

LEGISLATIVE ASSEMBLY

Thursday 24 February 2005

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

Mr Speaker offered the Prayer.

CRIMINAL APPEAL AMENDMENT (JURY VERDICTS) BILL

Second Reading

Debate called on, and adjourned by Mr Andrew Tink.

POLICE INTEGRITY COMMISSION AMENDMENT (SHAW INVESTIGATION) BILL

Bill introduced and read a first time.

Second Reading

Mr ANDREW TINK (Epping) [10.01 a.m.]: I move:

That this bill be now read a second time.

The object of the bill is to permit the Police Integrity Commission to continue and complete its investigation concerning a missing blood sample taken from Jeffrey Shaw, the former Attorney General, following a car accident in October 2004. The need for this bill became apparent during the inquiry by the Police Integrity Commission into the circumstances surrounding Mr Shaw's car accident last year. I refer to a number of newspaper clippings that identify the course of the investigation so far as it is relevant to the bill. The *Sydney Morning Herald* of Thursday 18 November 2004 reported, in the course of the investigation into the Shaw matter, as follows:

The morning had already begun with a dose of the unexpected. Mr Shaw's counsel, Mr Ian Barker, QC, asked for a stay of proceedings, arguing that because all the police officers questioned had effectively been exonerated, the commission did not have the jurisdiction to continue its investigation. The Commissioner, Terry Griffin, did not agree. Mr Barker then left the hearing to argue his case—ultimately unsuccessfully—in the Supreme Court, leaving Mr Shaw in the hands of [his] junior barrister ...

An AAP report of the previous day, 17 November, said:

NSW Supreme Court Justice Henric Nicholas today dismissed an appeal by Mr Shaw to have the Police Integrity Commission inquiry halted.

Justice Nicholas said the case was not strong enough to justify him granting an interlocutory injunction. "I am not sufficiently persuaded at this stage that the construction of the Act is to the effect that you have submitted it to be, to the end that it would deny the commission further jurisdiction to continue this inquiry," he said.

But that was not the end of the matter. It came before the court again at the end of last year. I refer to an article by Paola Totaro in the *Sydney Morning Herald* of 27 December 2004. This is very important, as it is the basis for the bill. The article states:

The Supreme Court has agreed to hear a legal challenge to the powers of the [Police Integrity] commission and its jurisdiction to report on Mr Shaw's conduct after the disappearance of a blood vial that ultimately revealed he had been driving with a blood alcohol level more than four times the legal limit.

The application, granted by Justice Reginald Barrett late on Christmas Eve, will now be heard on Wednesday morning.

If the motion is allowed, it raises the possibility that a specially constituted court of appeal—comprising three interstate judges—will be asked to ensure that there is no perception of judicial bias in favour of Shaw ...

It was made clear by counsel assisting the commission, Stephen Rushton, SC, during the last day of the public hearings that it does not believe any police officer was connected with the disappearance of Shaw's blood samples, taken after a car accident outside his home at Birchgrove on October 13.

The importance of the article is that it indicates that counsel assisting the Police Integrity Commission, Mr Rushton, had conceded, from a certain point in the PIC's inquiry, that no police were either suspected of being involved in the sample going missing or under further investigation by the Police Integrity Commission. That is the argument that was put by Mr Shaw's lawyers to establish that thereafter the Police Integrity Commission had no jurisdiction. This was the report of the argument put by Mr Shaw's barrister:

He argued the commission's powers, set out in the Police Integrity Commission Act, relate solely to people accused of police misconduct or corruption or people involved in "such police misconduct or corruption".

"At this stage it regrettably appears that the PIC or those assisting it seem to be operating under a misapprehension ... In particular, it would appear that it may have the misconceived view that it has power to express an opinion or make a finding in relation to any alleged misconduct even if it is not police misconduct or related to police misconduct," he told Justice Barrett. He argued that any other meanings attributed to this section would empower the commission to apply its wideranging unique coercive powers to any NSW citizen contravening common law rights. "Plainly, this would be nonsense and contrary to the statutory framework of the PIC Act.

I interpose here that the Independent Commission Against Corruption, in relation to everybody else in the New South Wales public sector, or in relation to people who have dealings with them, has precisely the same coercive powers as has the PIC in relation to police. My point all along has been that what was put by Mr Shaw's counsel is a technical jurisdictional argument and that it has nothing to do with the substantive issues of whether it is fair or unfair for this matter to be investigated. It is very clear to me that, if the hearing had been before ICAC, in circumstances where we now know that police were not involved, there would be no question about ICAC being able to use its coercive powers to investigate the matter. This bill seeks to extend ICAC's coercive powers to the PIC for the purposes of this investigation, given that the investigation has got as far as it has with the PIC. It appears that an agreement was reached between the PIC and Mr Shaw's barristers as indicated in press clippings of 31 December last year. This report was published in the *Australian*:

Lawyers for former NSW Supreme Court judge Jeff Shaw have paved the way for a legal challenge against the power of the state's Police Integrity Commission to make findings against him.

Under a deal struck yesterday, the PIC has agreed to give Mr Shaw 21 days' notice of the powers it has to make adverse findings about how a blood alcohol sample taken from him for police testing went missing.

The PIC has also agreed not to table its final report on the missing blood sample in the NSW Parliament until after any legal challenge from Mr Shaw.

Mr Shaw's lawyers claim the PIC has no jurisdiction to make findings about him and should drop the case after exonerating police from any wrongdoing.

A similar article appeared in the *Sydney Morning Herald* of the same day that this agreement has been reached. Mr Shaw's barrister said that he had received an undertaking that the PIC Commissioner, Terry Griffin, would give Shaw's lawyers 21 days notice if after reading submissions he concluded that the commission had the power to make findings against the former Attorney General.

I refer to the statement of the former Minister for Police, Mr Watkins, when the PIC inquiry was commenced. Mr Watkins issued a press release on 3 November 2004 headed "Disappearance of blood sample: Independent investigation", and he referred to the Police Integrity Commission conducting an inquiry into these matters. He referred to the Police Integrity Commission having discussions with the Ombudsman and the Independent Commission Against Corruption because it was then understood that aspects of the case may fall into all three jurisdictions. Most importantly, Mr Watkins said at the end of the press release:

I am extremely concerned about this case. We will take whatever action is required to get answers.

Mr Watkins' commitment to the Parliament on behalf of the Government was that whatever action is necessary will be taken to get the answers. The PIC has completed its hearings and it is fair to say there is intense public interest in the matter. I think the public interest is not particularly because of Mr Shaw's former position in this place but because there must be complete openness and transparency where a former sitting judicial officer has come under notice for alleged serious criminal misconduct. It is important, in order for people to have confidence in the administration of justice, to get to the bottom of what happened and why it happened, in an open and transparent way.

That is what the PIC and the ICAC are there to do, particularly where questions have arisen in this case about the disappearance of blood samples. That is a very, very serious set of allegations. Personally I think it would be intolerable if on a legal technicality the Police Integrity Commission at this late stage in the proceedings were prevented from presenting this Parliament and all of us with a report into its findings on the

evidence that has been presented to it and that is in the public domain. It would be particularly intolerable for the PIC to be prevented from providing us with those reasons, given that the police Minister undertook to Parliament, here in question time, that he would take whatever action is required to get answers.

The matter should not fall on a legal technicality. Suppose that matters are left as they are and a legal challenge succeeds—is the Government really going to say, "We will stand back and sit on our hands on the basis of that technicality and never let the Police Integrity Commission report on the outcome of its findings into Mr Shaw?" I think that would be intolerable, unacceptable to the Parliament and unacceptable to the public. Alternatively, if the Government is going to let the matter run in the Court of Appeal and then start a separate inquiry that is equally intolerable in the sense that all the same work would have to be done again. Or is the Government going to spend a lot of taxpayers' money arguing the case in the Court of Appeal and then at the last minute introduce the legislation that I am introducing today?

I think all those approaches are wrong. The Government is on notice that there is a problem and the matter is going to be pursued by Mr Shaw's lawyers. The Government needs to clear the decks now so there is no further expenditure on legal fees and make it quite plain that it will complete the promise given by Mr Watkins last November that it "will take whatever action is required to get answers". In anticipation that legal action is coming to stop those answers being given, this legislation, procedural as it is, will let the PIC get on with the job. After all, the PIC is extremely experienced in running investigations of this type, albeit in relation to police. It is simply extending the powers of the PIC in this particular case to allow the job to be finished. I commend the bill to the House.

Debate adjourned on motion by Mr Neville Newell.

**TRANSPORT LEGISLATION AMENDMENT (IMPLEMENTATION OF WATERFALL RAIL
INQUIRY RECOMMENDATIONS) BILL**

Bill introduced and read a first time.

Second Reading

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [10.15 a.m.]: I move:

That this bill be now read a second time.

On 31 January 2003 seven people died as a result of the incompetence and negligence of the Carr Labor Government's administration of the CityRail network. Those seven people were Mark Hudson, John Raymond Burt, Marie Genevieve Goder, Andrew Ludmon, James Ritchie, Yi Zhang and Herman Zeides, who, as we know, was the driver of the train. It is critical to understand that the Government has failed to put in place the independent recommendations of Justice McInerney that were tabled last month.

Despite having Justice McInerney conduct the inquiry into the accident at Waterfall in a very detailed manner and make his recommendations, the Carr Government has failed to act. Its response has been pathetic. Justice McInerney made 127 solid recommendations to improve the safety of the CityRail network for the nearly one million people who use the service every day, and Bob Carr chose to ignore some of those recommendations—he rejected five recommendations and he put another 14 of them on the backburner. The reality is that this Government is not committed to rail safety. The reality is that this Premier is not committed to rail safety.

The Government's only option is to fully implement in a timely manner every single recommendation made by Justice McInerney. If the Government will not do it the Opposition will. Today we are putting before the Parliament legislation that requires the Transport Legislation Act in this State to be amended in order to implement within a 12-month period each of the 127 recommendations of Justice McInerney's inquiry into the Waterfall rail disaster. The best this Government can do is respond over a three-year period which, if it can be trusted to adhere to that timeframe, means that five years after seven people died at Waterfall this Government will have implemented only 114 of 127 recommendations. That is simply not good enough.

This Government is refusing to respond to the clarion call of Justice Peter McInerney to improve rail safety to give the commuters of Sydney and New South Wales the safest rail network in the world. As the House knows, Justice McInerney was put in charge of the inquiry into the Glenbrook rail disaster where another seven

people died. I want to go through some of the critical things that Justice McInerney said in relation to the Glenbrook and Waterfall matters. In his final report on the Waterfall inquiry he said:

The first such inquiry related to the rail accident at Glenbrook and I made many recommendations in my final report into that accident—many of which were not implemented by the time of the Waterfall accident and remain unimplemented.

The final report continues:

Had these recommendations in the Glenbrook Inquiry Final Report been implemented, NSW would be at the forefront of rail accident and incident investigation.

In an article in the *Daily Telegraph* of 28 January Justice McInerney went on to say:

This is the second occasion in four years in which, after conducting a Special Commission of Inquiry, I have conducted a coroner's inquest in relation to the death of seven passengers in respect of catastrophic rail accidents. The first such inquiry related to the rail accident at Glenbrook and I made many recommendations in my final report into that accident—many of which were not implemented by the time of the Waterfall accident and which remained unimplemented.

Justice McInerney is saying that if the Government had put in place all of his recommendations from the Glenbrook inquiry the chances are that the Waterfall accident may never have happened. He is saying that the Government's refusal to take rail safety seriously led, in part, to the disaster at Waterfall. He is saying that the seven people who died in the Glenbrook rail accident meant nothing to the Government—it allowed another seven people to die in the Waterfall rail accident. Therefore the House must treat seriously each and every one of the 127 recommendations of Justice McInerney. Yesterday and the day before we saw an appalling, heartless performance by the Premier. He criticised the Opposition for supporting Justice McInerney's recommendations and argued that some of them cost too much.

Obviously, in New South Wales under the Premier, the cost of rail safety is too expensive. The Liberal-Nationals Coalition in New South Wales believes in putting safety first and that saving people's lives is worth every cent it might cost. We want the 4.7 million people in this city to know—and nearly a million people catch trains every day—that the rail system will be safe. But under the Premier it really does not matter whether the recommendations from the final report of the Glenbrook inquiry or the Waterfall inquiry are implemented. The Premier does not care. The challenge is whether his backbenchers care that under this Government a fully independent rail safety watchdog will not be appointed.

In an institutional sense Justice McInerney made a critical recommendation that a fully independent rail safety regulator be appointed. The Government's press release indicates that it has rejected that recommendation. Instead the rail safety regulator will be employed by the Minister for Transport, on contract to him, answerable to him and reporting to him. The only difference is that the report will come to the Parliament on a quarterly basis. Ultimately the rail safety regulator will owe his job to the Minister for Transport. How can we achieve genuine independence if the rail safety regulator is not prepared to upset the Minister for fear of not having his contract renewed? But that is what will happen.

In contrast, the Independent Commission Against Corruption is an independent body. Yes, it is appointed by the Government of the day and overseen by a parliamentary committee, but it is answerable to the Parliament not the Premier. The Commissioner of the Independent Commission Against Corruption is appointed for one term only. The same applies to the Auditor-General and the Ombudsman. I wish I could say that the same applies to the Police Integrity Commission [PIC] but the Government has indicated that the PIC has a close relationship with the Government. We want more from the Government: we want an independent rail safety regulator. It is not good enough for the regulator and the Minister to have a cosy relationship.

I do not trust this Government. It will move heaven and earth to cover up on rail accidents. We know that prior to the election the former Minister, Carl Scully, covered up the fact that the Menangle railway bridge should have been closed because it was not safe. He kept that quiet because, right after the Waterfall accident, he could not sustain another potential rail crisis. He took part in a cover-up and directed a cover-up of all the information relating to the Menangle railway bridge so that he was not subjected to further criticism. The former Minister rang the editors around town, the chiefs of staff of the newsrooms, and begged them to go soft on him. He used the line, "Look, seven people died in a rail accident, but seven people die on the roads of this State every week." The Government does not care about rail safety.

The other recommendations are considerable, and involve expenditure of funds to ensure that signalling is up to date. But the Government's failure to implement all of the recommendations is unacceptable. What galls

me the most is that the Minister for Transport, John Watkins, issued a media release stating that an independent rail safety regulator would be appointed when that is simply not the case: an independent rail safety regulator will not be appointed. On Tuesday, the day the Government responded to the Justice McInerney's report, I met with Christine Ludmon, the widow of Andrew Ludmon who died in the Waterfall accident. She is the mother of three young boys. Most traumatically for her no doubt, and for her family, is the fact that when her husband died at Waterfall she was three weeks pregnant with their third son. He did not know about the pregnancy. The child will never see his father. I will read a letter she sent to the Premier dated 8 February and which she copied to me, a letter to which the Premier still has not replied but to which we replied directly. The letter states:

My name is Christine Ludmon and I am the widow of Andrew Ludmon who was killed in the Waterfall Rail Disaster. I know we have had correspondence in the past and I thank you for your attention on this matter.

I am writing to you today once again out of frustration and anger relating to the recent release of the final report and your government's lack of commitment to implement Justice McInerney's recommendations.

My husband was killed in my opinion by your government's total incompetence by allowing a system and a culture to exist that firstly permitted a person in that medical condition to be driving a train, a guide to be asleep on the job and most importantly, people to be in a positions where they can hold that much power to choose to ignore major safety warnings. People within State Rail knew about the problem with the deadman's brake 8 years before the accident happened, but chose to do nothing about it.

Getting on a train in NSW is like playing Russian Roulette, and unfortunately for my husband, he paid the ultimate price. If you would have implemented the recommendations from Glenbrook, my husband would have been here to see his sons start school, start soccer which he loved so much and even see one of them born!

It is not good enough to say you will "consider" the recommendations. If my incompetence killed 6 innocent people, I would have been locked up and the key thrown away.

I am strongly committed to ensuring that the problems are fixed and to doing my bit in the hope that no other family has to experience what I am. The way certain people within State Rail and their respective legal team have treated both myself and my family in relation to this matter is absolutely disgusting. I not only had to bring a child into the world on my own, but have been left to raise 3 small boys, 6 and under, and to deal with the full ramifications of this loss on my own. Anyone would think that I caused the accident with the things they expect me to deal with.

I personally would like to see you and your government publicly commit to implementing all 127 of Justice McInerney's recommendations within an acceptable time period which should be specified and monitored by an authority independent of the State Government. Built into this plan should be key responsibilities for specified individuals, including yourself, and appropriate consequences if responsibilities are not performed.

I am extremely angry to think that my husband died at the hands of "your" government and think the least you can do is firstly accept responsibility for what happened secondly, commit to implementing all of Justice McInerney's recommendations and thirdly, address the inappropriate manner in which compensation claims are being dealt with in regards to this accident.

I cannot put it more eloquently than Christine Ludmon. I cannot imagine how difficult her life has been. I can say that she is a very brave person who, with the love of her family and friends, has coped exceptionally well with an enormous tragedy. She is a very intelligent woman and she is a very forceful woman. If the Premier and the Labor Party in New South Wales are willing to refuse her plea that they do not continue to ignore her husband's memory and that of the six other people who died in the Waterfall accident and the seven people who died in the Glenbrook accident by their refusal to implement fully the 127 recommendations of Justice McInerney, then let it be on their heads.

A three-year time frame to implement 90 per cent of the recommendations is not good enough. The rejection of five recommendations is not good enough. Putting the other recommendations on the backburner is not good enough. The lives of the seven people who died at Waterfall and the seven people who died at Glenbrook mean nothing to Bob Carr and they mean nothing to the Labor Party in New South Wales, given their refusal to implement every recommendation of Justice McInerney. We thank God that Justice McInerney was tough on the Government. We are grateful to him and his team, who worked so hard to make sure this matter was properly dealt with. But his work and the memory of those who died are worthless unless the Parliament supports this legislation to require a 12-month time frame to implement all the recommendations of the Justice McInerney inquiry, the Waterfall inquiry. Be it on this Government's head if anyone else dies in the rail system because of its failure to implement these recommendations.

Debate adjourned on motion by Mr Neville Newell.

CROSS-BORDER COMMISSION BILL

Second Reading

Debate resumed from 26 February 2004.

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [10.31 a.m.]: The Cross-Border Commission Bill seeks to establish the Cross-Border Commission of New South Wales to inquire into matters affecting border communities and to report on those matters to the Premier and the Parliament. The commission would be a declared authority for the New South Wales public sector and, among other things, would invite members of a border community to make submissions to the commission on issues affecting their community, conduct inquiries into cross-border issues, and make recommendations to the Premier.

The Government opposes the bill because, first, it would create an unnecessary level of bureaucracy and, second, satisfactory arrangements for dealing with border problems are already in place. Two cross-border committees currently deal with cross-border anomalies, one each for the New South Wales-Queensland border and the New South Wales-Victorian border. These committees are jointly chaired by the central agencies of each State. There are insufficient anomalies in relation to the New South Wales-South Australian border to warrant a committee. With respect to the New South Wales-Australian Capital Territory border, the Premier met earlier this year with the Chief Minister for the Australian Capital Territory and they have agreed to develop a framework for better co-operation and co-ordination.

These committees have been effective in both identifying and resolving border problems in a low-key but effective manner. Their strength lies in their ability to tap local knowledge about border problems and resolve them by involving relevant government officials and community representatives. In contrast with the current arrangements, this bill does not require the Cross-Border Commission to directly resolve border problems. Its functions would be limited to inquiring into and reporting on matters affecting border communities. A further weakness of the bill is that the commission would not have cross-jurisdictional representation. This important fact alone may render the commission impotent in identifying cross-border problems and recommending effective solutions.

In addition to the existing cross-border committees, other mechanisms are in place to resolve problems that affect border communities. For example, the introduction of mutual recognition arrangements has made it easier for many businesses, professions and trades to operate and practise on both sides of the border. I shall give some examples in a moment. Similarly, national competition policy is removing unnecessary restrictions on competition that may affect border communities. The Government already has the power to establish further inquiries or committees if the need arises.

In my area, police on either side of the border have worked effectively to apprehend offenders through co-operation and sharing of information. Emergency services, fire brigades and ambulance services have protocols in place to enable them to work together. Indeed, ambulance workers from both States cross the border on a daily basis, with ambulances from Queensland bringing patients to Tweed Hospital. Workers compensation initiatives have enabled businesses to work effectively across the border. The Tweed Heads Office of Fair Trading has done a wonderful job in ensuring that tradesmen who cross the border are licensed and that their activities do not impinge on the registration arrangements of either State. At the time of the natural disaster in Kingscliff several years ago the Office of Fair Trading was able to assist tradesmen from Queensland to cross the border because we had insufficient tradesmen to carry out repairs to houses—a further example of co-operation between the States.

Surfside Bus Company runs services from Pottsville, outside my electorate, up to the Gold Coast, where the services link in with public transport at Robina, ensuring a seamless flow, and the system works wonderfully. The existing cross-border committee has eliminated anomalies in the system to enable students to cross the border. The hospital system is one significant example of the effectiveness of the local cross-border committee. Tallebudgera Creek in Queensland is a natural drawing area for patients, particularly women giving birth, who seek to be treated at Tweed Hospital. The system works well and enormous numbers of patients are treated at that hospital. The Queensland-New South Wales arrangements enable each State to pay for the care of the patients. Patients are accounted for on an annual basis and the system works so well that the arrangements appear invisible.

Taxation is always an area for debate because it differs on each side of the border. I compliment successive New South Wales governments on the fuel tax subsidy, which provides approximately \$40 million to

North Coast residents to ensure that fuel prices are kept at a level that enables New South Wales businesses to be competitive with their Queensland counterparts. The Queensland fuel subsidy is 8¢ a litre and the northern part of my electorate around Tweed has a similar subsidy, which is scaled down as the distance increases. The fluctuation in the price of fuel is an example of price variation that is almost invisible in the sense that people do not realise it is happening.

Earlier I said that people who live in Queensland from Tallebudgera Creek to the New South Wales border are in the catchment area of the Tweed Heads District Hospital and that rebate arrangements are in place to ensure that the cost of treating Queensland patients at that hospital is reimbursed to the host government. Provision has been made for New South Wales patients requiring specialised treatment to attend the only hospitals that are able to provide specialised services: hospitals in the nearest capital city, which, in their case, are Brisbane hospitals. The Government is not willing to support the creation of a new layout of bureaucracy that lacks an appropriate focus, will not produce practical solutions, and will be completely ineffective without the support of other State governments.

Mr GEORGE SOURIS (Upper Hunter) [10.40 a.m.]: I commend the honourable member for Ballina for his initiative in introducing the Cross Border Commission Bill. I previously presented a similar bill, but it was not passed because of opposition from the Labor Party, notably including, in the context of this bill, the opposition of the honourable member for Tweed. I am absolutely astounded that the honourable member for Tweed is leading the Government's opposition to this bill, because this bill could not be more focused upon his electorate and the benefits that will derive from this bill could not be better directed than to his electorate. At least when the bill I introduced was being debated the honourable member for Tweed came quietly into the Chamber and voted against it and then quietly departed, but I am sure his opposition today will not go unnoticed in border communities.

It is an interesting geographical fact that the capital cities of the other States that are contiguous with New South Wales are closer to the border than is Sydney, the capital of New South Wales. Brisbane, Melbourne, Canberra and Adelaide are all closer to the borders of New South Wales than Sydney is. Consequently the influence exerted by the capital cities of other States extends into border regions and is really quite significant. New South Wales people who live in border regions often have to seek hospital attention across the border because of the inadequacies of the New South Wales system. I again express my astonishment at the remarks made by the honourable member for Tweed, who said the health system in this State does a wonderful job.

Everybody knows that the number of names on the Tweed hospital waiting list has doubled since the Carr Government came to office and since the Premier made that fateful promise to halve New South Wales hospital waiting lists or resign. The Tweed hospital is an outstanding example of waiting lists that have doubled, not halved. In light of that, I cannot see how the honourable member for Tweed can say that the system in place does a wonderful job. His electorate is most relevant to this topic, but where has he been? He claims not only that the health system is wonderful but also that the existing structure to deal with cross-border anomalies is working wonderfully well. Is the honourable member for Tweed completely unaware that in the Tweed, New South Wales building companies are continually being out-tendered by Queensland companies? The main reason for that is that anomalies are imposed on them by the New South Wales taxation and workers compensation systems.

New South Wales companies pay appreciably higher payroll tax, land tax, stamp duty and workers compensation insurance premiums. That puts New South Wales builders at a competitive disadvantage in the order of 5 per cent to 6 per cent, and that is in the building contracting industry alone. State taxes and charges must be a matter of great significance to the Queensland-New South Wales border regions, which are experiencing rather significant building growth. New South Wales building companies are seriously disadvantaged because of the legislative and taxation structures in New South Wales. There are approximately 1,600 cross-border anomalies and they all impact adversely upon New South Wales residents and New South Wales businesses.

The bill will affect more than just fuel taxes and tobacco taxes. In border regions, the market dictates and has outrun government revenue policies, but governments blissfully persist in collecting revenue from payroll tax, land tax, stamp duty—particularly the exit stamp duty that was recently imposed by the Carr Government—and workers compensation insurance costs. All those taxes and charges are created by New South Wales legislation or administration and are therefore within the scope of the New South Wales Government to address. But according to the honourable member for Tweed, who made the first contribution in this debate on

behalf of the Government, the system is working wonderfully well! I suggest that the officer in the Premier's Department who is responsible for revenue policy in border areas has been an abject failure. Instead of reading out a speech that was probably written by that very officer, I suggest that the honourable member for Tweed should have been urging the Government to adopt an independent approach and to conduct a review. The Government should request the Independent Pricing and Regulatory Tribunal or the Council on the Cost and Quality of Government to conduct a review of the effectiveness of the approach to cross-border policies adopted by the Premier's Department.

The honourable member for Tweed would have been better advised to press for a review to ascertain whether there is sufficient substance in the arguments presented by the Government, instead of routinely and robotically reading out a speech prepared by one of the greatest failures in the Carr bureaucracy. I suggest that the effort put into the drafting of a speech that the honourable member for Tweed blindly read out was probably greater than has been applied in previous years to the resolution of cross-border anomalies that impact adversely on the health care industry and the building industry at the very least.

Another anomaly is created by daylight saving. I will concentrate my remarks not so much on the obvious difficulties created for the airlines industry but on the industry this Government has taken a very large stick to—the clubs industry—and the implications daylight saving has for it. Daylight saving adds an hour to the period during which New South Wales clubs must remain open to attract patronage from Queenslanders. Daylight saving does not generate any more business; rather, it increases costs arising from extended operating hours comprising salaries, administrative overheads and taxation. That is one example of a cross-border anomaly that impacts very heavily on one of the biggest industries in the Queensland-New South Wales border region, let alone workers compensation and payroll tax. The effect of that single factor of daylight saving on the clubs industry is that it produces a very significant disincentive and a competitive impediment to New South Wales clubs. It is time the Government exhibited some accountability, particularly about the way cross-border anomalies are handled.

What is wrong with suggesting that a small, compact and focused cross-border commission—a small group of people who do not believe the idiotic argument that such a commission would be a bureaucratic burden on the State of New South Wales—report to Parliament? What is wrong with exposing cross-border anomalies to public and parliamentary scrutiny and then putting pressure on the Government—perhaps that is why the Government does not like this bill—to do something about them?

We are not talking about a product in New South Wales, such as football, that can be sold electronically across borders. Let that go. It is wonderful to see Australian rules football extend into New South Wales, rugby union extend beyond New South Wales to other States and so on. All that is fine. However, small businesses, building contractors, licensed clubs, whatever they might be, cannot sell their product electronically or overcome the impediments created by the nearness of an interstate border and the interstate capital. If the anomalies are caused by the New South Wales Government through the legislative program, existing laws and the administrative avenues that are available, we have the power to deal with them, solve them, and provide relief for them.

I imagine that all members of Parliament would agree that the problem is serious. The problem exists, and it is within our hands to solve it. If we are serious about the future of the cross-border regions of New South Wales we should embrace this concept—this low-cost concept, this highly accountable, reportable-to-Parliament concept. We should tackle the issue head on and do something about it, and achieve some benefits for the people of New South Wales. We should not follow the lead of the honourable member for Tweed, for example, who stuck his head in the bureaucratic sand and read out a speech written by the bureaucrat whose head he will find inside that sand. It is extraordinary. The honourable member for Tweed accepted a poisoned chalice and delivered it here.

I have never heard another member make a speech that was so directly against the interests of their electorate. I do not know who is in charge of government strategy, but I suggest that the Government should have asked a Western Sydney member to make that speech, not the honourable member for Tweed. I do not think the honourable member is treating the issue seriously. He read a bureaucratic speech written by a person who is only protecting his job and has been an abject failure all this time. Instead of enjoying the benefits of a long time in office, and the arrogance that that has created—arrogance seems to characterise the Government's approach to this legislation—I suggest that Government members refresh themselves and grasp such issues if they are ever to have any chance of surviving.

Mr THOMAS GEORGE (Lismore) [10.53 a.m.]: I support the Cross-Border Commission Bill, which was introduced by the honourable member for Ballina. He first introduced the Cross-Border Commission Bill in 2000, but sadly that was defeated. However, in the four years since that bill was introduced and rejected by the Government the honourable member has recognised that the need for a cross-border commission has become even more acute. This bill provides for a more thorough and effective resolution to cross-border issues through the creation of a body with the power to call witnesses, take evidence, and undertake all other actions necessary to resolve cross-border issues, and to make recommendations to the Premier regarding cross-border solutions.

The cross-border commission will be required to prepare an annual report for Parliament in relation to the results of its inquiries, recommendations to the Premier, and any action or inaction taken by the Government. It will be constituted by representatives of the New South Wales Government, consumers, business, farmers and local government, with the capacity to appoint other representatives up to a maximum of eight. Like the previous speaker, the honourable member for Upper Hunter, I was amazed by the speech of the honourable member for the Tweed. The recent electorate redistribution shows that Murwillumbah and a big part of the area currently in the Tweed seat will become part of the Lismore electorate. I have already received phone calls from people in that area highlighting concerns about cross-border issues.

I cannot believe what the honourable member for the Tweed said. Cross-border issues influence sustainable economic and community development in New South Wales regions in proximity to our borders with Queensland, South Australia and Victoria. The bill recognises that different States have different policies, strategies and amenities. In regions close to State borders these differences affect community and business life, and may influence investment decisions, access to services, and population migration. Issues may be well recognised, such as the time zone and petrol tax issues affecting regions bordering New South Wales.

Workers compensation premiums are calculated using a complex formula for different industries, but New South Wales businesses in border communities are at a disadvantage, despite what the honourable member for the Tweed said. Businesses that work in both New South Wales and Queensland must pay workers compensation premiums in both States, at a huge extra cost. For the construction industry, WorkCover New South Wales charges 8.36 per cent while Queensland charges 4.3 per cent and Victoria charges 3.95 per cent. These rates can vary due to previous claim histories and other factors. As the honourable member for the Tweed knows, Queensland construction companies competing against New South Wales construction companies have an advantage with lower payroll tax and workers compensation premiums. Therefore they can submit lower tenders than their New South Wales counterparts and win contracts. Queensland-based companies are outdoing New South Wales companies because of these advantages.

In the past I have highlighted how the New South Wales workers compensation scheme has been operating in deficit for years, and how premium costs are still escalating out of control. New South Wales industry cannot compete with its counterparts in Queensland, Victoria or South Australia, as premiums in those States are significantly lower. No matter how much the performance of workers improve, companies still face escalating premiums due to State Government changes. Companies still struggle with workers compensation. For example, two years ago the Northern Co-operative Meat Company at Casino, which had to change its system to survive, was paying \$2.4 million in workers compensation premiums. However, if the company had been based across the border, two hours away, it would have paid only \$1.46 million. That is a difference of nearly \$1 million. How do New South Wales companies survive when in the face of such differences and in the face of competing against Queensland companies every day in terms of livestock and products?

New South Wales fishers can be fined for fishing just over the Victorian border due to different licensing requirements. The different licences in New South Wales and Queensland are creating havoc for fishermen. New South Wales hoteliers are restricted to bar sales in New South Wales. I shall give an example of other issues faced by New South Wales companies. I received a letter from Ian Lockton of East Ballina, which stated:

I wish to bring to your attention an anomaly in the accreditation of the Responsible Service of Alcohol (RSA) in NSW/Queensland.

NSW based RSA courses are not recognised by Queensland and Queensland delivered course are not recognised by industry in NSW—pretty much a tit-for-tat.

This is ridiculous.

I wonder if the same occurs between other States. Surely this course and training should have National Accreditation and National Implementation.

Please look into this situation I came across this whilst relief teaching at Murwillumbah High School as it affects all Gold Coast/Richmond/Tweed Region Hospitality workers.

Another cross-border anomaly is the disparity in taxes between States. For example, when purchasing a motor vehicle in Queensland a flat stamp duty rate of 2 per cent is applied. In New South Wales the stamp duty rate is 3 per cent for vehicles under \$45,000 and 5 per cent for vehicles over \$45,000. A person buying a four-wheel-drive for \$100,000 in Queensland will pay \$2,000 stamp duty. The stamp duty on the same vehicle in New South Wales will cost \$4,100. In relation to vendor duty, I refer to a letter sent to me by Jenny Morris:

I am writing in response to our telephone conversation ...

My husband and I moved to Lismore in Northern NSW in 2002 and subsequently purchased a home there in January 2003. Later in 2003 it became apparent my widowed Mother, who then resided in country Victoria, was requiring care and attention ...

We invited her to live with us ...

We then decided to purchase a larger home in Casino ...

Mr and Mrs Morris purchased a larger home so that their mother could reside with them. They did not purchase an investment property; they purchased another home. They were unable to sell their house in Lismore by 1 January; they now have an offer on the table. Although they are selling their own home to buy another home they have to pay \$5,175 in vendor duty. How does the Premier explain that to Jenny Morris? It is yet another imposition on people living in New South Wales. Another cross-border anomaly is the varying rules that apply when establishing a business or gaining licences. I had brief discussions with Northern Rivers Group Training at its awards night about the problems they face working in a border area. Following those discussions they sent me a letter, which states:

We briefly discussed the problems that Northern Rivers Group Training has in competing against Queensland based group training companies that are allowed to operate in the Tweed area with the consent of the Department of Education and Training.

Conversely, Northern Rivers Group Training is unable to operate across the border which has hampered the development of our business in the north.

The company wants to expand but cannot because it does not have reciprocal arrangements across the border. That is another example of a cross-border anomaly. A further example relates to the 1800 and 1300 telephone numbers. In the top end of my electorate—I presume the same situation applies to all border areas—a lady who lives on the New South Wales-Queensland border received a letter from Tamworth telling her there would be a BreastScreen unit in Tenterfield and she should ring the 1300 number to make an appointment. She did so, but because she lives right on the border she was connected to the Queensland office, who told her they knew nothing about the unit in Tenterfield and could not help her because she lives in New South Wales.

Mr Richard Torbay: It happens a lot.

Mr THOMAS GEORGE: I am listing just some of the problems faced by people who live right on the border. Depending on their area code, if they ring a 1800 or 1300 number they will be connected to an office in another State, not the State in which they live. Companies in Queensland enjoy a cheaper payroll tax system and a higher threshold than companies in New South Wales. Queensland building companies compete for business with builders in northern New South Wales. I am sure it is the same along all border areas. Because they pay cheaper payroll tax they defeat our New South Wales builders by submitting lower tenders and win the contracts for building projects in New South Wales.

The previous speaker highlighted concerns about the effect of daylight saving on clubs. Farmer Charlies, a Lismore business, has all of its produce supplied from Brisbane. Every day during daylight saving time Farmer Charlies' staff and the supplier's staff work one hour longer because of their differing work times. In the morning the trucks have to leave Brisbane one hour earlier and at the end of the day the staff at Farmer Charlies work one hour later to submit their orders. I am sure that all companies that deal with businesses across the border experience the same problem. People who live in border communities in New South Wales usually get their news items from across the border. They do not get local or State news. Whilst that may not sound like a big issue, it is important to people who live and work in New South Wales when all they get is, for example, Queensland news.

Another problem that has been highlighted relates to the area assistance schemes, which provide funding to communities in New South Wales. I received a letter from a lady at Legume, a town situated right on the New South Wales-Queensland border. She said that an application for funding from the area assistance scheme was denied because, she was told, Legume was just out of the region covered by the scheme. Those people live in New South Wales, they pay New South Wales rates, yet the community is isolated because they

are situated right on the Queensland border. I have written to the Minister about that issue, which affects all communities in border areas.

The honourable member for Tweed, who spoke on behalf of the Government, said that the problems associated with health are being addressed. I remind him that on 30 October 2004 the headlines of a local paper read: "Teen waits 14 hours with a broken back". That person's treatment was affected because of a border dispute. The dispute was about finding him a bed in Queensland, which is where northern New South Wales residents go to access that type of treatment. Thankfully for the young bloke, the issue was sorted out. I know of numerous examples of cross-border issues in health and in every other aspect of life.

Recently a health alarm was raised about mosquito attacks. Queensland addressed the problem but concerns were expressed in the media that from Tweed Heads down the coast nothing was being done. Concerns were expressed about people contracting Ross River fever, Barmah Forest virus and dengue fever. I compliment the honourable member for Ballina, the Deputy Leader of The Nationals, on his initiative to reintroduce this bill. I cannot believe that members who represent border electorates and know the problems faced by people who live in those areas do not support this bill. I commend the bill to the House.

Mr RICHARD TORBAY (Northern Tablelands) [11.07 a.m.]: I also congratulate the honourable member for Ballina, the Deputy Leader of The Nationals, on persevering and reintroducing this bill. The issue of cross-border anomalies is a significant one in border communities and for the people of New South Wales. I am pleased to follow the honourable member for Lismore. The honourable member and I represent many communities on the Queensland border, particularly in the Tenterfield shire, who experience many difficulties because of the varying cross-border rules. I add my disappointment again that the Government does not support this bill. Its position defies logic. The honourable member for Newcastle, who is at the table, has lived and taught in Tenterfield and he would be well aware of the many issues that are faced by border communities.

The honourable member for Lismore referred to some of the problems being experienced by people living in border communities, but they are too numerous to mention in detail. Almost every State agency and many Federal agencies experience problems. I refer to a recent issue involving ambulance services. Queensland changed the rules and that resulted in enormous upheaval for residents in New South Wales. No structure was put in place to deal with those concerns, to enable discussion, to enable an understanding of experiences in different States and to enable corrective action.

The Cross-Border Commission Bill would put in place the necessary structure to deal with those concerns. This Government is voting against an opportunity to facilitate solutions. Why would anyone vote against this bill? I urge Government members to meet and speak with people who live in border towns. They should ask people who live in New South Wales but who have Queensland phone numbers what answers they get to their questions from government agencies in New South Wales. They live in New South Wales but they have a Queensland phone number because that is the way the system works. When they ring up a State agency to inquire about something staff at the agency say, "You live in Queensland. You have a Queensland phone number." That is a process that they go through time and again.

The honourable member for Lismore said earlier that many people living in border communities operated under Queensland rules, had Queensland telephone numbers and postcodes but were New South Wales residents. New South Wales government agencies cannot cope with these problems and, as a result, residents in border towns have to revisit these procedural nightmares. Border communities tend to fall through the cracks as no structure has been put in place to deal with these problems. Community leaders should step forward and say, "This is not good for both sides. There is no process in place to deal with these problems. We must establish how to resolve them in the future." Some communities such as Tenterfield and Stanthorpe have got together and done their best to solve problems in the health area by signing a memorandum of agreement.

We need the sorts of structures that are proposed in the Cross-Border Commission Bill. If this important issue is not resolved people will soon be asking, "Why do we have States?" Governments in two States are rejecting the opportunity to facilitate discussions and seek solutions, which is what the honourable member for Ballina is seeking to do. Why are Government members opposing legislation that will assist people trying to access basic services at a State level? As I said earlier, State, Federal and local governments are not able to resolve these problems. Residents in border towns are told that they do not live in New South Wales, when clearly they do. Many border communities are facing very similar problems.

I strongly support this bill and urge Government members to do so. They should not reject this bill outright. They should talk to the honourable member for Ballina and to those who are affected and say, "Let us

put in place a structure that enables discussion." New South Wales residents are being ignored or forgotten because they do not fit any criteria. There is no process in place for them to voice their concerns or to seek a solution to their problems. I urge Government members to reconsider their position and to seek solutions rather than rejecting legislation that is long overdue in this State.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [11.14 a.m.]: This Parliament debates many hundreds, even thousands, of pieces of legislation, many of which often are of little or no consequence or are of questionable relevance to the people of New South Wales. This bill, however, has great direct relevance, it has a lot of commonsense and it is of direct consequence to many residents in New South Wales, in particular, those living in border areas in towns and cities like Tweed Heads, Queanbeyan, Albury, Tenterfield and countless other communities. I would suggest that the whole State has a stake in what is one of the more important and commonsense pieces of legislation that has come before this Parliament in a long time.

I commend the honourable member for Ballina, the Deputy Leader of The Nationals, for his initiative in pursuing this bill. There are countless anomalies and inconsistencies in legislation, policy and practice between State government agencies across the border—whether it is Queensland, the Australian Capital Territory, Victoria, or South Australia. Residents in those areas are forced to put up with those inconsistencies and anomalies on a daily basis. As many of those issues have been mentioned in debate I will not go through them. However, I refer to tax. New South Wales is the highest taxed State in Australia and that has a considerable impact on these border communities. More recent taxes have added to the burden of New South Wales taxpayers.

The extension of land tax and vendor stamp duty are resulting in investors leaving New South Wales and going into neighbouring States, in particular, Queensland, which is costing jobs. It is costing jobs in the Tweed, in southern New South Wales and in areas surrounding the Australian Capital Territory. Payroll tax is another tax that impacts on business and employment in New South Wales, in particular, in those border areas. Many years ago the regime for clubs and for poker machines was more favourable in New South Wales and, as a result, clubs prospered and grew. It appears as though the tables will be turned and the magnificent clubs along the Murray, along the Queensland border and in Tweed Heads are set to lose membership, facilities and profit and they will be unable to offer the same sorts of charitable donations to New South Wales communities.

Some examples have already been given of different stamp duty rates that again result in businesses quite often registering vehicles or doing their banking in other States. The price of fuel is another issue. We have only to look across the border in Queensland or Victoria to see lower fuel prices. Daylight saving is a nightmare, particularly along the Queensland-New South Wales border, where residents are forced to operate in two different time zones. There are logistical problems in relation to transport, issues for Queensland residents whose children go to school in New South Wales or New South Wales residents' whose children go to school in Queensland, or residents who have jobs in one State or the other. It really is a nightmare.

Workers compensation premiums are vastly different between the States—a huge impost on small businesses operating in Queensland. They are in a competitive environment. So businesses on the Gold Coast and those across the border in the Tweed versus those in Coolangatta have completely different profit margins solely because of State government policies, legislation and taxes. The honourable member for Lismore referred to problems being experienced in the health area. Quite often we hear of anomalies involving ambulance services. Who pays for an ambulance if a New South Wales resident needs to attend hospital in Queensland, or vice versa? Quite often patients are left with huge bills that they did not expect because of anomalies between ambulance services.

Last year we heard about a young lady from Ballina who gave birth prematurely. She initially went to Lismore hospital, was transferred to a hospital in Brisbane and was forced to leave her baby in Brisbane for five days because the New South Wales health system did not have a suitable humidicrib to enable her and her baby to travel from Brisbane to Lismore Base Hospital.

Ms Katrina Hodgkinson: Heart wrenching.

Mr ANDREW STONER: Indeed. Any mother would agree that it would be heart wrenching to have to leave her premature baby behind because issues have not been worked out between the States. As for infrastructure, the Tugun bypass is critical to residents of the Tweed and the Gold Coast. Yet the project has stalled because the New South Wales Minister for Roads could not agree with his Queensland counterpart or proceed with the environmental impact study that was needed to give it the green light. The Federal Government was standing by with money.

Ms Katrina Hodgkinson: So where is it now?

Mr ANDREW STONER: The bypass has still not been constructed because of repeated delays, sadly, on our side of the border. That is another anomaly.

Mr Donald Page: They didn't have to put in any money either.

Mr ANDREW STONER: That is right. The New South Wales Government did not have to fund the project. The Queensland and Federal governments had money ready but the New South Wales Government has caused a logjam in that process. We require transport and road infrastructure in order to meet the needs of growing communities in both States—the Gold Coast and the Tweed area are growing at an enormous rate. Yet this Government is standing in the way of that progress.

I turn to the Casino to Murwillumbah rail line. The Queensland Government has been talking about building rail infrastructure from that State to Tweed Heads. Any coherent and logical plan to service the public transport needs of growing communities in that part of Australia—we should think in those terms: it is not Queensland and New South Wales, but Australia; we are all Australians—should involve the States talking to each other about linking rail lines. But, rather than discussing that option, the New South Wales Government went ahead and closed the line.

Mr Donald Page: They've got no vision.

Mr ANDREW STONER: I agree with the honourable member for Ballina: This Government has no vision whatsoever. The Cross-Border Commission Bill would ensure that there is some sort of vision regarding infrastructure needs in that part of the State. It is no wonder that many people in the Tweed suggested that they should secede from New South Wales and become part of Queensland. That is what they want. What a damning indictment on the New South Wales Labor Government and on the honourable member for Tweed! His constituents want to join Queensland because of cross-border anomalies in relation to infrastructure, taxes and the other issues that I have mentioned. I could also mention bridges over the Murray River.

Ms Katrina Hodgkinson: Registration of trucks.

Mr ANDREW STONER: And the registration of trucks—you name it. There is anomaly after anomaly.

Mr Donald Page: Fishing licences.

Mr ANDREW STONER: And fishing licences. We hear time and again of these anomalies, which would be resolved by this Cross-Border Commission Bill and the commission it seeks to establish. Many border towns along the Murray River have the most rickety, disgraceful bridges because there is an impasse between the States about who is responsible for upgrading them.

Water is another hugely important issue. There are problems in the Barwon-Darling system, which does not have enough water. The New South Wales Labor Government is about to impose an arbitrary cut of 67 per cent in the allocation to irrigators between Mungindi and Menindee. That will impact on the economies and the social fabric of those towns. We know that when the jobs disappear from western towns, crime increases. Across the border in Queensland there is a different regime for water. That State has enormous water storage capacity and nothing like the restrictions, red tape and arbitrary decisions to cut allocations. So why do we not talk to our Queensland counterparts about water? We are expected to provide environmental flows to Victoria and South Australia from the Murray-Darling system. Why are we not talking to Queensland about its role regarding the water that flows into the Darling system? That is another anomaly that a cross-border commission would address.

Is it any wonder that the Federal Government gets so frustrated when it must work with these useless States, and says, "Why don't we take over responsibility?" John Anderson is showing leadership on water, with the National Water Initiative, because the States cannot get their act together. This bill offers a vehicle through which the States can do just that. The honourable member for Tweed said that the Government will oppose this bill, which is disappointing to say the least. It is also frustrating.

Mr Barry O'Farrell: It's got me out of my office.

Mr ANDREW STONER: The Deputy Leader of the Opposition is out of his office. The honourable member for Tweed said that the current system is working well. But I have given example after example—with the assistance of my colleagues—of inconsistencies and anomalies. If the current system is working well, I will eat my hat—and it is an Akubra from Kempsey, so it would not be too palatable.

Mr Bryce Gaudry: Now he is attacking Kempsey!

Mr ANDREW STONER: If the honourable member for Newcastle can eat rabbit fur he is doing well. This bill represents an investment in the future of New South Wales. It proposes to establish a small commission with a limited life to examine all of these anomalies. The economic growth of New South Wales is at stake. New South Wales currently has the lowest economic growth of any State by a long way—economic growth in Victoria and Queensland is much higher. Why? It is because of the inconsistencies in State legislation and policies that operate almost exclusively in favour of the other States. It is no wonder investment and people are moving out of New South Wales, and of course the impact is far greater in the State's border regions.

The Cross-Border Commission Bill will ensure that we have a plan for the future to deal with these issues of importance to all New South Wales citizens. But, as usual, the Labor Government is set to oppose this commonsense bill. Why? It is not because of problems or flaws in the legislation; it is purely for political reasons. Labor has adopted its usual *modus operandi* and is opposing an Opposition initiative solely because of its origin—in this case, the honourable member for Ballina, and Deputy Leader of The Nationals, introduced the bill. This is the second time he has done so because he believes in it passionately.

Mr Donald Page: Beattie said it was a good idea.

Mr ANDREW STONER: The honourable member for Ballina reminds me that the Premier of Queensland says it is a good idea. So why does Bob not think it is a good idea? Everybody—even the Independents—thinks it is a good idea, except Labor, which opposes the bill on political grounds. That is a disgrace and Labor members should be ashamed of themselves. They ought to debate and support legislation on its merits, as Opposition members do. The Opposition supports much Government legislation that is good for the citizens of New South Wales. The people of New South Wales, particularly those who live in border regions, deserve Government support for this important bill. I commend the bill to the House.

Ms KATRINA HODGKINSON (Burrinjuck) [11.27 a.m.]: This is the second time the honourable member for Ballina, the Deputy Leader of The Nationals, has introduced the Cross-Border Commission Bill. I have discussed the bill with the honourable member many times both as a member of this place and before my election. The electorate of Burrinjuck is situated to the north, east and west of the Australian Capital Territory. So we are substantially surrounded by Canberra and the Australian Capital Territory. Although many honourable members may not think there are many cross-border anomalies between New South Wales and the Australian Capital Territory, I assure them that a considerable number of my constituents are adversely affected. I am sure that the honourable member for Monaro will express similar concerns about some of the cross-border anomalies that impact on his electorate.

Anomalies such as payroll tax affect the business community. In New South Wales the payroll tax threshold is \$600,000 and the tax is levied at a rate of 6 per cent. But in the Australian Capital Territory the payroll tax threshold is more than \$1 million. Why would one want to be a retailer on the New South Wales side of the border when the payroll tax threshold in the Australian Capital Territory is almost half the level in this State? I live near Yass, which is relatively close to Canberra.

Yass is only about 45 minutes drive from Belconnen. It is about an hour's drive from Woden or Queanbeyan. Goulburn, a major city in my electorate, is about a 45 minute drive from Canberra on the highway that is in good condition. The road from Tumut to Canberra is appalling but if one uses the highway through Yass Canberra is not too far away. Many people commute, probably on a weekly basis, between Tumut and Canberra to access the services there. So my community has a strong association with the Australian Capital Territory.

Pursuant to sessional orders debate interrupted.

BALGOWLAH NORTH PUBLIC SCHOOL

Debate resumed from 9 December 2004.

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [11.30 a.m.]: As I was saying when I was so rudely interrupted on 9 December, Balgowlah North Public School is a fine school with

teachers who provide service, like many teachers in the public system, beyond the call of duty. The students attend school with an enthusiasm for learning that is reinforced by their parents at home. I visited the school with my colleague the honourable member for Wakehurst in the lead-up to the 2003 State election campaign. It is one of the schools about which Henry Parkes spoke when he said, at the time of the introduction in this Chamber of the Public Instruction Act in 1880, that committed free compulsory and secular education would be available to all.

As I said on the last occasion, the reality is that the way this Government is treating North Balgowlah Public School means that the commitment of Henry Parkes all those years ago is simply not being delivered to the community of Balgowlah. The shadow Minister for Education and Training, the honourable member for North Shore, has also visited the school. I want to place on the record the shadow Minister's media release issued on 8 February headed "Skinner Joins Parents at Balgowlah North Public School in Push for Upgrade". The release states:

Shadow Education Minister Jillian Skinner has backed parents at Balgowlah North Public School in their efforts to lobby the Carr Government for an upgrade of the school.

"I walked around the grounds of Balgowlah North yesterday and was disgusted to see that the government has done absolutely nothing to honour its commitment to upgrade classrooms," Mrs Skinner said.

"There are demountables scattered around the site, old classrooms that don't meet current standards, inadequate storage space with an outside store shed which is rusted and dilapidated, a school hall which doubles as a classroom—requiring students to shift if it is needed—and a temporary library which doesn't measure up to 2005 requirements.

"Parents speak glowingly of the leadership and teaching at Balgowlah North, they have raised funds to provide many of the temporary buildings on site, but they are fed up with their needs being ignored by the government.

"The government has so far ignored a Facilities Review of the school done by the Department of Education—

a matter mentioned by the honourable member for Manly in his contribution—

which found that it should have 1,425 square meters of learning space instead of the current 440 square meters.

That is, one-third less learning space than provided for under code by the Department of Education and Training. The release continues:

"Of the \$300,000 promised to bring three old classrooms up to minimum dimensions and standards, at least \$140,000 has now been whittled away on electricity, toilet and administration upgrades.

"P&C President Bo Vella told me that she cannot understand why the government conducted a review of the school yet is ignoring the findings.

'It is so frustrating that we have taken the right route and done everything the government has asked us to do yet we have been given no indication that there is funding for an upgrade.

'What we want to see is a master plan drawn up and a commitment from the Minister that the work is going to happen,' Ms Vella said.

"The Carr Government needs to stop ignoring the parents, teachers and students at Balgowlah North Public School and make a real commitment that will see the school upgraded as required in the review," Mrs Skinner said.

The honourable member for North Shore attached to her release a table from the facilities review which the honourable member for Manly so eloquently read onto the record during his contribution. It is no coincidence that in today's *Sydney Morning Herald* Annandale Public School is shown to be infested with termites. The honourable member for Wakehurst and I were trying to work out the collective noun for a group of termites and we realised it was a caucus of termites: the sort of caucus of termites we saw yesterday who were conflicted in choosing the next Premier of New South Wales. I am delighted that my opposite number, the Minister for Health, almost got the numbers, which almost certainly means he will be the next Premier of New South Wales when the Premier leaves for good. It is the same the sort of caucus of termites that brought the Premier to book on Tuesday in relation to land tax.

Balgowlah North Public School is an extreme example of the lack of facilities available to parents, teachers and students who are trying to get on with public education. It is also indicative of what is occurring around the State, whether at Annandale Public School—or Beaumont Road Public School and Killara Public School, which are in my electorate—or elsewhere across the State. The Government is not committed to public education. It is time it got serious and supported this motion. [*Time expired.*]

Mrs JILLIAN SKINNER (North Shore) [11.34 a.m.]: Earlier this month I visited Balgowlah North Public School and was very impressed by the commitment of the principal and the parents with whom I spoke. I walked completely around the beautiful school grounds, which are in a lovely location. The school has one brick building on site but particularly worrying is the number of demountables which are not yet connected with wiring, and the number of temporary and portable buildings scattered all over the place. The irony is that after having a facilities review it was agreed that a block of old portable heritage-style wooden buildings could be upgraded to meet current guidelines.

As the Deputy Leader of the Opposition said, the Government has whittled away the money that was available to make the buildings comply with modern current guidelines. The classrooms are too small and there are no wet areas or storage areas. In one building the teacher barely had room to stand at the front of the class because the children were so close to her. She only had a tiny desk at the back of the room to prepare and store her work. It was ludicrous. I note that the honourable member for Newcastle, the Parliamentary Secretary, is smiling but it is not a smiling matter for teachers trying to deal with children—

Mr Bryce Gaudry: I am just smiling at you.

Mrs JILLIAN SKINNER: I am pleased that you are; it means you agree with me.

Mr Bryce Gaudry: No, just smiling at you, being friendly.

Mrs JILLIAN SKINNER: I am glad you are friendly. I wish you would be more friendly to schools, particularly Balgowlah North Public School, where children have to put up with unsatisfactory conditions. They are not horrendous when compared to the white ants, spiders, rats, mice, cockroaches and possum droppings that are prevalent in many other schools. North Balgowlah is being left out and it is fit and proper that the honourable member for Manly has raised the matter in this place. The wonderful parents of the school have raised a lot of money that has provided many of its temporary portable buildings. A table in the assets review shows that the school has "zero" library. A school of this size should have a library that is 215 square metres. It says "zero" library because its library is in a demountable building bought by the parents.

The parents bought a demountable building that is being used for an administration office which accommodates the principal. One of the things that distressed the parents who talked to me was that they had to go through the Department of Education and Training and the Department of Commerce to get contracts to install a simple wooden ramp costing \$15,000 to give access to that building. A constant complaint from parents, principals and teachers when I visit schools is the amount of money that is thrown away on over-priced contracts when competent builders are available who can provide the maintenance upgrades and goods at much more competitive prices, thus allowing the money to go much further.

North Balgowlah has been abandoned by the Carr Government and, like so many others, the school is putting up with higgledy-piggledy classrooms being dropped on to the school site without a proper master plan. That is one reason the parents at the school have decided to draw up a concept plan. There has been a facilities review and the parents hope a concept plan will make the Government respond and develop a proper master plan for the future development of the school. The parents will then know down the track when they are getting money to provide facilities to enable their students and teachers to work and learn in modern classrooms.

Mr DAVID BARR (Manly) [11.39 a.m.], in reply: Balgowlah North Public School had 220 students in 1997 and 407 students in 2003, and is projected to have 480 students in 2007—that is if there is still the same proportion of outside-catchment students enrolled at the school. At the moment, a third of its students are from outside the catchment. I do not know whether that is one of the reasons the department and the Government have been slow in upgrading the school, but the students, whether from within the catchment or outside it, require decent facilities. That is what this House should be demanding for Balgowlah North Public School.

The Government has moved an amendment to my motion. The first two limbs of that amendment tell us what great things the Government has done here and there, and so on. The Government may well have done good things—perhaps the best things since sliced bread—or perhaps it was a pile of bollocks. I do not know, nor for the purposes of this debate am I interested in knowing, because that has nothing to do with the debate at hand. This debate is about Balgowlah North Public School. The third limb of the amendment mentions that a facilities review has taken place, and that is correct. It states that the upgrading of the school will be considered for a future capital works program. That is all fine and dandy, but there must be a definite commitment; these works cannot be left in the never-never. This matter has gone on for too long. The Government must act on this school, which deserves much better treatment than it has been getting.

I thank the honourable member for Newcastle, the honourable member for Wakehurst, Deputy Leader of the Opposition, and the honourable member for North Shore for their contributions. I am gratified that

Coalition members support the motion, but I am disappointed that the Government is not doing so. I would reiterate some of the basic points that I and other honourable members have made. This school is below requirements insofar as building standards are concerned, including square meterage of classrooms, the hall and canteens. On nearly every count one could mention, school standards are under requirements set by what is called the Primary School Facilities Standard. For example, the average size of teaching areas should be 60 square metres, to which must be added a practical activity area, home-based storage, personal effects storage, and so on. So that 95 square metres should be available for those classes. At this school, the average is 56 square metres.

The administration block should be 142 square metres; it is 84 square metres. The requirement for a covered outdoor learning area is 140 square metres, but the school does not have one. The staff area should be 67 square metres, but the school does not have an adequate staff facility at all. The canteen should be 54 square metres, but it is in fact 22.5 square metres. The storage area should be 39 square metres, but it is 4.3 square metres. It goes on and on. Notwithstanding the physical problems at the school, student numbers have increased—because this is an excellent school with a very good record in competitions that it has entered and in student performance. I outlined this in my earlier speech. This shows, as I have said, that buildings are not everything; it is the spirit of the school, teachers and parents, and the work of the teachers that is so critically important. Having said that, the students, staff and parents deserve to have top-rate facilities for students at Balgowlah North Public School. They do not at the moment.

In raising a matter like this publicly, there is always the risk that potential students could decide to go elsewhere. I have discussed this with members of the school community, and they are happy for this issue to be raised in the manner it has. I thank Opposition members for their contributions to the debate. I hope this will be a spur for the Government to do something about it. I had a meeting with the Minister for Education and Training yesterday at which I raised the issues concerning Balgowlah North Public School and called for public works to be undertaken urgently. I hope that will happen.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 45

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

Noes, 35

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

Pair

Ms Saliba

Mrs Hancock

Question resolved in the affirmative.**Amendment agreed to.****Motion as amended agreed to.****YASS SHIRE WATER SUPPLY**

Ms KATRINA HODGKINSON (Burrinjuck) [11.54 a.m.]: I move the following motion, as amended by leave:

That this House calls on the Government to provide urgent assistance to Yass Valley Council to enable a viable long-term solution to the town's water supply, serving the towns of Yass, Binalong and Bowning, in view of the continuing and urgent need for a secure water supply.

On 8 May I gave notice of the motion in its original form. I have amended the motion to update it so that it remains contemporary. Water supply in Yass and the surrounding villages of Binalong and Bowning remains precarious. At full storage the Canberra water supply has the capacity to supply the nation's capital with normal water usage for 8 years. But the township of Yass is in a much more precarious and tenuous position. Under extreme drought conditions and without the implementation of water restrictions the capacity of the Yass Dam is sufficient to supply average summer demand for only three to four months. The Yass Dam across the Yass River—a concrete arch about 12 metres high with a crest length of about 98 metres and an effective storage capacity of approximately 850 megalitres—is located just upstream from the township of Yass. The Yass water supply depends totally on the flow of the Yass River.

The catchment extends from the top of the escarpment along Lake George and includes the villages of Sutton, Gundaroo and parts of Murrumbateman. Overall, the catchment for the Yass Dam covers approximately 159,000 hectares. When the Yass Dam was built in 1927 to serve a population of about 2,000 it had a capacity of 1,100 megalitres. Over the past 10 years demands on the Yass Dam catchment area have grown significantly. The population of the Yass Valley area is now more than 13,000, about half of whom depend on the Yass town water supply. Sutton, Gundaroo, Murrumbateman and the area of Yass closest to the Australian Capital Territory have become intensively developed as small rural lifestyle blocks have proliferated. The size of each of those blocks is usually between five and 20 hectares. Most of them contain at least one residence and at least one dam. Over the past 10 years more than 8,000 dams have been constructed upstream of the Yass Dam catchment. All of those residences and dams impact on the water flow in the upper Yass River.

Simply put, less water flow means less flushing of salt and decreased water quality. Less flushing of the river means increased siltation in the upper river and an increased danger of heavy siltation of the Yass Dam during flash flooding or other heavy rains. This is not theoretical but the real situation in Yass at this very moment. From its original capacity of 1,100 megalitres the Yass Dam now has a usable capacity of only 850 megalitres. In the past five years the Yass River below the Yass Dam has ceased to flow altogether during the summer months. John Betts, who lives just south of the Yass River, has been an outspoken advocate of the need to increase water in the Yass River. The Yass town water supply has lost almost one-quarter of its effective storage capacity because of siltation. Without effective action to ensure a long-term adequate water supply for Yass, the situation will only deteriorate. Putting aside the water quantity, serious concerns have been raised about the quality of the Yass town water supply.

The Yass council's customer survey, which was carried out in 2000, identified the quality of town water as a one of the major sources of complaints made by residents. The quality of the Yass water supply is also directly linked to the health of the Yass Dam catchment area. When I gave notice of this motion two years ago, Yass, Bowning and Binalong were on stage four water restrictions. Those desperate measures were designed to hoard as much water as possible in the face of severe immediate shortages. At that time the Yass town water supply's measure of calcium carbonate was approximately 450 milligrams per litre. A measurement of 200 milligrams per litre is considered to be marginal for potable water quality. There are patients in Yass who use home dialysis units to stay alive, but they are unable to rely on Yass water to flush their blood as the water supply sometimes contains higher than the acceptable quantities of aluminium, which the dialysis units concentrate in their bodies.

The catchment action plan for the Yass River produced by the Yass area network of Landcare groups in January 2003 makes for interesting, even if somewhat alarming, reading. It states that the Yass Valley subcatchment is the third-highest contributor to salinity levels in the Murrumbidgee River catchment. Approximately 12 years ago, 1,451 hectares of land were identified as severely salt affected. What is more worrying is that the report states that the Yass River has recorded a salinity level rise of 7 per cent a year, which is double the State's average.

The problem is very clear: without prompt and effective action by the Government, the Yass water supply will increasingly lurch from one crisis to another. Each crisis will be worse and more sustained until the supply fails completely. A solution to the long-term security of the Yass water supply needs to be found, and it needs to be found quickly. I have spoken about this need in this House on several occasions over recent years, but all that has happened is that more time has passed with little real action being taken to find a long-term solution by this Government.

I acknowledge, and am grateful for, the 50 per cent subsidies by the State Government to the council which enabled the sinking of test bores during the height of the drought, but that was only a response to an emergency situation. Several proposals have been studied and costed, ranging from raising the height of the Yass Dam wall by 12 metres, to drawing water from the Murrumbidgee River at Lake Burrinjuck, to accessing existing water supplies at Galong, Jugiong or the Australian Capital Territory. At \$22 million plus, the most expensive option, and the one considered to be the least viable by the Yass Valley Council, is raising the dam wall. At \$9.1 million, the cheapest and most viable option appears to be a pipeline from the Good Hope area to Yass. However, concerns have been expressed to me by Yass residents that this arm of Lake Burrinjuck is fed by the Murrumbidgee River, into which flows the Molonglo River, and into the Molonglo River flows much of Canberra's sewage.

Although the Australian Capital Territory electricity and water authority states in its promotional brochures that the lower Molonglo sewage treatment plant produces effluent equal to the world's best practice standards, unplanned crises are not unknown that could—as they have in the past—have a serious impact on the quality of downstream water. Lake Burrinjuck was hit by blue-green algal blooms in 2000 and a large unexplained fish kill near Good Hope in February 2001 could have been linked to discharges from the Molonglo River following heavy rainfalls.

During the height of the drought last summer, the only water that was flowing down the Murrumbidgee River into Lake Burrinjuck was water that was flowing out of the lower Molonglo sewage treatment plant. It might be world's best practice effluent, but the residents of Yass do not really want to drink it, thank you very much! The augmentation of Yass's water supply by linking it to water storages in the Australian Capital Territory is an option that cannot be discounted and should be vigorously pursued.

A pipeline to Yass from Canberra has been costed at \$14.8 million and it is a considerably cheaper option than all but the Good Hope option. The Yass Valley Council has written to the New South Wales and Australian Capital Territory governments seeking assurances that it will be included in discussions on a regional strategy to supply water to the Australian Capital Territory and surrounding regions. The reply received from the Chief Minister of the Australian Capital Territory stated that "no further supply of an ACT-controlled water will be approved until 'conditions' of supplying water are agreed by the NSW, ACT and Commonwealth governments".

That is hardly an encouraging response, but it is one that is borne out by Mr Stanhope's comments at the launch of the Think Water, Act Water Strategy for sustainable water resource management in the Australian Capital Territory on 28 April last year. In that speech he made it abundantly clear that "ensuring that the ACT had an adequate, secure water supply is a major objective of the Strategy". I invite other honourable members to contribute to this debate and I look forward to making additional comments in reply.

Mr STEVE WHAN (Monaro) [12.04 p.m.]: I move:

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

"this House:

- (1) commends the Government for providing Yass Valley Council with funding of \$315,750 for emergency drought relief works to assist with short-term relief from the impact of serious drought; and
- (2) notes the need for long-term solutions to provide a reliable water supply for Yass, Binalong and Bowning, and urges the Government to continue its co-operative work with Yass Valley Council to ensure a long-term solution is put in place as soon as possible."

I certainly welcome this opportunity provided by the honourable member for Burrinjuck moving the motion relating to the water supply in the Burrinjuck electorate. I will not repeat much of the information that has already been provided by the honourable member for Burrinjuck concerning the history of the Yass water supply; suffice it to say that on several occasions the river stopped flowing altogether. Over the past few years the residents of Yass have suffered some very severe water restrictions. The whole region has been aware of those restrictions and has been sympathetic. As the amendment states, the Government has provided emergency relief on a couple of occasions to facilitate ground water drilling and to assist in work that had to be carried out to make the bores usable. The bores were really only made available for urgency backup use when water stops flowing and were not intended for day-to-day use.

The Government certainly recognises that a long-term solution is required for Yass. I know that the Minister is aware of that and I understand that the department has held discussions with the Yass Valley Council. I am aware that the Yass Valley Council at its meeting last night again discussed a paper presented by its officers which examines long-term water supply options. The paper reviewed studies which have been undertaken so far and outlined other options, some of which were mentioned by the honourable member for Burrinjuck. Those options include a pipeline being connected to the Murrumbidgee River at Good Hope, connecting a pipeline to the Murrumbidgee River downstream from the Burrinjuck Dam, a pipeline connection to Burrinjuck Dam, and a pipeline connection to ActewAGL. The council resolved in 2003 that the Good Hope option be adopted as its preferred option. I understand that is the basis upon which discussions are currently being held.

The information I have been given indicates that the council's preferred option will cost approximately \$10 million. Obviously that is a significant amount, but it is important that Yass is provided with a long-term and secure water supply. I take on board comments by the honourable member for Burrinjuck about concerns expressed by local residents over drinking Canberra's sewage. Unfortunately, a lot of towns that are situated downriver from Canberra are drinking Canberra's sewage—albeit tertiary treated sewage, I hasten to add. This occurs on other rivers as well. For example, the people of Dalgety drink Jindabyne's treated sewage, but it is a problem that can be overcome.

The most important issue is to ensure that if the water supply is taken from the Murrumbidgee River, there is actually enough water flowing down the Murrumbidgee River to provide the water supply. That is why it is very important that the Carr Government is engaging in discussions with the Australian Capital Territory Government in relation to an integrated water supply strategy for the region. I will deal in more detail with that matter shortly.

The assistance that has been given to Yass so far has been provided under the Country Towns Water Supply and Sewerage Program. The program has been the source of assistance that has been provided to many towns in the region I represent and it has been very worthwhile. Yass has received some funding from that scheme and will be discussing future assistance from that program with the department. I understand that the Yass Valley Council has also been told that the Minister will consider providing assistance for an integrated water cycle management study. Integrated water cycle management is something that the Government is encouraging in many country towns at the moment.

A number of issues arise from the fact that Yass is essentially sharing a water supply with a population of approximately 300,000 people in the region. The honourable member for Burrinjuck said that many rural residential subdivisions have been undertaken in the region and that they have increased demand on the Yass River's catchment. Primarily that was why I was so supportive of putting the Sutton area into the Yass Valley Shire Council's jurisdiction when the local government boundaries were adjusted recently. Development in the Sutton area has been having a very severe impact on the Yass River's catchment.

The source of the Yass River includes areas such as Wonboyn, Sutton and the areas that lie to the western side of the Lake George ridge. That area has certainly been the site of a great deal of rural residential subdivision. In my view it is essential for subdivisions to be undertaken in a responsible manner. Documents I have seen suggest that some of the ground water supplies in that area are perhaps being extracted at approximately 180 per cent of sustainable capacity. Obviously, in the long term that cannot be sustained. The inclusion of Sutton into the Yass Valley Council's jurisdiction was in part aimed directly at ensuring that the Yass Valley Council had some say over future development in the area, and particularly over intense development that has been proposed.

The Australian Capital Territory Government and the New South Wales Government are engaged in discussions on a co-operative approach to securing the future of the water supply for the Australian Capital

Territory and surrounding regions. We are working on this integrated supply strategy to ensure that not only does the ACT have supply for its residents in the long term but the needs of New South Wales residents are also catered for. The Australian Capital Territory cannot pretend that it is an island. The Murrumbidgee River flows in one side and out the other. If it were not for 300,000 Australian Capital Territory residents taking water from the Murrumbidgee catchment, Yass would never have a problem. It is important that the Australian Capital Territory Government recognises that. We are working with the Australian Capital Territory Government to resolve these issues.

One of the options being examined by the ACT for its own future water needs is to supply water to the Australian Capital Territory from the Murrumbidgee River with releases from Tantangara Dam. As I look at it, that is essentially New South Wales water. If that option is chosen we must ensure that our own water supplies are guaranteed in the long term for the towns surrounding the Australian Capital Territory, such as Queanbeyan, which I represent, and Yass. The supply of water is becoming a controversial issue in these areas.

The Australian Capital Territory Government must recognise that it cannot look at these issues in isolation. I have been disappointed by some of the comments by the Australian Capital Territory Chief Minister. Recently he suggested that the Australian Capital Territory would not provide water to New South Wales unless New South Wales assisted with paying for a new dam. Whether or not they need to build a new dam is up to them. Presumably, if we were to assist in paying for a new dam, we would expect a share of the revenue that is passed onto the Australian Capital Territory Government from ActewAGL. I do not think they have offered that to us. When we purchase our water in New South Wales we should do so on the same basis as any other customer. If we are going to get it from the ActewAGL supply system, we must pay a rate that will go toward the long-term capital works that are required to maintain the water supply.

The option for Yass that is currently favoured is to construct a pipeline to Good Hope on the Burrinjuck Dam. If the council decides to pursue that option, the New South Wales Government must resolve with the Australian Capital Territory Government how much water will flow out of the Australian Capital Territory and down the Murrumbidgee River to ensure that Yass is supplied sufficient water to meet its needs. I understand that that issue has been raised by Minister Sartor in discussions and will be considered in the process. An integrated water supply strategy for the region is critical to the future of our whole region. The surrounding regions are very reliant on the Australian Capital Territory.

Similar issues were raised in an earlier debate on a motion about cross-border anomalies. The adequate supply of water has a massive impact on surrounding areas. The Australian Capital Territory and surrounding areas in New South Wales have great population and development pressures. Many people choose to live in New South Wales and commute to the Australian Capital Territory and that is where the pressure for rural residential subdivision has come from. There is obviously great demand for the expansion of Yass, Queanbeyan, Sutton and many other surrounding towns. Water supply is a very important issue, and we should get it right. The New South Wales Government is committed to working with the Australian Capital Territory Government and Yass Valley Council to make sure we do. [*Time expired.*]

Mr IAN ARMSTRONG (Lachlan) [12.14 p.m.]: It gives me much pleasure to support the motion moved by the honourable member for Burrinjuck, which raises once again the dilemma of the 13,500 people, the industries, the tourists, and the environment that is encompassed in the Yass Valley area because of the totally inadequate water supply. An estimated 856 megalitres of water has to supply the whole region of Yass. To paint a clearer picture, Yass is probably one of the best known towns throughout the world in the water industry. It is the birthplace of the Merriman family, who are acknowledged as having influenced over 70 per cent of the world's fine wool sheep. It is the resting place of Hamilton Hume, the great explorer. It has probably the most spectacular courthouse in Australia for the size of its population. According to popular belief, the courthouse at Yass was meant to go to Wagga Wagga and the courthouse at Wagga Wagga was meant to go to Yass. When you compare the two towns, you realise that the story is probably true, because Wagga Wagga got the village courthouse and Yass got the prominent one.

Binalong, another town serviced by the water supply, is the resting place of Frank Gardiner, the notorious bushranger. It is a wonderful tourist town with international restaurants and motels. Yass is growing rapidly as a major tourist destination in the south of the State. Previous speakers have emphasised the relationship of Yass with the Australian Capital Territory, being located adjacent to its border. I noted the comments by previous speakers about some differences of opinion between the Australian Capital Territory Chief Minister and the New South Wales Government. There is an old saying in many parts of the world that whisky is for drinking and water is for fighting about. That is true in this case. There will always be a fight where water is concerned.

There is probably no area in New South Wales, I suspect in eastern Australia, where the underground aquifer system is better understood. In the past 50 years Yass has had two of Australia's premier boring drillers—Mr Ted Ostrorski was the last of them. Over the years every farm property in Yass has had bores either drilled or sunken on it. The district has an extensive knowledge about water. As there are no major aquifers in the region, Yass is dependent on the catchment of water in the Yass River. In the Lachlan valley, which I represent, 856 megalitres of water would supply a relatively small irrigation farm. If push comes to shove, the Yass water supply would not provide a medium-sized irrigation farm with sufficient water to grow crops and operate a viable business. They are doing remarkably well on 856 megalitres, but they cannot sustain themselves or grow.

Many years ago I worked in Yass, and I have a long association with the town. Yass has had continual problems with water supply for at least the past 50 years, and governments have not addressed those problems. It is as simple as that. Yass has been left to its own devices. The arguments have always lasted longer than the droughts. The rains have come before the arguments have been resolved and governments have been let off the hook. I fully support the honourable member for Burrinjuck. Yass has to have a viable supply of potable water for its existing population, its industry and the environment. The Government is very keen about the environment. Here is its chance to look after the environment in the Yass district.

As the honourable member for Burrinjuck said, the Betts family are long-term residents in the area. Mr John Betts, who lives down the Black Ranger Road, is a great environmentalist; he is seriously concerned about the environment. If the Government will not do it for the population, the industry or tourism opportunities, it might just do it for the environment. The Good Hope option seems to be a practical one. The climb would not be too steep from Good Hope up into the town, and electricity is not a problem because Yass is the centrepiece of the distribution of the Snowy Mountains hydro-electric scheme.

As a layman I believe this is an opportunity for the Government to show it is serious about providing potable water for Yass. As to looking after country people, if Country Labor has any sting at all, it will make sure that Yass gets a major improvement in its water supply which will guarantee that the town survives average droughts without the problems it is currently experiencing and has experienced historically. I commend the motion to the House.

Mr ANTHONY ROBERTS (Lane Cove) [12.19 p.m.]: I strongly support the motion moved by the honourable member for Burrinjuck. I acknowledge, pay tribute to, and commend the honourable member—I am sure this sentiment is shared by all honourable members—for working tirelessly and passionately for the people of Yass and Burrinjuck and for ensuring they get a fair deal from the State Government. In the 1800s members on the maternal side of my family were early settlers in Yass. My great-grandfather was a Yass shire clerk and I had relatives living in Yass until very recently, that is, before my great-aunt Ms Nellie Beckett passed away.

Yass is actively addressing its water supply problems and is seeking ways to conserve that supply. The honourable member for Burrinjuck referred earlier to the failure of Yass council to limit new developments—an unpalatable action caused by the failure of the Carr Labor Government to react to years of warnings about the impending water crisis. Time precluded the honourable member for Burrinjuck from mentioning all the good work done by Yass council to reserve its water supply, so she asked me to bring these matters to the attention of the House.

In October 2003 Yass council implemented a number of water-related strategies that sought to increase the capacity of the water supply, adopted water conservation matters including a rainwater tank subsidy for existing houses connected to the water supply system, implemented a regime of water restrictions to ensure the maintenance of supply, and investigated the potential to supplement the Yass Dam supply with a ground water supply.

The honourable member for Burrinjuck addressed the need to increase the capacity of the Yass town water supply and the problems that poses—something on which she should be congratulated. I commend Yass council for its proactive stance in support of its community. It is a shame that that active stance has not been reflected in the actions of the Carr Labor Government. Yass Valley Council has also adopted water conservation measures designed to save as much water as possible. Those measures include all new houses to be fitted with rainwater tanks, all new houses to have triple-A rated water-saving showerheads and dual flush toilets, a \$200 subsidy to be provided for fitting new water tanks to existing houses that are connected to the town water supply, and shower flow regulators to be provided free of charge to increase the water efficiency of existing showers.

A stringent water restriction policy was developed and implemented. Yass was eventually placed on stage four water restrictions which, if implemented in Sydney, would probably have seen rioting in the streets. However, Yass residents responded magnificently, with few breaches, and the restrictions were finally fully eased late last year. Yass council also sank seven test bores to locate an emergency water supply. The honourable member for Burrinjuck has already acknowledged the emergency assistance received from the New South Wales Government for this project. Unfortunately, only one bore produced usable quantities of water with a flow rate of about one megalitre a day. That was sufficient to provide only 15 per cent of the average annual summer demand, and the water quality was such that it was suitable only for emergency use.

Yass Valley Council is not replete with funds; its financial resources are limited. It is interesting to contrast the \$200 rainwater rebate with the rebate of up to \$650 offered to Sydney residents by the Carr Labor Government. It instantly raises the question of why the Carr Labor Government does not support residents in Yass to the same degree as it supports residents in Sydney. NSW should not mean Newcastle, Sydney and Wollongong; the Government should represent everyone in New South Wales.

Mr Steve Whan: Point of order: I point out to the honourable member for Lane Cove, who represents a North Shore electorate—

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

Mr ANTHONY ROBERTS: I represent the people of Lane Cove. I wish the honourable member for Monaro would start representing the people in his constituency by accepting the motion moved by the honourable member for Burrinjuck. Why will the Carr Labor Government not offer to top up rainwater tank subsidies offered by rural councils whose financial resources are often limited? Today we have had laid bare the Carr Labor Government's view of important crises in New South Wales. *Hansard* of 14 November 2002 shows that the Minister at the time made arrogant and flippant remarks about this issue. That same attitude was displayed in relation to the Crown roads enclosure debacle and to cutbacks to rail services.

The Government failed to keep its election promises about moving jobs to regional areas, for example corrective services jobs in Goulburn. There have also been real cuts in funding for noxious weed control. The list goes on. All those issues impact on people in rural and regional New South Wales. The Carr Government demonstrated breathtaking contempt for the people of rural New South Wales. Yass community is working to address its water supply problems but it has not had a firm commitment from the Carr Labor Government to develop a secure long-term water strategy. The people of Yass want results and action; they do not want words. *[Time expired]*.

Mr WAYNE MERTON (Baulkham Hills) [12.24 p.m.]: People in one of the nicest country towns in New South Wales have been betrayed by the Australian Labor Party and the Carr Labor Government. If I were a member of Country Labor I would be ashamed that this has occurred. Yass is a major regional and growing community. Many people are moving into country areas to achieve a better lifestyle. With all the hassles to be found in the city, some people are looking to start a new life. They move into a beautiful area represented by a charming, energetic and competent member and things look pretty good, but in reality the town and the community are running out of water. Those who seek to defend the Government's position have circumvented this issue.

The honourable member for Monaro moved an amendment to the motion, whose thrust is to highlight that the Yass water supply is in dire need of urgent surgery. What is happening in Yass is symbolic of what is happening in many country towns in New South Wales. No-one disputes that water is in short supply. Today we are talking about a strategy to improve the water supply to afford long-term stability and security for people in that region. The council is to undertake an integrated water cycle management program. Obviously it is concerned, but even more concerned are those who are living in that area. Come next summer there might be no water.

Anyone who thinks that country towns in Australia do not run out of water is living in a dream world. The flow in many rivers has slowed, due to a combination of factors. I do not blame the Government for that but I am asking it to come up with solutions and alternatives so that this important part of regional New South Wales can be assured of a water supply. This desperate call from the people of Yass is based on a feeling of insecurity. They think their future is in jeopardy and that they will be denied a fundamental ingredient of everyday living, that is, water.

People in country New South Wales do not have the luxury of a water supply; they are dependent on rivers or town dams. If a town dam goes dry it is because the river has gone dry. Many people think that milk comes in cardboard cartons and that chooks have four legs. Similarly, many people in the city believe that taps provide an endless supply of water. I give Government members credit, they are probably trying to find a solution to this problem, but it is not good enough. The Government has a responsibility to ensure that people in this important region of New South Wales have an adequate water supply. [*Time expired.*]

Ms KATRINA HODGKINSON (Burrinjuck) [12.29 p.m.], in reply: I thank all those who have contributed to this debate, including honourable members representing the electorates of Lachlan, Lane Cove, Monaro and Baulkham Hills. This is an extremely serious debate on a motion that has been languishing on the notice paper for a long time. I must disagree with the amendment to the motion by the honourable member for Monaro, in which he commends the Government for providing the Yass Valley Council with funding of more than \$315,000 for emergency drought relief works. As I said earlier, although we appreciate that funding, the water supply problem must be rectified now. Therefore, I must stand by the words of my original motion, which states that we continue to require urgent assistance from this Government to enable a viable long-term solution regarding the town's water supply, which serves so many valuable parts of this State.

I referred earlier to the approach of the Australian Capital Territory Chief Minister, Mr Stanhope, to this matter. The honourable member for Monaro also mentioned the Chief Minister's approach in quite strong terms. Those who live on the outskirts of the Australian Capital Territory feel frustrated by the Australian Capital Territory Government's extremely selfish approach to water usage by its residents. It is another cross-border anomaly, as the honourable member for Monaro pointed out in his contribution. When Chief Minister Stanhope wrote to the Yass Valley Council about the matter the Labor Government had not even responded to the council's request. Weeks later, when the Premier finally bothered to reply, he said that Yass's needs would be considered in the development of the cross-border water agreement for the New South Wales and Australian Capital Territory cross-border region.

But the question remains: Where is the Premier's commitment to ensuring that Yass's water supply problems will be fixed? It is probably in the same place as the Premier's commitment to halve hospital waiting lists—a promise that he made with the Deputy Premier and signed in blood. This Government has been in office for 10 years and in that time the Yass town water supply has accelerated its slide to crisis point. Early recognition and prompt action by this Government would have averted the current situation. What is Labor doing now? It is just beginning to sit down with the Australian Capital Territory and Federal governments to begin the horse-trading necessary to reach an agreement that might just consider Yass and its future water needs.

Labor's response to this developing crisis has been way too slow. For years I have been calling for the development of a plan that would ensure long-term—we are talking 50 to 100 years—rural water supplies. We must look that far into the future and concentrate on the long term. Yass is suffering now because of this Government's years of neglect of this issue. As I said earlier, Yass and the Yass River catchment form the hub of a burgeoning rural lifestyle area that is placing significant strain on existing resources. Many people want to enjoy the great rural lifestyle that Yass offers. Yass is a beautiful place to live. It has an excellent Montessori preschool and other fantastic schools. Is it any wonder that many people want to live there?

Housing prices in Yass have boomed in the past few years and the council has been presented with plans for significant developments in the town and the surrounding region. These plans will increase employment and business opportunities for the entire community of Yass. But the Labor Government's tardy response to the water crisis has forced the council to make unpalatable decisions. In December last year Yass Valley Council was forced into a decision to allow only 20 new connections to the Yass water supply each year until 2010. A well-known surveyor in Yass has already contacted my office to express his concerns about the impact that this decision will have on employment and businesses in Yass.

Yass needs a firm commitment right now that the New South Wales Government will guarantee a reliable and safe supply of drinking water for the Yass community. The people of Yass need urgent and real assistance from the Government, and they need it immediately. They do not want some vague reassurances that their needs will be considered. How much longer will Yass, Bowning, Binalong, Binda, Bigga, Tuena and urban areas in the Burrinjuck electorate, such as Goulburn, that require action regarding their water supplies be hung out to dry by this Government, which is so city-centric as to appear blind to the real importance of water to regional communities? I appreciate the contributions to this debate by honourable members on both sides of the House. This issue is most important for the community of Yass. We have an ever-growing population and an ever-developing community. Locals commute regularly to the Australian Capital Territory to work and Yass is now viewed very much as a satellite town of Canberra. We must make sure that we have enough water to meet the needs of businesses and housing developments in this very important part of New South Wales. I thank honourable members for their attention. [*Time expired.*]

Question—That the words proposed to be left out stand—put.

The House divided.

Ayes, 35

Mr Aplin
Mr Armstrong
Mr Barr
Ms Berejiklian
Mr Cansdell
Mr Constance
Mr Debnam
Mr Draper
Mr Fraser
Mr Hartcher
Mr Hazzard
Ms Hodgkinson

Mrs Hopwood
Mr Humpherson
Mr Kerr
Mr Merton
Ms Moore
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 Torbay
Mr J. H. Turner
Mr R.W. Turner
Tellers,
Mr George
Mr Maguire

Noes, 46

Ms Allan
Ms Andrews
Mr Bartlett
Ms Beamer
Mr Black
Mr Brown
Ms Burney
Miss Burton
Mr Collier
Mr Corrigan
Mr Crittenden
Ms D'Amore
Mr Debus
Mr Gaudry
Mr Gibson
Mr Greene

Ms Hay
Mr Hickey
Mr Iemma
Ms Judge
Ms Keneally
Mr Knowles
Mr Lynch
Mr McBride
Mr McLeay
Ms Megarrity
Mr Mills
Mr Morris
Mr Newell
Ms Nori
Mr Orkopoulos
Mrs Paluzzano

Mr Pearce
Mrs Perry
Mr Price
Dr Refshauge
Mr Sartor
Mr Shearan
Mr Stewart
Mr Tripodi
Mr Watkins
Mr West
Mr Whan
Mr Yeadon
Tellers,
Mr Ashton
Mr Martin

Pair

Mrs Hancock

Ms Saliba

Question resolved in the negative.

Question—That the words proposed to be inserted be so inserted—put.

The House divided.

Ayes, 47

Ms Allan
Ms Andrews
Mr Bartlett
Ms Beamer
Mr Black
Mr Brown
Ms Burney
Miss Burton
Mr Collier
Mr Corrigan
Mr Crittenden
Ms D'Amore
Mr Debus
Mr Gaudry
Mr Gibson
Mr Greene

Ms Hay
Mr Hickey
Mr Hunter
Mr Iemma
Ms Judge
Ms Keneally
Mr Knowles
Mr Lynch
Mr McBride
Mr McLeay
Ms Megarrity
Mr Mills
Mr Morris
Mr Newell
Ms Nori
Mr Orkopoulos

Mrs Paluzzano
Mr Pearce
Mrs Perry
Mr Price
Dr Refshauge
Mr Sartor
Mr Shearan
Mr Stewart
Mr Tripodi
Mr Watkins
Mr West
Mr Whan
Mr Yeadon
Tellers,
Mr Ashton
Mr Martin

Noes, 35

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

Pair

Ms Saliba

Mrs Hancock

Question resolved in the affirmative.**Motion as amended agreed to.****SOIL CONSERVATION SERVICE****Mr GEORGE SOURIS** (Upper Hunter) [12.50 p.m.]: I move:

That, in view of the success of the Soil Conservation Service over past years, this House calls upon the Government to re-establish the Soil Conservation Service.

At last—having given notice of this motion on 22 May 2003—we have reached the moment of commencing debate on what I believe to be one of the most important environmental issues confronting the Government today. The Soil Conservation Service, arguably, was the most successful conservation agency in the history of New South Wales. The leading practical environmental issues confronting New South Wales—admittedly, from my perspective—are, but not necessarily in order of importance, dryland salinity and soil conservation. Indeed, over a number of years the Soil Conservation Service of New South Wales had built up an enviable reputation as a very practical agency, and one that had direct contact with, and widespread co-operation from, the landholders in whose areas soil conservation rectification works were necessary.

Many, many major soil conservation projects had been undertaken successfully over those years. The principal role of the Soil Conservation Service was the protection of the topsoil. Wind also, but mainly water, was eroding tonnes of topsoil every year. Year after year erosion took place with every downpour. Australia was seriously in danger of having the quality of its topsoil diminished to such an extent that that would ultimately threaten the future of agriculture. One of the very first aspects of government that I became involved with when first elected in 1988 was to do with soil conservation. My electorate of Upper Hunter has an area of more than 40,000 square kilometres, covering the north-west of New South Wales, the Liverpool slopes and plains in particular, and into the Hunter Valley.

The first matter in which I had an involvement was the very last part of a project called the Whitneys Creek project, in the Merriwa area, followed by a project on an adjacent creek, called Butchers Creek, also in the Merriwa area. It was where I drove my first D5 or D6 Caterpillar bulldozer to start the works. It probably took them another day to rectify the very good work that I had done! This positively impacted on me as a newly elected member, and clearly demonstrated just how vital and practical matters to do with soil conservation were. It really came as an eye-opener to me that the Government at that time was able to conduct these works on privately owned property with the full co-operation of the landholder—indeed, with their financial participation, because it was a partial contribution, not a 100 per cent contribution, from the State. But, more importantly, the effort needed to be co-ordinated because obviously not just one person's farm would be the relevant target of a soil conservation project; the projects extended across catchment areas, and certainly across valleys and so on. It was a matter that required considerable co-operation.

I commend the work of the commissioner at the time, Mr Bob Junor, and his deputy, Mr Warwick Watkins, who later became the Soil Conservation Commissioner. It was my pleasure, as Minister for Land and Water Conservation at the time, to appoint Mr Warwick Watkins as the director-general of that department. One of the very first things I did as Minister was reinstate the Soil Conservation Service, which had previously been abolished. I was overwhelmed with the response both from former Soil Conservation Service employees and operatives and also the rural landholding community. Subsequently, that service was abolished once again. This motion continues my campaign to reinstate the Soil Conservation Service. I feel it is important to bring to the notice of this Parliament that we ought to consider once again establishing the Soil Conservation Service of New South Wales.

Mr Steve Whan: It is still there.

Mr GEORGE SOURIS: The expertise is still more or less in place. I mentioned Mr Warwick Watkins. Many soil conservation operatives are still in place out in the regions—most doing slightly different jobs, but nonetheless working within the Department of Land and Water Conservation, which was subsequently renamed. They are ready, willing and able to restart the Soil Conservation Service. The Carr Government, over its period of office, has been doing a lot more than just ignoring soil conservation and abolishing the Soil Conservation Service. Over the years the Government has been gutting the personnel of a number of important land agencies: the Department of Water Resources, and the Department of Conservation and Land Management, which of course have been combined into the Department of Land and Water Conservation. Regional structures have been amalgamated.

Those agencies and the Department of Agriculture and New South Wales Forests—and a number of others—have all suffered significant reductions in their budgets and significant reductions in their employee strength. But, as well, the Carr Government has succumbed to pressure from elsewhere to impose on those vital agencies, and the legislation that supports them, continuing intrusions into their jurisdiction and their authority through the use of, first of all, consultation powers in new legislation, and then ultimately the implementation of concurrence powers. It is those concurrence powers, often with agencies such as the National Parks and Wildlife Service, the Department of the Environment or other agencies including the Department of Planning, which have led, fairly gradually but very directly, to a diminution of the strength of the legislation that underpins the land support agencies, and in particular the department to which my motion refers, and especially the function of soil conservation.

The Government should take a serious look at this whole issue of soil conservation, of re-establishing the service—which, of course, includes not only the personnel but the equipment with which to do the work—and once again embark on a very direct involvement with landholders, along with direct identification and prioritisation of important soil conservation projects that are not proceeding. There has been a stalling of soil conservation projects. Now they are entirely at the initiation of individual landholders, who of course have other competing problems and issues to deal with before turning their minds to those matters. This issue needs the kind of leadership that existed under the Soil Conservation Service.

The co-ordinating role, planning role, mapping and a whole host of issues require a significant level of scientific expertise. Of course, it is unrealistic to expect or imagine that contractors who are out in the field looking for work will be able to co-ordinate the soil conservation effort of New South Wales—just as it is impossible to imagine that any individual landholder could achieve such a thing. It is the role of government to provide that leadership, to achieve the necessary co-ordination across areas, to identify and prioritise, and to assist in the continuation of vital soil conservation projects throughout New South Wales. This is a very important environmental issue—one of the two most important environmental issues confronting the people of New South Wales: dryland salinity and soil conservation. I would like to see a reassertion of these issues and restoration of the predominant role that they should have in the environmental effort of the government of the day.

Pursuant to sessional orders debate interrupted.

[Mr Acting-Speaker (Mr John Mills) left the chair at 1.00 p.m. The House resumed at 2.15 p.m.]

DISTINGUISHED VISITORS

Mr SPEAKER: I welcome to the public gallery an Italian delegation led by Dr Michele Picciano, Local Minister for the Region of Molise, whose portfolios are Education, Family and Youth Affairs, Equal Opportunity, Social Politics and Corporation. Dr Picciano is accompanied by Michael Di Re, Mario Iezza, Frank and Libera Dompietro, Joseph Iannitelli and Maurizio Priolo. I also welcome to the public gallery Michele

Greig, Deputy Mayor of Shellharbour and Director of MBC Employment Services. I also welcome Mr Alan Smith, Mayor of Dubbo, and his companion, Mr Kevin Saul.

PETITIONS

Alstonville Bypass

Petition requesting that the Alstonville Bypass be completed by the end of 2006, received from **Mr Donald Page**.

Gaming Machine Tax

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

Kurnell Sandmining

Petitions opposing sandmining on the Kurnell Peninsula, received from **Mr Barry Collier** and **Mr Malcolm Kerr**.

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

Cremorne Community Mental Health Centre

Petition requesting the retention of the Cremorne Community Mental Health Centre, and the upgrading of the facilities at Chatswood, received from **Mrs Jillian Skinner**.

Oxford Street Clearway

Petition requesting removal of the Oxford Street clearway and imposition of a 40-kilometres-per-hour speed limit in Oxford Street, received from **Ms Clover Moore**.

Penrith Roads and Traffic Authority Motor Registry Office

Petition opposing the closure of the public toilets at the Penrith Roads and Traffic Authority Motor Registry Office, received from **Mr Allan Shearan**.

Forster-Tuncurry Cycleways

Petition requesting the building of cycleways in the Forster-Tuncurry area, received from **Mr John Turner**.

Newcastle Rail Services

Petitions requesting the retention and improvement of Newcastle rail services, received from **Mr Bryce Gaudry**, **Mr Jeff Hunter** and **Mr John Mills**.

Murwillumbah to Casino Rail Service

Petitions requesting the retention of the CountryLink rail service from Murwillumbah to Casino, received from **Mr Neville Newell** and **Mr Donald Page**.

Casino to Murwillumbah Branch Rail Line

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

CountryLink Rail Services

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

Adult Training, Learning and Support Program

Petition opposing changes to the Adult Training, Learning and Support Program, received from **Mrs Judy Hopwood**.

Water-Access-Only Property Policy

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

Sow Stall Ban

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

Cat and Dog Meat Sale

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

QUESTIONS WITHOUT NOTICE

STRATHFIELD MUNICIPAL COUNCIL CORRUPTION ALLEGATION

Mr JOHN BROGDEN: My question without notice is addressed to the Premier. Will the Premier order an investigation by the Department of Local Government into why Hassan Harb, known as Sam the Paving Man, was awarded over \$170,000 in contracts at Strathfield Municipal Council by corrupt general manager Kerry Keogh, a former Labor staffer, without a public tender after Sam the Paving Man donated \$5,000 to corrupt former Strathfield mayor John Abi-Saab's campaign and \$5,000 to the campaign of the honourable member for Strathfield?

Mr BOB CARR: That material, by definition, should go straight to the Independent Commission Against Corruption, which is currently investigating Strathfield Municipal Council. I could not think of a more perfect destination for the matter that the Leader of the Opposition has raised.

UNBORN VICTIMS OF VIOLENCE LEGISLATION

Mr GEOFF CORRIGAN: My question without notice is directed to the Attorney General. What is the Government's response to community concerns about the cases of Kylie Flick and Renee Shields?

Mr BOB DEBUS: All members of the House will recall the tragic cases of Renee Shields and Kylie Flick and the criminal attacks which resulted in the deaths of their unborn children. Renee Shields was seven months pregnant when her baby, Byron, died as a result of injuries sustained in a road rage attack in which Renee was involved as a passenger. Kylie Flick was between 23 and 24 weeks pregnant when she was assaulted by Phillip Nathan King, the father of her unborn child. Kylie's baby also tragically died. Both mothers were distressed and traumatised by the fact that the criminal law, as it has stood for centuries, was unable to give due weight to the consequences of the death of the unborn child.

In the case of the attack by Phillip King the State's highest criminal court, the Court of Criminal Appeal, held that the close physical connection between mother and child means that the loss of a baby can

constitute grievous bodily harm to the pregnant woman, even in the absence of other injury. King was subsequently sentenced to 12 years' gaol with a non-parole period of 8 years. The case of King has changed the legal landscape in regard to the death of an unborn child resulting from a brutal attack on the mother. Renee Shields wrote a poignant and articulate submission to the review, which included:

Laws are man made and therefore can be changed to correspond with today's day and age. Unborn children should be acknowledged in our society. An amendment to the current legislation might lessen the constant tension someone experiences with this kind of incident and maybe make the incomprehensible a little easier to handle.

Members of the House will, therefore, be interested to learn that next week the Government will introduce the Crimes Amendment (Grievous Bodily Harm) Bill, which will amend the definition of "grievous bodily harm" in section 4 of the Crimes Act to include the loss of an unborn child, thereby codifying the King case, which was concluded in the Court of Criminal Appeal. The amendment will cover a range of situations from maliciously inflicting grievous bodily harm with intent under section 33 of the Crimes Act, which carries a maximum penalty of 25 years, to causing grievous bodily harm by an unlawful or negligent act, which carries a maximum penalty of 2 years imprisonment under section 54 of the Crimes Act.

As I have previously stated, this amendment will not disturb the existing law relating to abortion in this State. The amendment is specifically aimed at criminal attacks upon women and enabling the courts to give due recognition to the pain and trauma experienced by women like Renee Shields and Kylie Flick, who lost their babies following senseless and brutal attacks. Hopefully, it will make the incomprehensible a little easier to handle. The process of crafting an appropriate amendment has been an arduous one involving consultation with a wide variety of lay and expert interests. I wish to pay tribute in particular to the patient and constructive role played by members of the Shields family who assisted us as they transcended their personal pain. I am sure all honourable members welcome this valuable and important legal milestone.

ORANA JUVENILE JUSTICE CENTRE STAFF AND INMATE BEHAVIOUR

Mr ANDREW STONER: My question without notice is directed to the Minister for Juvenile Justice. Why did she say that all steps had been taken to investigate the disgraceful behaviour by an Orana juvenile detention staff member who congratulated nine-year-old Brendan Saul's killer when he returned from court after beating the charge on a technicality when no effort has been made to interview two police officers who witnessed the staff member high-fiving the inmate?

Ms DIANE BEAMER: I agree that these allegations are serious and that they deserve appropriate investigation. I have asked anybody to come forward with allegations regarding inappropriate behaviour.

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

Ms DIANE BEAMER: I believe that this is inappropriate behaviour. I have asked anyone to come forward with allegations relating to any issue. I will continue to ask people to come forward.

CANNABIS SEIZURES

Mr ALLAN SHEARAN: My question without notice is directed to the Minister for Police. What is the latest information on cannabis seizures in New South Wales?

Mr CARL SCULLY: Some honourable members would be aware that hydroponically produced cannabis is an emerging problem in parts of south-western Sydney. South-East Asian gangs are getting people to crop sit homes and they are producing high-yield valuable crops. Isolated people are not producing one or two plants in a pot for individual consumption; criminal communities are getting together a lot of equipment, stealing electricity and producing a large number of crops. This development, which has occurred in Canada, is about a \$1 billion a year industry. Unfortunately, it is becoming more and more attractive to some local criminals.

In 2003 only seven hydroponic houses were reported but in 2004, 48 were reported. So far this year police have already raided eight hydroponically produced cannabis houses and taken nearly 1,000 plants worth over \$2 million. This morning I congratulated members of the St George Target Action Group and Campsie police who earlier this week raided two houses in Lakemba and seized hundreds of hydroponically produced plants. Earlier this week there was a raid in Earlwood that netted about 150 plants. It is important that we

support our police and the fantastic work that they have done. However, we need to give a strong reminder to people thinking about engaging in this activity that the likelihood of getting caught is great.

We are working closely with electricity authorities as some of these houses have dangerously bypassed metre boards. Tradesmen who are not particularly skilled are bypassing metre boards and some of these homes have burned down. Those who are crop-sitting these homes are being placed in dangerous fire-risk situations. They are also living amongst chemicals and equipment in areas that are unhealthy. People who desire a quick dollar are engaging in criminal activities. This Government is examining ways of dealing with this issue. I congratulate Superintendent Debbie Wallace in the South-East Asian Crime Command, who has done fantastic job. She needs the support of all honourable members and I am sure that support is forthcoming. The theft of electricity, the sale and purchase of hydroponic equipment and the production of plants for consumption by individuals is a thing of the past. Serious criminals are manufacturing cannabis for a quick dollar. I thank NSW Police for its efforts in catching these criminals.

ARMIDALE POLICE STATION

Mr RICHARD TORBAY: My question without notice is directed to the Minister for Police. Would he provide an update on the proposed new police station at Armidale?

Mr CARL SCULLY: What a local member! He has won many resources for his local community and he is terrific.

[Interruption]

After yesterday, where is Thomas George?

Mr George Souris: He's on the phone.

Mr CARL SCULLY: The honourable member for Gosford, who was embarrassed, turned redder than a piece of beetroot. The honourable member for Lismore, Thomas George, is a good bloke but he big-noted himself yesterday, which caused the honourable member for Gosford great embarrassment. Like Thomas George, the honourable member for Northern Tablelands and all the Independents, including the honourable member for Bligh, are often on the phone, going to bat for their communities and winning resources. I know that the honourable member for Northern Tablelands harassed my predecessor, the Hon. John Watkins, to get those resources for the Northern Tablelands. Much as I would like to take credit for the \$40 million a year over five years that the Hon. John Watkins won, I will not. He deserves the credit for that.

The honourable member, who appears to be somewhat worried about the changes to the ministry, might have thought that the Armidale station upgrade was at risk. I am happy to assure him the \$9 million that was earmarked by my predecessor for the upgrade of Armidale police station is in place. That police station will be upgraded. I indicate to the honourable member that the development application is nearing completion and it will soon be lodged with council. Armidale police station is a heritage police station and it needs to be protected. A couple of heritage icons need to be protected. The first is the police station and the other involves members of The Nationals in the New England region. And the Government will probably erect the wax figure of Ray Chappell in the heritage police station.

After the development application has been lodged and we receive council approval, we will go through the tender process, construction will commence and the station will be completed. So the honourable member will have a new police station in less than two years. I assure him that it will provide all the facilities that are required to ensure effective and efficient policing and it will house up to 100 police and support staff. The honourable member deserves all the credit for having won those resources as a result of having been on the phone, unlike the characters opposite.

FEDERAL GOVERNMENT INDUSTRIAL RELATIONS POLICY

Ms KRISTINA KENEALLY: My question without notice is directed to the Premier. What is the Government's response to community concerns about the Federal Government's plan for industrial relations and related matters?

Mr BOB CARR: Honourable members would be aware from media reports that Federal Cabinet has been meeting to consider the use of the corporations power to claim comprehensive jurisdiction over industrial

relations in Australia. In effect, it would mean a single, centralised industrial relations power. A Commonwealth takeover of State industrial powers can only lead—and this is the position of the New South Wales Government—to more and not fewer industrial disputes. It can only lead, as a result, to higher business costs. I would like the House to consider these facts: 91 per cent of lockouts occur in the Federal system. Working days lost to industrial disputes are 50 per cent higher in Victoria.

Mr Andrew Tink: Point of order: This Premier was responsible for the biggest lockout in the history of New South Wales. The Premier, Benny and everybody else were locked out of the Parliament.

Mr SPEAKER: Order! The honourable member for Epping will resume his seat. I place him on two calls to order. I call the honourable member for Upper Hunter to order. I call the honourable member for Gosford to order.

[Interruption]

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

Mr BOB CARR: I hope the honourable member for Epping feels better now—feels a little relief having got that out of his system. The number of working days lost to industrial disputes is 50 per cent lower in this State than in Victoria, where the Federal system operates exclusively. They have Federal responsibility in Victoria—we have a State-based system—and they have 50 per cent more industrial disputes.

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

Mr BOB CARR: The Commonwealth itself acknowledges that the New South Wales industrial harmony gives our construction industry a competitive advantage over that of Victoria. The reason is simple: We have a fair, practical industrial relations system that suits the New South Wales competitive business climate, delivering industrial stability, sensible wage outcomes and a workable model for dispute resolution. While at the same time—

[Interruption]

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

Mr BOB CARR: I just quoted the record in the construction industry: There are 50 per cent more disputes in Victoria than here. It costs three times more to throw up an office tower in Melbourne than in Sydney. We have the better industrial climate. That is precisely the point. Boy, oh boy, we are a week into the new parliamentary session. We heard all that talk in the press that the Opposition would get stuck into us over Tripodi and Waterfall, but where is it? We are still waiting. Where is it? The New South Wales system of industrial relations suits New South Wales—

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

Mr BOB CARR: It gives us better outcomes for business and better outcomes in terms of workers' conditions than the Federal system, operating as it does in Victoria. Weekend penalty rates, overtime and carers leave would be at risk if there were a Federal takeover. In the coming months we will have more to say about what our nurses, teachers, emergency service workers and our police would lose if the State system were abolished overnight, as the Federal Government seems to be contemplating using the corporations power.

If we want an argument for the New South Wales system compared with the Federal system, operating as it does in Victoria—particularly in their construction industry—look at the Olympics record. Huge projects were delivered on time under the New South Wales industrial relations system—not the Federal system. They were delivered by a unionised work force, who, with our magnificent volunteers, delivered the best Olympics ever. The fact is that Australia has a large and well-organised union movement, and accepting that means we have a balanced industrial relations system. The alternative is American-style subsistence wages or a return to the conflict-ridden days of the 1970s and early 1980s. That is not something the modern Australian economy, open to world competition, should be asked to sustain.

The proposed Federal reforms are simply an ideological indulgence and a massive distraction from our real economic challenges: faltering exports, skills shortages and rising interest rates—a factor I highlighted

yesterday. The current Federal reforms amount to nothing more than the lazy option of allowing unions and employers to beat each other up instead of undertaking the harder, less glamorous and less ideological task of sitting down and negotiating, yes, in front of an independent umpire. Employers have nothing to complain about. Record profits—the profit share is 26.7 per cent—make that point very clearly. There is no case for tearing into the hard-won working conditions and wages of Australian families.

That is why the House will be interested to learn that the New South Wales Government has today decided to support a \$20 a week pay rise for workers on Federal awards. That is good news for working families in light of next week's expected interest rate rise and a reminder that stripping the umpire's remaining powers to make wage judgements would be a disaster for low-paid workers, in particular, threatening them with American-style minimum rates—such as the \$US2.65 an hour that applies in Kansas or the non-existent minimum in Mississippi, where wages simply go as low as bosses can drive them. Compare that with our minimum wage, which is a much more reasonable \$12.30 an hour. Bear in mind what I said: In Kansas the minimum wage is \$US2.65 an hour under the same sort of open slather, laissez-faire approach that the Feds are interested in duplicating here.

Mr Adrian Piccoli: That's not true.

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

Mr BOB CARR: Yes, it is. I invite the honourable member to look at what Peter Reith proposed when he was a Federal Minister. Look at the proposals he revealed publicly but was unable to get through the Senate. That is precisely the outcome we would get in New South Wales. Our State system works fairly and it works well. Our State system is accepted by employers—why would they not accept it, given the better outcomes here than in Victoria?

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

Mr BOB CARR: We recognise that the Coalition has a Senate majority as of 1 July and, barring a successful High Court challenge, we will have to live with the consequences. More importantly, wage and salary earners in this State will have to live with those consequences. But let us be clear about what they would be: a stripping back of workers' rights and an even messier division of powers between the Commonwealth and the States. The Commonwealth ought to pay close attention to how the nation's biggest labour market has delivered unprecedented industrial peace since 1995, contributing mightily to this decade's historic prosperity and productivity gains without the draconian reforms that the Federal Government appears to be wheeling into place for passage through the Senate after 1 July, based on the invocation of the Commonwealth's corporations power. If there has to be a single national system I cannot think of a better model than the one we have in place in this State right now.

PUBLIC HOUSING

Mr DONALD PAGE: My question is directed to the Minister for Housing. Given the Minister's colourful history and that of his former mate and self-confessed branch stacker, Sam Bargshoon, who has admitted offering preferential access to public housing as an incentive to joining the Australian Labor Party, how can the public be confident that the Minister will not abuse his position and allow public housing to be offered improperly in Australian Labor Party branch-stacking activities?

Mr JOSEPH TRIPODI: If the honourable member for Ballina has any concerns in this regard, I suggest that he refer them to the relevant authority. I will not be commenting any further on anything that is currently before the commission.

PORT MACQUARIE BASE HOSPITAL

Mr JOHN BARTLETT: My question is directed to the Minister for Health. What is the latest information on the provision of health services in Port Macquarie?

Mr MORRIS IEMMA: Is it not good to have Port Macquarie Base Hospital back in public ownership? That is the latest news: It is back under public management and back in the hands of the community. How good it is to welcome back Port Macquarie hospital!

Mr Chris Hartcher: That's one for Jack Lang.

Mr MORRIS IEMMA: I cannot say that it is one for Jack Lang but it is definitely one for the community of Port Macquarie. It brings to an end one of the worst—

[Interruption]

I have always wanted to nationalise something and Port Macquarie is a good place to start. It brings to an end one of the worst deals ever inflicted upon taxpayers in this State. We all remember the experiment in privatising public health services in Port Macquarie. We all remember how a hospital that should have cost \$52 million to build ended up costing the taxpayers \$144 million. We all remember the deal that saw valuable public land transferred for next to nothing. We all remember how a hospital that should have cost \$52 million ended up costing taxpayers \$144 million. We all remember what the land cost, the cost went to \$144 million and we got saddled with an annual charge of \$47 million on top of all the other costs that we incurred. We all remember the immortal words of the Auditor-General in 1996 when he said that the Coalition had given away the hospital and our taxpayers were paying for it twice and giving it away even more. A great financial deal for taxpayers in New South Wales; what a fabulous deal!

One would have thought that after the Coalition put in the clauses about how much it was going to cost, it would have included a clause that when the contract expired we would get the hospital back. But, no, it forgot about that. At the expiry of the contract in 2014 what would the taxpayers of New South Wales, particularly the community of Port Macquarie, have got, after having paid \$144 million, and \$47 per annum to the expiry of the contract and having given away the land? One would have thought the Coalition would have inserted a clause in the contract that would have meant we would have got something back at the expiry of the contract—a building, a bed, a brick, an X-ray machine. But, no, under the old contract, after having paid out \$144 million and \$47 million per year and having given away the land, guess what the local community of Port Macquarie would have got in 2014? It would have got nothing—not a bed, ward or x-ray machine, not even a bedpan. That is nothing, zilch.

That is why when Mayne Health indicated it wanted to divest itself of its health assets the Carr Labor Government, as part of its strong and detailed plans to improve health services for the people of Port Macquarie, took the opportunity to try to renegotiate an agreement for the provision of health services in Port Macquarie. At the end of last year I was pleased to announce that an agreement had been reached to buy back the right to operate the hospital. Just before Christmas the local community in Port Macquarie had a significant win when the Government was able to conclude a deal to buy back the right to operate the hospital. At the time I flagged that the Government would continue negotiations in January and into February to try to conclude a deal to buy back the building and the land. On 7 February I was pleased to announce that we were successful in reaching agreement with the parties and the Government was able to buy back the building and the land.

The Port Macquarie Base Hospital comes into the New South Wales public hospital system and the community of Port Macquarie regains its hospital. It has the right to operate and own the hospital and the right to own the land. The first benefit from concluding that deal is a certainty to develop radiotherapy services for the people of Port Macquarie. Up until the conclusion of the deal there had been uncertainty about where the radiotherapy centre would be located. Having been able to buy back the building and the land we now have certainty of a site for \$32 million and for the project to proceed, and we are getting on with the job. The other benefit for the community of Port Macquarie will be that, having control of the land and the building, we will be able to move very quickly to improve mental health services for the community of Port Macquarie.

I announce that we have approved an additional \$40,000 for the North Coast Area Health Service to commence a master plan for the future redevelopment of Port Macquarie. Port Macquarie hospital is located in an area of significant population growth and the future health needs of Port Macquarie and the mid North Coast need to be carefully planned. The \$40,000 will enable master planning to look at the future health needs of the people of Port Macquarie for the next one and a half decades.

Mr SPEAKER: Order! I call the honourable member for Bathurst to order. The Leader of The Nationals will come to order.

Mr MORRIS IEMMA: The master planning will not only look at the next one and a half decades but concentrate on infrastructure needs.

Mr Gerard Martin: They're embarrassed.

Mr MORRIS IEMMA: Oh, yes, they are embarrassed. The master plan will focus on the health needs and health infrastructure needs over the next one and a half decades. It will focus on the needs of emergency medicine and mental health services in Port Macquarie. I am also pleased to inform the House that the master planning process will involve the medical staff council and clinicians at Port Macquarie hospital, keeping them informed and involved in the process of mapping the future redevelopment of Port Macquarie as far as the infrastructure as well as the service development for Port Macquarie. I look forward to updating the House on the progress of developments at Port Macquarie. I also inform the House that I am still waiting for a comment from the Leader of The Nationals or, indeed, The Nationals on an \$80-million deal to bring back Port Macquarie hospital into public ownership operation. One would have thought that The Nationals would have had something to say about that landmark agreement which sees Port Macquarie hospital come back into public ownership and operation. It has been going since December and this is what The Nationals have had to say—nothing. At a future time I will look forward to some support from the Leader of The Nationals on ongoing investment in the development of health services at Port Macquarie.

HAWKESBURY HOSPITAL ORTHOPAEDIC PROCEDURES

Mr BARRY O'FARRELL: My question is directed to the Minister for Health.

Mr Bob Carr: Single-breasted!

Mr BARRY O'FARRELL: Whatever turns you on, Bob, whatever turns you on. What does the Minister for Health say to war veteran Bill Goodman of Warragamba, whose 15 month wait for knee replacement surgery continues because his 17 March operation at Hawkesbury Hospital has been cancelled as the surgeon has been told there is no available funding for joint replacement operations until the end of the financial year?

Mr MORRIS IEMMA: I am pleased to inform the House of information in relation to this matter. I am advised by Hawkesbury District Health Service that Mr Goodman's doctor, Dr Sorial, who practices at Hawkesbury and Nepean hospitals has received additional funding in the past two years. This has allowed the doctor to perform 18 additional joint replacements at Hawkesbury Hospital since the 2002-03 financial year. That represents a 45 per cent increase in funding for orthopaedic procedures during this period. This year Dr Sorial has been allocated 20 joint replacement operations at Hawkesbury Hospital. The area health service has been allocated an additional \$3.6 million for additional elective surgery in this financial year. I am further advised that, as a result of these additional resources, Dr Sorial will receive—

Mr Barry O'Farrell: Point of order: When can Mr Goodman expect his operation?

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

Mr MORRIS IEMMA: I am getting to that. I am further advised that, as a result of the additional measures taken, Dr Sorial will receive waiting list enhancement funding that will enable him to perform additional lists at Mount Druitt hospital. These lists will be reserved for patients who have been waiting more than 12 months. I understand that Mr Goodman falls into that category. We recognise that patients who have been waiting more than 12 months are the priority, and they are the ones who have been targeted in the additional funding. Dr Sorial, I am advised, will be able to treat additional long-wait patients at Mount Druitt hospital as a result of his being allocated additional theatre time.

I can also provide the House with additional information in relation to matters regarding peritoneotomy at St George Hospital yesterday. I can update the House in relation to that waiting list matter. The number of peritoneotomy procedures performed by Professor Morris at St George Hospital has increased from 10 in 2002, to 21 in 2004—more than double in two years. As of 24 February, there were five patients on the waiting list for peritoneotomies; and, for this service at St George Hospital, Professor Morris is allocated an operating theatre all day on Tuesdays. These operations can take up to 20 hours. He is also allocated a half day on Wednesdays and Thursdays each week for a liver resection on each day.

[*Interruption*]

Yesterday the honourable member asked about two patients. I can give him that information. I am advised that the two patients referred to widely yesterday as having passed away while waiting for surgery are

as follows: the first patient, who was from Perth, was too ill to travel to Sydney for treatment; the second patient was from Canberra.

Mr BARRY O'FARRELL: I ask a supplementary question going to the first part of the question I asked, about Mr Goodman. How does the Minister reconcile what he has just told the House with this advice that Dr Sorial has: that the only additional funding he has got is to take account of the three-year waiting list he has for joint replacements? Mr Goodman has been waiting for 15 months. The funding is only available for those waiting more than three years.

Mr MORRIS IEMMA: I have just read to the House the advice in relation to the measures that have been taken to assist patients, particularly those who have been waiting more than 12 months. The honourable member must not have been listening to the answer.

CATCHMENT MANAGEMENT AUTHORITIES

Mr STEVE WHAN: My question without notice is to the Minister for Infrastructure and Planning, and Minister for Natural Resources. What is the latest information on catchment management authorities and related matters?

[*Interruption*]

Mr CRAIG KNOWLES: We have an interjection, "Tell us about property vegetation plans." I am happy to talk about property vegetation plans. Before I come to the substance of the answer, and as I see I have plenty of time, I would like to put on the record that property vegetation plans are fundamentally a vast improvement on what existed before. Honourable members will recall that 12 months ago in this Chamber all sides of the Parliament supported legislation to fundamentally reform natural resources management in this State.

[*Interruption*]

You voted for it; the record proves it. That has meant in the meantime that an enormous amount of work has been done by organisations like New South Wales Farmers, the Total Environment Centre, and the various science-based groups involved in this, to build up from the legislation the regulations and the software—the property vegetation plan [PVP] developer, as it is known—to put in place a better deal and more certainty for farmers, to link into the work of the catchment management authorities to get money onto the ground. There is no secret; if you pick up the last two or three editions of the *Land* you will see that a couple of people from the New South Wales Farmers Association have been making a song and dance about where we are up to with the PVP regulations.

That I was asked a question by interjection gives me an opportunity to put a couple of things on the record. First of all, it is fair for me to point out that one of the noisier people in the *Land* has been the very person who has worked for the last two years with all those people I mentioned, on behalf of NSW Farmers, to build the model. So I think it is a little bit late, and just a little bit contradictory, to get to a point now, after having built something over the last two years, of suddenly going out to farm groups and telling them that it does not work.

There is no need to hide under a bushel the name of the person I referred to. It is Rob Anderson—a good man, a person who has put a lot of effort and energy into the work we have done over the past two years. But the point that has to be made—and the point that has been made in the *Land* by me over the past couple of weeks—is that we have always said publicly, as I have recorded in second reading speeches here, that the property vegetation planning process will continue to be refined. We conducted more than 100 farm trials over the Christmas period. We have had the regulations on exhibition—they have only been off exhibition for the past week or so. We will spend the coming weeks working with all of those people to continue to refine the process and provide a better deal for the farming community.

Let us consider what would happen if that work were not in place. Do farmers seriously want to go back to the days of needing to conduct the eight-part test under the Threatened Species Conservation Act? The answer to that question is certainly no. I think farmers want the 15 years of certainty that a PVP gives them—far more certainty than they have had historically. Talk to any New South Wales farmers, the banks, and lending groups, and you will know that they appreciate the certainty for investment and the opportunity to farm

sustainably. They also appreciate the fact that the decision-making process about things like water management and native vegetation management are being devolved to the local level. That, of course, is where catchment management authorities come in. At the last election this Government was given a mandate to remove a great deal of the red tape associated with natural resources management.

There are more Country Labor people in this Parliament than there are members of The Nationals. What was it we saw in the *Herald* the other day? What is the difference between The Nationals and a Tarago? A Tarago has more seats than The Nationals have. The mandate we have is to get rid of a lot of the bureaucracy and red tape, get rid of duplication in the bureaucracy, and localise the decision-making process. Let us look at the record 12 months later: 72 statewide committees all abolished and replaced with 13 catchment management authorities—a massive reduction in red tape in its own right. Then 504 staff have gone from the old Department of Land and Water Conservation. That has been without one minute lost in industrial disputation. I place on record my great appreciation to the New South Wales Public Service Association and their leader, John Cahill, in particular.

It has been a difficult time; there have been massive restructurings. To take 500 persons out of an organisation in less than a year, and do so decently, properly and considerately to the employees, has been a challenge, and it is one in which we have succeeded. But, on top of that, another 342 people have been taken out of the old organisation and put into the catchment management authorities.

[Interruption]

You might want to go in to bat for bigger bureaucracy and more red tape, but I do not think your alleged constituency in rural New South Wales would back you. We had a mandate to cut the bureaucracy and to reduce red tape. Seeing 500 jobs gone and repatriating money to put into health and education—frontline services—has been what the last 12 months have been about. Putting 342 people into the catchment management authorities gets professional people out of their offices in Macquarie Street and onto the ground in places like the Gwydir, the Murrumbidgee, the Murray, or the Central West. And they are doing terrific things.

The other day I was talking to Robert Gledhill, a good man, the chairman of the Catchment Management Authority [CMA] and someone known to the honourable member for Lachlan. The board of the CMA has a lot of local decision-making power and is doing terrific work to improve soil management and institute efficient irrigation systems. That is practical and makes commonsense to the farmers in the Central West. With a relatively small expenditure of about \$300,000 we are clearing up about 72,000 hectares of farmland by funding farmers to change from some of their farming practices to minimum tilling techniques.

That may not mean much, but it is a practical, commonsense approach to conservation farming. It is better farm management. It means something to a farmer, particularly in a drought, to get a cheque that will assist him to upgrade and improve his machinery, which, in turn, will enable him to incorporate better farming practices. The CMA is rolling out similar programs throughout the State. It is all about delivering our strong and detailed plans for rural New South Wales, making sure we honour our election commitments, reducing red tape, cutting back on bureaucracy and repatriating large slabs of money straight into local and regional communities to allow them to undertake that work at a local level.

Questions without notice concluded.

CONSIDERATION OF URGENT MOTIONS

Quarantine Laws

Mr PETER BLACK (Murray-Darling) [3.21 p.m.]: Yet another product is being imported into Australia with the concurrence of a lazy Federal Government that has the potential to introduce into Australia a disease that would devastate the New South Wales economy, particularly areas that promote beef, including the Murray-Darling. The matter is urgent because on Christmas Eve 2004 Australia was notified that a cow in Brazil failed an initial test for foot-and-mouth disease, which is one of the most insidious, infectious and devastating diseases that can strike livestock. The matter is urgent because just a few weeks earlier Australia received its first-ever shipment of raw meat from Brazil. The matter is urgent because the shipment included 20 cartons of raw trimmings. The matter is urgent because back in 1999 the Federal Government developed a protocol that would allow Australia to receive imports from disease-free zones of other countries.

The matter is urgent because up until Christmas Eve any imports from the foot-and-mouth disease-free zone of Brazil were processed before they arrived in Australia. Needless to say, the processing destroyed the foot-and-mouth virus. The matter is urgent because 20 cartons of raw meat were allowed into Australia under the same permit as processed meat. The matter is urgent because the Wagga Wagga based processing plant that received two of the 20 cartons checked with the Australian Quarantine and Inspection Service [AQIS] to determine whether the permit was up to scratch for raw imports, and AQIS said yes. The matter is urgent because for years Brazil has been working to eradicate foot-and-mouth disease and from the late 1990s parts of the country were zoned as free from the disease. However, the matter is urgent because other parts of Brazil and its neighbouring countries continue to have outbreaks of foot-and-mouth disease.

The matter is urgent because Australia, with our clean and green image, is one of the few countries in the world that is completely free of foot-and-mouth disease. The matter is urgent because we want to remain free of foot-and-mouth disease. We have not had a case of the disease since the 1800s. The matter is urgent because the slack decision of the Federal Government to allow uncooked Brazilian meat into this country could have changed our disease-free status. The matter is urgent because if these so-called zones are not going to work, the Federal Government must act accordingly.

The matter is urgent because the Brazilian debacle is the latest in a long string of bad decisions by the Federal Government, supported by people like the Federal member for Parkes, John Cobb. The matter is urgent because we must re-establish and maintain a rigorous quarantine system to protect our primary industries from the threat of exotic disease. The matter is urgent because time and time again the Federal Government has shown that it is simply not up to the task. The matter is urgent because, of the 20 cartons that arrived in Australia, 18 were stored in Victoria and two went to Wagga Wagga. The matter is urgent because in January, before we came back to this place, the media reported that the two cartons that went to Wagga Wagga wound up on the Wagga Wagga tip.

The matter is urgent because media reports have described the shipment of Brazilian beef as a trial shipment, perhaps to assess the possibility of using cheaper imported meat for processing. The matter is urgent because the meat has come into Australia when Australia is exporting record tonnages of beef. It is urgent because we must protect that record export tonnage of beef for all electorates in New South Wales that have feedlots, such as Orange and Murray-Darling. We must protect Australia from foot-and-mouth disease as an absolute priority. We must accept no further beef imports from Brazil that come from other than its declared foot-and-mouth disease-free zone.

Carr Government Corruption Allegations

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [3.26 p.m.]: My motion is urgent because the time has come for this House to debate the level of corruption within the Carr Labor Government. At the moment the problem with the Labor Party is that we have to find a week for Parliament to sit so that the Independent Commission Against Corruption [ICAC] can hold its hearings on the alternate week. So many members of the Carr Labor Government are currently giving evidence before the ICAC that they have to seek leave to do so. Prior to his appointment to the front bench, the Minister for Housing spent more time at the ICAC last year in conjunction with matters relating to Orange Grove than he did in this House. The matter is urgent because the House is learning more about the activities of a number of its members on the Labor side, particularly the honourable member for Strathfield. I am pleased to see that she is in the Chamber.

Mr Steve Whan: Point of order: The member should be demonstrating urgency and not casting aspersions on the honourable member for Strathfield, whom no-one in this place or outside in any other forum has questioned. I suggest that he is casting aspersions on people with no foundation at all and that he should get back to justifying urgency.

Mr SPEAKER: Order! I will hear further from the Leader of the Opposition.

Mr JOHN BROGDEN: The matter is urgent because the House became aware only recently that John Abi-Saab, the former Labor Mayor of Strathfield and a very close friend of Eddie Obeid, the former Minister for Fisheries—

Mr Alan Ashton: Point of order. The point of this debate is to decide whether the matter raised by the honourable member for Murray-Darling—

Mr SPEAKER: Order! I had indicated—

Mr Alan Ashton: These matters are before the ICAC.

Mr SPEAKER: Order!

Mr Alan Ashton: —and as they are before the ICAC they should be closed down.

Mr SPEAKER: Order! I had indicated to the Leader of the Opposition that I would hear him further before ruling on the matter.

Mr JOHN BROGDEN: The matter is urgent because a man who was given a \$250,000 loan by Eddie Obeid, John Abi-Saab, a close friend of the honourable member for Strathfield, has revealed in the ICAC that he paid \$15,000 in cash to a corrupt developer to blackmail the former Mayor of Strathfield, Alfred Tsang.

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

[Interruption]

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

Mr JOHN BROGDEN: Earlier today the honourable member for Bathurst interjected and called one of the Coalition members a clown. We know that the honourable member for Bathurst shaved his moustache because he looked like a clown when he had one.

Mr SPEAKER: Order! The Leader of the Opposition will address his remarks to the motion. The honourable member for East Hills will come to order.

Mr JOHN BROGDEN: The reason my motion is urgent is that the man who made a \$15,000 payment to a corrupt developer to blackmail Alfred Tsang is a very good friend of the honourable member for Strathfield. Indeed, they shared in the receipt of a \$5,000 donation from Mr Hassan Harb, who is known as Sam the Paving Man. Sam the Paving Man received over \$170,000 in contracts from Strathfield Municipal Council, of which the honourable member for Strathfield is a former mayor, without a public tender. But the good news is that, in good old Labor Party fashion, the honourable member for Strathfield received a \$5,000 donation prior to Sam the Paving Man receiving the contract. The way it works is that, in return for a \$5,000 donation to the honourable member for Strathfield, she and John Abi-Saab ensured that Sam the Paving Man received a contract worth \$170,000.

Mr Alan Ashton: Point of order: When I took a point of order earlier you said you would hear the Leader of the Opposition further. I ask you again to consider whether unchallenged, untested and unfinished matters before the Independent Commission Against Corruption are appropriate in this debate.

Mr SPEAKER: Order! The matter is in the public domain; it has been raised in the media on a number of occasions. The standing orders of this House do not preclude the Leader of the Opposition from making passing reference to it in his speech to show why his motion should have priority.

Mr JOHN BROGDEN: The matter is urgent because the honourable member for Strathfield Virginia Judge, has to tell the people of New South Wales whether she is a crook because she took \$5,000 cash from Sam the Paving Man and then used her influence to give him a contract worth \$170,000. *[Time expired.]*

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

The House divided.

Ayes, 58

Ms Allan	Mr Greene	Mrs Paluzzano
Ms Andrews	Ms Hay	Mr Pearce
Mr Barr	Mr Hickey	Mrs Perry
Mr Bartlett	Mr Hunter	Mr Price
Ms Beamer	Mr Iemma	Dr Refshauge
Mr Black	Ms Judge	Ms Saliba
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 Megarriety	Mr Watkins
Ms D'Amore	Mr Mills	Mr West
Mr Debus	Ms Moore	Mr Whan
Mr Draper	Mr Morris	Mr Yeadon
Mrs Fardell	Mr Newell	
Ms Gadiel	Ms Nori	<i>Tellers,</i>
Mr Gaudry	Mr Oakeshott	Mr Ashton
Mr Gibson	Mr Orkopoulos	Mr Martin

Noes, 28

Mr Aplin	Mr Humpherson	Mr Slack-Smith
Ms Berejiklian	Mr Kerr	Mr Souris
Mr Brogden	Mr Merton	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	
Mr Hartcher	Mr Richardson	<i>Tellers,</i>
Mr Hazzard	Mr Roberts	Mr George
Mrs Hopwood	Mrs Skinner	Mr Maguire

Pair

Mr Amery

Mrs Hancock

Question resolved in the affirmative.**QUARANTINE LAWS****Urgent Motion****Mr PETER BLACK** (Murray-Darling) [3.37 p.m.]: I move:

That this House:

- (1) expresses its full support for a rigorous quarantine system to adequately protect our primary industries from the threat of exotic disease such as foot and mouth disease; and
- (2) notes the recent importation of beef products from Brazil, a nation known to have previous cases of foot and mouth disease.

I thank the six Independent members of this Chamber for their support on this motion. A number of vectors are capable of spreading foot-and-mouth disease. The disease can be spread by pigs, cattle, sheep, goats, deer, camels, buffalo, elephants, hedgehogs and some rodents. I hasten to add that I can find no reference as to whether echidnas, koalas, kangaroos and plain wanderers can spread the disease. The argument is that if foot-and-mouth disease were to be introduced into Australia it would spread widely.

The Federal Government claims that the Brazilian beef came from a foot-and-mouth disease free zone. We have no evidence of that. When the Federal Government's chief veterinary officer rang New South Wales officials on Christmas Eve to say it had a report of a possible foot-and-mouth disease case, neither the Australian Government nor the Brazilian authorities could confirm the animals' actual property of origin. Immediately after getting the Christmas Eve call, New South Wales officials started working with the Wagga Wagga Rural Lands Protection Board and the Wagga Wagga processing plant to track down the two cartons of Brazilian beef. The day after Christmas Day Biosecurity Australia officials visited the Wagga Wagga site and reported that the co-operation from all parties was excellent. I also noted that the systems in place meant that the team could demonstrate exactly where and when the Brazilian product was stored and tested.

Biosecurity Australia has now revoked the permit that allowed the importation of raw beef from Brazil. In March it is expected to hold a review of the foot-and-mouth disease free zoning system in Brazil, as well as an audit of the meat inspection scheme. Why was that not done before? The answer is, of course, because of Federal Government incompetence. The Brazilian beef debacle highlights the grave danger posed to our producers, our communities and our country when the Federal Government puts trade and economic issues ahead of biosecurity.

During this sorry saga the New South Wales Nationals had nothing to say. The week before last seven of the New South Wales Nationals patrolled up and down western New South Wales—an area that potentially has the most to lose if foot-and-mouth-disease were introduced into Australia. I will tell the House about the stages of their journey. Seven of them travelled for five days throughout my electorate. That is not a bad complement. When they arrived in Broken Hill I had gone for the day down to Deniliquin—but that is another issue. I do not want to embarrass, as yet, the honourable member for Murrumbidgee as to why I did so. That will come later.

An article in that great newspaper the *Barrier Daily Truth*—which is where I get my information from—states: "The New South Wales Nationals parliamentary team were in town yesterday." Not a word said about Brazilian beef. The team consisted of the honourable member for Barwon, the honourable member for Ballina, the honourable member for Vacluse, the Hon. Melinda Pavey, the Leader of The Nationals, the Hon. Duncan Gay and the Hon. Rick Colless. What was the honourable member for Vacluse doing there? The honourable member for Vacluse went to Broken Hill as part of The Nationals deputation. That is a worry! He is scared that his corgis are turning into sheep dogs. Have a look at the names above the podium in this Chamber. There is W. C. Wentworth, the original, and he would never, ever have tried to turn Vacluse into a National Party hamlet. Never, ever! I have it on good authority he had only five fingers.

The most recent W. C. Wentworth was arguably one of the best Federal Ministers for Aboriginal Affairs that ever came to western New South Wales. But he had no interest in visiting as part of a National Party deputation or parliamentary team. I also note the deafening silence from the Liberals on the subject of Brazilian beef. It was reported in the *Hills News*, another great paper I refer to, that they recently had a blue in The Hills. The article, which has a photograph of the honourable member for Hawkesbury, quotes a Liberal Party member as saying:

I never thought the bully-boy tactics used in working-class Bankstown would ever surface in The Hills.

It was branch stacking of the worst kind. No wonder the honourable member for Vacluse went to Broken Hill. He probably wanted some peace and quiet. The Nationals set off on their tour de force and spent their first night in Bourke. They went to the Royal Hotel, and the Hon. Duncan Gay went to a few more hotels. I have not had a drink in them, but he has. As I said, they stayed in Bourke on the Monday night. I went to Bourke the following Monday with my many supporters, having gained a 3.6 per cent swing in the last election. Bourke is a wonderful place. I asked, "How did they go?" The answer I got was used by the Minister this afternoon during question time. The seven Nationals travelled to Bourke in a Tarago. The Tarago had more seats than The Nationals!

After they visited Bourke they went to Wanaaring. It being a cattle district, I thought they would talk about Brazilian beef. Again, nothing was heard about Brazilian beef. What did we hear about? We heard that the 200 kilometres of road from Wanaaring to Bourke should be sealed. But not a word about Brazilian beef. Then they went to Tibooburra, a lovely place, which I won at the last election. What did they do there? Nothing, because the following day they came down in the bus towards Broken Hill. They had breakfast with good friends of mine, Peter and Mary Bevan, and they went down to the ABC office at 3 o'clock in the afternoon. There was no-one there. They did not realise that because their own Federal colleagues had cut the budget of the

ABC there was no afternoon program in Broken Hill. There was the Leader of the Nationals knocking on the door saying, "Where are you? We are here to talk to the ABC", and it was locked up as tight as a drum. Again, no reference whatsoever to Brazilian beef.

After they left Broken Hill they went to Wilcannia. Another famous paper I refer to is the *Cobar Age*. Here they are again in a photograph, seven of them. By this stage the honourable member for Murrumbidgee has joined them. I will deal with the reason later as to why he came up to Broken Hill. He had hosted a meeting on the Wednesday at Deniliquin RSL, when the rest of them were in Broken Hill, for the excellent, great and last National Party tactician, the honourable member for Coffs Harbour.

The honourable member for Coffs Harbour and the honourable member for Murrumbidgee fronted up at Deniliquin RSL and said they had a big challenge. They extended an invitation to people in the district to attend a meeting and only 22 turned up. Only 22 people turned up to a big Nationals meeting in Cobar! I refer members to an article in the *Cobar Age* that contains a photograph of me giving flowers to a 106-year-old lady. The Nationals meeting, which was reported on the same page of that newspaper, has only a tiny photograph of members of The Nationals. That is what happened to members of The Nationals in Cobar, but it gets worse.

While all this was going on in Cobar the honourable member for Murrumbidgee was hosting a visit in Barham in the Murray-Darling electorate. However, there was a problem. There were all these big black and white cows but not a mention was made of Brazilian beef. The honourable member for Murrumbidgee and the honourable member for Coffs Harbour, that great tactician, were reported in another newspaper article headed, "Fraser calls on Government to Support Red Gum Industry". At least they were supporting the Government in relation to that matter.

On Wednesday I travelled to Deniliquin with a great Minister, the Hon. Reba Meagher, who was interviewed by the local radio station. It was great stuff. Opposition members do not care about Brazilian beef. They are too embarrassed to open their mouths and say anything about any issue. On that day the honourable member for Murrumbidgee did not say that 75 SunRice workers were sacked because the Federal Government would not provide financial support. I will continue my remarks later. My contribution will only get better. [Time expired.]

Mr ANDREW PICCOLI (Murrumbidgee) [3.47 p.m.]: I support the beef industry in Australia, the Federal Government and the work of the Australian Quarantine and Inspection Service [AQIS], which continues to protect Australia from exotic diseases such as foot-and-mouth disease. At present Australia is free of foot-and-mouth disease. We have seen what foot-and-mouth outbreaks have done to Britain and its beef industry. I understand that Brazilian beef has been imported under strict conditions and controls and that those conditions have always been met. However, it is always a matter of concern that imported beef could carry foot-and-mouth disease.

Opposition members do not oppose this urgency motion. We all support the beef industry. After tough times it is not doing too badly at the moment. We want those good times to continue. The work of the Federal Government and AQIS will ensure that the beef industry continues to grow. I draw the attention of honourable members to some other issues. Foot-and-mouth disease is an important issue. For those who may have forgotten, the New South Wales Government has a responsibility to support the beef industry and the broader agricultural industry. We also have to debate quarantine issues and ensure that no foot-and-mouth outbreak occurs in Australia and New South Wales.

The Department of Primary Industries [DPI] is the department that would deal with any such outbreak. The Labor Party, of which the honourable member for Murray-Darling is a member, cut that department's funding by \$36 million. That is the very department that would be at the forefront of any action to control a foot-and-mouth disease outbreak. This Government cut \$36 million from the budget of that department. In 2004-05 there will be a \$56 million cut to the budget of that department and the year after that it will receive a \$58 million cut. A few hundred jobs in the Department of Primary Industries will be lost. If Government members are so concerned about foot-and-mouth disease they should address issues that they are able to address in their caucus room. They have an opportunity to stand up to the Premier and the Treasurer and to say, "We do not support cuts to the Department of Primary Industries".

If there were an outbreak of foot-and-mouth disease, for whatever reason, it is likely to come from a country where approval has not been given. Some animal might be brought over in a suitcase from another country. We should not have to worry about meat that is brought into this country under permit, but there could

be a foot-and-mouth disease outbreak in Australia. The honourable member for Murray-Darling, the honourable member for Bathurst and the honourable member for Monaro, who represent country areas where beef production is important, support a \$36 million cut to the Department of Primary Industries, and a \$58 million cut next year. If they are fair dinkum about this issue they should debate issues such as the budgetary cuts to the DPI and the impact that that would have on any outbreak of foot-and-mouth disease.

If this Government continues to cut the budget of the DPI, one day we will have a foot-and-mouth disease outbreak and Government members will be the first to say, "Let us go to the DPI. Let us put together a management control plan." They will open the door to the DPI and no-one will be there because that department would have been gutted by this Government. When those cuts were announced we did not hear a word from Government members.

Mr Daryl Maguire: What about vet lab?

Mr ADRIAN PICCOLI: As the honourable member for Wagga Wagga said, there were also cuts to the budget of vet lab. This Government has cut the budget of every agency that could do anything about a foot-and-mouth disease outbreak in New South Wales. This Government has done that and remained silent about it. What has this Government done for country New South Wales? It mismanaged the locust plague in New South Wales and, as a result, we had a near disaster this spring. Farmers had to spend their own money on locust control. This Government now intends to levy them to pay for locust control. That is how much this Government cares about agriculture. Any money that is required to support agriculture does not come out of consolidated revenue; the Government reaches into the pockets of New South Wales farmers.

The approach of this Government is to impose another levy on farmers to pay for locust control. This Government has slashed and burned its way through the agricultural areas of New South Wales. Those members who represent country electorates referred today to the responsibilities of the Federal Government when this Government has its own responsibilities. It has failed to represent agriculture in New South Wales. Government members are keen to suck up to the Premier and say, "Yes, Mr Premier, whatever you say." They then go to their electorates and say, "I am a really tough guy. I go into caucus and argue for this and that", but they are nothing more than a pack of wimps. We hear about the occasional outburst from a backbencher in caucus meetings, but there have been no outbursts by the honourable member for Murray-Darling, the honourable member for Monaro or the honourable member for Bathurst.

I think the honourable member for Strathfield spoke out about the clubs tax and the honourable member for Blacktown has spoken out about lots of issues. But we never hear about any of those opposite complaining to the Premier. They are scared of the Premier and of the Minister for Primary Industries and they do not want to upset anybody. They creep in to caucus like meek mice and say, "Yes, sir, give it to me even harder because I love it. As long as I can say, 'I did this and that' in my electorate, they will believe me".

But delivery is what matters in country New South Wales and people have certainly got the message about what the Labor Party stands for. On 10 February the *Newcastle Herald* carried a story headlined "Dire Straits", which reported internal Australian Labor Party polling as suggesting that Labor members of Parliament from the Hunter were in danger of losing their seats and the New South Wales Government was in danger of losing power at the next election. Labor members can see the writing on the wall. On 20 January the *Land* newspaper stated:

The only way to end the long-running farce over the "protection" of native vegetation in NSW is to get rid of the Carr Government.

On 22 July 2004 the *Land* stated:

If there was a mercy rule in politics, Mr Carr's Government would be pulled from the field. Do Australians really want a coastal country with most of the inland populated by a few diehards surrounded by decay?

This is the Government of which those opposite are members, and every day they remain silent about cuts to the Department of Primary Industries budget, funding cuts for locust control and ramping up the cost of enclosure permits while the people of New South Wales suffer. Labor members will suffer also at the next election in two years. [*Time expired.*]

Mr GERARD MARTIN (Bathurst) [3.57 p.m.]: I support wholeheartedly the timely and urgent motion of the honourable member for Murray-Darling. The motion is about foot-and-mouth disease but the

honourable member for Murrumbidgee suffers from foot-in-mouth disease. I do not know where the Leader of The Nationals and the Opposition members of substance are. They always send in the little clown—we saw the big clown during question time—to debate motions for urgent consideration.

Beef imports are potentially exposing our local industries to foot-and-mouth disease, as the honourable member for Murray-Darling said. It is another example of how the Australian Quarantine and Inspection Service [AQIS] has begun to lose the plot recently as a result of the Federal Government's funding squeeze. Brazilian beef imports could be a disaster, but if we trawl through the past few years we will find that the apple and banana industries were in uproar last year when the Federal Government moved to weaken vital quarantine restrictions. Some 7,200 jobs in New South Wales depend on the banana industry and 5,700 depend on the apple industry. Yet the Federal Government is prepared to put those jobs at risk. These industries are the backbone of communities across rural and regional New South Wales and, while I cannot claim to have any banana growers in my electorate, there are plenty of apples in Bathurst.

This is why the State Government fought tooth and nail alongside those industries in an effort to ensure that they are not undermined by exotic disease. The honourable member for Murrumbidgee—one of the Tarago terrors—went on about what the Labor Government is supposedly doing in New South Wales. He asked whether the Department of Primary Industries would be prepared to combat an exotic disease outbreak. I can assure him that the department has in place an excellent management program designed to combat any such threat. That was proved by the department's response to the locust plague. I do not have time to dispel all the fallacies and misrepresentations raised by the Opposition, but the honourable member for Murrumbidgee has a reputation, even among his own people, for not doing his homework. He displayed that failure adequately this afternoon, unlike the honourable member for Murray-Darling, who gave an exact and far-ranging exposé of the issue and displayed his deep understanding of it.

The apple industry is important in my area and to cities and towns such as Forbes, Tumut and Orange—I am sure that the honourable member for Orange would agree with me. The industry injects about \$160 million into the State's economy. Yet those opposite support the Federal Government's winding down and attempted deregulation of AQIS—there is no doubt it would hive off AQIS tomorrow if it could. The Nationals are losing importance in the Federal Coalition so someone else must stand up. Country Labor members are the only ones running down and exposing the activities in Canberra. Remember how the geniuses opposite were going to win back the seat of Dubbo for The Nationals last October? They dispatched the honourable member for Coffs Harbour—who deserted his constituents for a week when he should have been representing them in this place—to act as their chief tactician in Dubbo. What happened? The Independent candidate was elected with a 5 per cent swing. The same thing happens in my electorate every time Duncan Gay and his friends come rolling into Bathurst, with all their vitriol. I think, "Thank God, here they are again".

Some people might be upset with the Labor Government because we must sometimes take hard decisions. But when they look at the alternative, they say, "God help us." But that is not why we will be elected again in two years; we will be re-elected on good policies. We will be viewed as the representatives of country areas who will expose issues such as dangerous imports. At the first opportunity we have raised the foot-and-mouth disease issue. As the honourable member for Murray-Darling said, Coalition members trawled around the bush in his electorate a couple of weeks ago and never mentioned the matter once. I do not know what they get up to—perhaps they go to cocktail parties. I will tell the House what a big drawcard members of The Nationals are. When John Anderson, Deputy Prime Minister and Federal Leader of The Nationals, came to Bathurst during the last Federal election campaign they organised a fundraising breakfast. Guess how many people turned up?

Mr Peter Black: Twenty-two.

Mr GERARD MARTIN: Exactly—only 22. Three Taragos full of people must follow them around. According to the *Western Advocate*, they are all the people John Anderson could pull in Bathurst. There should be no doubt that The Nationals are becoming extinct. It is not foot-and-mouth disease but foot-in-mouth disease that will put them out of business. The Nationals are on their way out. I commend the motion to the House.

Mr DARYL MAGUIRE (Wagga Wagga) [4.02 p.m.]: I welcome this opportunity to contribute to this debate as Wagga Wagga featured heavily in news articles about the importation of beef from Brazil. I must emphasise from the outset that Heinz Watties Wagga Wagga is a good corporate citizen. It employs 160 citizens of our city and makes an enormous contribution as an employer. I am very proud of the organisation. The director of the company has made several statements, which I shall repeat. He said that the next time the

company looks at importing any food it will certainly ask more questions about quarantine regulations and quiz the officials involved. It is acknowledged that Heinz Watties followed all procedures and complied with all regulations as set out by the Australian Quarantine and Inspection Service. The company was guided by experts. It said that it had imported cooked meat into the country for 12 months but that only a small quantity of uncooked meat—about 50 kilograms—was imported. The company stated:

The decision to import the beef was based on the factory's need to source top quality beef at competitive prices.

I believe the pressures of competition, such as higher payroll tax and other charges that business must pay in New South Wales, drove the company to explore all sourcing options. Foot-and-mouth disease [FMD] is a virus that affects cloven-footed animals—that is, cattle, buffalo, camels, sheep, goats, deer, pigs, elephants, hedgehogs and some rodents. Foot-and-mouth disease does not pose any human health risk. It is not transmitted in meat and should not be confused with human hand, foot and mouth disease. Australia has been free from foot-and-mouth disease since 1872. The small consignment of beef from Brazil was granted an import permit by the Australian Quarantine and Inspection Service in accordance with an import policy put in place in the 1980s and revised in early 1999. The review involved industry consultation, and import arrangements were supported by the industry at that time. The Cattle Council first wrote expressing concerns about the import protocol after the first imported product arrived in Australia.

The 20 cartons of beef imported into Australia were sourced from the European Union and a United States of America accredited abattoir in Brazil with bar code traceability; they arrived in Australia on 29 November 2004. Subsequently, on 24 December, advice was received of a suspected case of FMD on a property more than 700 kilometres from an abattoir in an FMD-free state of Brazil. On 7 January 2005, Australia was advised the report was a false alarm. None of the meat exported to Australia came from the area where the suspected case was reported. As a precaution, on 24 December 2004 Australia suspended all imports of uncorked meat from Brazil and announced a review of the import policy.

Within 48 hours of the false alarm, all 20 cartons of the imported Brazilian beef had been traced and accounted for. Precautionary measures that were put in place at a Wagga Wagga processing plant where the two cartons had been opened and assessed for commercial suitability. Those two cartons had been disposed of at the municipal waste management facility on 22 December, where they had been buried under compacted soil in line with the regulations for industrial waste required by the New South Wales Government. That meat should have been disposed of by incineration. The only way to dispose of suspect imported products is by incineration.

As a consequence, representatives of Biosecurity Australia, the Australian Quarantine and Inspection Service and the Product Integrity Animal and Plant Health Division of the department, as well as an FMD specialist and the State Chief Veterinary Officer are scheduled to travel to Brazil in late March or April to assess the effectiveness of the zone arrangements, as well as food safety systems in place in Brazil. The visit is a key element of the review announced on 24 December of Australia's beef imports protocol. The Cattle Council has written and advised that it is supportive of the action that has been taken. No further imports of uncorked meat will be permitted until the review is complete. That is the correct procedure to follow because the cattle industry that my region relies on needs that kind of protection. These measures are adequate at this time. *[Time expired.]*

[Debate interrupted.]

SPECIAL ADJOURNMENT

Motion by Ms Reba Meagher agreed to:

That the House at its rising this day do adjourn until Tuesday 1 March 2005 at 2.15 p.m.

QUARANTINE LAWS

[Debate resumed.]

Mr STEVE WHAN (Monaro) [4.09 p.m.]: The contribution of the honourable member for Wagga Wagga made me wonder yet again why the honourable member for Murrumbidgee leads in this sort of debate in this place for the Coalition when other members know something about the topic. The comments of the honourable member for Wagga Wagga about Heinz Watties were a good start. He said the officials were quizzed but, of course, our argument is with the Commonwealth officials. The Commonwealth Government simply does not have a good record on controlling imports and trying to protect Australian farmers from the

effects of imported diseases on their livestock and produce. Let us look at the sorts of threats that it has made to primary industries in Australia.

The Commonwealth Government took ages to act on the supertrawler the *Veronica*. It failed to protect the pork industry properly and there have been constant threats to bring uncooked chicken meat into Australia, which would threaten that industry. Citrus and other fruits have also been under threat from the actions of the Commonwealth Government, which has a poor record. The reason why we have such a poor record is because The Nationals have stopped representing rural New South Wales. Only Country Labor now does that job, and it is doing the job well because of the sad demise of The Nationals.

The honourable member for Murray-Darling talked about the Tarago touring New South Wales. Recently the Tarago rocked up to the Bungendore show. On board were the Leader of The Nationals and the aspiring Leader of The Nationals, the chief tactician from Coffs Harbour. They showed us their prowess at the country show. The great competition at the Bungendore show is the star picket competition, in which contestants drive in a star picket and then pull it out. This year I did not participate because I was the reigning champion from last year. But the team for The Nationals was the honourable member for Coffs Harbour, who drove in the star picket with, I will admit, a great deal of skill. But the Leader of The Nationals was completely stumped as to what he was going to pull out. He stood there for some time with the star picket remover, which he tried to adjust here and there until the other team had completely finished and left the field of competition. Eventually, in utter frustration, the honourable member for Coffs Harbour helped the Leader of The Nationals to remove the star picket from the ground. It is a funny story, but it shows that the heart of The Nationals has gone from rural New South Wales.

The North Coast Nationals have lost touch with rural industries, no longer know how to connect with rural New South Wales and are failing to represent it properly. We have seen the recent moves in the frontbench of the Opposition as a result of which the honourable member for Lachlan has been moved to the backbench. One can only assume that he was disturbing the natural balance of the Opposition frontbench: mediocrity. Clearly, their best performer has now gone to the backbench and we are left with people such as the honourable member for Murrumbidgee. He gave an awful performance today and once again failed to deliver in relation to the threats to Australian primary producers from the Federal Government's poor record in regulating imports and in checking properly for diseases and pests that might come into Australia.

This is a serious threat to Australian agriculture and my message to the Federal Government is to be careful because it cannot afford to let diseases such as foot and mouth disease to come to Australia. The honourable member for Wagga Wagga was informative about Heinz Watties in Wagga Wagga. Country Labor is certainly not attacking Heinz Watties; we are simply attacking the Federal Government's failure to provide proper information. My only message to Heinz Watties is that in the future they should buy Australian beef because it is the best beef in the world. We do not want Australian agriculture put at risk, and that is why the passage of this motion is so important.

Mr PETER BLACK (Murray-Darling) [4.14 p.m.], in reply: I thank honourable members representing the electorates of Murrumbidgee, Bathurst, Wagga Wagga and Monaro for taking part in this debate. This issue reflects badly on The Nationals in New South Wales. In simple terms that is one reason why Cabinet is meeting on 11 April in Deniliquin in the Murrumbidgee electorate, which will be incorporated into the electorate of Murray-Darling. The Nationals have walked away and ignored the issue.

Pursuant to sessional orders debate interrupted and motion lapsed.

PRIVATE MEMBERS' STATEMENTS

TRIBUTE TO DR RAY CLEARY, OAM

Mr MATT BROWN (Kiama) [4.17 p.m.]: I pay tribute to Dr Ray Cleary, OAM, who, sadly, passed away earlier this week after having fought a long battle with bowel cancer. Ray Cleary was affectionately known to many people in the Illawarra on the South Coast as a tireless community worker; he was much loved and respected by the community. Ray's passion was rugby union, and it is fitting that next Saturday the Kiama Sevens will play at the Kiama showground. Ray Cleary set up the Kiama Sevens many years ago, and they have always provided a great football event in Kiama. Ray Cleary received his Order of Australia for his efforts in education, and I will pay tribute to some of them.

Ray was President of the Shoalhaven Teachers Federation from 1974-1983. During that time he introduced many programs, such as the campaign for a third high school. He organised special primary classes for hearing-impaired children, who were his special interest. He was concerned about the safety of children going to school and fitted buses with signs at the front and rear to warn motorists that children were on board.

He was a driving force in raising local public education issues. As I grew up in the area I realised that he was a driving force for the establishment of Graham Park, an arm of the University of Wollongong, set up at Berry. Initially, it was an artificial insemination laboratory, but when it fell into disuse he saw that as an opportunity to obviate Shoalhaven residents having to travel all the way to Wollongong to be educated, and he got it set up as another campus of the University of Wollongong. He did not stop there. This was an old building, but he wanted a new building to be constructed, and lobbied hard to have a brand new Shoalhaven campus established in West Nowra.

Ray Cleary worked with people at all levels of government and from all sides of politics in the pursuit of his many great interests, particularly in education. He was a teacher of manual arts at the Bomaderry High School and always maintained an interest in further education. He not only sat on adult education boards, which he did from 1983 to 1991, but also pursued his own further education, receiving his master's degree in 1988 and completing his doctorate in 1998. He received the vice-chancellor's award for service to the University of Wollongong.

As I have already mentioned, Ray was a man of many interests and many talents. He regarded sport as a great way in which to promote the wellbeing of the community, and he had a particular interest in rugby union as well as basketball and junior cricket. For a number of years he coached a Kiama rugby union team, which won consecutive premierships under his coaching. Ray had greats such as Wallabys Brian Weir and Geoff Shaw playing in his side, helping the Kiama side to remain virtually undefeated. He was a great inspiration to many. I would like to extend my sympathies to his family: his wife, Zita; his daughter Belinda and her husband, Gary, and their children, Alexander and Nicholas; his other daughter, Christine, her husband, Andrew, and their children, Melanie, Katie and Scarlet; and his son, Andrew, and his wife, Kate, and their daughter, Ashleigh. Ray Cleary will be sadly missed.

MENTAL HEALTH SERVICES

Mr PETER DEBNAM (Vaucluse) [4.22 p.m.]: Today I speak again about mental health services and a public health crisis in Bondi. I spoke on this issue on 1 November 2000. Sadly, little has changed since then, and I must now revisit the same topic. This morning I sent a letter to the Premier, asking him to take urgent action. I would like to read it into *Hansard*:

Dear Premier,

Further to my previous letters regarding the garbage and public health crisis in Boonara Avenue, Bondi (letters attached), I again visited the property last night and spoke to the owners and neighbours. I regret to say the garbage pile is now as bad as it was in the year 2000 when I sought your urgent intervention.

I wish to stress again that the crisis in Boonara Avenue represents a fundamental failure of Government to address issues of mental and public health and an extraordinary failure to protect community amenity.

While the local Waverley Council and your Government seem content to ignore the crisis, please be assured I will not let this issue rest.

It is a crisis that demands your action in the interests of the local community. Your office must urgently direct the Ministers for Health and Local Government to provide mental health support while the property is cleared by Waverley Council.

I wrote to the Premier on 26 August 2000, highlighting a letter from a resident of that street in Bondi, and I enclosed photographs of the property, which I indicated were self-explanatory and documented the failure of the Government to address the issue. In that letter I stressed that this was an issue for urgent resolution by the Premier's Department—not for the departments of Health or Local Government, because both those departments had failed under the current division of responsibilities. I stressed also that this was a blatant example of ongoing government failure to serve the community.

The difficulty is that residents of this property clearly have a mental health problem, and that particular problem is collecting rubbish. The property ends up basically six to eight feet deep in rubbish, inside and outside the house, and the entire street is condemned to live with this pile of garbage. I think the real problem is that this property is out of sight of Ministers and the heads of departments that run health and local government and the

Premier's Department in New South Wales. Clearly, from their point of view, out of sight is out of mind. But, because we are not funding mental health services properly, and not taking public health seriously, the people of this community are resigned to living alongside this pile of garbage year after year. Unfortunately, this problem has been evident for about 15 years. On 12 September 2000 I wrote to the Premier, saying that I had received a bureaucratic letter from the Minister for Health in response to my 26 August letter, again stressing that the Minister for Health's "business as usual" approach was unacceptable to the local community and demonstrated the paralysis of the Government when confronted by difficult issues. I wrote again to the Premier on 1 November 2000 and said:

Further to my previous letters regarding the situation in Boonara Avenue, Bondi, I enclose a further letter from yet another neighbour. The letter is again self-explanatory and pleads for a proper response.

I wish to stress again that the situation in Boonara Avenue represents a fundamental failure of government to address issues of mental and public health and an extraordinary failure to protect community amenity.

On that same day, 1 November 2000, I made a private member's statement in this House on mental health services. I quote part of that address:

This is a David and Goliath battle—David being the distressed residents of that street in Bondi versus the might and arrogance of the Carr Government ...

This is a case of the entire Government having to take action on this particular problem but being paralysed and unable to do anything to resolve it. I ended that address in this House on 1 November 2000 by saying:

I say to the Premier: Come with me to this street, have a look at the house and talk to the residents. [You] will be as horrified as I was when I stood outside this property and looked at what the residents of this street have had to put up with for almost 10 years.

That was five years ago. I concluded by saying:

It is not good enough for the rest of New South Wales to say it is simply their problem.

This is not their problem. This is a mental health problem and a public health problem for New South Wales. It is fairly typical of problems that are afflicting local communities right across the State. I say again to the Premier: On your way home tonight, Premier, drive past this house and you will see the problem. [*Time expired.*]

MAITLAND FLOOD FIFTIETH ANNIVERSARY

Mr KERRY HICKEY (Cessnock—Minister for Mineral Resources) [4.27 p.m.]: I wish to record in *Hansard* an anniversary of the great Hunter flood. This weekend will see exhibitions in many areas of the Hunter Valley to commemorate and a devastating event that happened 50 years ago. It will be great to have the Minister for Emergency Services present to mark the occasion by opening an exhibition containing photographs, memorabilia, and information from Scone, Muswellbrook and Singleton, and about the 1,250 homes that were lost during the flood of 1955 in Singleton alone.

The community swung into action to clean up after the flood, which devastated many villages and other areas across the Hunter Valley. Members representing electorates in the Hunter could recite many stories about this flood. When the water finally subsided the official toll in the Hunter alone was 14, but others died in other parts of the State. In the Hunter, 58 homes were washed away, 31 of them in Maitland, 103 homes were so badly damaged that they had to be demolished. In all, 5,200 homes were flooded by water—2,180 in Maitland, 1,250 in Singleton, 370 in Muswellbrook—and the region was in a state of national crisis, with a massive clean-up effort being mounted across the whole of the area.

As Minister for Mineral Resources I was pleased to note that employers gave miners time off to clean up many of the houses in the local area: miners were digging houses out of hills of mud and communities were helping communities. Stories about the Maitland flood are many and varied. On the Friday night two men were yelling and waving from the roof of one of the houses, but it was not until Saturday that people in a surf boat from Merewether were able to get to them. When the rescuers reached the house they discovered another two men, three women and four children on the roof. The devastation from the flood spread right across the area. Apparently a cow was washed out to Broughton Island, where it was stranded and spent many years. The force of the flood impacted on everyone and everything.

The *Singleton Argus* reported on the 1950 flood. Last week I had the privilege of seeing the *Singleton Argus* receive the Country Press award for editorial leadership and community involvement for 2003-04. The *Singleton Argus* submitted an excellent entry. The editorials were first rate and dealt with many committee issues. For example, Christmas 2003 was a turbulent time for the workers at P. and H. Minepro Mount Thorley workshops, as they were made redundant in January 2004. It was wonderful to see the community respond to the calls by the *Singleton Argus* to get behind the workers. The *Singleton Argus* was instrumental in the successful bid to stage a concert in Singleton, which was well received and attracted 16,500 people to the area. If the *Singleton Argus* had not been so involved in the community Singleton would not have won the right to hold the concert. TAFE courses in Singleton are crucial. The *Singleton Argus* has been instrumental in pushing for greater facilities at Singleton TAFE. The *Singleton Argus* is a strong supporter of the community. It is pleasing to know that a newspaper maintains its identity. The community back the *Singleton Argus* in rallying support for the retention and improvement of ambulance services. I am pleased to note that the Minister for Health is answering the call and returning emergency services to Singleton.

COFFS HARBOUR ELECTORATE ROADWORKS

Mr ANDREW FRASER (Coffs Harbour) [4.32 p.m.]: Early last week the Mayor of Coffs Harbour, Keith Rhodes, the Hon. Melinda Pavey in another place, the Federal member, Luke Hartsuyker, several other councillors, council staff and I met to discuss a Coffs Harbour road that has become known locally as the missing link—it is part of Hogbin Drive—that would connect the area of Tormina back through the Park Beach Plaza where a lot of people shop. Statistics have shown that up to 10,000 local vehicle movements a day could be taken off the Pacific Highway, which has become congested with heavy vehicle and other through traffic because of the opening of the Chinderah Bypass.

The mayor, the general manager and a former engineer with the council met with the then Parliamentary Secretary for Roads, the honourable member for The Entrance, Grant McBride, in Sydney. They put a proposition to him that the council would complete the bridge across the railway line, the road to the back of Arthur Street, Park Beach Plaza, and upgrade the roundabout on Harbour Drive and the other end of Hogbin Drive if the State Government agreed to fund the bridge over Coffs Creek and sections of the road to join it up. The former Parliamentary Secretary to the Minister for Roads gave that undertaking.

The council then entered into negotiations with the Roads and Traffic Authority [RTA] in Grafton. Although the Government has stalled in its upgrade of the road from Sapphire to Woolgoolga and although we should not have the bypass on that route, the \$269 million that was set aside for that road should be spent on upgrading it. Part and parcel of the deal was that the road locals call the missing link would be completed and paid for by the State Government. That deal has been conveniently forgotten. There is a massive traffic problem on the highway, and unless it is resolved urgently there will be a major accident and perhaps several deaths on the Pacific Highway, either in town or on the northern beaches of Coffs Harbour. The solution is for the Government to make good its promise and make that funding available to the Coffs Harbour City Council now.

The environmental impact statement for the bridge across Coffs Creek is current. If the Government were to fund the project in the upcoming budget I am sure we could obtain Federal Government funding. I have spoken to my Federal colleague Luke Hartsuyker about this matter and he has taken it to the Federal roads Minister. The Federal Government is willing to consider a tripartite solution—funding from council, State Government and Federal Government—to alleviate traffic congestion, especially in peak holiday periods, from the Coffs Harbour town centre through to McCauleys Headland, Arthur Street, and the Bray Street intersection, et cetera. If 10,000 vehicles per day were taken away off the highway and put on an internal traffic route, which is, in effect, an eastern distributor, the problem could be solved.

The RTA now says that it must go back to the Government, but ministerial permission was given via the former Parliamentary Secretary, Grant McBride, for these discussions to take place. There was an agreement that the RTA failed to put on paper, probably because the Government is trying to hedge its way out of the agreement. Interest on the money that has been allocated for the project for the past seven, eight or nine years, but not spent, would easily pay for the completion of this section of roadway. That is imperative not only for the safety of the residents of Coffs Harbour but also for other users of the highway. As has often been said, Coffs Harbour is becoming a black spot and a fatigue zone. The upgrade of this roadway would greatly improve the safety of all motorists in the area. I urge the Government to make good the promise made by the former Parliamentary Secretary some five or six years ago.

BELMONT GOLF CLUB LTD DEVELOPMENT

Mr PAUL CRITTENDEN (Wyang) [4.37 p.m.]: On 8 December 2004 I advised the House of 12 questions that my solicitor, Timothy Kelly, had posed to the Director-General of the Department of Gaming and Racing, Mr K. M. Brown, in respect of Belmont Golf Club. I advise the House that various pieces of correspondence have passed between my solicitor and Mr Brown during the intervening parliamentary break. Honourable members will recall that after some coaxing Mr Brown conceded finally that he had produced guidelines and that he finally relented and provided me with a copy of them. The only problem is that the guidelines Mr Brown produced have no sanction in either the Registered Clubs Act or the associated regulations. Honourable members will be aware that the commencement date of the section 41J amendment provision was 9 April 2004. It is ludicrous to suggest, as Mr Brown claims, that his guidelines can give a waiver. There is no basis in law to do so.

Mr Brown is seeking to give waivers to organisations from the provisions of section 41J, despite the pious words the Minister used in sponsoring the section 41J provision in this place. Rather than giving a waiver that he legally is not entitled to do, Mr Brown should enforce the legislation, not grant exemptions to those who have breached it. There is no legal basis for his alleged dispensation. The contract could not possibly have been entered into in respect of the real property at Belmont Golf Club and Kalayla Pty Ltd, the \$2 subsidiary of the wealthy Sydney development company Terrace Tower Group, on or before 9 April 2004.

The reason for this is that Kalayla Pty Ltd did not exist as a legal entity until 7 July 2004. Therefore, the contract between Kalayla Pty Ltd and Belmont Golf Club must be captured by the provisions of section 41J. There was, and is, no exempting provisions in either the Act or the regulations. Mr Brown most recently wrote to my solicitor, Mr Kelly, on 22 February 2005. There is a slight change of tone in the approach of Mr Brown. Of course, he holds the statutory position of Director of Liquor and Gaming and he is very careful to point out in his letter references to the "Delegate" of the Director of Liquor and Gaming and suggesting that it was up to the "Delegate", to use his words, to either accept or reject the recommendations contained in reports from officers of the Department of Gaming and Racing in respect of this and other matters.

One may delegate one's responsibilities; but it is still up to the actual head of the department, or the statutory position holder as the case may be, to implement and enforce legislation passed in this place. More amazing still is Mr Brown's assertion that his department accepts at face value, without investigation, an assertion from an officer of a registered club that deals with a developer is generally in the interest of members. Mr Brown states in his letter of 22 February:

My role is not to peruse independent valuations or financial analysis to determine if the deal is the best the club can achieve.

But independent valuations are a prescribed requirement of section 41J, and none occurred in this case. Elsewhere he states:

My role is to consider making an application under section 41Q, of the Act, if the disposal of land, simpliciter, has not been for the benefit of members.

How does Mr Brown make a rational decision from this seemingly contradictory position? How does he determine whether disposal of land has not been to the benefit of members on any objective basis? What risk management does he undertake? I come to Sydney for some 70 days a year to hear all the pious words, to hear the debates that occur in this place—some more meaningless than others—only to find that some legislation that I actually think might do some good, such as amendments to section 41J, are being nobbled by bureaucrats without this Parliament even being informed.

What we have at Belmont is the possibility of a private developer making tens of millions of dollars profit in converting Belmont Golf Club into a de facto housing estate, despite the provisions of section 41J, and the department and Minister are silent. A crucial issue arising from this whole sorry saga is whether in fact there are other clubs which have similarly been granted exemptions, despite the dubious legal basis for doing so, by the Department of Gaming and Racing. As my solicitor pointed out on 22 February 2005 in reply to the director-general's letter of the same date:

We would have thought that you would be concerned to behave with complete transparency and frankness in this matter given, as we have noted, that the developer which stands to be the beneficiary of your intended inaction, is a very significant financial contributor to the funds of the Government Party.

It would be expected that Mr Brown and the Minister would be concerned to dispel any perception of secrecy or impropriety because, either way, this is a very murky situation in which there are only two scenarios. Either these bogus guidelines with no legal basis have been used by other registered clubs and the director-general is hiding behind section 72 (C) secrecy provisions of the Registered Clubs Act to not even tell us how many other clubs have sought waivers under these extraordinary alleged guidelines—and how many other, if any, exemptions have been granted from compliance with the legislation enacted by this Parliament. Or, there are no other registered clubs that have sought exemptions based on the bogus guidelines of the Department of Gaming and Racing. In the latter case, one may well call the Department of Gaming and Racing guidelines the Terrace Tower guidelines to convert a community asset to a developer's financial bonanza.

MORUYA DISTRICT HOSPITAL DIALYSIS UNIT

Mr ANDREW CONSTANCE (Bega) [4.42 p.m.]: I call on the Government through the Minister and the Director-General of the Department of Health to undertake a full and frank investigation into the dialysis unit that, according to a letter dated 30 October 2003 from the Minister for Health to my electorate office, was supposed to be established at the Moruya hospital. In that letter the Minister confirmed that Mr Bill Dargaville, who at that time was the acting chief executive officer of the Southern Area Health Service, had advised him that funding had been received by the Southern Area Health Service under the New South Wales rural health plan to establish a six-chair dialysis centre at Moruya. The letter stated:

Planning for the unit has commenced, involving local and area health service staff, general practitioners and health council representatives. [Southern Area Health Service] is currently negotiating with tertiary providers and when a provider is selected, the building program will commence. The expected starting date for the centres will be determined in consultation with the tertiary provider.

That letter was written by the Minister five months ago and, lo and behold, the six-chair dialysis centre at the Moruya Hospital is not functioning. On countless occasions over the past 18 months, staff of the area health service told me the centre would be opened. The last time I was told that was 31 August 2004, and it is now February 2005 and my community is no closer to having the renal dialysis unit in place.

The reality is that 68 renal patients in Eurobodalla are struggling to obtain dialysis, which should be provided at their local hospital. They have to travel to Canberra, 150 kilometres away, to access a service that the Government was committed to providing in their area. The Carr Government promised 18 months ago that the dialysis centre would be established, and the centre was certainly a topic of discussion during the March 2003 election campaign. An investigation needs to take place. While I acknowledge that the renal clinic was opened on 8 February and the plumbing for the dialysis unit has been completed, it is not good enough that the equipment has not been installed and the contract has not been finalised.

The Southern Area Health Service has new staff working on the project and they are different from the staff that had been working on it over the past 18 months, but it is simply not good enough that the centre is not operating. Renal patients in my electorate are in pain and their families are struggling to transport their loved ones several times each week along the Kings Highway to access dialysis.

A recent article in the *Batemans Bay Post/Moruya Examiner* told the story of a couple who would depend on the dialysis centre commencing treatments. The article describes the difficulties they face in accessing haemodialysis. Three times each week Yvonne has been travelling from Bateman's Bay to Canberra to undergo three hours of haemodialysis. Recently her surgeon decided that the travelling was too much of a strain and reduced the number of trips to two. She has to be connected via two massive needles in her arm to a machine that drains her blood, filters it using an artificial kidney, and returns it to her body. Yvonne has no choice. She has to have access to a haemodialysis machine.

The trauma for renal patients in my electorate who have to travel from the Bateman's Bay-Moruya area to obtain dialysis is exacerbated by the fact that insufficient public toilet facilities are available en route. That makes for an incredibly uncomfortable journey. How much longer will this Government sit back and allow bureaucracy and incompetence to prevent the centre from becoming operative? It is too painful for my constituents to travel to obtain dialysis, and their ordeal has gone on long enough. It is high time that the Minister and the director-general conducted a full investigation and provided an open and transparent report to the community on why the centre is not operating.

Mr Stephen Bennett from the Southern Area Health Service has made a number of statements and commitments about when the service will commence. In early January he indicated to the local newspaper that

there would be confirmation of the commencement date and that it would be announced by the end of that month. It is now late February and the renal patients in my electorate are still struggling with enormous pain because the Government has failed to set up the haemodialysis centre.

PACIFIC HIGHWAY NOISE TASK FORCE REPORT

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [4.47 p.m.]: I inform the House of the latest report from the Pacific Highway Noise Task Force, which has submitted Tweed noise walls proposals for public exhibition until 4 March. As a result of the Pacific Highway being upgraded, particularly the Yelgun to Chinderah bypass in August 2002, residents whose houses adjoin the Pacific Highway made a number of complaints about noise from the increased traffic on the highway.

I informed the then Minister for Transport, and Minister for Roads, the Hon. Carl Scully, of those concerns, and I was pleased that in February 2003 he set up a task force comprising representatives from five North Coast councils, the Environment Protection Authority, the trucking industry and the Roads and Traffic Authority. In August 2003 the task force presented a comprehensive report to the Government that was based on extensive community consultation.

The task force included the five North Coast councils because the increased traffic was causing a problem right along the highway. The Government responded with an \$18 million package, which was an indication that the Carr Government was listening to and acting upon the adverse impacts that these North Coast communities were enduring. Of the \$18 million, more than \$9 million was to be spent on the construction of noise walls and architectural treatment of homes at Banora Point and West Tweed Heads and noise treatment for the heavy vehicle rest area between Yelgun and Chinderah.

With the Tweed Heads noise walls being put on public display this month, my office has had favourable feedback on the proposal from the residents of the Palms Mobile Home Village in Dry Dock Road, South Tweed, and the Billabong Caravan Park, also at South Tweed. Both of those villages back onto the Pacific Highway and were among the worst affected by Pacific Highway noise. The parks have approximately 600 permanent residents, mostly retired people. I received many letters and calls from South Tweed residents. As well, I received letters from West Tweed residents whose houses back onto the Pacific Highway and particularly from residents in Kiata Parade off Ducat Street, which is to the north of Terranora inlet and Shearwater Parade.

Prior to the task force being set up I had visited those areas and heard first-hand the sound of trucks braking, the changing down of gears, and associated noise. I am delighted that the walls and the noise amelioration work on the worst affected homes is now becoming a reality. The double-glazing and airconditioning of homes at Banora Point along the section that goes over Sextons Hill is continuing and contractors are at present starting work at west Tweed Heads. I commend the Roads and Traffic Authority [RTA] for its work on the Sextons Hill section. It has taken into consideration the projected noise levels when that section is realigned and the intersection of Terranora Road and the Pacific Highway removed. The proposed walls now on public display indicate a construction of two 4.5 metre high and one 4.7 metre high sections of noise wall, totalling 965 metres in length.

In addition to those works, the former Minister for Transport asked the RTA to undertake joint speed and vehicle standard enforcement campaigns, with an education campaign for heavy vehicle drivers, and to work with the trucking industry to improve compliance with speed-limiting devices and the development of noise-reducing technology. As well, there was a revision of speed limits and the placement of speed limit signage and noise advisory signs. The affected councils were asked to consider minor traffic management changes to reduce noise and improve safety.

All these measures have added to noise reduction along the northern Pacific Highway upgrade. With the next stage, the Yelgun to Brunswick Heads section, having gone to tender with an imminent start, as of last Monday tenders were called for the upgrade of Cudgera Creek Road. That section of road will link with the highway and provide a safer and more direct access between the highway and Pottsville and Mooball Roads. It is part of the conditions of the Chinderah to Yelgun construction that the RTA will undertake that section. I am very pleased it is able to do so. I am disappointed that Clothiers Creek Road—which runs between Condong and Cabarita, crosses the highway, and is now a major link between Cabarita and the highway—is yet to receive any substantial upgrade work from the Tweed Shire Council, despite its responsibility for that road. I am delighted that the work on the noise walls is under way. The residents along that section of the highway at West Tweed are more than delighted with the construction.

MID NORTH COAST SCHOOL BUSES

Mr ANDREW STONER (Oxley—Leader of The Nationals) [4.52 p.m.]: The Busways company is replacing 50 late-model, airconditioned school buses on the mid North Coast with non-airconditioned, 25-year-old buses from Sydney. The decision to replace the buses has angered many parents in the Hastings, the Macleay and other parts of the mid North Coast. I will present a petition in this place with approximately 2,000 signatures on this matter. The decision has also angered bus drivers employed by the company. I have spoken to some of the drivers, and at least one has resigned from the company as a result. Further, it has resulted in students being hot, sweaty and fatigued. Many of the students are required to travel on the buses for up to 1½ hours in very hot and humid weather on the mid North Coast.

Of grave concern to the school communities that are affected by this decision is the safety of the buses. This matter has brought into sharp focus a longstanding debate on the safety standards of school buses in the State, and particularly on the mid North Coast. The reason it has brought a sudden focus is because the replacement buses have little or no padding on the seats and exposed steel bars on the back of them. According to the drivers with whom I have spoken, some of the buses are mechanically suspect. I was told that one bus broke down on the F3 freeway on the drive from Sydney to Port Macquarie.

The Hastings and Macleay areas comprise substantial rural areas. The school bus runs are on country roads, which are often in a poor state. In many areas the roads are narrow and have a speed limit of 100 kilometres per hour. Also, the trips involve students being on the buses for prolonged periods. The possibility of an accident involving a school bus is heightened. If it were not for the skill, patience and experience of many of our school bus drivers, I am sure there would be more incidents involving school buses.

I will give an example of the run from Comboyne to Wauchope. There is no high school at Comboyne, which is on top of a plateau to the south-west of Wauchope. The run takes approximately one hour down a precipitous and winding road. One of the older buses has been assigned to this run, which is a recipe for disaster. What is known as run 6 is one of the longer runs, starting from the Laurieton depot and going up Bago Road. The intersection of Bago Road and Pacific Highway is notorious and has been the scene of several fatalities. The run then goes up to King Creek, Sarah's Crescent and on to Port Macquarie. The bus has up to 48 seated students plus another 32 standing for lengths of up to 1½ hours. I declare an interest in this run because until last year the passengers included three of my children. That was when the bus was a modern, air-conditioned coach. Now the children have to travel on an older bus with exposed metal bars on the back of vinyl seats. I feel for the children who have to suffer this slow journey in a non-airconditioned clanker in hot conditions.

It makes the families and the children concerned feel as though they are second-class citizens. Their airconditioned modern coaches have been taken away and sent to Sydney, and old clankers have come from Sydney. It is not entirely the bus company's fault. The State Government has squeezed bus companies on revenue, as evidenced by the recent demise of the West Bus company. I ask the Minister for Transport to take heed of this issue.

HUNTER REFUGEE WELCOME RALLIES

Mr JOHN MILLS (Wallsend) [4.57 p.m.]: In late January the people of the Hunter region showed all of Australia what friendly, tolerant, welcoming and supportive people we are. About 1,000 people, maybe a little more, attended two rallies on Saturday 22 January to express support for, and welcome, recently arrived refugees from Sudan and Liberia. The rallies in Beaumont Street, Hamilton, and at the Palais in Hunter Street were held to give good and decent people the opportunity to demonstrate in public that we in the Hunter give a helping hand to people in need.

The rallies were held in response to an attempt by a small group of people to whip up racial hatred in the Hunter against the Sudanese refugees. In the week prior to this, the group sent around flyers promoting their anti-refugees rally at Islington Park on 22 January. I will not promote the lies and nastiness by quoting anything from that document. The racist group called itself Concerned Citizens Collective. I know that the group was very small in number, because journalists reported that 12 or 13 people were present at the rally. A media frenzy of sorts developed in the week leading up to 22 January. The collective representatives, including Dr Jim Saleam of Sydney, received media coverage with allegations of refugee riots and crime. ABC radio news items from library clips of 20 January had the heading "Police clear Sudanese refugees of crime wave claims." The report states:

A Sydney academic says it is thought Sudanese immigrants are behind a number of brawls and drug dealing in the Newcastle area.

Inspector David Matthews from Newcastle Police has dismissed the claims.

"I can tell you Newcastle police have received no, I repeat no, reports of Sudanese refugees being involved in gang violence or gang activity," he said.

"Nor are they involved in a crime spree. I have no idea where they have sourced their information from but I can tell you that it is incorrect".

The report went on to note:

In the 1980s and 1990s Dr Saleam was the public face of the far-right group National Action and went to jail for a shotgun attack on an African leader.

The *Newcastle Herald* of Saturday 22 January reported that the University of Newcastle's vice-chancellor and representatives of State and Federal governments had condemned the racist rally. The article states:

... vice-chancellor Nick Saunders rejected what he said was a crude attempt by individuals to give credibility to a racist cause by implied association with the university.

The refugees said they would stay at home rather than risk becoming targets by attending the rallies. The article also states:

Federal Minister for Citizenship Peter McGauran said racist leaflets and the Islington rally... were attempts to generate fear and hate in the Newcastle community.

"Refugees coming from the poorest and most war-ravaged countries deserve our compassion and support," he said.

Violetta Walsh, the Director of the Migrant Resource Centre [MRC], who organised the rallies, said the Sudanese were targeted because African people were easy to identify. On the day, the first supportive rally was in the open air, at the clock tower in Hamilton. The mood was peaceful and positive. That mood changed to one of great happiness when members of the Sudanese community changed their minds and a number of refugees arrived at the rally. They were welcomed with prolonged cheering and applause. My wife and I attended the second supportive rally, at the Palais, which was jammed full of people. Speakers in support of the refugees included Violetta Walsh, whom I mentioned. I congratulate Violetta on her outstanding community leadership on this matter. Another speaker was Lord Mayor John Tate. Newcastle council has a policy of Newcastle being a welcoming city for refugees.

Federal member of Parliament Sharon Grierson had a message from the shadow Minister for Immigration. Representatives from a large number of religious faiths spoke at the rally, as did one of the refugees, Simon Pabek, who was overwhelmed by the support. As at the Hamilton rally, there was loud and emotional cheering and clapping for the refugees present when Simon came forward to speak. The behaviour of the supportive crowds was commendable. The fight and brawl that the racists hoped for did not eventuate. There was no bad publicity. The good guys outnumbered the nasty guys by 100 to one. The following day the *Sun-Herald* contained an article about the rally that was headed "Racists mocked by miserable turnout" I want to give honourable members an example of the acceptance of refugees into the Hunter community. Last week I attended the investiture of prefects and student councillors at Lambton High School. I learned that students at that high school had elected Diana, one of the refugee children, as a prefect—a top-class effort from kids of the Hunter. This has been a message of hope from the people of the Hunter.

ALSTONVILLE BYPASS

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [5.02 p.m.]: I refer again to the Alstonville bypass, a much-needed project in the Ballina electorate. I do so with great disappointment, as I have raised this issue on many occasions before, both in and out of this Chamber. I believed, given the commitment of the Premier and the Leader of the Opposition prior to the last State election, that the Alstonville bypass would be funded and completed by the end of 2006. I believed that the matter had been put to bed. I have now been advised that, unfortunately, construction will not commence until 2006-07, which is a delay of at least 12 months, possibly longer. My community and I find that totally unacceptable.

By way of background, this is an important project. About 15,000 vehicles, including B-doubles and other heavy vehicles, travel through the main street of Alstonville every day. There are three large schools in the vicinity and traffic creates a real bottleneck, especially in the mornings and afternoons. This matter has been on the agenda for a decade. Planning started back in the mid-1990s. All the planning approvals have been granted and, even though it is a State responsibility, prior to the 2001 Federal election the Federal Government made a commitment of \$12 million toward the \$36 million cost of the project. There has been huge community support for the project. I thank Bob Wilson, Neil Chesworth, Marilyn Perkins and many others in the Alstonville community who have assisted in driving this project. Prior to the last State election there was a big push to ensure that both sides of politics gave a commitment to construct the Alstonville bypass. I obtained a commitment from the Opposition. On Tuesday 18 March 2003 the Premier said in a press release:

"This is a vital road project and we are making sure it happens... That's why we are putting \$24 million on the table...

The State Government has given approval for the bypass. Construction would begin after detailed design work is completed—likely to be at the end of 2003.

All that has happened. He said:

The by-pass is due to be built by the end of 2006—subject to the Commonwealth Government making good its \$12 million commitment.

That has all happened. He went on to say:

The State Government's contribution of \$24 million is a commitment which will be funded from the RTA's existing forward capital works program.

In other words, the Premier of this State said in a press release that the necessary money is in the Roads and Traffic Authority's forward capital works program. I have to say that at the time that was a great relief to everyone who had been working so hard over so many years to bring this project to fruition. On 18 June I followed up the commitment the Premier gave prior to the election with a series of questions. The Premier answered my questions in much the same way as the media release, giving precisely the same sort of detail that I have just given. So we had a reaffirmation of the commitment that was made prior to and after the election.

We have now been told via the Federal Government that the bypass will not commence construction until 2006-07. I was concerned that nothing was happening and I contacted the State Minister's office, but he was not prepared to give me any information. I contacted the Federal Minister's office and he said that prior to his departure from that portfolio Minister Scully had advised that the Government would not be going ahead with the construction of the bypass this year due to a lack of State funds.

The new Minister said silly things like, "Go and talk to your Federal mates and get some money out of the Federal Government." If the Minister knew anything about the project he would know that the Federal Government has already contributed \$12 of the \$36 million that is required, even though it is a State project. So there is no requirement for the Federal Government to commit anything. I point out that this year, under the new post-GST funding arrangements, the State Government will receive \$140 million more in revenue than it would have received under the old arrangements, and \$600 million more in 2007-08.

The Commonwealth Grants Commission is an independent body. The State Government is somehow trying to divert attention away from the project in the light of the fact that the budget has gone from \$24 billion a year to \$38 billion—an increase of over 50 per cent in a nine-year period. That is just a smokescreen. The community that I represent is concerned that the Premier made this commitment but has not honoured it. His integrity is on the line. He either had the money and the money has been diverted, or the money was not there and he deceived everyone when he made that announcement. Either way, we want this promise to be honoured and we want his integrity to be tested. For the sake of \$12 million, the apparent shortfall, the Premier can make that money available and make the project happen; otherwise he has no integrity. [*Time expired.*]

FIVE DOCK PUBLIC SCHOOL CHARLIE'S PLACE

DIDGERI DAVE VISITS FRASER ISLAND LAUNCH

Ms ANGELA D'AMORE (Drummoyne) [5.07 p.m.]: Today I acknowledge the contribution of Five Dock Public School to the community. On Tuesday 21 December 2004 Five Dock Public School officially opened Charlie's Place, a special area of the school dedicated to the memory of the late Charlie Mule. The

project was an initiative of the Friends of Five Dock Public School, a group of ex-students, parents and community-minded people who have a vested interest in the school. We thank the Friends of Five Dock Public School, who were able to make this happen. Their aim is to support Five Dock Public School within the wider community while strengthening the sense of community within Five Dock.

The Friends of Five Dock Public School had a vision to restore Charlie's Place. Charlie Mule, a former parent and president of Five Dock Public School Parents and Citizens Association, passed away from cancer six years ago. He volunteered much of his time to the school and, as a noted keen gardener, also looked after the grounds. The area dedicated to Charlie had succumbed to vandalism and neglect. However, with the support and vision of the Friends of Five Dock Public School, the school community was able to restore Charlie's Place. Funds from the charity auction evening held in September 2004 enabled a brand new playground to be installed. Some \$27,000 was raised at an auction/dinner night, and we thank all those who were generous with their donations, particularly the Canada Bay Club, which donated \$10,000 to the project.

This upgrade will help all our students easily access equipment that is suited to them. I offer special thanks to Jackie from Omnitech, who worked very hard with the contractors to have the project finished in time. Charlie Mule is survived by his wife, Marnie, and his three children, Michael, Daniel and Victoria, all of whom have attended the school. Victoria, his youngest child, officially opened Charlie's Place and I am sure that her late father would have been very proud of her, as were we. Last year Victoria finished year 6 and is attending a local high school this year. I wish her the best in her future endeavours. I thank everyone who contributed to the success of this project and those from the local community who attended the event.

The event was followed on 9 February 2005 by the official launch of a book, known as *Didgeri Dave Visits Fraser Island*, at Five Dock Public School. The book was co-written by the Acting Principal at Five Dock Public School, Lily Barclay, and local artist Rose Colbeck. Lily Barclay, who resides in Concord, is an experienced educator and leader. She has a passion for bringing laughter and enjoyment into the lives of children. As a leader in education, Lily's philosophy of teaching the teachers is seen as the most effective way of improving teaching and learning practice. Her passion for quality teaching and outcomes-based education has brought together the ultimate teaching tool: an exciting, invigorating character depicted in literature and a comprehensive teaching resource pack to accompany it.

The illustrator and co-author, Rose Colbeck, is a working artist and published poet whose understanding of and passion for the Australian landscape is reflected in her illustrations. She has been teaching children and adults at her Sydney studio for more than five years. Her original artworks have been sold locally and overseas and her mural work has won competitions and awards at the Sydney Royal Easter Show and graces private homes. Lily and Rose have known and worked with each other on creative projects within the school environment for many years. *Didgeri Dave Visits Fraser Island* is a beautifully illustrated book and the first in a series of Didgeri Dave books intended to promote tourism in Australia to Australians and to those who wish to visit our beautiful country.

Didgeri Dave is an average young Aussie bloke who leaves his comfortable home in Sydney and travels north. He is a wanderer, a free spirit and explorer, who loves to discover new places within Australia. In this first book of the series, Didgeri Dave takes himself to Fraser Island, where he meets a freshwater turtle called Tara. It is all about adventure and by the end of the story young readers fall in love with Didgeri Dave—as I did after reading the book. Young Australians will be exposed to their culture and environment through concepts presented in the book. They will develop a love of Australiana literature when reading appropriate factual and fictional texts. Educators will have access to an excellent text supported by a comprehensive resource teaching package to assist with the implementation of the New South Wales K6 human society and its environment and K6 English curriculum.

Australians will be inspired to discover and explore new places within their country after following Didgeri Dave on his adventures around Australia. This book and others to follow will promote tourism in Australia to Australians and to those who wish to visit our beautiful country. This book is ideal for children, adults who are young at heart, and tourists who wish to learn more about Australia's culture through literature. Young Australians and those who are young at heart will identify with Didgeri Dave's character. He is a free spirit and explorer who wishes to learn more about his environment, much like children do. His character is portrayed as someone who is upbeat, interested, kind and social, with a fresh outlook on life.

The book celebrates the Aussie way of life, and tourist centres will view it as a potential bestseller. The inviting illustrations and the simplicity of the text entices the reader. It is a story about a good Aussie bloke and

contains interesting facts about Fraser Island. This book deserves to be on the New South Wales school curriculum and I look forward to making strong representations to the Minister for Education and Training in this regard. Special thanks go to Lily Barclay, Acting Principal of Five Dock Public School; Joyce Smith, Assistant Principal; Parents and Citizens Association representatives Paul Roda, Maria Zol, Lyn Downey and Liz White; and all the wonderful teachers at Five Dock Public School, whom I am always happy to meet and who give local children an amazing education. I send the school my best regards.

ROTARY INTERNATIONAL 100TH ANNIVERSARY

Mr ANDREW TINK (Epping) [5.12 p.m.]: I wish to put on record my thanks to the Rotary organisation for a centenary of public service. Last night—wherever the night of 23 February fell in local time—all Rotary clubs around the world met. In fact, some meetings may still be going on. In the Epping electorate there was a major function at the Epping RSL Club at which a number of Rotary clubs were present, including the Rotary Club of Carlingford, represented by its President, Jim Smith, and a large delegation; the Rotary Club of Thornleigh, represented by Rolly Crook—whom I thank particularly for putting so much effort into organising the event—and his club's members; the Rotary Club of Pennant Hills, represented by David Firth; the Rotary Club of Eastwood, represented by David Westhorpe; the Rotary Club of Epping, represented by Ross Hinton; and the Rotary Club of Beecroft, represented by Graham Grant. Other Rotary clubs, including Rydalmere, Berowra, North Rocks and Waitara, were also represented at the function.

All of these clubs have given many years of great service to the community through a range of activities and each has become known for different signature functions or activities. The Eastwood club recently held a major dinner to raise money for tsunami victims. I understand that a very large amount of money was raised through the extreme generosity of a small number of club members. Before my election to Parliament some years ago I was a member of the Eastwood club and I still try to get to the occasional meeting when I can. The club plays a prominent role at the Granny Smith Festival each year and raises a great deal of money through fundraising on that day in particular.

The Rotary clubs of Epping and Beecroft have been involved in a Fourth Avenue in Motion [FAIM] project to restore an old base hospital in Vanuatu. Club members, at no little expense to themselves, travel to Vanuatu in their free time to work on rebuilding the hospital. The Epping Club is also known for its work much closer to home. Under the presidency of Graham Stevens, a year or so ago the club rebuilt a walk between Epping and Browns Waterhole, part of which encompassed the old great north walk. It is a great project that has since been taken up by Ryde City Council, which is maintaining the walk created through that area. Interestingly, the project has given rise to some other issues and created some solutions regarding stormwater refuse that flows into the Terrys Creek area adjacent to the walk. The clubs are now working in conjunction with Ryde City Council to clean up the rubbish that flows down from the Eastwood shopping centre every time there is a flood. That is an important community spin-off from the development of a walking track in an area from which people derive a great deal of enjoyment.

As I said, the Beecroft club has been involved in the FAIM project at the Vanuatu hospital. Closer to home, it provides a great deal of support for Ronald McDonald House at Westmead—a charity that I have had a fair bit to do with. I am extremely grateful for the support that the club gives to the families of cancer victims who attend the hospital for treatment. The Rotary Club of Pennant Hills originated the concept of Pride of Workmanship. It came up with the idea a good 20 or 25 years ago and has franchised it literally around the world. I understand that the Pennant Hills club still makes the Pride of Workmanship plaques that are awarded.

The Thornleigh club is also very active in fundraising for local charities and is particularly renowned for the Christmas carols service it holds every year at Ruddock Park. There is now a program in place to recognise Rotary centurions. These are people whose age combined with their time spent as Rotary members add up to 100 years or more. I think it is particularly noteworthy that 17 such Rotarians from the clubs were honoured and 330 people present fell into that category. Happy birthday, Rotary, and all the best for the next 100 years.

INDIAN REPUBLIC DAY AND AUSTRALIA DAY CELEBRATIONS

Ms VIRGINIA JUDGE (Strathfield) [5.17 p.m.]: It is with great pride that I advise the House of a very colourful ceremony that I attended to celebrate Indian Republic Day and Australia Day on 26 January 2005 at the beautiful Royal Botanic Gardens. Indian Republic Day is officially celebrated on 26 January each year to

commemorate the coming into effect of the Indian Constitution in 1950. From 1947 India was an independent dominion in the British Commonwealth, but was governed for the first few years by a constitutional assembly, with Jawaharlal Nehru, the leader of the independence movement, serving as Prime Minister. This assembly drew up and adopted the new Constitution which declared India an independent, democratic republic with a parliamentary system of government.

Despite invasions by Mongols, Iranians, the British and others, India has kept its unique identity and melded into itself the very best of those other cultures. India is an ancient nation that has become a truly modern democracy. It is fortunate indeed that circumstances allowed us both to share 26 January as our respective national day. Of course, our great nation has a proud history of immigration and recognises the heritage of Australia's fantastic indigenous people, whose living culture we always acknowledge. It is through the achievements of our culturally diverse population that Australia is what it is today—a harmonious and culturally rich society. Australians come from more than 200 different countries and although we are diverse in race, religion, colour, culture et cetera, we all aim to live up to the ideal of respecting each other's cultures and beliefs.

The Indian community in New South Wales consists of many people from a variety of professions and walks of life who have contributed, in their own unique way, their skills and knowledge to the building of this State and made it much more exciting and diverse. On 26 January we came together to share the greatness of our two nations. I acknowledge the wonderful effort made by an organisation in the Indian community that recently raised \$15,000 at Homebush Boys High School for the tsunami relief efforts. Over time, Australia Day has become the day when all Australians, irrespective of their background, are united to celebrate the national identity of this country and to celebrate what it means to be an Australian.

The celebrations started with a very informative speech by the hardworking, well-respected and loved Consul General for India, Mr Ganapathi, accompanied by his lovely wife. After the vote of thanks by the AHIA President, Krishan Ananad, songs were performed by Pandit Suman and Vinod Rajput. I could not help but notice that when they quietly assembled on a slightly raised platform under a magnificent Morton Bay fig tree many people who were enjoying the beauty of the park suddenly heard the fantastic music and were drawn like a magnet to listen to it. So that cultural celebration was opened up to the wider community.

I want to mention Australia's close ties with India. Recently our hardworking Premier, the Hon. Bob Carr, held some successful trade talks at a senior trade delegation. It was an historic visit because it was the first time a Premier of this State has visited that great nation. The delegation secured a major agreement with Smart Internet Technology Co-operative Research Centre at the Australian Technology Park at Redfern and a leading Indian information and technology company, Infosys. The agreement means that Infosys will become a partner in Smart Internet's research and development projects. It also secured a major contract between a New South Wales company, the Snowy Mountains Engineering Corporation, and the Budhil Hydropower project worth \$100 million that will provide electricity and fresh water to the Himachal Pradesh province to help a lot of families and businesses north of New Delhi.

The visit promoted student exchange programs between New South Wales and universities in India. Honourable members may not realise that in this State \$77 million is contributed annually to our economy by Indian students, and about \$200 million nationally. The Government was also successful in securing a multi million dollar agreement that will see TAFE NSW provide specialised training for 40,000 working in Tata Consultancy Service, a world-leading information technology company there. The Government has also recently launched a series of trading initiatives to promote jobs and investment with India, the world's second most populous nation. This initiative brings Australia and India, that great subcontinent, closer together and I am sure that everyone will benefit from that fantastic association.

MOTOR CYCLE SAFETY

Mr STEVEN PRINGLE (Hawkesbury) [5.22 p.m.]: It is with a great deal of sadness and anger that I stand before the House today. Last year a young constituent of mine, Caine Allen, was killed in a motorcycle accident in Western Sydney. Caine was a P-plate rider and a mere 20 years old. It was a tragedy for his mother, sister, extended family and the community as a whole. Just before Christmas two other young motorcycle riders were also killed and a lady pillion passenger was critically injured. To lose one's loved ones at any time is devastating but to lose them just before Christmas is even worse. Much has been said about the safety of young people driving cars and the issue has been in the news yet again during the past few days. This motorcycle accident highlights that we should also be talking about young people riding motorcycles.

Caine was preparing to participate in the motorcycle toy run that was conducted on 12 December last year. He owned a 250-cc. bike and, like all young blokes, wanted something a little more powerful. He went to bike shops and looked at a number of more powerful machines. Despite knowing that Caine was a P-plate rider not one salesman directed him away from the larger machines to one that he was permitted to use with his licence. Finally Caine settled on a 600-cc. machine, not the 250-cc. that he was used to, and completed the paperwork. At this time he was warned he would be unlikely to secure accident insurance due to the bike not matching his licence restrictions.

Less than two days later Caine was killed, having lost control of his new powerful bike while avoiding a car. It is patently clear that the power of the motorbike played a major role in that accident. Had Caine not been allowed to purchase the new powerful machine this accident may never have happened and the young individual may be alive today. At the same time as Caine bought his bike, his cousin, who had only a learners permit, negotiated to buy a 1000-cc. bike. The week after Caine's death he was called and advised that his new bike was ready for delivery. Fortunately, sense prevailed and he did not proceed with the purchase, but he might have had he been more determined. I find it totally intolerable that some rogue elements in the motorcycle industry flout the law and sell powerful machines to learners and P-plate riders.

At the time of the accident Caine was dressed according to the law. He was wearing a helmet and normal street clothes. A rider who has an accident is not protected by a metal car body. When a rider comes off a bike he invariably comes into contact with the pavement, a car or other structure such as a tree near the road. It is important that the rider is protected, particularly young riders as they learn riding and road skills that will help them to ride safely. Caine's mother is shattered by the loss of her son but wants his death to be used to improve the safety of young riders. It is not good enough just to legislate for riders to wear helmets; it makes sense that all learner and P-plate riders should be obliged to wear the full safety clothing, which seems to be a simple omission from the law.

Such legislation may not be universally supported and some may argue that it is an unfair imposition on young drivers. The motor vehicle industry accepted some time ago that seat belts, air bags and other much-needed safety equipment are vital to cars, so surely the same sorts of requirements should apply to motor cycles. Unfortunately, we cannot fit air bags or side intrusion bars on motorcycles, but we can have the proper riding gear, for example, leather clothes, as well as helmets. We encourage young skateboarders to wear safety helmets and knee and elbow pads, and they travel at only about 20 kilometres per hour. That is a lot different to motorcycle riders travelling at 100 kilometres or more per hour. I call on the Government to crack down on rogue dealers who continue to sell high-powered machines to drivers who are not qualified to drive them. They have no place in the industry and should be held accountable for accidents. Riders need to have proper safety gear—that is the least we can do for Mrs Allen.

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [5.27 p.m.]: The honourable member has raised a very important issue. If we members have not come across this issue in our own lives, we need to look more seriously into it. I will raise the concerns expressed by the honourable member with at least one Minister, but possibly a number of other Ministers, who hopefully will have a look at the matters raised and get back to the honourable member as soon as possible.

INDIAN OCEAN TSUNAMI

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [5.29 p.m.]: Last Tuesday, when speaking to the motion of condolence to the tsunami victims, I talked extensively about my experiences and actions in Banda Aceh. However, I did not have the opportunity then to mention the people who were the wind beneath my wings, and who literally became so during that process. My presence in Banda Aceh, and the assistance I gave Father Chris Riley to help set up an orphanage in Banda Aceh, was possible only because a very dedicated team of people and volunteers here in Australia were working towards this quest. This was in addition to the volunteers who had left Australia to work for Youth Off The Streets at the orphanage in Banda Aceh.

I want to make particular mention of Father Chris Riley, who, as I said in my speech on the tsunami crises, initially had provided me with inspiration to move forward in this direction. Father Chris is an outstanding person who is able to help people reach beyond their normal means and achieve and use a potential that they think they do not have. He has helped me in that way in my life, and I thank him for that. I thank him also for the inspiration he has given countless people who have been part of his life—people he has assisted—and now for the role he is playing in Banda Aceh, particularly for the children.

There are 40,000 unattached children in Banda Aceh province. "Unattached" means that they have not been processed as yet and, according to UNICEF, are orphans. That statistic is mind-boggling. These are children that need care. My involvement in Banda Aceh was to assist just some of those children. In terms of that quest, I want to thank Suzie Messner, from Youth Off The Streets. Suzie worked literally 23 hours a day, almost 24 hours a day, to get this mission in place. It was not unusual for me to have discussions with her at midnight to talk about logistics, what was needed for the next day, and so on.

Christine Bullivant and Scott Allan, also from Youth Off The Streets, along with Suzie, gave up the whole of their holiday period away in order to work on this orphanage mission. Working throughout the entire holiday period with the Youth Off The Streets city office were Emily Gray, Lareena Brown, Kate Finch, Ruth Moore, Rhonda Winterflood, Kellie Urquhart, Allison Reid, Lianne Collister-Black, Maureen Orr and Rachael Gittings. At the Merrylands office, and also working through the whole of the holiday period loading crates and loading material for us to take overseas—in fact, 24 crates were shipped to Banda Aceh—were Judy Gorton, Yolanda Smith, Denise Grady, Shirley Lemerle and Billie Kop. They worked tremendously hard, round the clock, to assist us. Also, Robert Innes helped with freight and transport. He had a band of more than 50 Sydney volunteers—individuals to corporations, businesses and so on—helping to freight these crates to Indonesia.

In Banda Aceh we had volunteers. The first group of 12 or so arrived three weeks ago, and have been replaced by others. I mention them not in any order, but they included Rick McCarthy, the co-ordinator of this project, who is still in Banda Aceh and has been there since basically 12 January. He left his family in Australia, and left his business affairs in Australia, to go as a volunteer to support Father Chris Riley's Youth Off The Streets, and become co-ordinator of the effort for this orphanage. Jack Saeck, the husband of the honourable member for Burrinjuck, helped out. Other volunteers who have been in Banda Aceh are Jim Barber, Nicholas Miffin, Scott Allan, Dr Rebecca Wheatley, Dr Helen Buchimann, Andrew Balkin, Michael O'Rourke, Ken Hutt, David Costello, CEO of ClubsNSW, David Sugden, Renee McGowan, Will Turner, Helen Cross, John Longhurst, Majella Duffy, Therisa Turner, Scott West, Sue Bastone, Darren Pracy, Jasmine McDonald, Jordan Rancie, Sarah Sedanayasa, Sheridan Wiles, Andrew Zilm, Matt Lloyd and Jenny Lemmon. All helped out tremendously in Banda Aceh as volunteers.

I want to mention also the tremendous assistance provided by the Indonesian Consulate, and particularly the Consul General, Mr Hertomo Reksodiputro, and Consul Mr Wardana, along with all of the consulate staff. Theirs was a great effort, and it has succeeded in seeing an orphanage established in this time of great need and care in Banda Aceh.

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [5.34 p.m.]: I have no doubt all honourable members would agree that the spoken word can be a very powerful tool. However, in the circumstances of the devastating tsunami, it is an indisputable fact that actions speak much louder than words. I join the Parliamentary Secretary in acknowledging all those who responded to the call to action, who thought not about their own personal circumstances but swung into action. I include the Parliamentary Secretary in that list. I know it was not a matter of personal glory, but of heeding and responding to a call to help, leaving Australia within days of the event.

At a time when others of us were trying to come to grips with the tragedy and devastation, donating money and doing what we could, he was on a plane and on his way there, along with many others. Thanks also to the people that the honourable member mentioned. I guess there would be many others whom he could have mentioned but whose assistance might not be recorded in the records of this House but whose efforts will make a difference to the lives of so many of our near neighbours who suffered from this devastating event.

AMBULANCE SERVICE 10-YEAR SERVICE MEDAL

Mr THOMAS GEORGE (Lismore) [5.36 p.m.]: This afternoon I seek the support of the Minister for Health to recognise ambulance officers in New South Wales, who give great service to this State. These are officers who deserve a demonstration of appreciation for their dedication to a chosen profession. As I understand it, New South Wales has a number of awards that are available to employees of the Ambulance Service. These awards are presented only to officers who have met a specific format, and upon approval of our Ambulance Board and the State General Manager of Operations.

NSW Police, New South Wales Fire Brigades and other emergency service entities have similar award provisions available to officers as specified. A point of note is that one award that those services have in common is the national medal for 15 years of diligent service, a medal presented to officers by their respective

employers. That is called a Commonwealth Medal. I think it was in 2002 that the NSW Police instituted an award to those of its officers who had completed 10 years of diligent service to the force, and that medal is called the New South Wales Police Medal. The New South Wales Fire Brigades commissioner has decided to establish a long service and good conduct medal to recognise diligent service and conduct by members of the New South Wales Fire Brigades. This also is a medal for 10 years of service.

The Ambulance Service is the only one of the three major emergency service agencies, I understand, that does not offer its officers a medal for 10 years of diligent and ethical service. At a time when the average years of service for a New South Wales ambulance officer is about five, I believe encouragement is needed. Therefore I urge the Minister to look at the possibility of a medal in appreciation of 10 years of service by ambulance officers.

I understand that the National Medal is awarded to Ambulance Service personnel after 15 years of diligent service. The awarding of a medal for diligent and ethical service after 10 years may encourage ambulance officers to stay in the service. An ambulance officer in Casino said that he believed it would be a good idea to award a 10-year medal statewide. Such an award does not require an Act of Parliament: the Ambulance Service of New South Wales could institute it. I call on the Minister for Health to encourage the Chief Executive Officer of the Ambulance Service and General Manager of Operations of the board of the Ambulance Service to consider reintroducing a 10-year award for the dedicated men and women who do a tremendous job in this State.

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [5.41 p.m.]: The honourable member made an interesting point about the need to acknowledge, in some form or another, the 10-year service of ambulance officers. In my electorate the Menai ambulance station has recently celebrated its 10-year anniversary. The manager, Laurie Oke, has given many years of dedicated service and has been at Menai for its 10 years of operation. I have spoken to Laurie on many occasions and I know that ambulance officers are often confronted with devastating scenes, and that takes its toll on many of them. The honourable member for Lismore is right: sometimes we need to give ambulance officers a pat on the back to encourage them to remain in such a vital job. I will raise this matter with the Minister to determine whether something can be done to acknowledge the good work they do every day of the week.

PORT MACQUARIE BASE HOSPITAL

Mr ROBERT OAKESHOTT (Port Macquarie) [5.43 p.m.]: I convey to the House the relief of the Port Macquarie community following the finalisation of a 10-year saga that has involved both the Port Macquarie and North Coast communities and one of the biggest commercial transactions undertaken by the Department of Health. The Port Macquarie Base Hospital was unique: it was a privately run public hospital, contracts having been signed in the early 1990s. By using the word "relief" I am not taking sides one way or the other as to whether in theory a privately run hospital could work, but, rather, expressing relief that the community now has a common direction. The most pleasing thing that has occurred in the past couple of months following the announcement of this decision was the unifying of arch enemies at the local level behind the common cause of delivering the best possible health outcomes for the local area, which anyone in this place would surely agree is what a community should do for its local hospital.

It has been a difficult 10 years for the community, which had to listen to ideological views. In some cases the community benefited from superior clinical standards. On the one hand, more than 30 specialists have been attracted to Port Macquarie Base Hospital in the past decade like bees to a honey pot. On the other hand, we have missed out on less profitable but incredibly important community-based services, such as scheduled beds. That meant no involuntary mental health patients and a limited drug and alcohol service. When annual budgets were discussed between the public and the private sectors funding was constantly disputed. We now have an opportunity to move forward together at the local level. I remind the Minister of the importance of this year's capital works projects at Port Macquarie Base Hospital. I was pleased with his announcement today that \$40,000 would be provided for a master plan to redevelop the hospital site.

I am pleased also that the more than 500 employees have had a fairly smooth transition. There were some specialist issues within the intensive care unit, but my understanding is that they have now been resolved. To have more than 500 staff make a relatively smooth transition over two months is an excellent result. We can now start to move on to capital works opportunities. Today the Minister highlighted the two areas that are glaringly in need of work. One is mental health, which I have mentioned already and the other is the emergency department. Port Macquarie Base Hospital has one of the busiest regional accident and emergency departments

in the State. I am pleased that the Minister is aware of the need in both of those areas. A site for the radiotherapy unit has been decided, and I would urge the Government to get on with the job of delivering that unit.

Associated with that is the Rotary Lodge accommodation for patients and their families who travel to the radiotherapy unit. Rotary has a substantial 12-month interest-free loan from a local bank. Although community fundraising has been fantastic and will continue, one must be realistic and say that we will get to the point where the State Government will have to become involved. I hope the Government does not argue that because it is building the radiotherapy unit it does not have to provide accommodation. I hope that both the unit and the lodge are regarded as a job lot. The Rural Clinical School, which is associated with the University of New South Wales, is now up and running, and we have the opportunity to become a primary allocation centre. Due to the private-public nature of the hospital it has not been a primary allocation centre, a teaching hospital, for graduate students. I hope that it will now be regarded as such a hospital, and I hope the Minister bears that in mind. The fourth wing of the hospital will develop links with community health, and general parking at the hospital could be improved greatly.

Private members' statements noted.

The House adjourned at 5.48 p.m. until Tuesday 1 March at 2.15 p.m.
