another \$500,000 has been allocated in the sport and recreation area for the completion of the \$2.7 million dining hall and kitchen under construction at the time of the budget at the Myuna Bay Sport and Recreation Centre. I was very pleased a few weeks ago to attend the official opening of that facility with the Minister for Tourism and Sport and Recreation, the Hon. Sandra Nori. Other highlights of the budget include an allocation of \$18,000 for navigational aids, \$251,566 for Lake Macquarie community transport, \$14.478 million for road development, safety, traffic management and maintenance and \$24.799 million for maintenance on the main railway line from Sydney to Newcastle. The travelling public will appreciate that the Government is maintaining that line. The Department of Housing has been allocated \$1.1 million for capital works.

I note that Hunter Water will spend \$265,000 on a new rail crossing trunk main in the Boolaroo area. They will spend some \$800,000 next financial year on their high-level strategy phase one, in the Edgeworth to

West Wallsend area, which covers part of the electorate of my parliamentary colleague the honourable member for Wallsend, as the Edgeworth area runs into the Lake Macquarie electorate near West Wallsend. Some \$7.24 million is being spent on waste water and sewer amplification from Warners Bay on the north-eastern edge of the Lake Macquarie electorate across into the Charlestown electorate to Valentine. It is certainly a great investment by Hunter Water to improve waste water facilities in Lake Macquarie. Overall, the budget is certainly very good for the Lake Macquarie electorate, with funding to deliver on commitments that were made at the 2003 election.

I would like to spend a little of the time I have left elaborating on some of those points I have raised, and I start with the clean-up of Lake Macquarie. Early in November I received representations from the Mayor of Lake Macquarie, Councillor Greg Piper, whom I have had the pleasure to work with on a number of projects over the years. Greg was elected to council as an independent councillor in September 1991, some six months after I was elected to this House to represent Lake Macquarie. Greg has represented the west ward of Lake Macquarie and this year he was elected mayor. I know he cares very much about the environment and I have been very pleased to work with him over the years on a number of issues affecting Lake Macquarie city. Of particular interest to both of us is the rehabilitation of Lake Macquarie, and Greg said in his representations to me:

Council has made representations to the State Government seeking an indication of its interest in continuing a joint capital works program for the rehabilitation of Lake Macquarie.

He went on:

The Office of the Lake Macquarie & Catchment Coordinator (OLM&CC), established to implement the recommendations of the Premier's Task Force on Lake Macquarie, is now in the last year of its second three-year program.

For the information of the House, that program ran for three years and then the Premier extended it for another three years. It is due to finish at the end of 2004-05. The mayor continued:

Since its inception, the OLM&CC, a joint initiative of the State Government, Lake Macquarie and Wyong Councils, has been implementing the action plan developed by the Task Force under the direction of the Lake Macquarie Project Management Committee. This Committee was appointed in 1999 by the then Minister for Land and Water Conservation.

Whilst physical works are only part of this integrated project, the following is a summary of the major works completed and planned for completion by the end of the program:

- 55 stormwater treatment devices, mostly wetlands or gross pollutant traps (\$4 m);
- 15 kilometres of foreshore stabilisation and vegetation (\$2.6 M);
- Stabilisation of Lake entrance erosion at Salts Bay (\$600,000);
- Navigation dredging to the main entrance channel (\$750,000); and
- Removal of sediment deltas from stormwater outlets (\$650,000).

He said further:

The OLM&CC has also commissioned maintenance dredging work, at numerous locations, for the purpose of improving water quality and removing deposited stormwater sediment. During the current financial year for example, the OLM&CC proposes to spend \$1.13 million on removing organic sediments from three near shore areas.

The mayor also said:

Three statistically based community surveys since the year 2000 have shown an increasing trend in the number of people who believe the health of the lake is improving. In 2003, half of the survey sample believed the Lake Macquarie environment had improved. In the same survey, 74% of the respondents believe that in the next five years, the lake environment would improve or at least remain the same.

While this is very encouraging, the condition of many bays, foreshore areas and creek banks as well as the need to change many community attitudes, means that the Lake has only just started on the road to recovery.

As it now stands, the finalisation of the second three-year program will see closure of the office and loss of the OLM&CC and loss of the coordinated approach that it and the Project Management Committee have brought to improving the Lake. Closure of the Office will see completion of only \$18 million of the \$40 million of works identified by the Lake Macquarie Estuary Management Plan and this Plan did not identify all the desirable Lake improvements.

The mayor went on to ask for my support in lobbying the Government to see whether the program can be extended. I agree with the mayor. As I said, I have worked with Greg over a number of years while he has been a councillor and mayor. He also chairs the management committee for the project, and I certainly agree that the project should continue. I have made representations to the Premier, and along with the honourable member for Wallsend, the honourable member for Charlestown, the honourable member for Swansea and the honourable member for Wyong we have all invited the Premier to visit Lake Macquarie to see the good work that has been done by the project management committee over the past 5½ years.

As I said, the State Government has allocated in excess of \$1 million in this year's budget for this work. When the project comes to its six-year conclusion in June of next year the Government will have allocated something like \$10 million towards the rehabilitation of Lake Macquarie. The local community, through Lake Macquarie council, through their ratepayer levy, and also through contributions from Wyong council, have contributed around \$8 million. So in over six years \$18 million has gone to the rehabilitation of the lake.

I think that everyone would agree that the project should continue. I believe that the people of Lake Macquarie would agree to continue to pay their ratepayer levy. As a ratepayer in the city I would be happy to continue to pay that \$17 a year to see the project continue. I ask the Premier whether it is possible for him to visit Lake Macquarie in the new year and see the good work that is being done, and I ask him to take on board the call for an additional three years of State Government funding to match funding that would come from the local community.

Recently I was very pleased to announce a \$200,000 grant for the North Lake Macquarie Environmental Health Centre, located in Boolaroo. A story in the *Lake Macquarie News* of 2 November headed "Grant will help Cockle Creek clean-up" stated that the State Labor member of Parliament, Jeff Hunter, said:

... the grant would help support the centre's work while long term plans were developed to remediate lead contamination left by the Pasmenco Smelter ...

Unfortunately, contamination coming from the smelter has impacted on people in the suburbs adjoining the Cockle Creek site ...

Pasmenco will be expected to bear the costs of the major clean up operation and is also contributing funding for the continued operation of the centre.

The work of the centre includes monitoring the blood lead levels of local people, conducting health education and promotion programs and consulting the community on issues relating to the lead contamination.

The centre also offers advice and assistance on removing ceiling dust from local houses and minimising exposure to lead contamination around homes.

The grant was funded by the NSW Government's Environmental Trust.

I point out that it has been an ongoing election commitment of this Government for the past few elections that it will continue that lead remediation work in the North Lake Macquarie area—a legacy left by around 100 years of the lead zinc smelter operation at Cockle Creek. I acknowledge that Pasmenco, in receivership, has contributed to the ongoing running of the centre, and I thank the Minister for the Environment and the Premier for their commitment to maintaining funding to the centre that does very vital work in the community. I raised this issue in the House just a few weeks ago and I refer members to that speech and to my congratulatory remarks to the community committee that help run the centre.

The budget allocated some \$5 million towards the duplication of the Five Islands Road between Speers Point and Booragul. I was very pleased in October to announce that Thiess Pty Ltd had been awarded the contract to undertake this upgrading. It is certainly a very important step in upgrading this vital link between the growing areas of western Lake Macquarie and Newcastle. The upgrade will include widening of more than 1½ kilometres of the road from two lanes to a four-lane divided carriageway between the roundabouts at Speers Point and Booragul. As well as widening the Five Islands Road, two new bridges will be built over Cockle Creek. It is quite a major construction project for the Roads and Traffic Authority [RTA] and Thiess.

An improved right turn bay into Anzac Parade at Teralba will also be built, as well as a pedestrian and cyclist underpass at Tulkaba Park. Most importantly, additional wetlands will be created during the construction to compensate for any loss of wetlands resulting from the upgrade. Over a number of years the RTA has consulted very widely with the local community and has worked with the local Landcare group and Lake Macquarie council. A detailed environmental impact study has been undertaken and all the approvals have been obtained. It is a very environmentally sensitive project and, as I said, the RTA will create additional wetlands to

compensate for any that are lost. Site works have commenced and I was pleased to visit the site a few weeks ago to speak to Thiess contractors and RTA officials. They are installing a site office and associated services for construction workers. Construction work on the road will start early in the New Year, hopefully in January. It will take two years to complete because it is such a massive construction project. When finished it will improve traffic flow, reduce delays, and improve safety for all road users, including cyclists and pedestrians.

The budget allocates funding for new firefighting appliances in the Lake Macquarie electorate: a new fire engine for Wangi Wangi fire station and another for West Wallsend. I was pleased with that funding because a day or so before the budget was announced I had the pleasure of handing over to firefighters at Wangi Wangi fire station the keys for a new \$334,000 fire tanker. Not only has the station received a new fire tanker but over the coming financial year it will receive another fire engine valued at \$320,000. Indeed, by the end of this year the new \$1.12 million fire station at Wangi Wangi will be completed. The 16 retained firefighters at that station will have a new facility and new equipment to help them respond to emergencies in the local area.

The budget also allocates funds for the completion of the Teralba fire station. Construction commenced in June, at the same time that construction started on Wangi Wangi fire station. The contract for the construction of both fire stations was awarded to Cordukes Ltd and is estimated to cost more than \$2 million. The project is due for completion around Christmas and I look forward to the firefighters of Teralba and Wangi Wangi moving into their new fire stations in the new year. Over the coming financial year rural fire brigades in the Hunter region will receive almost \$6 million in funding to help ensure that volunteer firefighters are well prepared and supported for the predicted tough bushfire season that lies ahead. Certainly, the hot temperatures of the past few weeks are an indication of the importance of our rural volunteer firefighters.

I congratulate all the volunteers of Wyee Point Rural Fire Brigade, on the western side of Lake Macquarie, on their tenth anniversary. I had the pleasure of attending a function with my colleague the honourable member for Wyong at Morisset in my electorate. When the Wyee Point Rural Fire Service brigade was established, Wyee Point was in the electorate of Lake Macquarie, but it is now within the Wyong electorate following the last boundary changes. I know that the honourable member for Wyong works closely with the Wyee Point volunteers and I was pleased to be invited to celebrate their tenth anniversary. I look forward to being elected again in 2007 as the member for Lake Macquarie and to once again representing the wonderful areas of Wyee and Wyee Point, which will become part of the reformed Lake Macquarie electorate.

The budget makes a massive allocation for improved school facilities. Unfortunately, time does not permit me to go through the number of announcements made since the budget was handed down, but massive sums have been allocated to the Lake Macquarie electorate for the roll-out of new computers and the upgrade of school facilities. I was very pleased in September to officiate at the opening of the \$600,000 library at Biddabah Public School, which I referred to in this House about a month ago. Work is also due to commence on the new \$600,000 library at Booragul Public School and I was pleased to work with the school community on that project.

Another commitment made at the last State election was the installation of security fencing at a number of schools. Wangi Wangi Public School and Biraban Public School are still awaiting the installation of security fencing, although West Wallsend High School and Warners Bay High School have had the fencing installed. I ask the Minister for Education and Training to examine the program over the next two years and ensure that Wangi Wangi and Biraban public schools have security fencing installed.

Following recent lobbying by Fennell Bay Public School and me, the school has been added to the list and I ask the Minister when the security fencing for that school will be installed, to help protect the school from vandalism that has occurred in recent times. Funding has been allocated for the completion of the new dining facility at Myuna Bay Sport and Recreation Centre. A few weeks ago I was pleased to attend with the Minister for Sport and Recreation the opening of the centre's \$2.7 million dining hall and kitchen, which is the completion of a \$6 million redevelopment and upgrade of facilities spanning three to four years. I take this opportunity to congratulate the staff of the centre and particularly the manager, John McGregor, who has notched up some 40 years of service in sport and recreation. He was duly recognised on the day by the Minister. Overall, the budget contains many benefits for the Lake Macquarie electorate. I congratulate the Government on those initiatives but I also ask it to look at the other projects I have put forward for due consideration of funding.

Mr ANDREW CONSTANCE (Bega) [9.05 p.m.]: It is good to see the honourable member for Wallsend in the chair as Acting-Speaker during this safe take-note debate, after the earlier hectic debate. It is somewhat bizarre that on 8 December we are speaking on the State Budget, which was handed down in June. Its

\$379 million deficit will result in further deterioration of South Coast infrastructure and disadvantage the local community. New South Wales remains the highest taxing State in Australia, with every far South Coast resident paying \$2,135 in State taxes. In return, there is no budget allocation to address key South Coast infrastructure problems, particularly the much-needed water infrastructure, sewerage infrastructure, and Princes Highway upgrades, or funding to undertake scoping studies for new hospitals in the Eurobodalla and Bega shires.

The budget fails to provide much-needed funding for local schools, and I shall refer to them in detail shortly. The budget includes a number of capital works programs, including development works for Merimbula Public School, an allocation of \$5 million for Pambula Bridge, funding of \$2.5 million for Batemans Bay emergency department, and continuation of funding for Milton-Ulladulla Hospital. Despite that funding, the budget is the worst budget brought down by the Carr Government. More than 800 jobs will be lost because of budget cuts to the Department of Infrastructure, Planning and Natural Resources and the merger of NSW Agriculture, NSW Fisheries, NSW Forests and NSW Mining. This will have a direct impact on the far South Coast. The formation of the new super Department of Primary Industries will result in the loss of 325 jobs, including job losses in the office of State Forests at Eden and disruption caused to staff following the restructure.

Other examples of the Government getting its priorities wrong on the South Coast include a reduction in funding to rural lands protection boards from \$1.867 million last year to \$1.719 million this year—a cut of \$148,000 at a time when we are emerging from the drought. Funding to rural financial counsellors has been cut from \$1.497 million last year to \$1.068 million this year, a cut of \$429,000. Grants to local government for flood plain and coastal management have been cut from \$26.2 million to \$15.6 million, a reduction of \$10.6 million. These cuts have ramifications at a grassroots level in local communities on the South Coast. State debt is expected to rise to a record level over the upcoming four years, from \$16.24 billion to \$21.56 billion. There has been a massive raid on government businesses, reaping an additional \$249 million in dividends and other payments in 2004-05. There have been instances of the Government buying second-hand trucks for the Rural Fire Service, and there has been a reduction of 500 police officers across the State and a record \$5.3 billion collected in property taxes in 2004-05—a 230 per cent increase from \$1.6 billion in 1995-96.

The Government underspent its general government capital works budget in 2003-04 by \$82 million, and there was another stamp duty windfall last year to the tune of \$517 million extra revenue. However, there is no plan to return windfall gains from the introduction of the GST to the people of the South Coast in the form of cuts in State taxes. The fact is that taxes and the deficit are up, and the big questions that remain in regional New South Wales are: Where is the money going and where is the accountability? No doubt if people reflect on the fact that the Labor Government is raising \$15.5 billion in taxes this financial year they will continue to ask those questions. At the same time, the growth in bureaucracy is ultimately having an impact on front-line service delivery and the State's aging infrastructure. Pursuant to the \$10 billion infrastructure deficit in this budget, aging infrastructure, particularly in regional areas, will continue to suffer and we will continue to experience problems with water, sewerage, electricity, roads, hospitals, and schools.

The first specific issue I raise, as I have done on many previous occasions in the House, is the Princes Highway. A number of weeks ago I received a report of a safety audit conducted internally by the Roads and Traffic Authority [RTA]. Part of the documentation was a route inspection undertaken on the highway from 20 to 23 September 2004. The budget allocation for the Princes Highway south of Nowra is a disgrace. Lives continue to be lost on this highway at the rate of one a fortnight, and it is outrageous for the Minister for Roads to pretend that he is doing a serious job in his portfolio. He might smirk, he might ignore the problems, he might go on local radio on the South Coast, and he might make a joke of these issues and carry on about what might be in the drinking water on the South Coast. However, if he understood how local communities and local families feel about the loss of loved ones, the Princes Highway would not be a continuing problem.

The route inspection undertaken by an RTA team, which included the manager of speed management, the manager of accident investigation and black spot programs, the manager of pedestrians and vulnerable road users, the manager of planning and analysis, road safety project officers, and road safety traffic officers, resulted in damning documentation. It is incredibly negligent for the Minister to say, "I will wait until I see a final report and comment in the new year" when we know that traffic on the highway, particularly during the summer period, will be excessive. The Minister can save lives. As the Minister chooses not to act on this issue I can only plead with him to take a commonsense approach and to take the opportunity to save lives and to save hundreds of people from serious injury on this road.

The route inspection identified a number of matters, including the need for mass action strategies. They include the need to improve clear zones, delineation of the highway, speed management, shoulder sealing, kerb

warning, overtaking opportunities, proper signposting of rest areas, pavement markings, the need to address narrow bridges and substandard safety barriers, bus stops, and directional signage. This is the Government's own damning evidence about the Princes Highway. The report refers to the need to remove trees from clear zones and to remove suicide lanes from dangerous points on the highway. The budget allocation for the Princes Highway south of Nowra remains in the order of about \$5.25 million annually for the next 12 years. I note that the Commonwealth Government is putting \$20 million into black spots south of Nowra over the next two years. The Carr Labor Government and the Minister for Roads should at least match that figure.

That would at least provide a significant funding allocation to urgently address some of the mass action strategies and specific sites identified in the route inspection audit. Surely the residents of the South Coast do not have to wait until the 2007 State election to attain a funding allocation for a highway that has been identified as the most dangerous in the State, if not the country. Over the past two years 1,054 people were injured on the Princes Highway. Between August 2003 and July 2004 there were 26 deaths on the highway, and in recent weeks we have had further fatalities on the highway. The Minister can save lives, and I can only reiterate the need for him to do so.

In terms of some key projects on the highway that have been addressed, the Pambula Bridge project has caused ongoing frustration for the local community. I was pleased that the Minister allocated \$5 million in response to the Federal Government's funding allocation for the Princes Highway. The money, which was achieved as a result of the community's efforts, has been allocated to a bridge project that has been discussed at length in this Parliament. Again I call on the Minister to address problems with the Princes Highway. This is not hard. It is not rocket science; it is a case of reprioritising the \$2.9 billion road program budget and directing funding to those parts of the highway where people lose their lives.

Health remains a contentious issue for many people on the South Coast. No doubt the area health service and the Minister for Health are required to look at funding allocations for a number of hospital projects in the Bega electorate, particularly the emergency department at Bateman's Bay hospital. Funding was allocated, but for some reason the work has not been undertaken. The Carr Government promised the community a new emergency department for this summer, but it has not happened. The operating theatre at Batemans Bay District Hospital desperately needs upgrading. I call on the Minister for Health to upgrade oncology services at Moruya District Hospital and to upgrade the theatres and wards at Bega District Hospital. To that end, the Government must continue to invest in hospital equipment.

Doctors and nurses are leaving the profession, and there are too many health managers and not enough staff focused on front-line service delivery. The best example is that Batemans Bay District Hospital has 39 beds and five managers. I am not saying that the managers should be sacked, but I am saying that the hospital needs to be restructured so that more people are focused on patients and front-line service delivery, and so the ongoing management problems associated with the hospital are solved. That is indicative of what is occurring across the board in health in New South Wales.

I am pleased to represent an electorate that has strong school communities. Without doubt, some of our schools have the best capital works in the State. By the same token some also have the worst in the State. Ulladulla High School has been highly contentious not only in the local community but also in the Sydney metropolitan area, with people talking about what has gone on at that school. Narooma Public School has maintenance issues that need to be addressed. The Government should take the opportunity to address those issues rather than have school environments not catering for the needs of schoolchildren.

The Rural Fire Service has been a concern. On countless occasions since the handing down of the budget the commissioner has made it clear that south-east New South Wales is a hotspot. It is undoubtedly only a matter of time before there are devastating bushfires in that part of the State. I would like the Government to allocate necessary funding to the Rural Fire Service and to the volunteers on the ground to ensure they are as well equipped as possible to deal with the impending fire season and fire seasons in the years ahead. On a number of occasions I have approached the Government on small issues like the extension of the Candelo fire shed and the ability of the Quaama Rural Fire Service to establish a new shed on the side of the highway. The Government, through the Department of Lands, can provide land for the Rural Fire Service to put up a shed. An extension of land is also required for the Bawley Point Rural Fire Service so it can extend its facility and store its equipment appropriately.

Our water infrastructure is also of concern to the local community. The State Government ruled out providing assistance to Eurobodalla Shire Council for pre-construction work on a new dam. At this stage I have

not been advised that the State Government has even granted approval to Eurobodalla Shire Council for the construction of a new dam. Eurobodalla shire is growing at an incredible rate and will continue to do so over the next 20 years. It is imperative that the Government provide the necessary support to Eurobodalla shire to get on with the integrated water management plan to ensure the provision of infrastructure. Reliance on one water supply facility for the shire creates enormous challenges. That was evident only two years ago when a blue-green algae outbreak at Christmas poisoned the water supply.

Changes to the country town water supply and sewerage scheme guidelines are also of concern. Labor reduced the subsidies for small town schemes from 75 per cent to 50 per cent and for larger towns from 50 per cent to 20 per cent. Reduction of those subsidies has an enormous impact on the ability of local government in regional New South Wales to deliver much-needed water infrastructure. It is one thing for Minister Sartor to crow about these issues, but when one looks at delivery, it is a different story. It is a matter of concern that police numbers in the Far South Coast Local Area Command are set to fall from 123 to 112. That is not good enough. As I have said, communities in that area are growing. The 123 officers must be maintained so that the community can be properly serviced. It is particularly imperative that the Government improve the highway patrol. It is simply not good enough there are only four highway patrol cars south of Batemans Bay. Mobile and highly visible policing is the way to address some of the roads statistics. I call on the Government to allocate additional highway resources, both in the form of bikes and highway patrol cars, to the Far South Coast Local Area Command.

An ongoing concern in Moruya has been juvenile crime. I formed a working group with various government agencies to deal with that matter. I have been absolutely astounded at the lack of response to this issue. I received letters from the Premier and other Ministers but the responses were unacceptable. I call on the Government to make appropriate funding and resources available so that we can better co-ordinate our efforts. This has not been a good budget. Although there have been some achievements on the back of good local community work, I encourage the Government to address the issues I have highlighted. [*Time expired.*]

Debate adjourned on motion by Mr Kerry Hickey.

BILL RETURNED

The following bill was returned from the Legislative Council without amendment:

Duties Amendment (Land Rich) Bill

The House adjourned at 9.27 p.m. until Thursday 9 December 2004 at 10.00 a.m.
