LEGISLATIVE ASSEMBLY

Tuesday 22 March 2005

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

Mr Speaker offered the Prayer.

BUSINESS OF THE HOUSE

Commencement of Business

Mr CARL SCULLY: Mr Speaker, due to the unavoidable absence of members who are attending the State funeral of the late Judge Bellear, and to facilitate the orderly conduct of proceedings, I suggest you now leave the chair until the ringing of one long bell at 2.45 p.m.

[*Mr Speaker left the chair at 2.16 p.m. The House resumed at 2.45 p.m.*]

ASSENT TO BILLS

Assent to the following bills reported:

Court Security Bill
Forestry (Darling Mills State Forest Revocation) Bill
Historic Houses Amendment Bill
Marine Safety Amendment (Random Breath Testing) Bill
Police Integrity Commission Amendment Bill
Sheriff Bill
Standard Time Amendment (Co-ordinated Universal Time) Bill
State Records Amendment Bill

MINISTRY

Mr BOB CARR: In the absence of the Deputy Premier, Treasurer, Minister for State Development, and Minister for Aboriginal Affairs, who is attending an Australian Ministerial Council meeting, I will answer questions on his behalf. In the absence of the Minister for Health, who is ill, the Minister for Energy and Utilities, Minister for Science and Medical Research, Minister Assisting the Minister for Health (Cancer), and Minister Assisting the Premier on the Arts will answer questions on his behalf. In the absence of the Minister for Community Services, and Minister for Youth, who is caring for a family member, the Minister for Tourism and Sport and Recreation, and Minister for Women will answer questions on her behalf.

BUSINESS OF THE HOUSE

Routine of Business

[*During notices of motions*]

Mr SPEAKER: Order! The honourable member for Heffron is entitled to be heard in silence.

Later,

Mr SPEAKER: Order! The House is aware that question time will start late, but it will finish early for several members if their present behaviour continues.

PUBLIC ACCOUNTS COMMITTEE

Government Response to Report

Mr Carl Scully, on behalf of Dr Andrew Refshauge, tabled the Government's response, dated 21 March 2005, to the report entitled "Inquiry into the Infringement Processing Bureau", tabled on 16 September 2004.

FOREST AGREEMENTS AND INTEGRATED FORESTRY OPERATIONS APPROVALS

Amendments

Mr Speaker announced, in accordance with section 21 of the Forestry and National Park Estate Act 1988, the receipt of amendments to the integrated forestry operations approvals for the Lower North East, Upper North East, Eden and Southern regions, dated 2 March 2005.

AUDITOR-GENERAL'S REPORT

The Clerk announced the receipt, pursuant to section 63C of the Public Finance and Audit Act 1983, of the report entitled "Auditor-General's Report—Financial Audits—Volume One 2005", dated March 2005.

AUDIT OFFICE

Report

The Clerk announced the receipt, pursuant to section 63C of the Public Finance and Audit Act 1983 of the performance audit report of the Auditor-General entitled "Follow-up of Performance Audit—Collecting Outstanding Fines and Penalties", dated March 2005

LEGISLATION REVIEW COMMITTEE

Report

The Clerk announced the receipt, pursuant to section 10 of the Legislation Review Act 1987, of the report entitled "Legislation Review Digest No. 3 of 2005", dated 18 March 2005.

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 **Mr Chris Hartcher**, **Mrs Judy Hopwood** and **Mr Steven Pringle**.

Stamp Duty Reduction

Petition supporting a reduction in stamp duty, received from **Mr Barry O'Farrell**.

Kurnell Sandmining

Petition opposing sandmining on the Kurnell Peninsula, received from **Mr Barry Collier**.

Bungonia Quarry Construction Application

Petition opposing the application to construct a quarry at Ardmore Park, Bungonia, received from **Ms Katrina Hodgkinson**.

Yamba Policing

Petition requesting an increase in police numbers for Yamba, received from **Mr Steve Cansdell**.

Breast Screening Funding

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

Public Hospital Security and Staffing

Petition requesting that the Department of Health guarantee the safety of patients and employ sufficient staff in public hospitals, received from **Mr Barry O'Farrell**.

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**.

Old Northern and New Line Roads Strategic Route Development Study

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

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** and **Mr John Mills**.

Southern Tablelands Rail Services

Petition opposing any reduction in rail services on the Southern Tablelands line, received from **Ms Katrina Hodgkinson**.

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**.

Pets on Public Transport

Petition requesting that pets be allowed on public transport, received from **Ms Clover Moore**.

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.**

Mid North Coast Airconditioned Buses

Petition requesting that the new airconditioned buses assigned to the mid North Coast not be removed, received from **Mr Andrew Stoner**.

Colo High School Airconditioning

Petition requesting the installation of airconditioning in all classrooms and the library of Colo High School, received from **Mr Steven Pringle**.

Dunoon Dam

Petition requesting the fast-tracking of plans to build a dam at Dunoon, received from **Mr Thomas George**.

Isolated Patients Travel and Accommodation Assistance Scheme

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

Hawkesbury Electorate Sewerage

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

Glenorie and Galston Sewerage

Petition requesting the delivery of sewerage services to the Glenorie and Galston districts, received from **Mr Steven Pringle**.

Wisemans Ferry Electricity Requirements

Petition requesting an assessment of the electricity requirements of the Wisemans Ferry district, received from **Mr Steven Pringle**.

Tweed Shire Council Inquiry

Petition requesting the immediate cessation of the public inquiry into the Tweed Shire Council, received from **Mr Andrew Fraser**.

Collector Bushrangers Reserve Motorcycle Track

Petition requesting approval for the construction of a motorcycle track at Collector Bushrangers Reserve, received from **Ms Katrina Hodgkinson**.

Water-Access-Only Property Policy

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

Sullage Removal Subsidy

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

ADMISSIBILITY OF QUESTIONS WITHOUT NOTICE

Mr SPEAKER: Order! On 1 March the honourable member for Epping asked a question of the Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) touching on evidence given at the Independent Commission Against Corruption. Although I allowed the Minister to answer the question, at that time I said I would provide a detailed ruling at a later stage. The rule that motions, debates and questions should not make reference to matters awaiting or under adjudication is intended to ensure that there is fairness, that there is no prejudice, and that Parliament does not prejudge findings or influence a jury or witnesses. The Independent Commission Against Corruption is not a court of law, and questions have been asked and answered in this House in relation to then current ICAC investigations.

However, if the Chair perceives that questions, debates or motions give rise to a real and substantial danger of prejudice to proceedings, those questions, debates or motions should not be allowed. In some instances the greater public interest may lie in restricting debate or questions if they clearly canvass evidence, prejudge proceedings or seek to influence the finding of the commission. Members enjoy freedom of speech in this House. That parliamentary privilege is expressly recognised in section 122 of the Independent Commission Against Corruption Act. However, members need to be aware that this privilege should be exercised with care so that, in the interests of justice, a witness does not feel inhibited or that his or her legal rights have been denied.

COMMITTEE ON THE OFFICE OF THE OMBUDSMAN AND THE POLICE INTEGRITY COMMISSION

Reports

Mr Paul Lynch, as Chairman, tabled the following reports:

Report No. 5/53 entitled "Twelfth General Meeting with the NSW Ombudsman", dated March 2005, together with transcript of proceedings, written responses to questions and minutes;
Report No. 6/53 entitled "Eighth General Meeting with the Police Integrity Commission", dated March 2005, together with transcript of proceedings and minutes;
Report No. 7/53 entitled "Interim Report on an Inquiry into Section 10 (5) of the Police Integrity Commission Act 1996", dated March 2005, together with written responses to questions and minutes, and
Report No. 8/53 entitled "Interim Report on an Inquiry into the Police Integrity Commission's Jurisdiction to oversight the Protective Security Group", dated March 2005, together with transcript of proceedings, written responses to questions and minutes.

Ordered to be printed.

QUESTIONS WITHOUT NOTICE

MACQUARIE FIELDS RIOTS

Mr JOHN BROGDEN: My question without notice is addressed to the Minister for Police. Why have police refused to offer protection and assistance to Macquarie Fields bashing victim Jasen Greeks and his family unless his children agree to provide statements?

Mr CARL SCULLY: I heard that the Leader of the Opposition had made that allegation earlier today so I rang the Deputy Commissioner of Operations, Dave Madden, and asked him whether it was correct. He said that he would need to speak personally to the police officers who had made contact with Mr Greeks. The advice from those officers conveyed to me by the deputy commissioner is that the allegation is not true.

CASINO CHIPS MONEY LAUNDERING

Mr TONY STEWART: My question without notice is directed to the Minister for Police. What is the latest information on efforts to stop casino chips from being used to launder money?

Mr CARL SCULLY: Honourable members would be aware that if individuals are found with large sums of money and are not able to adequately explain how they came into possession of that money, that money can be deemed to be the proceeds of crime, and confiscated. If someone is found with drugs and a large amount of cash, obviously both the drugs and the cash can be confiscated. Career criminals are always looking to find loopholes in the law. Some criminals have started using casino chips as currency to purchase and trade drugs.

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

Mr CARL SCULLY: I will give a couple of examples. Recently two Thai nationals were intercepted on their arrival in Australia and were found to be in possession of $75,000 worth of chips from Melbourne's Crown Casino. In December last year police executed a search warrant on the New South Wales home of a criminal where more than 400 grams of heroin, $90,000 in cash and $20,000 in casino chips were seized. Those are but two examples of money laundering that NSW Police have come across. Gaming chips are being used as currency for buying drugs and money laundering outside casinos. The attractiveness of that is obvious: criminals do not have to carry large amounts of cash and, if questioned by police about the chips, they can claim that they won the chips at the casino.

Therefore, I indicate today that the Government will change the law to give police the power to prosecute criminals found to have gaming chips in their possession. Asset confiscation undermines the profit of crime and takes away the working capital that criminals need to undertake their enterprises. Taking money from criminals wipes the smiles off their faces. Since the Criminal Assets Recovery Act was instituted many years ago, nearly $100 million has being confiscated from criminals, and that has hurt them deeply. This success has meant that criminals look for other ways of undertaking the laundering of money. The Government is determined to do something about that and will clamp down on people who use casino chips to launder money.

It is not the Government's intention to impact on genuine gamblers who visit the casino and may happen to possess a small amount of chips after gambling at the casino. I advise gamblers that if they wish to avoid suspicion they should do what most gamblers do—cash in their chips and get their money before they go home. Gamblers could carry as much as $20,000 or $50,000 worth of chips in their pockets. If gamblers are caught with a large cache of chips, the amendment to the law will mean that they will have a lot to explain. In fact, the onus will be on the person to explain that the chips they carry were not the proceeds of crime.

These are important changes and I thank the Minister for Gaming and Racing and the Casino Control Authority, who have been very co-operative and worked in partnership with police and the Ministry for Police in giving a very strong message to criminals: if you think you will get away with this in the near future, think again, because you will be caught and the chips will be confiscated and handed back to the community. This is an important initiative that other jurisdictions should take up, and that is why I will put it on the table at the next meeting of Australasian Police Ministers.

JUVENILE CRIME

Mr ANDREW STONER: My question without notice is directed to the Premier. Ten years after promising more effective crime prevention, can the Premier explain why a 14-year-old Kempsey boy, arrested eight times since February for a string of break and enters, and an 11-year-old Wee Waa boy, reported to police and the Department of Community Services on more than 20 occasions for 62 criminal acts, are still free to roam the streets with impunity?

Mr BOB CARR: No wonder the Leader of The Nationals asks the policing questions, not the Leader of the Opposition. The message from police is that he ought to butt out of their affairs.

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

Mr BOB CARR: Since this House last met we have seen an astonishing attack on police, from the top down, by the State Opposition. The Leader of the Opposition referred to the Macquarie Fields riots and said "the performance of the police commissioner was zero out of ten".

Mr John Brogden: That's right.

Mr BOB CARR: The Leader of the Opposition is repeating that allegation. He said, "That's right", confirming his personal attack on the Commissioner of Police. It was reported in the *Sun-Herald* that the Opposition announced that the Commissioner of Police, no-one else, is to be the target of their attacks. The Leader of the Opposition said, "Ken Moroney has emerged as the Opposition's number one target".

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

Mr Adrian Piccoli: My point of order relates to relevance.

Mr SPEAKER: Order! I have not given the call to the honourable member for Murrumbidgee. He will return to his seat.

Mr Adrian Piccoli: I did call a point of order.

Mr SPEAKER: Order! The honourable member for Murrumbidgee will return to his seat and seek the call to take a point of order in the appropriate way. Does the honourable member for Murrumbidgee wish to take a point of order?

Mr Adrian Piccoli: Yes.

Mr SPEAKER: What is your point of order?

Mr Adrian Piccoli: My point of order relates to relevance. The question was about a juvenile who is facing several charges. It had nothing to do with Macquarie Fields or the Opposition's position on the police commissioner.

Mr SPEAKER: Order! The Premier is answering a question relating to police matters. There is no point of order. The honourable member for Murrumbidgee will resume his seat.

Mr BOB CARR: The honourable member for Murrumbidgee ought to congratulate me on raising the question of police morale and the great job our police are doing in every corner of the State in seeing that no crime category is on the increase and crime is generally down.

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

Mr BOB CARR: One would think it would be a responsible, positive approach for the State Opposition to seize every opportunity to back the commissioner and support the job that the police are doing. Instead of that, they continue—

Mr SPEAKER: Order! The Chair will not tolerate constant calling out by members of the Opposition or the Government. The Premier has the right to be heard in silence. Members will obey the standing orders and comply with the procedures of the House.

Mr BOB CARR: It is a disgrace that an Opposition—this is the first time I can remember an Opposition doing it: Carr did not do it as Opposition leader, Greiner did not do it as Opposition leader—should pick on the police commissioner and personally attack the leader of police in New South Wales.

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

Mr BOB CARR: If he had any guts he would attack me, but he attacks the police Minister. He attacks operational police. What is the response of those police who were subjected to that political attack?

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

Mr BOB CARR: Their response is to tell the Leader of the Opposition to mind his own business.

Mr John Brogden: That's what the union said.

Mr BOB CARR: No, not the union. At a mass meeting of rank and file police—it is a unionised work force: they belong to a union—a great group of police who had been on the beat, maintaining order, met at Macquarie Fields.

Mr Andrew Stoner: Point of order: My point of order relates to relevance. Like most matters the Premier is obsessed with Sydney and he is ignoring country New South Wales. This question is about Kempsey and Wee Waa.

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

Mr BOB CARR: Every member knows that the matters relating to Kempsey and Wee Waa cannot be seen in isolation. Moreover, the honourable member can rest assured that the matters will be given the closest examination, but they need to be seen in the context of the war against the leadership and the rank and file of police that the Leader of the Opposition is running. That is why police officers have said he ought to back out of policing business and allow the police to get on with it. On policing, as on every other subject area, this Leader of the Opposition has no plans, no policies and no ideas.

PRIVATE HEALTH INSURANCE PREMIUMS

Ms ANGELA D'AMORE: My question without notice is directed to the Premier. What is the latest information on community concerns about the cost of private health insurance?

Mr BOB CARR: Earlier this month the Federal Government approved private health insurance premium increases averaging 7.9 per cent. This week New South Wales families will get letters telling them the bad news. It should be remembered that 7.9 per cent is only the average; some insurers are charging much more. For example, one of them is charging up to 17.7 per cent, that is, a $237 hit to the annual household budget. Every time private insurers go to the Commonwealth saying, "Our health costs are going up and there is a steep rate of increase in everything to do with health", the Commonwealth says, "Oh yes, so there is." We saw a 6.9 per cent increase in 2001, a 7.4 per cent increase in 2002, a 7.6 per cent increase in 2003, and a 7.9 per cent increase in 2004.

The Commonwealth is saying, "Health costs are going up by more than the consumer price index. We will approve that rate of increase in premiums for private health companies." By the way, the Commonwealth says that it has to be sensitive about the way in which private health insurers handle this matter. One health fund, the NIB, was so concerned about the Prime Minister's sensitivity over Tony Abbott's perfunctory consideration of fee increases that it sent out a memo to all its staff stating, "Employees should not tell customers that the Howard Government has approved the rate increase" because the Commonwealth was "obviously going to be sensitive about this". NIB and all the other insurers know that they are on to a good thing and they do not want anything as simple as customer backlash to spoil their cosy relationship with the Commonwealth.

These very generous private health insurance increases are underwritten by a 30 per cent Commonwealth subsidy worth $2.1 billion every year. They are in stark contrast with the way the Commonwealth increases the States' health grants, cutting $1 billion over five years from hospital funding under the Australian health care agreement, and that includes cutting $300 million from New South Wales. Honourable members should remember that 7.9 per cent increase in private health premiums. Are honourable members aware that New South Wales got a 4.4 per cent increase from the Commonwealth for its hospitals this year? That is the increase that the Commonwealth calculates in the cost of providing health care when it comes to Commonwealth grants to the States. But when it comes to doing favours for private health insurers it gives them a 7.9 per cent increase, just half the level of those health insurance increases for the States for the cost of running hospitals.

By contrast, we increased public hospital funding hugely in our budgets last year by $707 million, or 18 per cent, and we increased hospital staff by more than 4,000 over the past three years. We saved $100 million by amalgamating area health services, cutting administrative duplication and trimming corporate services. Let me give just one example. We saved $14 million under a new telecommunications contract—money that will help to fund the training of enrolled nurses. While we save millions the Commonwealth squanders $1.1 billion on health administration every year. The source for this is the report of the Australian Institute of Health and Welfare. That is four times the amount that the States and Territories spend on administration combined.

The Commonwealth's private health insurance rebate alone has administrative costs that total $252 million a year—money that ought to be going into frontline health funding, not paying bureaucrats in Canberra. The Coalition in New South Wales is no better. It wants to reinstate hospital boards. It wants to recreate the bureaucracy that we spent a decade pruning. I doubt whether there is a physician in a hospital in New South Wales who would want hospital boards back. Members of the Coalition have done nothing to get their Federal colleagues to reinstate the $1 billion that has been cut from State and Territory hospitals. The health system cannot be patched and papered over any more and the system needs to be reformed from the top to the bottom.

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

Mr BOB CARR: The Commonwealth must cut administrative waste, improve aged care and provide general practitioner services to take the pressure off public hospitals. It must dip into its massive surpluses to reinstate the $1 billion that it so ruthlessly cut from State hospital budgets. New South Wales families should not be faced with steep private health premium increases while Commonwealth policy is in such fundamental disarray.

DESIGNER OUTLETS CENTRE, LIVERPOOL, CLOSURE

Mr DARYL MAGUIRE: My question without notice is directed to the Premier. Despite his public statements on Orange Grove that the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), Diane Beamer, "made her decision on sound planning grounds", how does he explain his private evidence to the Independent Commission Against Corruption [ICAC] in which he admitted "stick to the rules" was implicit code for "close the centre"?

Mr BOB CARR: That is a total falsehood. What is compelling in the evidence before the ICAC is the evidence that came from the head of the Department of Infrastructure, Planning and Natural Resources. It is absolutely overwhelming on this point. While not offering further comment—

Mr Andrew Tink: Point of order: The evidence is very clear—

Mr SPEAKER: Order!

Mr Andrew Tink: The evidence is as follows: "Did you give any direction or instruction to any person which would have had the effect of closing the Orange Grove centre?" The answer was, "Well I suppose implicitly by agreeing in meetings with Graeme Wedderburn that we should play "stick to the rules" I was saying that." It is very clear.

Mr SPEAKER: Order! The honourable member for Epping regularly attempts to make a statement to the House while claiming that he is taking a point of order.

[*Interruption*]

Mr SPEAKER: Order! I place the honourable member for Epping on three calls to order. The next time he attempts to make a statement that has nothing to do with the point of order, he will find himself outside the Chamber immediately.

Mr BOB CARR: I do not propose to comment on the evidence before the ICAC, except to say that every member of the House should read the three days evidence given before the ICAC by the head of the Department of Infrastructure, Planning and Natural Resources.

Mr John Brogden: Very independent!

Mr BOB CARR: The Leader of the Opposition is attacking public servants again. That is the point: he is attacking the respected head of the Department of Planning; he attacked the Commissioner of Police.

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

Mr BOB CARR: He attacks public servants at every opportunity.

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

Mr BOB CARR: The Leader of the Opposition lacks any policy, any plan or any idea of his own. He is always negative. He is the ultimate whinger. In the history of State Opposition leaders in this or in any other Parliament there has never been anyone who has whinged as much as he does.

RAILCORP STAFF DRUG AND ALCOHOL TESTING

Ms MARIE ANDREWS: My question is addressed to the Minister for Transport. What is the latest information on safety initiatives within RailCorp?

Mr JOHN WATKINS: I am pleased to advise the House about the most recent results from RailCorp's drug and alcohol testing programs. First I acknowledge the support and co-operation of all rail unions as we put together a range of new measures to improve safety and reliability across the rail network. Much has been achieved but there is a lot more to be done. An important component of this safety focus has been the introduction of random drug and alcohol testing across all transport agencies, including rail. It is now almost 12 months since random drug and alcohol testing began for rail staff and it is appropriate to update the House on the progress of the new testing regime.

The testing applies to those who are defined under the Rail Safety Act as performing rail safety work. This definition includes employees involved in operating and moving trains; repairing, maintaining, cleaning or upgrading tracks and rolling stock; the certification of the safety of infrastructure; the development, management and monitoring of safe working systems; and other work prescribed by the relevant regulations. Random alcohol testing of all rail safety workers, including drivers, guards and signallers, began in October 2003. I am advised that as of last week 35,742 random alcohol tests had been undertaken. There were 39 positive results, that is, 0.1 per cent of the total. Train crew staff, a maintenance worker, a signal worker, a passenger attendant and a contractor were among those who returned a positive test. I am advised that of the 39 who tested positive, 21—the bulk of those who tested positive—returned readings between 0.02 and 0.05; 14 returned readings between 0.05 and 0.1; and four returned readings of more than 0.1.

Random drug testing of all rail staff was introduced in April last year. I am advised that by last week more than 1,549 random drug tests had been undertaken, with 33 positive results returned—which is 2.1 per cent of the total. Cannabis, speed and ecstasy have been detected. A passenger attendant, an infrastructure

worker and a station attendant were among those who tested positive. In addition to random testing, rail staff who are involved in safety-related incidents undergo mandatory drug and alcohol testing following any incident. Importantly, rail staff who are experiencing difficulties with drugs or alcohol are encouraged to self identify.

I am advised that RailCorp's drug and alcohol policy includes a comprehensive process to follow up the return of a positive test—which is what we would expect. This is aimed at maintaining the safety of the rail network and ensuring procedural fairness for staff. Staff who test positive are immediately removed from safety-related work and given alternative duties while a formal investigation takes place. A disciplinary review panel considers all the evidence arising from the investigation, along with the employee's record, before making a recommendation about what appropriate action to take. I am advised that RailCorp has a flexible disciplinary policy to ensure that each case can be considered on the facts. Disciplinary action ranges from a reprimand to dismissal.

These latest statistics illustrate the importance of having in place stringent testing regimes and appropriate staff support programs. Regular updates on random drug and alcohol testing of rail workers are posted on the CityRail web site. The Government has ensured independent oversight of drug and alcohol testing in transport agencies. To this end, the Independent Transport Safety and Reliability Regulator monitors and enforces the obligation of transport operators to implement random testing programs. The final report of the Waterfall accident recommended an ongoing commitment to drug and alcohol testing. As I have said, the support of rail unions on a range of safety initiatives is vital and welcome. The Carr Government is committed to providing a safe and reliable rail network for the half a million passengers who use the system every day. Random drug and alcohol testing is an essential part of that, and I commend these results to the House.

COUNTRY TOWNS WATER SUPPLY AND SEWERAGE PROGRAM

Mr IAN SLACK-SMITH: My question is directed to the Minister for Energy and Utilities. Why has the Minister broken a promise to Tamworth Regional Council ratepayers, leaving them with a shortfall of more than $13.5 million for vital water and sewerage work as a result of his savage cuts to the Country Towns Water Supply and Sewerage Program—which is $250 for every man, woman and child in the local area?

Mr FRANK SARTOR: The last time I checked we had increased the total amount of funding under the Country Towns Water Supply and Sewerage Program to $908 million. We increased the funding and, moreover, targeted the money to the areas of greatest need by setting up a priority system.

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

Mr FRANK SARTOR: Not only did we set up a priority system that allows an independent panel to check which utilities need the water first; we then appointed to the panel representatives of the Local Government Association to take appeals to review the applications. They have done that. If the scheme to which the honourable member for Barwon refers cannot cut the mustard I am afraid it will have to wait its turn in the order of priorities. That is all I can say.

WILD DOG CONTROL

Mr STEVE WHAN: My question is addressed to the Minister for the Environment. What is the latest information on efforts to prevent wild dog attacks on livestock, particularly in the Snowy Mountains area?

Mr BOB DEBUS: I thank the honourable member for Monaro for his question and acknowledge his ongoing interest in this matter. The Government is committed to reducing stock losses caused by wild dogs. As honourable members will be aware, following representations from the honourable member for Monaro and local landowners, I supported the introduction of aerial baiting in the Adaminaby-Yaouk area of the Snowy Mountains. This included aerial baiting within a small part of Kosciuszko National Park.

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

Mr BOB DEBUS: According to the maps, that small part of the park is within the national park's boundaries and is not being logged, as the honourable member for The Hills has alleged. There have been the most extraordinary reports of disagreements between the honourable member for The Hills and the honourable member for Coffs Harbour about this matter. Claims of illegal logging in a national park have sparked open warfare between State politicians—the only problem is that the pollies involved are on the same side of the

House! We have heard the honourable member for Coffs Harbour say subsequently that the charges levelled by the honourable member for The Hills concerning alleged logging in the national park were absurd and totally inaccurate. For once—the only time that I can think of—I acknowledge the accuracy of the remarks by the honourable member for Coffs Harbour.

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

Mr BOB DEBUS: The Government's aims are to reduce the number of wild dogs to better protect stock and to ensure that there is a minimal impact on native wildlife. A co-operative wild dog control plan was developed by the Adaminaby/Yaouk Wild Dog Association, which comprises people from the National Parks and Wildlife Service, the rural lands protection board and local farmers. The plan included employing an additional trapper, which means that two trappers have been working in the area since July 2004. The plan also involved comprehensive ground baiting within Kosciuszko National Park last September and aerial baiting in the northern part of the park. As a result of the plan more than 1,100 baits were placed along nearly 60 kilometres of aerial trail. The plan proceeded despite the fact that a few landholders refused to allow baits to be dropped on their properties.

Despite that impediment, I am pleased to report a 52 per cent reduction in stock losses from July 2004 to February 2005 when compared to the previous year. In other words, there were 122 livestock losses between July 2004 and February 2005 compared to 253 livestock losses over a similar period the previous year. National Parks reports that wild dog numbers in the relevant areas have fallen from medium abundance before aerial baiting to scarce abundance following aerial baiting. I must stress that these results are preliminary. They should be treated with a degree of caution, as more information will have to be gathered over a longer time frame.

The Government is supporting other plans to reduce the wild dog threat across the Monaro. Some highly inflammatory and hysterical media commentaries have claimed government agencies believe that wild dogs have a natural place in national parks. Those commentaries are simply devoid of reason. In fact, it defies logic to suggest that farmers, National Parks and Wildlife staff and rural lands protection boards are wasting their time developing plans to tackle wild dogs. The opposite is true. The plans are working. Indeed, a prime example is the Brindabella and Wee Jasper valleys, which has resulted in substantial reductions in stock losses in each of the past three years. In 2000-01, when there was no plan, there were approximately 200 stock losses. Following the plan's adoption, stock losses fell in the Brindabella and Wee Jasper area by 68 per cent in the first year, 86 per cent in the second year and 70 per cent in the third year, that is, last financial year. These plans are delivering the most concrete results.

Co-operation between farmers and the Government, the application of control measures across all land tenures and proper funding by National Parks are paying real dividends for local farmers. We can contrast the current wild dog control program with the record of the Coalition when it was last in government. From the way it speaks about these matters from time to time one would think that it had in the past been serious about providing sufficient resources for wild dog control. Indeed, the facts, as usual, speak for themselves. This financial year alone the Department of Environment and Conservation will spend approximately $17 million on the control of feral animals and weeds. That is a record amount of funding. From 1991 to 1995 the Coalition allocated a total of $4.2 million for pest management in national parks, which is approximately $1 million a year. Therefore, the Government is spending 17 times more on pest management than the Coalition spent.

DESIGNER OUTLETS CENTRE, LIVERPOOL, CLOSURE

Mr ANDREW TINK: My question is directed to the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration). Given that the Premier in his private evidence to the Independent Commission Against Corruption on 11 November 2004 said that "stick to the rules" implicitly meant "close the centre", will the Minister now admit that the message she was given from Graeme Wedderburn was to close the Orange Grove Designer Outlets Centre?

Ms DIANE BEAMER: The honourable member will be aware that the ICAC is at present investigating this very matter. It will hear evidence tomorrow on this very matter. I suggest the honourable member read my evidence to the ICAC.

Mr SPEAKER: Order! The Premier will come to order.

WATER RESTRICTIONS

Mr GEOFF CORRIGAN: My question is directed to the Minister for Energy and Utilities. What is the latest information on measurers to preserve water in New South Wales?

Mr FRANK SARTOR: I thank the honourable member for Camden for his question and for his sterling job as a local member. It just so happens that today is World Water Day. Its theme is Water for Life 2005-15.

Mr SPEAKER: Order! Government members will come to order.

Mr FRANK SARTOR: It is about communities around the world recognising the importance of preserving this scarce resource. It is a global problem, an Australian problem and, of course, a Sydney problem. People in the Sydney Basin—Sydney, Illawarra and the Blue Mountains—have embraced this important conservation challenge in spades. Since the water restrictions were imposed some time ago, 110 billion litres of drinking water has been prevented from going down the drain and has been saved for the people of Sydney. In 2002-03 Sydneysiders used 634 billion litres of water. Last year that figure dropped to 562 billion litres of water. This year we are projected to use less than 530 billion litres of water. There has been a huge reduction because the people of Sydney have embraced our program.

Only yesterday the Independent Pricing and Regulatory Tribunal—established by the Coalition—released results of its major survey. What did it find? It found that 60 per cent of people said they support the current water restrictions. Another 28 per cent of people said they could even be tougher. Therefore, 88 per cent of people either support the current or tougher restrictions. Nine out of 10 people embraced what we are doing. A major challenge is being met by the Metropolitan Water Plan, a strong and detailed plan if ever there was one. Sydney's population increases by 1,000 people a week and we are facing the worst drought in 100 years. Guess what? Even with that growth in population, Sydney's water consumption has decreased.

Mr SPEAKER: Order! The Leader of The Nationals will refrain from interrupting the Minister's answer.

Mr FRANK SARTOR: We are addressing this issue. We are securing our water supplies, but we are engaging the community in water conservation. I have much more to say: 263,000 households—more than half a million people—have embraced the retrofit program, which has saved 5½ billion litres of water. That is just one small part of our plan. The Coalition does not have a plan. The honourable member for Wakehurst has tried to get us to drink recycled sewage. This morning he got help from another quarter, by a fellow called Malcolm Turnbull. I remember that Malcolm Turnbull was feeding information to the Coalition, and he got it wrong then. He is desperate to get into the Federal ministry and he will do anything for a story. His web site says that every day Sydney throws 1,000 swimming pools of sewerage out to sea. According to Malcolm Turnbull, we are throwing pipes and pumps out to sea. This Rhodes scholar does not know the difference between sewerage and sewage!

In the world of Malcolm Turnbull, this is probably quite important. I had almost forgotten what his policy is. Basically, he is pushing 450 million litres of sewerage back our way. He wants us to process 450 billion litres of sewerage. Perhaps the Leader of the Opposition ought to embrace and adopt that policy. At least Malcolm Turnbull is saying something. The simple fact is that our strong and detailed Metropolitan Water Plan, thanks to the Minister for Infrastructure and Planning, is a very good plan. It is not a rash plan, not a plan from the Colin Barnett school of economics. It is cost effective, sensible and measured, and it will provide water security for the people of Sydney. Under the plan, of course, we will be recycling up to 80 billion litres of water under new release area initiatives and other programs under my colleague the Minister for Infrastructure and Planning. Some 150,000 homes are saving 80 billion litres of water—not a figure pulled out of the air such as 450 billion litres of reuse, but 80 billion litres of reuse water that can be used in the Sydney market.

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

Mr FRANK SARTOR: We already have 14 billion litres of reuse. We will add another 7.3 billion litres to that reuse figure in the next few months with a Bluescope Steel and Port Kembla project. In 2003 Australand entered into an agreement with Sydney Water to reduce water consumption in 12 of its projects by another half billion litres of water per annum. Today I inform the House that the ink is now dry on the new agreement with Landcom that will reduce water consumption in 25,000 new houses built by Landcom, not by 40 per cent but by 60 per cent per household. We are kicking goals one after the other.

Mr SPEAKER: Order! There is far too much audible conversation in the Chamber. The Minister has the right to be heard. A number of members are on several calls to order, and question time has not yet concluded. I ask those members to take care.

Mr FRANK SARTOR: I am happy to repeat what I said if Opposition members have not heard it.

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

Mr FRANK SARTOR: Today there is another milestone: the 10,000th household to receive a Sydney Water rebate. It is a family from Penrith. That is a huge increase in the number of households receiving a rebate. Listen to the Leader of the Opposition. We want to keep him around because he is a goose! Water rebates are given by the Sydney Water utility to Sydney customers to encourage water conservation in Sydney. All water utilities have their own conservation programs. If we started meddling in country towns and took over their water control, the Leader of the Opposition would be the first to complain. People in Bathurst do not get a Sydney Water rebate because they are not in Sydney, you goose! The rebate I speak about is provided by Sydney Water. But 10,000 households have now received the rebate, and the number is growing. We have invested $3.3 million in this. I take this opportunity to congratulate Kogarah council. It has acknowledged the tutelage of the honourable member for Kogarah and has done a brilliant job. This morning I launched the installation of a rainwater tank at Carlton South Public School, one of the 10 schools in the Kogarah council area supported by that council matching Sydney Water's $2,500 rebate per school.

Mr Brad Hazzard: Point of order—

Mr SPEAKER: I thought the House was going to have a Hazzard-free question time. Obviously not!

Mr Brad Hazzard: Mr Speaker, I have constrained myself from taking points of order. However, I cannot hear anything that is being said. Not one Labor backbencher is listening to what the Minister is saying. I ask you to direct Labor backbenchers to listen to the Minister's words of wisdom.

Mr SPEAKER: Order! The point of order raised by the honourable member for Wakehurst has relevance.

Mr FRANK SARTOR: Kogarah council needs to be commended for the wonderful work it has done. It has funded every school in its area and matched Sydney Water's contribution of $2,500 per school. A $2,500 cheque was handed over this morning to Carlton South Public School. That is to do with our water plan, not just the current drought. It is securing a change in attitude to water that will prevail into the future by involving our children. This is a terrific initiative by Kogarah council, and I commend the honourable member for Kogarah. Mr Speaker, I commend you and the organisation of Parliament House for new initiatives emanating from the water efficiency audit conducted in Parliament House. That has seen the installation of 66 new water-efficient shower heads, as well as other measures that are estimated to save 22,000 litres of water a day in Parliament House. I commend you and the organisation of Parliament House.

Questions without notice concluded.

JUDGE BOB BELLEAR STATE FUNERAL

Ministerial Statement

Mr BOB DEBUS (Blue Mountains—Attorney General, and Minister for the Environment) [3.55 p.m.]: I am sure that all members of this House were saddened to learn of the recent passing of distinguished Australian Judge Bob Bellear, who died last week from the appalling and pernicious scourge of asbestos-related cancer. Judge Bellear, who was appointed in 1996 as Australia's first Aboriginal judge, brought to the bench unique qualities of dignity, learning and compassion, drawing upon his quite extraordinary diversity of life experience. The son of a cane cutter, one of nine, he experienced poverty and the depths of racial discrimination. At his swearing-in speech in 1996 he spoke of his experience of racially motivated violence in the notorious police roundups of Aboriginal people during the 1960s and the fact that he was inspired by those events to study law. It is, I hope, a measure of how far we have come that, in 2002, it was Judge Bellear who swore in our current Commissioner of Police, Ken Moroney. The respect between those two men is our hope for the future.

Bob Bellear was there on the ground floor when the Aboriginal Medical Service was established, when Tranby was set up, when the Aboriginal Legal Service was launched. But it was his earliest career—when as a

17-year-old he joined the Navy—that laid the tragic seeds of his death last week. In the 1960s he worked as a stoker in the engine rooms of a number of warships, constantly in proximity to lagging that was made from a slurry of asbestos powder, and constantly exposed to the asbestos dust and fibre which, only last week, claimed his life, only a matter of days after a bedside hearing by the Dust Diseases Tribunal. The battle, over many years, to hold asbestos manufacturers liable for the destructive nature of their products has been a bitter one. All members of this House are aware of the battle to hold James Hardie accountable for its liabilities. Judge Bellear, our first and only Aboriginal judge, was reduced from the condition of a strong and vigorous man, a very good footballer, to a state of gross incapacitation in a matter of months. I am pleased that at least he lived to see the terms of an agreement struck which will ensure that future victims are compensated.

Earlier today a State funeral was held for Judge Bellear, and speaker after speaker described him as a man of compassion and learning, a warrior against injustice for his people, and a hardworking judge who strove to bring justice to all Australians as he travelled the length and breadth of New South Wales. Until the middle of last year he continued to carry the heavy caseload of a District Court judge, presiding over criminal trials and civil disputes, and driving hundreds of kilometres a year as he travelled on circuit to regional New South Wales. Our colleague the honourable member for Canterbury spoke at today's State funeral and described Bob Bellear as a man of high degree. He was a man of high degree for all Australians. Since his illness forced him to step down from the bench he has been sorely missed by his colleagues. I am sure all members of this House will join me in extending their condolences to Judge Bellear's family and in remembering the legacy of an extraordinarily fine man.

Mr BRAD HAZZARD (Wakehurst) [3.59 p.m.]: His Honour Judge Bob Bellear was a man of many parts. First and foremost he was a family man. He was a passionate fighter for Aboriginal people. He was a very successful lawyer. In the last decade he brought those qualities to judicial life. He was the first and only Aboriginal judge in Australia. It is an honour and a privilege to speak on behalf of the Liberal and National parties of New South Wales to honour the life and service of Bob Bellear. There can be no greater accolade for a member of the Aboriginal community than to be recognised as an elder. In the eyes of many in the Aboriginal community Bob Bellear has been an elder of the Aboriginal community since he was a young man. That status has been more broadly acknowledged far beyond the Aboriginal community.

I remember he was wise beyond his years even as a university student studying law at the University of New South Wales in the early 1970s. It was in those years that I first met Bob Bellear. He and I were studying law at the University of New South Wales, which had a law faculty that was recognised as less conservative—it may surprise some of my colleagues that I was studying at that law faculty—than the other main law school in New South Wales at the time. It offered opportunities for us, as students, to develop our core beliefs. Law and its practice were for Bob Bellear and many of us the tools to effect social justice. Bob and I shared notes and studied together from time to time. Even at that early stage of his career there was evident in Bob a quiet dignity and an innate compassion. I was already a little older than some because previously I had undertaken another degree, but Bob was a few years older again because he had life experience in the Navy, where he rose to the level of petty officer.

When Bob left the Navy he worked for a while as a fitter and turner before deciding that he had to go back to complete his education. First he completed his Higher School Certificate and then he enrolled in the University of New South Wales Law School in 1971 as one of its first two Aboriginal students. In 1979 he was admitted to the New South Wales bar and became involved in many of the big issues facing Aboriginal people. He was not a reluctant fighter for Aboriginal causes. He was one of the prime movers in the Aboriginal tent embassy in 1972, and he was heavily involved in the Redfern Block issues in 1973 and every year thereafter. He was one of the prime movers in establishing the Redfern Legal Centre, and with others he promoted the establishment of the Redfern Medical Centre. He became a Public Defender and then, in 1987, he was appointed Counsel Assisting the Royal Commission into Aboriginal Deaths in Custody. Along the way Bob served on various Aboriginal advisory committees related to justice issues.

In 1990 he won the University of New South Wales Alumni Award and in 1993 he received an honorary doctorate from Macquarie University. On 17 May 1996 he was appointed Australia's first Aboriginal judge. But along his life's path, as he moved over or around many of the hurdles that are placed before Aboriginal people, he was accompanied by the love of his life, Kaye. Kaye Williams met Bob while he was still in the Navy. I know, through the many discussions I have had with Kaye and Bob, that Kaye was his greatest supporter on the sometimes rocky path of life. Kaye tells me that in the nine months since Bob was diagnosed his family have surrounded him with support. He did many of the things that made him happy. They visited Vanuatu, which was the place from which Bob's grandfather on his mother's side had been brought to work in

the sugar cane fields, effectively as a slave. The other side of his family was Aboriginal and descended from the Noonuccal tribe and the Bungalung Nation from northern New South Wales.

Bob and Kaye had four children, Pana, Joanne, Malu and Kali. I note for the House that Kali is Aboriginal for boomerang. Sadly, Malu died about nine years ago, aged 23. Joanne has three children, Bob's grandchildren, Clare, Kate and Ben. Kali, a pilot with Virgin, has one young son, Tanna Jamarra. Kaye wants me to acknowledge the particular loving support of Joanne and Kali, and their spouses and their children. Bob got particular joy from his grandchildren, and it would be remiss of me not to mention that his youngest, Tanna Jamarra, encapsulates in his name Bob's proud indigenous origins. Tanna is the name of the island in Vanuatu from which Bob's grandfather was taken, and Jamarra means kangaroo in Aboriginal. In recent years I had the opportunity to sit and chat with Kaye and Bob. It was clear that Judge Bob Bellear, with quiet dignity, remained committed to the betterment of the lives of Aboriginal people and non-Aboriginal people who suffered disadvantage. The New South Wales Opposition acknowledges the life of a great Australian.

CONSIDERATION OF URGENT MOTIONS

Regional Development

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [4.03 p.m.]: My motion is urgent and should be given priority because the Government understands the importance of regional communities and regional development, which is why I have strong and detailed plans for it. We listen consistently to the advice and comments of Country Labor. It is for all those reasons that this Government understands the importance of regional development and regional jobs growth. The Federal Government does not and that is why this urgent motion must be debated today.

Brigalow Belt South Bioregion

Mr ANDREW STONER (Oxley—Leader of The Nationals) [4.04 p.m.]: My motion for urgent consideration concerning the Brigalow Belt South Bioregion is extremely urgent, particularly to those in the part of the State covered by the Brigalow Belt South Bioregion. Since 1999 the Government has put a cloud over the future of jobs and viable industries, particularly the timber industry, in that area. Nine mills operating at Baradine, Gwabegar, Bingara, Dubbo, Gunnedah, Gulargambone and Narrabri provide 241 direct jobs and 472 flow-on jobs harvesting a sustainable resource out of the Pilliga forest and other parts of the Brigalow Belt South Bioregion. The motion is urgent because those industries have been placed in limbo. A shadow has been cast over their operations and, therefore, a cap on investment and growth of further jobs in a sustainable industry with strong international demand.

The motion is urgent because although these jobs and the families supported by the industry may not be significant to a Sydney-centric government—as the Government is—they are significant to this part of the country, which has suffered from drought and general decline in rural industries. This industry is under threat from the Government, and has been under threat since 1999, because extreme greens have placed an ambit claim over that country. It is urgent because this tired old Government has shown that when it comes to the timber industry and State forest versus national parks it will do whatever it takes to hang on to power. It will sell out timber workers and their families to cosy up to the Greens in exchange for preferences. It is urgent because in 1995 when the Premier took over State forest to create a national park at Coolah Tops he said that the jobs would be replaced by jobs in the tourism industry.

Mr George Souris: Twenty-three.

Mr ANDREW STONER: As the honourable member for Upper Hunter said, 23 families in the district were affected.

Mr George Souris: They were going to be made rangers, but not one was.

Mr ANDREW STONER: Some 23 were going to be made rangers, but there is not one. Some 12 families were employed directly by the timber mill in the Coolah Tops area and all but one of those families has left the district. That is an example of how much the Government cares for workers in regional New South Wales. History will judge this Government poorly when it comes to sticking up for the rights of timber workers and their families in New South Wales. It is about to do the same in respect of the Brigalow Belt South Bioregion. The motion is urgent because extreme greens are pushing their propaganda, but they are out of touch.

We had a little bag dropped at our office doors today. They do not realise that if the forest is not managed the Cypress pine, as it germinates, will choke out all biodiversity.

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

Mr ANDREW STONER: The Aboriginal people managed this country through the use of fire, which is why we had biodiversity in the region. But the Greens, backed by the Government, are getting set to lock up that country and choke out all biodiversity.

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

Mr ANDREW STONER: We are not talking just about jobs; we are talking also about conservation values. We can have both: we can manage our forests with a sustainable, natural resource and achieve conservation outcomes. But that lot, desperately clinging to power, do not seem to get it in their blind drive for Green preferences. If ever there has been a symptom of a tired old Government, this is it.

Mr SPEAKER: Order! Members on the Government benches will remain silent.

Mr ANDREW STONER: The motion is urgent because sensible conservationists have signed up to the Brigalow Region United Stakeholders [BRUS] option.

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

Mr ANDREW STONER: Some 27 different groups, including conservation groups, have signed up to an option that provides for both conservation and jobs, but only the Western Conservation Alliance has objected to it. Yet that mob is prepared to kowtow to the extreme greens. For six long years the Government has rejected the BRUS option in an ill-advised attempt to hang on to power, but kowtowing to the Greens will not help. We saw how out of touch Mark Latham was in Tasmania. The Labor Party in Tasmania has been devastated because he cosied up to the Greens and he sold out the timber workers in Tasmania.

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

Mr ANDREW STONER: And that is exactly what that lot is trying to do. My motion is urgent because the matter must be debated. The Government must remove the uncertainty and endorse the BRUS option.

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

The House divided.

Ayes, 47

Ms Allan	Mr Gibson	Mr Pearce
Mr Amery	Mr Greene	Mrs Perry
Ms Andrews	Ms Hay	Mr Price
Mr Bartlett	Mr Hickey	Ms Saliba
Ms Beamer	Mr Hunter	Mr Sartor
Mr Black	Ms Judge	Mr Scully
Mr Brown	Ms Keneally	Mr Shearan
Miss Burton	Mr Lynch	Mr Stewart
Mr Campbell	Mr McBride	Mr Tripodi
Mr Collier	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	*Tellers,*
Ms Gadiel	Mr Orkopoulos	Mr Ashton
Mr Gaudry	Mrs Paluzzano	Mr Martin

Noes, 36

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

Pairs

Mr Iemma	Mr Brogden
Ms Meagher	Mr Hartcher

Question resolved in the affirmative.

REGIONAL DEVELOPMENT

Urgent Motion

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [4.17 p.m.]: I move:

That this House:

(1) expresses its concern about the Commonwealth's failure to arrange a Regional Development Ministerial Council meeting.

(2) notes the New South Wales Government's strong support for regional investment and jobs growth.

Regional communities across New South Wales face yet another crisis of confidence created by the Howard Government, and it is one that has been echoing across our nation. Together our States and Territories face an uncertain future because the Commonwealth has demonstrated it has no plans for regional development. The Howard Government is so arrogant that it is completely ignoring regional development. The truth of the matter is that the Commonwealth needs to get its act together. It needs to sit down with the States and Territories and work with us to deliver direction and security to country communities. John Howard and his colleague in The Nationals, John Anderson, are completely out of touch with regional New South Wales. It seems that they can remember the regions only when it comes to Federal elections.

We are all too aware of the Howard Government's disastrous pork-barrelling which was delivered through its Regional Partnerships Program. It simply threw money at any regional community, as long as it would win votes and help to keep John Howard in government. The Commonwealth's careless attitude does not stop there. For almost two years it has failed to give direction to national regional development. The Commonwealth is simply refusing to discuss regional issues with the States and Territories. This cannot go on forever. The situation is indeed urgent. It is urgent because the Howard Government is avoiding regional development and it is urgent because our proud nation builds its economic strength through the efforts of regional communities. New South Wales and other States and Territories cannot work in isolation from the Commonwealth. We cannot do it alone.

We need to work together for the benefit of everyone in Australia. We need a strong and united approach to regional development, investment and jobs, and we need to achieve that with planning and co-operation. There is an existing mechanism for Federal and State governments to co-ordinate our efforts to support regional Australia; it is called the Regional Development Ministerial Council. In fact, there is a standing invitation to set a date for a meeting of the Regional Development Ministerial Council, but still the

Commonwealth will not commit to such a meeting. What is the Federal Government waiting for? Why is the Federal Minister for Transport and Regional Services, John Anderson, not willing to act? Why is he ignoring regional communities and regional businesses? They are the very people who rely on him to support their efforts in the Federal arena.

The Regional Development Ministerial Council has not met since 30 July 2003, 20 months ago. It is outrageous that for almost two years the Commonwealth has ignored regional communities. At a time when there could be no greater need for direction and guidance, the Federal Government, led by John Howard, is failing regional communities. Our regional communities face unprecedented challenges; and after the impact of years of prolonged drought the Commonwealth has shut up shop. The Commonwealth does not care about the 18,000 New South Wales farmers to whom it is refusing to extend its exceptional circumstances income support. Although the Carr Government has committed more than $140 million in drought assistance since this drought began, the Federal Government has cut support to our farmers.

The Commonwealth has slashed vital financial support at a time when 82 per cent of our State is drought-declared or marginal. That just does not make sense on a humanitarian level or on a regional business level. The past summer has been tough on our farming communities, and particularly hard on the Coonamble, Warren, Nyngan, Wellington and Dubbo communities. Despite our appeal, the Commonwealth has ignored our calls to reinstate support to thousands of farmers. That is a serious blow to country towns and businesses. I submitted a number of items to be included in the agenda for the next Regional Development Ministerial Council meeting.

The Federal Government is yet to respond to recommendations from its Regional Business Development Analysis Action Plan. That failure sends the wrong message to regional communities, and that is what has spurred the Australian Chamber of Commerce and Industry to say that unless comprehensive action is taken, the gap between regional and city businesses will continue to widen. The Federal Government's failure to respond to its action plan is another missed opportunity for regional communities. Another issue that needs to be discussed on a national level is petrol prices in regional areas. As our national crisis on skills shortages deepens, the council needs to have a united direction about university and TAFE places in regional areas. We need to address opportunities to improve communication, and we need the Regional Business Development Analysis Action Plan to be implemented; but the Commonwealth simply does not care!

The Commonwealth has won the votes, thrown cash around, and it does not want to care; not until the next election. One would have to ask why John Anderson continues to avoid setting a date for the next meeting of the Regional Development Ministerial Council. Honourable members would be interested to know that he still avoids meeting with us. In the first week of January this year, I raised it with John Anderson in yet another attempt to set a meeting date. Once again, the answer was just another stalling tactic. No date has been set, still nothing has been resolved. That was not the first time the Commonwealth has shirked its responsibilities to meet with us. For some reason the Commonwealth has been resistant for its Regional Development Ministerial Council to meet outside the national capital. It has met once, in Canberra. Have honourable members ever heard of anything more outrageous or ridiculous than the Commonwealth meeting on regional development issues in Canberra only?

I suggested that Wollongong would be a great location for such a meeting. But what did the Commonwealth think of that? Well, the Federal Minister, who is the Chair of that council, decided he would not attend. Importantly, imagine the signal that sends to regional communities: that the Deputy Prime Minister, and Minister for Transport and Regional Services, could not be bothered to advance the cause of regional Australia. Mr Anderson was quite happy for a meeting to be held in a regional area provided he did not have to travel there. But what use is a meeting of the council if its Chair refuses to attend? What is the point? It becomes a superfluous meeting, a waste of everyone's time. And after 20 months, what has the council achieved? It is not hard to guess: absolutely nothing, zip, all because there is no commitment by the Howard Government.

The council first met in mid-2003; indeed, it has met only once. As one can imagine, it was a meeting to set parameters and protocols—and since then the council has existed in name only. It has been suggested that New South Wales cancelled that Wollongong meeting. Let me set the record straight. Mr Anderson, the Chair of the Regional Development Council, would not attend the meeting, so what was the use of meeting without the Chair? It would be like a rudderless ship, with no agenda, no aim and no outcomes. That is why the meeting was postponed, with the agreement of regional development Ministers from other States—until Mr Anderson set a date, and committed to attend. Because Mr Anderson was not prepared to attend the meeting in Wollongong scheduled for March 2004 it was postponed until he was prepared and available to attend.

In March 2005, one year later, the Commonwealth is still avoiding meeting in that forum. On numerous occasions I have tried to get that important forum back in action, but on each occasion the Commonwealth has been mute. The Commonwealth has been content to rest on its laurels and put off the hard work that needs to be done on behalf of regional Australia. The Commonwealth is clearly putting regional jobs, services and infrastructure in the too-hard basket. Mr Anderson's actions, particularly in recent times, demonstrate the Commonwealth's lack of commitment to regional businesses and jobs. In New South Wales, the Carr Government operates in strong contrast to the Commonwealth. We have a strong and detailed plan for regional investment. We are getting results against that plan. We are working with regional communities to create jobs and economic development. We are in touch with our regions and have planned for a strong and viable future for our regional communities.

The Carr Government is getting on with the job of supporting and encouraging regional businesses. Our diverse plan includes projects supporting small business, tourism and regional film. The Carr Government has a strong and detailed plan that includes supporting regional marketing, trade and export. We are doing all we can to support our regional communities, but we need Commonwealth support. But if we are going to achieve on a national level we need the Commonwealth to get serious about regional development. We need commitment from the Commonwealth and we need it now. We need to encourage John Anderson to take seriously the responsibilities that he established in the framework of that national ministerial council. We had to fight to have the meetings held in regional locations. The draft terms of reference stated that the ministerial council would meet only in a capital city. The States took that on and obtained a commitment to meet outside capitals, as it should. Since then, John Anderson has refused to attend any meeting held outside Canberra.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [4.27 p.m.]: The Government's motion is in two parts. The first is an attempt at political grandstanding, and the second is a pretty poor attempt at self-congratulation. I will address the first part and get to the truth of the matter concerning the Regional Development Council ministerial meeting. The meeting scheduled for 12 March 2004 was cancelled by the State governments, including the New South Wales Government. The States said that they were unhappy that the Deputy Prime Minister, and Minister for Transport and Regional Services had asked the Parliamentary Secretary, De-Anne Kelly, to attend in his place. The States were not happy with that and decided to play politics. They said that they would not play, they would take their bat and ball and go home and not hold the meeting. On 15 December last year, the Deputy Prime Minister, and Minister for Transport and Regional Services wrote to the New South Wales Minister for Regional Development and stated:

> Thank you for your letter of 28 October concerning the scheduling of the next Regional Development Council meeting. I understand that the Secretary of my department, Mike Taylor, will meet with his standing committee colleagues in the new year to progress the development of a strategic agenda for Ministers at the next regional development Council meeting.
>
> I would therefore prefer to consider the timing and location of the meeting following advice on the outcomes of that discussion.

Clearly, the Federal Minister, the Deputy Prime Minister, is awaiting advice from the secretaries concerned regarding the date of the next meeting. There is no attempt on the part of the Federal Government to sidestep this meeting. The Federal Government wants this meeting to take place but, quite sensibly, it is waiting for the Standing Committee on Regional Development to hold its meeting, which is scheduled for May 2005 in Darwin. After that meeting the Regional Development Council meeting will be held. Clearly, the first point in this urgency motion is nothing more than political grandstanding. It is an attempt by the New South Wales Labor Government to criticise the Federal Government's substantial commitment to regional development.

On one hand this Government whinges about the regional partnerships program, which has delivered record funding to many worthwhile projects throughout rural and regional Australia, and on the other hand it criticises the Federal Government for doing nothing for regional development. This Government cannot have it both ways. It criticises the regional solutions program, the regional assistance program and regional transaction centres. I refer to AusLink, a program about transport infrastructure that this Government has neglected. The Federal Government is allocating $12.5 billion for infrastructure that will generate jobs in industry. This Government neglected its responsibilities by allowing our transport infrastructure to crumble.

I refer also to the national water initiative, which will revitalise country communities and create thousands of jobs because of certainty of investment over water allocation. Clearly, the first point in this urgency motion is nothing other than a Labor Party tactic to play politics on this issue and, once again, to attack the Federal Government. In relation to the second part of the motion we heard a lot of rhetoric from the Minister about strong and detailed plans. Labor polling has indicated that the Government should be referring to strong and detailed plans. The Minister did not detail anything. He gave us no detail at all. Today we heard nothing other than rhetoric. That is a sign of a tired old Government that is simply out of touch.

What is the Government's record in relation to regional development? Let us look past the rhetoric and examine the Brigalow Belt South Bioregion—an issue that Government members voted against debating today. I am talking about 300 direct jobs and 500 indirect jobs over which this Government has had a cloud for six years. It does not want to talk about that issue. That is the track record of this Government. I refer to dairy deregulation. This Government blithely deregulated the dairy industry and then walked away without any form of assistance package for this State's dairy farmers, who are leaving their farms in record numbers.

Mr ACTING-SPEAKER (Mr John Mills): Order! There is too much interjection from the Government benches.

Mr ANDREW STONER: Following deregulation the Federal Government contributed a record $1.8 billion to that industry. I refer to native vegetation. The honourable member for Murray-Darling would know all about woody weeds. Farmers in his area are constrained from managing those weeds because this State's native vegetation laws are totally unworkable. This Government went ahead and introduced green-inspired legislation, against the recommendations of the Productivity Commission, which is costing countless numbers of jobs in rural economies across New South Wales. That is the track record of this Government.

I refer to business enterprise centres. The former Coalition Government established business enterprise centres in every significant town throughout regional and rural New South Wales. All that this Government has done is close them down and centralise assistance away from small businesses. That is the track record of this Government. This Government is centralising area health services away from local communities. There have been cuts to agriculture—$58 million from the agriculture budget alone. That is front-line assistance available to this State's farmers that they will not be able to access. The Government closed Murrumbidgee Agricultural College. It closed a number of agricultural research facilities around the State.

Mr Thomas George: Like Wollongbar.

Mr ANDREW STONER: The honourable member for Lismore just reminded me that Wollongbar research station has been closed. That is what this Government is doing for farmers. Jobs depend on infrastructure, especially in regional and rural areas. We need roads and rail infrastructure and we need water facilities. This Government cut $100 million from the roads budget in last year's mini-budget. It closed grain lines around the State. It closed the Casino to Murwillumbah rail line. It has done nothing in the provision of water facilities. Earlier the Minister for Energy and Utilities rabbited on about his grand metropolitan water plan, but there is nothing for country New South Wales. However, that Minister cut back the funding that is available to local councils to fund sewerage and decent town water schemes.

This Government has broken its promise to country communities to provide decent water and sewerage facilities. This is the sort of infrastructure, or lack thereof, that is holding back regional areas and regional economies. The new clubs tax will take an additional $250 million out of country New South Wales and cost us 1,400 jobs. That is the track record of this Government on regional development. What about property taxes, land tax and vendor tax? This Government is killing the property industry in New South Wales and it knows it. People and money are leaving this State and jobs are being lost—and nowhere more than in regional and rural New South Wales.

When I visited the Tweed the other day people in that region were lamenting the fact that all the investment was going across the border into Queensland. Latest statistics from the Australian Bureau of Statistics bear out those facts. Queensland's unemployment rate has gone from 4.7 per cent to 4.5 per cent. The unemployment rate in New South Wales has gone from 5.1 per cent to 5.2 per cent—the only State that has seen an increase in unemployment—because of the poor management and poor policies of this Government in regional and rural New South Wales. What is the track record of this Government in relation to workers compensation premiums? Premiums in New South Wales are double the premiums paid by businesses in other States, in particular, in rural industries such as timber and livestock.

I refer to the occupational health and safety nightmare. Red tape in this State is driving businesses to the wall. Just last week I had a meeting with some business people in Kempsey. They said that the icing on the cake in relation to the occupational health and safety issues that have been thrown at them is the Occupational Health and Safety Legislation Amendment (Workplace Fatalities) Bill. People will close their businesses. This Government is making it too hard for them to operate businesses in New South Wales. The Government should back-pedal pretty fast because people are leaving this State at a frightening rate. The worst of this Government's sins is that it has no vision for decentralisation. It boasts that 5,000 people a month are moving to Sydney. [*Time expired*]

Mr GERARD MARTIN (Bathurst) [4.37 p.m.]: What a perfect example of why The Nationals are becoming increasingly irrelevant! When the Howard Government was elected in 1996 its first action was to abolish the Department of Regional Development and to sack all the public servants. The second thing it did was to scuttle the dental health scheme, a scheme that was of great benefit to a lot of people in the country. The Leader of The Nationals referred to John Anderson as the father of regional development. At John Howard's insistence the first action of the Federal Government was to abolish that department.

The Leader of The Nationals scurried out of the Chamber. He was not prepared to remain in the Chamber to defend the actions of the Federal Government. If the Federal Government is so committed to regional development and to regional services, why did it scuttle the department in 1996? People in regional New South Wales deserve better. This Minister and all other State Ministers are trying to get the ministerial council up and running. One would imagine that the Deputy Prime Minister would have had some influence on the Coalition Government in Canberra, but he shied away from this issue and sent us a messenger.

De-Anne Kelly has been involved in all sorts of rorts and trouble since her promotion to the Federal Ministry. Why would we sit down with the Parliamentary Secretary when the Deputy Prime Minister should have been there? It was a great opportunity for representatives of regional Australia to discuss this important initiative with the second-highest ranking member of the Commonwealth Parliament, who should have been leading the project. But that did not happen. John Anderson continues to fumble with excuses for his absence. The Liberal Party has made no commitment to regional development but it is telling John Anderson not to get involved. The Nationals' influence in the Federal Coalition continues to dwindle and if fewer then 10 members of The Nationals are elected to this place at the next State election The Nationals will no longer have parliamentary party status.

The Minister for Regional Development and the State Government have taken the lead in redeveloping Mount Panorama. We all know that Mount Panorama is a wonderful sporting icon. It is internationally renowned as the best road racing track in the world and each year it generates hundreds of millions of dollars for New South Wales and Australia as a whole. Following representations from Bathurst Regional Council via my office, the State Government decided that Mount Panorama needed a major upgrade and put $10 million on the table.

Mr David Campbell: Up front.

Mr GERARD MARTIN: Yes, it was up front. Bathurst Regional Council and its consultants made a good submission and the council contributed $4 million to the project. It took John Anderson, John Howard and Jackie Kelly, who have all broken promises in the past, some 18 months to come to the party. In the end, they were embarrassed into contributing. The Federal Government has received an embarrassment of riches from the goods and services tax but it refuses to return that money to New South Wales. In fact, it is dudding us by $3 billion. It has also received a massive amount of money from corporate and company tax. So the Federal Government had a lot of money to throw around. The recent Federal election sent the Coalition into panic mode. Max the Axe got on the telephone to John Howard and said, "I've got mates up there who think this is a good idea", and the Coalition was eventually embarrassed into action. The project is now steaming ahead. The first stage was completed in time for last year's race. Guess who has organised and managed the redevelopment? It is the Department of State and Regional Development, working with Bathurst Regional Council. That is another tangible example of our interest in the regions.

We often hear about the equine centre at Tamworth. I do not really want to talk about Tamworth because Tony Windsor's name will inevitably come up. We know that he has the goods on John Anderson. It was apparent from John Anderson's actions in Federal Parliament last week that he is running scared. Some years ago when Harry Woods was Minister for Regional Development the State Government put up $3.5 million for an equine centre. John Anderson would not support the project then because Tony Windsor would have got some political mileage from it. It is all about nasty Nationals politics. The Nationals want to freeze everyone out. If they cannot get all the glory, they are not interested. The Nationals are not interested in regional development in New South Wales and the Deputy Prime Minister does not have the guts to stand up to the Liberal Party in support of regional development. He should support the council and hardworking Ministers, like those in New South Wales.

Mr DARYL MAGUIRE (Wagga Wagga) [4.42 p.m.]: Sometimes it feels like Groundhog Day in this place, as Labor members bring the same Federal issues before State Parliament. The attempt by the Minister for Regional Development to focus on the Commonwealth Government rather than on State issues is appalling. The Leader of The Nationals gave numerous examples of State issues that must be addressed. I acknowledge that things are tough in this State. Why would they not be? In the House today we have discussed payroll tax, workers compensation problems, fuel excise, cross-border issues and the Country Towns Water Supply and Sewerage Program. The urgent motion moved by the Minister, who is at the table, asks the House to note the strong support of the New South Wales Government for regional investment and jobs growth.

I will give an example of the help the Government has given to a project in Wagga Wagga which has now fallen over. The draconian policy over which this Minister presides has cost our city $2.2 million. That is news to the Minister. That is the result of his policy that is supposed to help regional and rural communities develop. It was proposed under the State Sponsored Permanent Resident Scheme to build and maintain in Wagga Wagga a factory with export potential of over $40 million. Under this scheme State-sponsored permanent resident visas are issued to people who want to come to Australia and invest in this country. Unfortunately, the Department of State and Regional Development, over which this Minister presides, is responsible for signing off on such projects.

We must understand that although there are different types of visas the same criteria for issuing visas apply in regional and rural New South Wales as apply in the city. I understand that a project must create 25 jobs to be eligible under the scheme and for visas to be issued. In Sydney, Balgowlah or North Sydney the creation of 25 or 30 jobs would not be a blip on the radar. But they are in country New South Wales. I am sure the Minister will agree that not many start-up businesses in rural and regional areas would employ 25 or 30 people to make pallets, construct machinery or work in some kind of value-adding process. The reality is that the Government's policy has failed and communities in rural and regional New South Wales are missing out. People can enter the country on a 132 State Sponsored Permanent Resident visa, live in Sydney, buy a business for $25,000, $100,000 or $250,000 and operate that business in the city. But the policy is flawed. We want the Minister and the department to address this issue and ensure that the policy is also appropriate to country and regional New South Wales.

People who identify business and manufacturing opportunities, such as the one in Wagga Wagga, should have the opportunity to come to Australia, invest in this State and create jobs for Australians under a policy that is sympathetic to our needs. This is just one issue that the Minister must address. I urge him to talk to the bureaucrats in his department and sort it out. The same criteria cannot apply to the city and to the country. Other States, such as South Australia, have different criteria and have approved many businesses. More than 30 visas have been issued to people in Perth and the Australian Capital Territory has also issued more than 30 visas. But New South Wales has issued none. Western Australia and the Australian Capital Territory apply different criteria and, as a result, New South Wales is missing out on business. The Minister is asleep at the wheel.

Mr Thomas George: They're tired.

Mr DARYL MAGUIRE: They are comatose. This issue must be addressed. Opportunities are going begging because investors who want to live in New South Wales and make a contribution to our community are missing out. The Minister and his department need a rev up. The Minister needs to wake up and sort out this issue to ensure that people are treated fairly and can reside in regional New South Wales, secure in the knowledge that their investment is safe. These investments are worth many millions of dollars and the country is screaming for them. The Minister must do something about it.

Mr PETER BLACK (Murray-Darling) [4.47 p.m.]: I am delighted to support the urgent motion of the Minister for Regional Development. I note that the Opposition has not moved to amend the motion and that, judging from the remarks of the Leader of The Nationals, the coalition on this side of the House is the only coalition in this Parliament that is working. There was clear evidence today of the state The Nationals are in as they try to get their act together for 2007. They are absolutely hopeless. Before I continue I take this opportunity to acknowledge the decision by my neighbour, the honourable member for Barwon, to stand down at the 2007 State election. I place on record the fact that I have been able to work with him and that we share many values. He and the honourable member for Lachlan represent the old-fashioned Country Party and they have very little, if anything, to do with the direction The Nationals of today are taking.

I am happy to support this motion because nowhere is regional development more important than in western New South Wales. I shall address some recent issues involving the Parliamentary Secretary to John Anderson, John Cobb. John Cobb did not attend St Patricks Race Club meeting at Broken Hill on the Friday

afternoon. He was at Dubbo on radio 2DU being interviewed by Leo de Kroo, who is a great guy. Indeed, I get on very well with him. I am told John Cobb walked out on him. I am also told he has declined—this is the Parliamentary Secretary to John Anderson—to go to the Cobar show because he was not given the opportunity to open it. These are the sorts of things I have to deal with. On 10 March John Cobb said the State subsidy would cut fuel costs. There is no doubt that the biggest thing holding back regional development is fuel prices. We are paying $1.20-plus for diesel. Let us analyse it: 38¢ for excise and 11¢ for GST. The Commonwealth Government creams off 3¢ of that and gives us back 8¢, which is a disgrace. That means that motorists in Broken Hill and Ivanhoe, or wherever, subsidise people in South Australia or other States, and that is an outrage.

In the forward Federal estimates it is shown that $1.8 billion is expected to be raised from the Federal resources tax. I have been trying to track down the anticipated taxation from the fuel companies but I cannot find it. Our Treasury representatives in this building cannot find it. We do not know what the shareholders in the fuel companies will be paying in tax. We do not know what the workers involved in the fuel industry, the refineries, delivery or retail will be paying. All of those people are paying tax to the Federal Government with not one cent going to New South Wales. I will go further, I refer to a radio advertisement by Ian Macfarlane, Minister for Industry, Tourism and Resources in the 2004 election campaign. He said:

> Labor will abolish the shop-a-docket scheme. This means the price of petrol in New South Wales will go up four cents a litre and motorists will pay more for petrol under a Labor Government.

That is a disgrace. We should look at the fuel prices and their effect on New South Wales. Been-and-gone Anderson should hang his head in shame for having a bloke like John Cobb as his Parliamentary Secretary. [*Time expired.*]

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [4.52 p.m.], in reply: I thank honourable members who have spoken in this debate, particularly my Country Labor colleagues, the honourable member for Bathurst and the honourable member for Murray-Darling, who both clearly understand the consequences of a lack of Federal Government interest in regional development and the contribution that this Government has made to regional development and jobs growth in New South Wales. I almost interjected when the honourable member for Wagga Wagga was speaking, but I did not. The last time I checked, policy and legislative responsibility for immigration rested with the Commonwealth Government, in particular Amanda Vanstone, who is the Minister for Immigration and Multicultural and Indigenous Affairs. What more can one say? The honourable member for Wagga Wagga shows a lack of understanding.

Mr Daryl Maguire: Point of order—

Mr ACTING-SPEAKER (Mr John Mills): Order! I point out to the honourable member for Wagga Wagga that former Speaker Rozzoli ruled that misleading the House is not a reason for taking a point of order.

Mr DAVID CAMPBELL: As usual, the Leader of The Nationals whinged, whined and complained and went on about nothing. He followed Opposition strategy of whingeing and whining; he was not sufficiently game to talk about things such as Tumbi Creek, the Tamworth Equine Centre, the Rail Museum and all of those grants that have now been discredited and should be debated on a national basis at the meeting of the Regional Development Council. The Leader of The Nationals raved on about workplace fatalities. I want to make clear that a draft exposure bill is out for consultation. A hallmark of the Government on issues such as this has been public consultation: discussing these issues with the community and getting feedback from it.

Members opposite also whinged, whined and complained about taxes, excises and so on. It is important to point out that as late as yesterday Australian Business Limited, in recording survey results, understands that the pressure on taxes in this State is a consequence of the GST. It is a consequence of consumers of this State paying $13 billion in GST and getting back $10 billion: $3 billion disappears into the black hole of Canberra and goes somewhere else. If that were returned to this State some of the business taxes and stamp duties that people are concerned about would indeed be able to be changed. I call on the Opposition to make that point and to take up the fight. Dr Andrew Refshauge, the Deputy Premier and Treasurer, is arguing that case in Canberra this week.

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

Mr DAVID CAMPBELL: The Opposition should get behind the taxpayers and businesses of New South Wales and say to the Federal Government, as Australian Business Limited did, that it has to change its policy and give back the $3 billion so that we can build on our strong and detailed plans. We are attacking skill shortages head on. Our plan includes more than $7 million in extra funds for apprenticeship training and incentive programs. I have travelled extensively around this State listening to representatives of regional business, and I am aware that apprentices in regional areas face many difficulties. Our jobs plan will double their accommodation allowance, for example, and will provide 25,500 first-year and second-year apprentices with rebates on their car registration fees.

That is our strong and detailed plan to boost training of apprentices, but what does the Prime Minister offer? A migration program for skilled workers—back to the 1950s, 1960s and 1970s! Perhaps the Federal Government is talking about a guest worker program. New South Wales is going forward, looking at innovation opportunities, some of which I have just explained, and the Prime Minister is looking back over his shoulder. Australia is a proud nation. We have built our great country on hard work, and our country communities are justifiably proud of their achievements. Everyone in New South Wales, indeed everyone in Australia, owes an enormous debt to our regional communities. Clearly the Federal Government believes country New South Wales, indeed regional Australia, does not matter. How much longer do we have to wait for John Anderson to discuss this issue? If he does not want to continue to chair the ministerial council perhaps he should resign.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 49

Ms Allan	Mr Gibson	Mrs Paluzzano
Mr Amery	Mr Greene	Mr Pearce
Ms Andrews	Ms Hay	Mrs Perry
Mr Barr	Mr Hickey	Mr Price
Mr Bartlett	Mr Hunter	Ms Saliba
Ms Beamer	Ms Judge	Mr Sartor
Mr Black	Ms Keneally	Mr Shearan
Mr Brown	Mr Knowles	Mr Stewart
Miss Burton	Mr Lynch	Mr Tripodi
Mr Campbell	Mr McBride	Mr Watkins
Mr Collier	Ms Megarrity	Mr West
Mr Corrigan	Mr Mills	Mr Whan
Mr Crittenden	Ms Moore	Mr Yeadon
Ms D'Amore	Mr Morris	
Mr Debus	Mr Newell	*Tellers,*
Ms Gadiel	Ms Nori	Mr Ashton
Mr Gaudry	Mr Orkopoulos	Mr Martin

Noes, 33

Mr Aplin	Mrs Hopwood	Mrs Skinner
Mr Armstrong	Mr Humpherson	Mr Souris
Ms Berejiklian	Mr Kerr	Mr Stoner
Mr Cansdell	Mr Merton	Mr Tink
Mr Constance	Mr Oakeshott	Mr Torbay
Mr Debnam	Mr O'Farrell	Mr J. H. Turner
Mr Draper	Mr Page	Mr R. W. Turner
Mrs Fardell	Mr Piccoli	
Mr Fraser	Mr Pringle	
Mrs Hancock	Mr Richardson	*Tellers,*
Mr Hazzard	Mr Roberts	Mr George
Ms Hodgkinson	Ms Seaton	Mr Maguire

Pairs

Mr Iemma	Mr Brogden
Ms Meagher	Mr Hartcher

Question resolved in the affirmative.

Motion agreed to.

Mr SPEAKER: Order! It being almost 5.15 p.m., with the consent of the Whips, I propose to proceed to the taking of private members' statements.

PRIVATE MEMBERS' STATEMENTS

TRIBUTE TO MR GEOFF BROWN

Mr ALAN ASHTON (East Hills) [5.09 p.m.]: Tonight I refer to the life and sad passing of Mr Geoff Brown of Glenning Valley. Geoff was a true son of the Central Coast. He grew up in The Entrance. He attended local schools and played sport. But prawning, fishing, swimming and surfing, especially at Blue Bay, were his real passions. I spoke at Geoff Brown's and Alison Downey's wedding 21 years ago and welcomed him to the Downey family. Everything Geoff did in those intervening years made his parents-in-law—also my parents-in-law—Bob and Peggy Downey, his brother-in-law Lee and sisters-in-law Meryl and Linda, my wife, and their partners and children proud of him. We were pleased with the type of man Geoff was then: quiet, thoughtful and reserved, but comfortable with all of us. We were proud of the decent, sincere and loving husband and father he was to become and remain until the end.

Geoff overcame great hardship and disadvantage as a boy and young man. Marrying Alison, having Sarah, Caleb and Rachel with her, and owning their own home probably were not the types of things Geoff would have thought possible 30 years ago. I remember that when we learned Alison was going out with Geoff we were keen to meet him. The first problem was that Geoff had never visited Sydney, and he did not particularly care if he never did so and that never really changed in the years that followed. Alison met Geoff in Bali and she was determined that he was the right man for her. But Geoff, who was in so many ways the laconic typical Australian male of few words, once stood Alison up by missing a vital wedding function at which he was to partner Alison, the bridesmaid. Some of us might have thought, "Well, that's that. He's either forgotten about the wedding or it's over with Alison."

However, I believe Geoff's excuse, which was that he did not attend the wedding simply because he believed he was not worthy of Alison and that she would be better off without him. This is either the best excuse I have ever heard for missing or forgetting a wedding, or it is a true account of Geoff's feelings. I know it was Geoff's true version of events, and that is a little sad. Geoff was not selfishly thinking of himself, but rather he was thinking only of the best for Alison. However, Alison convinced him that he was good enough for her, good enough for everyone and capable of everything that he set his heart and mind to. In 21 years of marriage Geoff repeatedly proved to Alison, Sarah, Caleb and Rachel, and all of us who knew and loved him, that he was worthy and fully deserved what good things and happiness were to come his way over those years. Geoff and Alison were married in March 1984 and settled in Geoff's backyard, his beloved Central Coast.

Geoff began work with Telstra. He topped his class in his exams. This young man never went to school much past year 7 and he did not have the advantages that many people have today. To top his exams and to get a job with Telstra was a great achievement. For many years the family would make the pilgrimage to Tamworth for the Country Music Festival. Often Geoff and I would discuss our love of music and bands, and his passion for singers such as Bruce Springsteen, Jimmy Buffett and Steve Earle. But when he would sing the praises of Dwight Yoakam I thought he was speaking in a foreign language. Geoff was diagnosed with a very serious illness in July 1995 and had a liver transplant in October that year. Within a few weeks of that operation I took Geoff and Alison to see the Eagles at the Sydney Cricket Ground. It was typical of Geoff's determination to get on with life and enjoy it to the fullest.

The transplant saved Geoff's life, but it was a constant struggle to keep well. He managed to do so until very recently. Geoff wanted to do exciting and memorable things for his family, and twice they went to America

on holidays. When he left work he tried as hard as he could to do meaningful and often small things with Alison and the kids. He would be embarrassed by the genuine love and affection that family and friends had for him because it was Geoff's way always to understate his ability and importance to others. Geoff Brown was a battler long before that term was denigrated to mean anyone who did not have what they wanted. For so many years Geoff was a battler because he did not have what he needed. Geoff's passing reminds all of us that life can be fleeting and that it is not fair. But Geoff constantly strove to rise above that sentiment and to put the wellbeing of Alison and his children above all else.

Of course Geoff wanted to live for himself, but even more he wanted to live for his family. To his wife, Alison, and Sarah, Caleb and Rachel, and to all of Geoff's relatives and friends we should note that these spoken and written words could never fill our empty and broken hearts, but if there is any justice and a better place than here in any type of heaven then Geoff Brown will be admitted with honours. I especially want to thank the A. W. Morrow Gastroenterology and Liver Centre at the Royal Prince Alfred Hospital for its care of Geoff over the years. I encourage everyone who can to sign an organ donor form and to make their organs available for others so that people like Geoff Brown can get another chance at life.

Mr Barry O'Farrell: Hear! Hear!

Mr ALAN ASHTON: More than $500 was raised at the funeral for that very good cause. I thank the Deputy Leader of the Opposition for his "Hear! Hear!"

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [5.14 p.m.]: I join all honourable members in extending our condolences to the family of Geoff Brown, Alison, his widow, his immediate family and his extended family, including the honourable member for East Hills and his wife and children. Obviously, he struggled for life, a struggle he was not to win but for which he fought very hard. Perhaps all honourable members can take the constructive suggestion of the honourable member for East Hills to sign an organ donor card so that their death will not be in vain if someone else's life is saved as a result of such action.

KU-RING-GAI COUNCIL DEVELOPMENT APPLICATIONS

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [5.15 p.m.]: I again want to raise a development issue. This time I want to highlight the impact upon individuals: the McGee family of Pymble. One of the consequences of the mishandling of the whole development issue by the former Ku-ring-gai Council was that the State Government took direct planning control over six sites across Ku-ring-gai. In other words, for these sites, including one at Pymble Avenue and Avon Road, Pymble, the planning Minister, or his assistant Minister, and the Department of Infrastructure, Planning and Natural Resources [DIPNR] are the consent authority. The Pymble site comprises seven properties and totals some 8,500 square metres in size. On 6 December 2001 consultants for a developer wrote to then planning Minister, Dr Andrew Refshauge, about a medium density proposal for the site and stated, "This submission is made with the written consent of the existing property owners."

Ailsa and Stephen McGee, owners of one of the properties who stumbled across this letter via a freedom of information [FOI] request, say they were neither consulted nor consented to any such submission being made on their behalf. The claim to the Minister was a lie. He was being misled. The McGee's became aware of the proposed rezoning only in February 2002, three months after the letter was sent to the then planning Minister, Dr Refshauge. Section 283 of the Environmental Planning and Assessment Regulation 2000 makes it an offence to knowingly make a false or misleading statement to a consent authority. Despite bringing the matter to the planning Minister's attention, no action was taken. Subsequently, in response to the McGee's obvious concerns about their property, DIPNR public servants assured them their "property will not be recommended to the Minister for rezoning without your consent". This advice is confirmed by both an email sent to the McGees on 25 June 2002 from DIPNR's Ron Baker and a ministerial briefing note dated 2 May 2003 prepared by Petula Samios, DIPNR's Director of Local and Regional Planning

On 26 August 2002 the McGees were told that, contrary to earlier advice and despite their objections, the property would be recommended for rezoning. In other words, DIPNR had lied or misled them. In 2004 a Land and Environment Court decision—*Grech v Auburn Council*—ruled against a development that would have effectively isolated an adjoining property and found that a developer needed to demonstrate all reasonable attempts had been made to develop the properties together. Despite that, no attempt has been made by the developer of the Pymble Avenue/Avon Road site to acquire the McGee's property. On any measure their property will be isolated. It will back onto a proposed eight-storey development, adjoin a six-storey

development and be overlooked by a nine-storey development. The McGee's have brought this Land and Environment Court decision to the Minister's attention and argued that it be considered by her as consent authority. Six weeks later they have heard nothing from either the Minister or the assistant Minister.

But they have been told that, as the developer was threatening legal action—no doubt as an attempt to pressure the Minister and department into making a favourable decision—DIPNR was going to recommend the development application [DA] for approval. DIPNR told the McGee's the matter had become "a political and not a planning decision" and that approval was imminent. It is outrageous for DIPNR to take such a view. The developers are effectively asking for a staged development without controlling all the properties on the site and without any acquisition strategy for the remaining properties. The developers are proposing to develop their part of the site as if the whole site were available. In other words, the DA submitted is at a density which exceeds what was envisaged across the whole site and DIPNR has not insisted the development be downsized given the whole site is uncontrolled.

The development as proposed will result in unacceptable overshadowing, overlooking and privacy impacts upon the properties not controlled. To rub salt into the wounds, the backyards of the two properties 1 and 1A Pymble Road are being used as part of the open space for the development. In short, if this DA is approved the McGee's property will be isolated. It will be unsaleable as a family home. No-one is likely to buy it given the surrounding proposed developments and unless incorporated into the proposed development, it will also be unsaleable to any other developer. The remnant site will not be suitable for any other development. The purchase of a family home is usually the largest investment any family makes and understandably we all get concerned about the impact of neighbouring developments upon our properties. The McGees are understandably concerned and alarmed that they have been lied to and misled by State Government authorities throughout this process.

Rather than protecting or upholding a public interest, DIPNR's representatives, and by extension its Ministers, have been deaf or simply ignored the concerns of the McGees. As the ministerial briefing note makes clear, the only concern about the lies and misleading advice provided to the McGees relates to possible "media embarrassment". It is regrettably all too typical of this Government's approach in many areas. I raise this matter to urge the assistant Minister to do her job. I raise this matter, to quote the alleged advice proffered to her in another context by the Premier's Chief of Staff, to urge the Minister to "stick to the rules".

I urge the Minister to uphold the Land and Environment Court decision in *Grech v Auburn Council* and to refuse approval for this development until efforts have been made to prevent the McGee's from becoming isolated. I urge the Minister and her Government, who started down this path of assuming direct planning control for this site by identifying the whole site as suitable for development, to adhere to that concept and not allow piecemeal development of the site. Above all, I urge the Minister to finally respond to the numerous letters and contacts from the McGees and provide them with the answers they deserve and with a worthwhile assurance that their interest in this matter will not simply be discarded because of what her advisers term "political and not planning considerations".

My ultimate concern in this whole affair is that the Department of Infrastructure, Planning and Natural Resources has remained deaf to the concerns of local residents, such as the McGees, who will suffer a serious impact as a result of the development that is being imposed upon Ku-ring-gai. As the McGees make clear, they would much prefer to deal with the developer whose development footprint covers the entire site but includes their property rather than be left to hang out to dry in such an unacceptable fashion. The Government initially earmarked the entire site for development. It is now proposing to allow what is effectively a staged development on part of the site that will result in isolation of two residences, one that is owned by the McGees and the other that is owned by a 90-year-old woman. The development will unacceptably impose upon their privacy, their amenity and, quite frankly, their investment. This issue is not antidevelopment. It is about delivering proper development and planning, and ensuring that we do not have repeated in this part of Sydney what has been repeated all too regrettably in other parts of Sydney. It is time that the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) got real, listened to people and made proper decisions.

CAMBEWARRA RURAL FIRE SERVICE SIXTY-FIFTH ANNIVERSARY

Mr MATT BROWN (Kiama) [5.20 p.m.]: It is with admiration that I draw to the attention of the House recent ceremonies at the Cambewarra Rural Fire Service's sixty-fifth anniversary to mark, among other things, the official opening of the brigade's new station extensions. Last Sunday, 20 March, I was pleased to attend and represent the Minister for Emergency Services in company with the Rural Fire Service

Commissioner, Phil Koperberg. The Cambewarra brigade is well known throughout the Shoalhaven as being active both on and off the fire line. Formed in the dark years following the fires in 1939 and after World War II, the brigade has been fortunate to have members who have always been ready to give up their time and risk their lives to protect the Cambewarra community from the threat of fire.

Currently the brigade has 63 members and is equipped with one category 1 heavy tanker, one category 7 light tanker and one category 12 support vehicle. The latest works at the station cost approximately $25,000. The money was raised by members of the brigade and the local community. The works included a bay for the category 12 vehicle, a workshop and storage area, a concrete pad at the front of the station, a new office, a new kitchen, and an outdoor area and garden. The renovations are spectacular. The funding for the extensions was raised by members of the brigade through organising numerous events, in particular the annual doorknock and the Bigger Night Out. I congratulate the members of the brigade on their hard work and efforts.

A history of the brigade was compiled for the occasion by a Cambewarra captain, Phil Paterson, whom I had the great pleasure of meeting. A quick flick through the history of the brigade reveals how much fun the brigade has had in raising the funds. Perhaps the book should include some ratings because there is quite an interesting picture of the brigade members raising money under the heading "The Full Monty". This financial year the Government allocated $3.4 million to the Shoalhaven's Rural Fire Service, which represents an increase of nearly 20 per cent. This allocation reflects the State Government's total commitment to the Rural Fire Service throughout New South Wales, particularly in the Shoalhaven. I thank the Government for its continuing support of community and voluntary organisations such as the Rural Fire Service.

The ceremony also included a dedication by Major Ron Anderson, the Senior Chaplain of the New South Wales Rural Fire Service, of the category 12 bay and storeroom to the late Deputy Captain Bob King, who died in a tragic accident when returning home from a shift on the Hylands fire on 29 December 2001. It also included the dedication of the demonstration garden to John and Toni Mackenzie, who worked tirelessly during the 1980s to increase the membership of the brigade, organised training and, eventually, in 1990 convened the opening of the station. Prior to construction of the station, the brigade met at the local school of arts and its equipment was held at the captain's residence. The garden was an idea put forward by John and Toni during that era. I congratulate Captain Mary Reeves and her crew from the Shoalhaven Central Catering Brigade, who catered magnificently for the function. The catering brigade also organises large-scale catering associated with fighting fires.

A number of life membership awards were made at the function. I pay tribute to the recipients, including David Brown, who joined the brigade in 1976 and has held many senior positions; Len Seyffer, who joined the brigade in 1983 and has held many administrative positions and is reputed to be the oldest active member; Ray Goff, who joined the brigade in 1983 and who has held many important roles such as equipment officer, deputy captain and senior deputy captain. Honorary memberships were awarded to reflect the participation of local businesses and included an award to Kerry Lynch, who as a local business owner has donated extensive earthworks and concrete supplies to the station; David Willshire, who has laid the majority of the concrete at the station; and Phil Robson, who kindly donated his building expertise and skills in undertaking the external and internal construction of the station.

The ceremony was a great occasion and was attended by an enormous group of people. It was a great pleasure to have been invited to be a part of this community event. I give the brigade my undertaking that I will continually work with the State Government to ensure that Rural Fire Service organisations are fully maintained and equipped to continue to protect the lives of people in the community as well as their own lives. I thank the members of the brigade for their valuable contribution to community life.

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [5.25 p.m.]: I join the honourable member for Kiama in congratulating the Cambewarra Rural Fire Service on its sixty-fifth anniversary. I am only too well aware of the commitment of Rural Fire Service members in my electorate of Menai. They volunteer their time and effort in times of crisis and during the vitally important training that goes on week after week. I imagine that the dedication ceremonies to the late Deputy Captain Bob King and to the Mackenzies were very moving. Life memberships and honorary memberships are fitting tributes to people who do so much for our community. I congratulate the honourable member for Kiama on raising this issue. I was not surprised to hear that he attended the ceremony because I know he is always where his community needs him to be. I commend him for joining in the event. I also commend the efforts of members of the brigade and many other Rural Fire Service brigades throughout the State.

COUNTRY AGRICULTURAL SHOWS

Mr THOMAS GEORGE (Lismore) [5.26 p.m.]: Members of The Nationals are always pleased to highlight in this House the agricultural shows that take place in our electorates. Last week the value of country shows was brought home to me when I had the pleasure of attending the 2005 Sydney Royal Agricultural Society's show on Friday and Saturday. On the previous Thursday in Parliament House I had the privilege to attend a function to honour the entrants in the *Land's* 2005 Sydney Royal Agricultural Society's Showgirl Competition and the Young Achiever Award presentation. There were 16 entrants from seven zones, and they were a credit to their families and the areas they represented. I congratulate Miranda Saunders of Lismore and Shannon Johnston of Alstonville on acquitting themselves very well in representing the North Coast zone. I was very proud of them.

Last Friday it was my pleasure to attend the Young Auctioneer's Competition—an event that was founded when I was the president of the Auctioneer's Association, which is now known as the Australian Livestock and Property Agents Ltd. Ten entrants represented zones throughout the State. The quality of representation was impressive, serving to convince everyone present that the future of the auctioneering industry is in good hands. The national competition—the auctioneering equivalent of the State of Origin—was won by the Queensland team. Will York of Theodore in Queensland was awarded the title of Australian Auctioneer of the Year. He will represent Australia at the Calgary Stampede.

Last Saturday I had the honour to attend the 2005 awards presentation of the Northern District Exhibit. An abundance of fresh agricultural produce has been under the scrutiny of the judges for the past two weeks. Months of dedication culminated in the announcement of district winners. I am proud to inform the House that the Northern District's iconic Celtic country display won the prestigious HCM Memorial Shield for the first time since 1940. The Northern District Exhibit, which was under the management of Arthur Johns, represented the area from Nambucca Heads, west to Guyra, to Inverell and to Brewarrina, and north to the Queensland border. Arthur Johns was helped by many people from the Northern District, who can be very proud of their produce, including Ray Reid, Alan Smith, Jim Landers, Cameron Griffiths, Eric Griffiths and Ian McGow. Over the past 12 months, many growers supported by growing produce for the exhibit. Jennie Burrows, Todd Bellman, Carolyn Bellman, Marie Johns, Graham Reid, Cameron Reid, Ben Goldthorpe, Wade Goldthorpe, Phyliss Barratt and Phillip Little also contributed.

Country areas come together and form the basis for the Royal Agricultural Society [RAS] show held each year in Sydney. That coming together reinforces the need for country towns to hold shows. The showgirl competition began some months ago at the local shows with 500 competitors, and this year there were 16 final entrants. District exhibits, dairy cattle competitions, arts and crafts entries, and cooking competitions are still held, as are cutting-horse and all-horse events. I was pleased that the R. M. Williams organisation is continuing to be involved and I congratulate Hamish Turner and Terry Goodyear and their team on their work on the Australia versus Canada rodeo, which is held on 10 nights during the show. Canada has flown its best rodeo competitors from Calgary to take part in that event. The rodeo is a real draw card. I encourage people to visit the show to see the New South Wales country and regional displays. In conclusion, I congratulate everyone who has been involved with the 2005 RAS show.

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [5.31 p.m.]: I thank the honourable member for Lismore for advising the House about the events associated with this year's Royal Agricultural Society show. All agricultural shows, whether regional or the large show currently being held in Sydney, are important traditions in our society. I was not surprised to hear about the honourable member's auctioneering heritage—I have heard him in action and he is indeed a fine auctioneer. I could not help but be struck by the irony of the rain currently falling on the roof of this Chamber and upon the show site. New South Wales is in drought and needs rain—and here it comes. Unfortunately, perhaps it is dampening the enthusiasm and enjoyment of people attending the agricultural show. The honourable member for Lismore told us about people from his electorate who contributed to this year's show. I hope they enjoy success during the next week. I hope that many people enjoy their produce and all the other sights and sounds country regions have to offer.

GREYSTANES HIGH SCHOOL PRINCIPAL APPOINTMENT

Ms PAM ALLAN (Wentworthville) [5.32 p.m.]: At the outset, I acknowledge that the Minister for Education and Training, the Hon. Carmel Tebbutt, will receive a delegation of parents from the Greystanes High School on Tuesday 30 March. I thank the Minister and her office for expediting that meeting. A crisis has developed at Greystanes High School unwittingly as a result of the departure of its esteemed principal, John

Hardgrove. John is retiring and his position will be vacant. In the past few weeks under the very enthusiastic and able leadership of the president of the parents and citizens association, Erin Lewis, the school has been fighting a tremendous battle to convince the Department of Education and Training that there should be a selection committee to appoint a new principal, as happened with the appointment of Mr Hardgrove.

Unfortunately, the Department of Education and Training has chosen to deny the school, the parents and citizens association, and the school community a selection committee. That is very disappointing and I have expressed my comments not only to the association but also to the local media. It was planned that the selection committee would take place earlier this term, but it was informed that it would not be required. The department has, to say the least, a mixed policy on selection committees. The department is not consistent in the application of its policy. I emphasise that I have been treated politely by various officers and senior officers within the department. Nevertheless, the department is applying a wrong policy. That has incensed the local Greystanes High School community, mainly because the department has failed to apply its policy consistently even within the past few weeks.

During the past couple of weeks a major row has erupted at the Newtown High School of Performing Arts. Its longstanding principal, Robyn Amm, is retiring, after the establishment of that school. In a local newspaper it was stated that more than 100 people attended a meeting to protest about the procedure for appointment of a replacement principal. The *Sydney Morning Herald* stated that the Newtown performing arts school community was enraged because, although it was getting a selection committee for its principal, the only candidates were from within the department. Although I may feel some sympathy for the Newtown High School of Performing Arts community, it should thank its lucky stars that it was allowed to have a selection committee.

The Greystanes High School was not allowed to have a selection committee. An applicant from within the department has been imposed upon the school community. No matter how valuable that applicant may be, I have already made my view known to the department that it could have offered the applicant a relevant interview with the selection committee. Unfortunately, that opportunity was not taken up. I am sure the parents will reiterate that request to the Minister at their meeting on 30 March.

In the past few weeks there has been a lot of publicity about school communities trying to assert their power. The *Sydney Morning Herald* has published many articles about the Ascham school and the brawl that has erupted in Sydney's eastern suburbs elite about the future of the current and resigning Ascham principal. I am not much interested in what happens at Ascham, but I think that that dispute highlights the whole issue of the power of school communities to influence directly the leadership of their schools. This is a major issue in the public school system. I am more than happy to declare my varied interests in this matter: I once worked for the New South Wales Teachers Federation, I attended Greystanes High School and I have a lot of involvement in these issues. This matter highlights the agreement between the Government and the Teachers Federation that, if appropriate, there not be a selection committee.

We do not want industrial disharmony by having a selection committee at all costs. I notice that the State Opposition has jumped on the bandwagon and its spokesperson has issued numerous press releases promising everything to the Greystanes school community. If the Coalition ever has the chance to follow up on those promises, I doubt whether it would do so. The Coalition would not risk industrial disharmony. However, there is an important lesson here for the Government: we encourage our school communities to become vitally active in their schools; we need their involvement, yet we are not prepared to give them the authority when it comes to the crunch in their vital decision to chose a school leader.

WILLOUGHBY ELECTORATE SERVICES

Ms GLADYS BEREJIKLIAN (Willoughby) [5.37 p.m.]: This week marks the halfway point in the State election cycle. I take this opportunity to provide a mid-term report on the status of issues in the Willoughby electorate. Community action in a number of key areas has seen some positive outcomes, such as the new Chatswood police station, and some wins for local residents in relation to the construction phase of the Lane Cove tunnel project. However, due to the inability of the tired old Carr Government to manage the State economy and deliver in key service areas such as transport, health and infrastructure, many constituents in the Willoughby electorate and across New South Wales are unnecessarily suffering on a daily basis.

In the last term and a half alone the State Government has received record revenues principally due to the property boom and GST windfall. Yet taxes are increasing and services are diminishing. The extent of the increase in poker machine tax is impacting on the club industry in the Willoughby electorate. Many local clubs

have had to reduce their services in addition to having to withdraw from providing financial assistance to many worthwhile community organisations. The increase in the Chatswood car space levy has imposed an additional impost on small business. Of course, more than 8,000 investors and 7,000 renters in the Willoughby electorate alone have been hit with the prospect of the vendor duty and abolition of land tax threshold resulting in land tax being made payable from the first dollar of the land value.

Residents in the Willoughby electorate have every right to ask where all the money has gone. That is something that they constantly do. If that is how the Carr Government manages the economy when economic conditions are favourable, I shudder to think of what pain we as New South Wales taxpayers will go through, given that we are entering more challenging economic conditions. Alongside record revenues and rising taxation, services are diminishing. During the morning peak hour Willoughby constituents are left standing in excessively long bus queues across the electorate, especially in Willoughby Road, Penshurst Street and Miller Street.

Weekend bus services are being cancelled, as are late night services. There are also insufficient east-west services to transport commuters from the eastern parts of the electorate to the Chatswood hub. Train commuters are also suffering. Trains continually do not run on time, there is no easy access at either Chatswood or Artarmon, which means that the disabled, elderly or parents with prams cannot access the rail network. Many weekend, late night and other off-peak services have been slashed, impacting on the elderly wanting to travel outside the peak hour and also casual and shift workers.

Frequently trains that fail to stop leave Artarmon commuters stranded. Chatswood railway station is in the process of being upgraded with a likely completion date of late 2007, but the community is being asked to pay a significant price for the upgrade. The State Government has determined that the station upgrade will be paid for by the construction of three additional residential towers incorporating 500 units. One of the towers will exceed 40 storeys. That will place increased pressure on already stretched infrastructure and it will result in traffic congestion. The proposed units will not have any visitor parking and will allow for only one car space per unit. As I said earlier, infrastructure is already stretched.

Residents and businesses in Chatswood and Artarmon have already recently suffered due to unpredictable power failures. Chatswood High School and Chatswood Public School are both fighting to obtain upgrades. In the case of Chatswood Public School there is an insufficient number of classrooms to house the growing number of pupils. The State Government cannot expect to impose a medium density housing strategy and then not cater for associated restructure issues. Other schools in the electorate such as Castle Cove Public School and Northbridge Public School also have outstanding maintenance issues.

On a personal note I express appreciation to constituents in the Willoughby electorate who have entrusted me with the enormous responsibility and privilege of serving them. I thank the many community organisations and individuals with whom I have worked to ensure adequate services and positive outcomes on a whole range of issues. Whilst we have had some good wins locally in the past two years, as I outlined earlier there is still much to do. I have consistently referred in this place to the loss of community based mental health services in Chatswood. I have consistently called for the reinstatement of those services.

Only yesterday a local resident came to see me to explain the situation relating to his schizophrenic son—a long time patient at Chatswood Mental Health Clinic. He told me how his son's fear of going to Royal North Shore Hospital to obtain services is affecting him and his family. The other day he tried to obtain treatment for his son at Royal North Shore Hospital. Whilst he was at the counter trying to do so his son transported himself home by taxi. He was petrified of receiving treatment at the hospital site. That is one of the many cases and examples that have been referred me. More than 300 families in my community are experiencing enormous pain as a result of this nasty decision. The Government is turning its back on those in society who are most vulnerable, including carers. I take this opportunity tonight to reiterate to constituents my commitment to being an accessible grassroots member of Parliament.

CARTWRIGHT SEWAGE ODOUR

Mr PAUL LYNCH (Liverpool) [5.42 p.m.]: Tonight I refer to a problem that is affecting constituents of mine in the suburb of Cartwright. I have received a number of complaints concerning the smell of raw sewage wafting over the suburb. Delwyn Renton, a resident of Willan Drive, Cartwright, noticed the offensive odour and was the first resident to contact me about the problem. She first noticed the odour on about Christmas Day last year. When the odour is present she and members of her family cannot go into the backyard for normal recreational activities. Her son smelt the odour as recently as yesterday on his way home from work.

Ms Renton tracked down what she believes to be the source of this odour—a pipe called pole No. 202 on Hoxton Park Road between Kennard's Hire and Liverpool Hire. That pipe is separated from my constituent's premises by six lanes of traffic and a house before the odour reaches her backyard. Another resident who has contacted my office is Kerry Walker. She confirms that this is an ongoing problem. To her recollection the problem seems to have commenced at the end of December last year. She lives on Hoxton Park Road. She also believes that the odour emanates from a pole on Hoxton Park Road.

When the odour is present she has to shut her front door. It simply cannot be left open otherwise the smell of raw sewage invades the house. As she said, people should not have to live like that. This obviously is a problem that has to be fixed. To Ms Walker's observation the smell is not present all the time. It is either present or it is not depending, on Ms Walker's view, on the direction of the wind. Both Delwyn Renton and Kerry Walker told me that other residents are also concerned about this problem. I note from a letter dated 17 March from Minister Sartor's office that at least one other couple in Balmain Street, Cartwright, has also officially complained about the smell.

The pipe, which is commonly referred to by residents as a stink pipe, seems to have been erected in June 2004. That is certainly the recollection of residents in that area. It seems to be part of the recently constructed and commissioned sewerage infrastructure to transfer sewage from the massively expanded new release residential areas of Hoxton Park through to the Liverpool sewage treatment plant. The pipe near Kennard's Hire, which is more precisely and correctly described as a vent shaft, is part of this work, as is another vent shaft in Ireland Park Reserve. This problem has existed for three months and there has been no apparent alleviation of it.

A number of residents are experiencing not only the offensive odour; they are also experiencing increasing levels of frustration at the lack of positive action. They have complained to Liverpool council, which eventually said that it was not its problem. They have complained to the Environment Protection Authority, which gave them a number. They have made multiple complaints to Sydney Water. One resident said that she had no response from Sydney Water. Another resident said there had been a response but a Sydney Water employee is alleged to have said that it was not Sydney Water's problem.

The Minister told me that an odour control device was commissioned on 19 January this year following the construction of the infrastructure. It was aimed at minimising the generation of odours. I guess that residents would say it has not been very effective. I also understand from the Minister's office that an odour-monitoring device has been installed to monitor what are called odorous gas levels. I imagine that residents would respond to that by saying they do not need the odours monitored. They are only too acutely aware of the level of offensive odours and they do not want them monitored; they want them removed. There is a significant time gap between the time odours are monitored and the time information is downloaded.

One suggestion I have heard from Sydney Water is that it is too early to judge whether the odour control unit is effective and there should be a delay of three or four months to allow that to be determined, which is not really acceptable. My constituents quite reasonably do not see why they should have to wait for two or three months to find out what they already know—an offensive odour emanates from the newly constructed Sydney Water infrastructure. I ask the Minister to convey to Sydney Water the urgency and seriousness of the situation. Residents who have to keep their front doors closed and who cannot use their backyards when the odour is around are not persuaded that this is only a minor inconvenience that can wait several months for resolution. I ask the Minister to try to take steps to resolve this issue without delay.

BURRINJUCK ELECTORATE HEAVY VEHICLE ROAD USE

Ms KATRINA HODGKINSON (Burrinjuck) [5.47 p.m.]: Constituents frequently ring my electorate office to complain about the state of roads and the attitude of some heavy vehicle drivers on major routes within my electorate of Burrinjuck. Invariably my constituents make a statement along the lines of, "Are we going to have to wait until someone is killed before they do something?" These roads are a good mix of Federal, State and local roads. The main offenders are large trucks, semitrailers and B-doubles that use the Hume Highway, the Barton Highway, Lachlan Valley Way, Burley Griffin Way, Gocup Road and the Snowy Mountains Highway. That is not to say that other roads in the electorate are not in critical need of upgrade, including Main Road 92, Jerrara, Oallen Ford, Yass River, Grabine Park, Crookwell to Boorowa, Wee Jasper and Tumblong roads, as well as many others.

Today I speak specifically about excessive heavy vehicle use and road preparedness. I represent a large electorate in which there is no public transport to speak of. I am a frequent traveller on these roads and I share

the concerns of my constituents. At about 8.30 a.m. on 12 January 2005 a refrigerated truck drove southbound down a steep section of the Snowy Mountains Highway at the entrance to Adelong. Something went wrong and the truck was unable to negotiate the sharp right-hand turn into Tumut Street. It impacted on the corner of the Royal Hotel, killing the driver instantly and demolishing a significant part of the front of the hotel. This was the third such accident involving this hotel in three years. A little over two years before that accident a fully loaded timber semitrailer failed to negotiate that same corner. It rolled, spilling 26 tonnes of pine logs onto the veranda of the Royal Hotel, also known locally as the Top Pub. In February 2004 a semitrailer that was trying to avoid hitting the Royal Hotel overturned at that same intersection.

What is of grave concern is that in February 2001, during a visit to Adelong, I personally raised local concerns about that intersection with the honourable member for Cabramatta, who was then the Parliamentary Secretary for Roads. The *Tumut and Adelong Times* of 21 January 2005 reported that Mr Peter Butts of Australian Transport Investigations said that he was keen to pursue why public reaction over earlier accidents had seemingly been ignored by authorities. Apparently it was necessary for someone to die before the Carr Labor Government contemplated action at that intersection.

The maximum weight of semitrailers allowed to operate on most roads in New South Wales is 42.5 tonnes. B-doubles are even heavier on nominated B-double routes; their weight can be as much as 62.5 tonnes. Any occasion on which a vehicle weighing up to 60-odd tonnes leaves the road is fraught with danger. Whatever the reason—whether it be tight deadlines, driver tiredness, abuse of stimulants, poor roads, mechanical failure, excessive speed, bad weather, or traffic conditions—whenever 60 tonnes of metal leaves the road something will be damaged.

I acknowledge the importance of transporting cargo, but transport drivers have a responsibility to travel safely. The Minister for Police has a responsibility to ensure there are sufficient highway patrol officers on all these routes. He must also ensure that if there is a problem with a truck driver, or if a commuter reports a problem to police on a mobile phone or whatever, police have the resources to attend to have a look at what that driver is doing. Last Saturday week as I was driving home from Goulburn, a B-double weaved in front of my vehicle as I was overtaking it. I was travelling at a safe speed; the truck was travelling slowly. As I overtook the truck, the driver suddenly increased his speed, charged into the lane I was travelling in, and practically forced my vehicle onto the median strip. The Hume Highway is a high-speed road, with a speed limit of 110 kilometres an hour. Fortunately I am an experienced driver, and I pulled back.

I rang Yass police on my hands-free mobile phone, and I said, "There is something wrong with this guy; he might be tired or something. You need to pull him over." The B-double was carrying a large number of steel pipes, and it was an extremely dangerous situation. When I rang Yass police, I was put through to the Goulburn unit. Yass police were doing a random breath test operation, Goulburn police were tied up doing something else, and they could not send a police officer out. I followed the B-double for half an hour. The truck did the same thing again, travelling all over the road. No police attended. The Minister for Police is abrogating his responsibility. He must supply us with the police we need for highway patrols. I am a commuter, like anybody else using the road. There must be sufficient highway patrol officers, as well as sufficient units in the towns to cope with what is going on. There is an ever-increasing amount of traffic and heavy vehicles travelling on our roads, and the Government must take responsibility to ensure those roads are safe. [*Time expired.*]

F6 CORRIDOR

Mr BARRY COLLIER (Miranda) [5.52 p.m.]: In 1951, under the County of Cumberland Planning Scheme, the F6 freeway reservation ran from Waterfall to the Sydney central business district [CBD]. Parts of that freeway reservation were abandoned in 1977 and 1987, removing the section from St Peters to the CBD and the section from Waterfall to Loftus. That left the section remaining from Loftus through the Royal National Park through the Miranda electorate to St Peters. In September 2002 the then Minister for Roads, Carl Scully, abandoned plans for a freeway on the F6 corridor. The portion south of the Gymea rail line was to be returned to the community for open space and community use. There is a shortage of open space in that area caused by the shire overdevelopment by successive Liberal councils.

The section north of the rail line at Gymea was to be used for public transport. Minister Scully made it clear that no portion of the F6 corridor would be sold off to developers for high rise. That decision had my full support, as well as that of the members for Heathcote and Rockdale, and Sutherland Shire Council and Rockdale City Council, which are the councils most affected. In February 2003 the Minister's decision was gazetted. The Carr Government went to the 2003 election with that promise, and subsequently people have built homes worth up to $400,000, or renovated their homes, on or near the corridor based on that Government gazettal.

On 15 March this year I picked up my local newspaper to find that Minister Costa had effectively put the F6 back on the agenda, with the announcement that the Roads and Traffic Authority would re-examine the corridor and keep open an option for a dual carriage roadway. That announcement was made without any notification, advice or consultation with me, the local member of Parliament who is most affected. The communities of Kirrawee, Gymea and Miranda are outraged by this decision. The *St George and Sutherland Shire Leader* of 17 March reported Mrs Natalie Kosseris, a Kirrawee resident, as saying:

> Michael Costa has betrayed us …
>
> We want the Premier to intervene.

Today I have informed Minister Costa that I will fight his proposal to put the F6 back on the agenda tooth and nail. I met with the Premier today and I put the case on behalf of my constituents. I have demanded that the Government honour its promise, our election commitment of 2003. I will continue to stand up for my community on this very important issue. It makes good sense to abandon this transport corridor. First, the corridor goes nowhere. What is left of the F6 corridor ends abruptly at Sydney Park, in St Peters. There is absolutely nowhere for the traffic to go. Research shows that freeways and motorways induce traffic growth, leading to more traffic. The number of cars using the M5 East is already double the number predicted by the Roads and Traffic Authority for 2011. Experts like Peter Newman from Murdoch University say that motorways are simply not the way to go. Patronage on the East Hills line fell after the M5 East was opened. What we would have with the F6 is simply a road to nowhere; we would have yet another peak-hour car park.

As far as public transport is concerned, I point out that the Carr Government's $1 billion Clearways Project aims at improving the capacity and reliability of passenger rail. The very first Clearways Project is the Illawarra-Cronulla line, with a $145 million duplication of the Cronulla line and a $55 million Bondi Junction turn-back. The Clearways Project will also see the construction of the Macdonaldtown turn-back and stabling, and two extra tracks from Sydenham to Erskineville. The reality is that the people of the Illawarra and the Sutherland shire will be the first to benefit from the Carr Government's Clearways Project.

Then there is the cost of building the F6. The cost of building a tunnel from Loftus to Alexandria is estimated at $6 billion. The cost of building a tunnel from Loftus, under the Royal National Park, through the Sutherland shire to Captain Cook Bridge is estimated at around $2.5 billion. The cost is $700 million if built on the surface. But the real cost of building the F6 is measured in terms of what we will lose, and the list is endless. It includes part of the Royal National Park, about 100 family homes, a Montessori school for 160 children, and the list goes on. Bruce Baird, my old adversary the Federal member for Cook, has come out of the woodwork with the *St George and Sutherland Shire Leader* reporting him as saying:

> Federal pressure forced the NSW Government to restore the motorway option for the F6 Corridor.

He then praises Minister Costa. This shows how opportunistic and hypocritical the Federal member for Cook really is. Just before the Federal election, in response to a pamphlet issued by the Labor candidate, Mr Baird wrote to each of his 70,000 constituents, many of whom are also my constituents. Fearing an electoral backlash, he said:

> The construction of the F6 is a matter for the NSW Government and the Federal Government has no responsibility or power to build the F6.

He went on to say:

> … if it is viable, I support a public transport use for the corridor …

Yesterday it was the F6 freeway, then it was a public transport corridor, and now it is the F6 freeway again. What a hypocrite!

CREUTZFELDT-JAKOB DISEASE

Mr MICHAEL RICHARDSON (The Hills) [5.57 p.m.]: Most people would know Creutzfeldt-Jakob Disease, or CJD, as mad cow disease. The disease has had a devastating effect on the cattle industry in the United Kingdom and Europe, as well as killing more than 160 people. Contracted by eating infected meat products, the disease causes tiny sponge-like holes to form in the brain with devastating consequences for the victim. Fortunately, mad cow disease has not been reported in Australia, and we hope it never is. However, mad cow disease is not the only form of CJD. In fact, it is a variant of classical CJD, first described by German

neuropsychiatrists Hans Creutzfeldt and Alfons Jakob in the 1920s. And classical CJD is, unfortunately, well and truly with us. Between the 1960s and 1985 some 2,100 people in this country were injected with a fertility drug made from pituitary glands taken from corpses in morgues and sponsored by the Commonwealth Government. Four women and one man have so far died from CJD caused by this drug, the last in 1991.

The Senate inquired into the issue in 1997. It was particularly interested in the psychiatric damage caused by those who had received injections of the drug and feared developing CJD one day. No-one knows what the incubation period might be; cannibals in New Guinea have developed CJD, which they call kuru, 40 years after consuming human brains. So people who were injected with human pituitary gonadotrophin [hPG] or human growth hormone [hGH] live constantly with the thought that, one day, it could be them—and there is no known cure. Fortunately, the risk of these men and women contracting the disease is actually quite low. But this has not always filtered through to the medical profession.

People who have been given hPG or hGH are supposed to report the fact before undergoing an operation—even in the dentist's chair. This can send the health care professional into a spin. According to my constituent Suzanne Solvyns, the joint national co-ordinator of the CJD Support Group Network, people have been refused procedures as straightforward as colonoscopies and the removal of gall bladders simply because they have low risk status of CJD. Each hPG or hGH recipient has been given a letter from the Chief Medical Officer of the Australian Government outlining his or her situation. It says very clearly:

> The current Infection Control Guidelines identify recipients of cadaver-derived human pituitary hormones as 'lower risk' patients, therefore standard precautions should apply to their routine management.

In other words, they should be treated like any other patients. The letter goes on to say:

> Additional precautions are required in the case of high infectivity sites, for example, neurosurgery and neuroradiology or ophthalmic surgery and for maxillofacial surgery and endodontic dental treatment.

Instruments used on lower risk patients can usually be sterilised by autoclaving or by immersing in sodium hydroxide for an hour. Instruments used in what is described as "high infectivity tissue"—that is, brain, spinal cord, retina, optic nerve or pituitary—should be destroyed or used exclusively for that patient and then destroyed. Some of these instruments can cost tens of thousands of dollars.

Many health care professionals are treating hPG/hGH recipients as though they are at high risk of contracting CJD when in fact they are low-risk patients. This may well be the result of our litigious society, and doctors are particularly vulnerable. Their sensitivity to the possibility of being sued for transferring CJD from one patient to another—even at 40-year intervals—is understandable but overstated. Recipients of hPG or hGH are not at high risk either of contracting or of transferring CJD to another person, and the infection control guidelines published by the Commonwealth Department of Health and Ageing are comprehensive and specific. Any doctor who follows these guidelines should have no concern about either infecting another patient with CJD or being sued for doing so. Ms Solvyns writes:

> The problem we are encountering as hPH recipients seems to be that the health care workers are either treating low risk patients as high risk patients or are confusing the difference between the low infectivity and high infectivity tissue.

The innocent people who have been injected with hPG and hGH have enough to worry about without being treated like lepers. It is simply a matter of health care professionals understanding the risks and the infection control procedures—and that will take some effort on the part of NSW Health. I ask the Minister for Health to take on board this plea from the national co-ordinator of the CJD Support Network and to ensure that doctors, nurses and dentists are educated about the appropriate way to deal with this issue.

COUNTRY SCHOOLS STAFFING

Mr PETER DRAPER (Tamworth) [6.02 p.m.]: Today I highlight once again the negative impact on communities in my electorate of the formula that the Government applies to determine teacher numbers at small rural schools. The departure of two or three students this year has triggered the loss of highly valued full-time teachers from a number of schools in my region, leaving parents, teachers and staff feeling angry, concerned and disappointed. At the risk of sounding repetitive, the Government must recognise that this formula is simply unworkable in rural communities. The Department of Education and Training must acknowledge that, until it honours the commitment that its Minister made some three years ago to review the formula, rural communities will continue to be penalised unfairly.

The latest public schools in my area to fall just short of student numbers are Duri, Curlewis and Moonbi. Curlewis recently averted the loss of its third teacher when an eleventh-hour community meeting produced two students who enrolled and boosted numbers to meet the four-teacher quota. Moonbi, thankfully, lost its third teacher for only a fortnight but that two weeks resulted in much disruption to class structure. Luckily, the school recently located four additional students who were able to enrol and boost the student body to 54. The school has recruited a third teacher, who began teaching this week and will be employed on a temporary basis until the end of the year.

Duri, however, was not so lucky. Duri's student body dropped below the three-teacher quota of 55 students to 51 students last year when drought forced two families from the district. The school was able to retain its third teacher through the department's Drought Supplementation Program. However, when the exemption was lifted the school lost the teacher and is now relying on a teaching principal, one teacher, and a recently appointed casual teacher for a student body of 53. The casual teacher instructs in maths and English only four days a week. The situation remains far from ideal. As one parent wrote:

> This decision displays a lack of understanding and compassion by the Department.

When the school had three full-time teachers it had three classes, with 17 students in kindergarten and year 1, 18 students in years 2 and 3, and 16 students in a combined class comprising years 4, 5 and 6. The classes have now been reduced to 26 students in kindergarten, years 1 and 2; and 25 students in a class comprising years 3, 4, 5 and 6. As one parent said:

> The size and varying grades of new classes not only dramatically increases pressure and work loads for the existing teachers, it decreases the quality of learning for our children.

The parent justifiably asked me how the school principal could be expected to teach adequately 26 children across four grades and also be an effective school leader. A major source of concern is the number of grade levels in each class. The quality of teaching time per child has undoubtedly been affected. A number of children at Duri have learning difficulties and the individual attention they received previously in the smaller classes has helped them overcome problems such as stuttering and comprehension difficulties. The point must also be made that the formation of these multiple, high-number classes is in direct conflict with the Minister's decision to provide kindergarten classes of no more than 20 students.

At Moonbi Primary School, this year the student body dropped by four students, triggering the loss of the school's third teacher. The student body of 50 was forced into two classes comprising kindergarten to year 3, and years 4, 5 and 6. Staff described the loss and reinstatement of a teacher over a two-week period as incredibly disturbing for the students. The fact that Moonbi also has students with learning and behavioural difficulties, such as speech impairment and attention deficit hyperactive disorder, amplified the disruption and concern about the prospect of larger class sizes. The drought continues to be an overriding factor for all schools. Our area is no longer drought declared but the effect of the drought will be felt well into the future. One parent said:

> Farming families in this area have had a tough enough time recently without being penalised further.

Another parent wrote:

> The Department must understand that a community cannot instantly recover from drought, the stroke of a pen does not instantly bring families back to the bush to attend school, work and live.

Finally, a parent wrote:

> We run a grazing property and have been through the last ten years with very low rainfall. It will take us a long time to recover as we have had to spend a lot of money on fodder to keep our livelihood alive. Just because the season seems to have turned for the better does not mean we are not still feeling the effects of the drought.

Many farming families in the district have been feeding stock for a long time and, despite what the bureaucrats say, locals are very much aware that the drought is not over, and will not be over for some time. Adding weight to these comments is the latest information from the Minister for Primary Industries, Ian Macdonald, that a particularly dry February has seen drought conditions worsen in parts of New South Wales, with the entire Tamworth rural lands protection board area being downgraded from satisfactory to marginal. The facts in this matter are clear: the teaching formula must be reviewed before rural school communities across New South Wales are decimated to a point beyond recovery.

MEMORY ASSESSMENT PROGRAM

Mr RICHARD TORBAY (Northern Tablelands) [6.07 p.m.]: It was a wake-up call to hear recently that 1,000 Australians are diagnosed each week with some form of dementia. The new national, State and Territory data contained in "Dementia Estimates and Projections: Australian States and Territories" indicates that in 2005 the total number of Australians with dementia will pass 200,000, which is 1 per cent of the population. By 2050 the total number of people with dementia will exceed 730,000, or 2.8 per cent of the projected population. As is usual with the broad sweep of statistics, they do not reveal the gradations of dementia or the fact that early intervention can arrest the rapid progress of the disease in many cases.

Today I want to speak about a program initiated in Armidale in my Northern Tablelands electorate, one of the few that concentrates on determining the capacities of people with early signs of dementia rather than just their incapacities. In real terms, early intervention and streamlining services enable many dementia sufferers to remain living independently for longer periods—something that our health and community services would appreciate as the cost of maintaining an ageing population continues to escalate. The Memory Assessment Program was set up as a pilot program in Armidale and was launched in February 2003 as a collaboration between NSW Health and the Department of Ageing, Disability and Home Care. It included the New England Division of General Practice, the University of New England School of Psychology, the Hunter and New England area health services, and the Armidale Dumaresq Council.

NSW Health provided $75,000 for the implementation of the program between July 2002 and December 2003. A further $30,000 was provided in April 2004 to continue until December 2004. I thank the Minister for Health for allocating an extra $35,000 from NSW Health to ensure the program's continuation until June 2005. The Staff Foundation of the New England Credit Union also contributed $13,000 to employ a psychology intern at the Memory Assessment Clinic at the university until June 2005. Armidale, Uralla, Guyra and Walcha were initially involved in the pilot, which now includes services to Inverell. If recurrent funding of $50,000 per year is made available to the service it could be expanded to include Glen Innes. The Memory Assessment Program offers a streamlined approach for people experiencing memory problems. It links general practitioners [GPs] and their patients to specialised medical and neuropsychological services, and it eliminates the need for those patients to separately contact the many agencies who may provide services.

What makes this program unique is the access in the first instance to sophisticated neuropsychological testing by a neuropsychologist, Dr James Donnelly, at the University of New England. Normally this testing costs thousands of dollars, but it is made available free of charge to patients and their families through this program. Once the testing is complete a case conference is called involving the patient, family members, a geriatrician, a neuropsychologist, the patient's GP, and the program co-ordinator.

The group analyses the results of the test, estimates the capacity of the patient, and recommends the appropriate medication and support. The co-ordinator then contacts local agencies, such as the Alzheimer's Association, a dementia consultant, and home care, respite and hostel providers. The team of specialists in gerontology and neuropsychology uses established networks in the New England Division of General Practice and broadband and telemedicine technology to provide this co-ordination and clinical service.

Through Dr James Donnelly training the interns, the program has the potential to be duplicated in other areas of New South Wales. At present, this high standard of training is not being replicated anywhere else in the State. The program supports people with early to moderate stages of dementia and their carers from the time of diagnosis through the course of the disease. Already 66 clients have been assessed, and local GPs have given their approval to helping to streamline the referral process, the ease of the use of the assessment/care plan, and the assistance in patient care from the University of New England neuropsychological department assessment.

The high 89 per cent of the GPs surveyed expressed satisfaction with the referral system, the case conference feedback, and the fact that throughout the process patients maintain their dignity and quality of life. The program has shown that when people with dementia and their families are well supported the sufferer can be maintained at home for longer periods, reducing potential admissions to hospital during acute episodes, and/or delaying admission to residential aged care facilities in the long term. I urge the Minister to allocate the recurrent funding of $50,000 to continue this very important work.

Private members' statements noted.

[*Madam Acting-Speaker (Ms Marie Andrews) left the chair at 6.12 p.m. The House resumed at 7.30 p.m.*]

BUSINESS OF THE HOUSE

Precedence of Business: Suspension of Standing and Sessional Orders

Motion by Mr Bob Debus agreed to:

That standing and sessional orders be suspended to allow Government Business to take precedence of the matter of public importance at this sitting.

CRIMES AMENDMENT (GRIEVOUS BODILY HARM) BILL

Second Reading

Debate resumed from 2 March 2005.

Mr ANDREW TINK (Epping) [7.30 p.m.]: The purpose of the Crimes Amendment (Grievous Bodily Harm) Bill is to amend the Crimes Act to ensure that offences under that Act relating to the infliction of grievous bodily harm extend to the destruction of the foetus of a pregnant woman other than in the course of a medical procedure. I understand the background of the bill is that in 2001 Renee Shields was seven months pregnant when she lost her baby, Byron, as a result of a road-rage incident which resulted in her car being rammed into a pole. Although the person responsible was gaoled for the accident he could not be charged with manslaughter over Byron's death as the law did not recognise a foetus as human.

Another well-publicised case is that of Kylie Flick, who miscarried her unborn child after the father of the child, Phillip Nathan King, repeatedly kicked and punched her in the stomach. King was eventually sentenced to 12 years gaol with a non-parole period of eight years after an appeal to the Court of Criminal Appeal. When ruling that the appeal could go ahead, Chief Justice Spigelman noted that the "close physical bond between the mother and the foetus is of such a character that for the purpose of offences such as this the foetus should be regarded as part of the mother".

In his second reading speech the Attorney General said the bill essentially codified the principles enunciated by the Court of Criminal Appeal in the King case, namely, that the definition of grievous bodily harm includes the loss of an unborn child. The bill extends the definition of "grievous bodily harm" in the Crimes Act to include the destruction of the foetus of a pregnant woman, even if the woman herself is not harmed. Accordingly, offences such as maliciously inflicting grievous bodily harm and dangerous driving occasioning grievous bodily harm, amongst others, will now cover the destruction of a foetus. The amendment, as I understand it, excludes the destruction of a foetus as a result of medical procedures, including abortion.

The bill in its terms is extremely short and operates, as I understand it, simply to change the definition. It does not of itself impose any penalties whatever, although the explanatory note to the bill makes it clear how the offences so extended by the bill include those relating to section 33, the intentional infliction of grievous bodily harm, an extremely serious offence that carries a maximum penalty is 25 years imprisonment; section 35, the malicious infliction of grievous bodily harm, which has a maximum penalty of seven years; section 52A, the serious offence of dangerous driving causing grievous bodily harm, which carries with a maximum penalty of seven years or, in the case of aggravated dangerous driving, 11 years, which I think includes being involved in a police chase; and section 54, negligently causing grievous bodily harm, which has a maximum penalty of two years imprisonment.

The Coalition supports the Government's legislative move and will not oppose the bill. I have already mentioned to the Attorney General that the Right to Life Association (NSW) Inc. has raised some concerns in a letter, which I understand was sent to all members of Parliament. I ask the Attorney General to respond to those concerns. I will refer at some length to the letter, which is dated 16 March and is signed by Mrs Susan Carter, Vice-President, Right to Life Association (NSW) Inc. She begins by expressing disappointment with the bill and asserts that it does not follow the recommendations of Mr Finlay, QC, which the Attorney General indicated on 26 June 2003 in the House and also in the media that he would implement. The letter states that Mr Finlay recommended a number of things:

- *NSW legislate to introduce the offence of "child destruction" relating to a criminal act causing a child, capable of being born alive to die before it has an existence independent of its mother. He preferred the description of the offence "Killing an Unborn Child" to "Child Destruction".*

- *His policy recommendation was that the fault element should be similar to that required to sustain a charge of murder or manslaughter if the child had survived to be born but had then died from the injuries received by the offender's act or omission.*

- *That the pregnant woman be excluded as a possible offender.*

- *That the general offence of "Killing an Unborn Child" should be supplemented to provide for an offence of dangerous driving of a vehicle or navigation of a vessel occasioning the death of a child capable of being born alive before it has an existence independent of its mother.*

- *That NSW legislate to provide for this offence of dangerous driving or navigation occasioning death of a child capable of being born alive before it has an existence independent of its mother by appropriate amendment to section 52A and 52B.*

- *That NSW legislate to provide for an offence of dangerous driving or navigation … by appropriate amendment to section 52A and 52B.*

The letter then refers to the way Queensland has dealt with the matter, and states that the Attorney General joined Mr Finlay, QC, at a press conference when the Finlay report was released. During question time on 26 June 2003 the Attorney General, in an answer to a question from Paul Gibson, MP, stated:

> I advise the House that next session I will bring before the House legislation implementing the recommendations that Justice Finlay has made.

The letter goes on to conclude that the bill does not, in fact, implement the recommendations of Justice Finlay. I am not seeking to put a particular slant on that, except to genuinely seek information from the Attorney General on whether he will implement those recommendations. The letter continues:

> … no charge was able to be brought concerning the death of Byron. ***The provisions of the Grievous Bodily Harm Bill if they became law would make no change to this position.***

I seek clarification on whether, in the Attorney General's opinion, that statement is correct. The letter goes on:

> Renee Shields suffered grievous bodily harm herself in the collision and the Judge took into account the death of Byron when sentencing the accused for the charge of dangerous driving causing grievous bodily harm to Renee Shields.

Under the heading "Phillip Nathan King Case", the letter continues:

> The Grievous Bodily Harm Bill is said to be a codification of the Court of Criminal Appeal's 2003 decision in King's Case where King caused the death of his and Kylie's Flick unborn child by violently kicking Ms Flick in the abdomen causing the unborn child to bleed to death. The Appeal court recognised that although Ms Flick was not physically injured sufficiently to constitute grievous bodily harm, the death of her unborn child could itself be considered as causing grievous bodily harm to the mother, Ms Flick. In view of the violent attack, it was unusual that Ms Flick did not personally suffer grievous bodily harm. ***The case does not resolve the anomaly which Mr Finlay QC's recommendations would cure***.

I think that should read "The bill does not resolve the anomaly … ", but that may require some further clarification. The letter continues:

> The Grievous Bodily Harm Bill limits the effect of the King case in that it exempts persons performing medical procedures from the definition of grievous bodily harm. This ignores cases where women don't consent to such procedures …

The letter requests amendments to bring the bill into line with Justice Finlay's recommendations. It points out that a promise was made that the bill would be in accordance with the recommendations of Justice Finlay, but it does not reflect those recommendations. Without in any way being judgmental or critical, I seek the Attorney General's response to those matters. With those comments I indicate that the Coalition will not oppose the bill.

Mr BARRY COLLIER (Miranda) [7.43 p.m.]: The object of the Crimes Amendment (Grievous Bodily Harm) Bill is to amend the Crimes Act to ensure that offences relating to the infliction of grievous bodily harm extend to the destruction by a person of the foetus of a pregnant woman other than in the course of a medical procedure. The amendment codifies the law as set out in *The Queen v King*, 2003 NSW CCA at page 339. The bill honours an important commitment that the Carr Government made to two families devastated by the loss of a child. Renee Shields and Kylie Flick both lost the babies they were carrying due to the criminal act of another person.

In November 2001 Ms Shields' unborn baby, Byron, died at 32 weeks as the result of a road-rage incident. The car in which she was a passenger was forced off the road by Michael Harrigan. It crashed. Although Byron's death was taken into account in setting the appropriate sentence to be served by the offender,

Michael Harrigan, separate charges could not be brought against him for the child's death. In August 2002 Kylie Flick was brutally assaulted by Phillip King, the father of her unborn child, when she was 23 weeks pregnant. As a result, her child died in utero and King was charged with maliciously inflicting grievous bodily harm with intent.

In King's case the Court of Criminal Appeal ultimately held that the close physical connection between a pregnant woman and her unborn child means that the child's loss could constitute grievous bodily harm to the woman, even in the absence of other injury. The bill codifies the common law by amending section 4 of the Crimes Act. It ensures that the definition of "grievous bodily harm" extends to the destruction of the foetus of a pregnant woman. This will not apply in cases where the death occurs in the course of a medical procedure. The definition of "grievous bodily harm" in the Crimes Act is not comprehensively defined, nor should it be, because of the risk of unnecessarily restricting its application. As it stands, the definition simply includes any permanent or serious disfiguring of the person. This amendment adds the destruction of the foetus to this non-exhaustive list

The amendment will cover a wide range of situations, from maliciously inflicting grievous bodily harm with intent—section 33, with a maximum of 25 years imprisonment—to causing grievous bodily harm by an unlawful or negligent act—section 54, carrying a maximum penalty of two years imprisonment. The bill makes good sense and, as I have indicated, it honours a commitment made by the Carr Government to two families. The amendment will not, of course, change the current situation with respect to abortion. I commend the bill to the House.

Mr PAUL LYNCH (Liverpool) [7.46 p.m.]: I support the Crimes Amendment (Grievous Bodily Harm) Bill. The aim of the proposed legislation is to amend the Crimes Act. The amendment proposes that offences relating to the infliction of grievous bodily harm extend to the destruction by a person of the foetus of a pregnant woman. That does not extend to something done in the course of a medical procedure. The background to the bill is two well-known and tragic cases that have recently been before the courts. One case involved Kylie Flick, who was assaulted by Phillip King, the father of her unborn child. Kylie Flick was assaulted when she was between 23 weeks and 24 weeks pregnant. As a result of that assault Ms Flick's unborn child died in utero. King was charged with maliciously inflicting grievous bodily harm with intent. The District Court granted a permanent stay on the charge in October 2003, saying that the loss of an unborn child did not constitute grievous bodily harm to its mother.

The Crown took that point on appeal and in December 2003 the Court of Criminal Appeal held that the close physical connection between a pregnant woman and a foetus means that the loss of the foetus can constitute grievous bodily harm to a pregnant woman, even in the absence of other injury. The other case was that of Renee Shields, who was a passenger in a car that crashed following a road-rage incident. She was then 32 weeks pregnant. Her unborn child died in utero as a result of the injuries that were sustained in the incident. Although the death was taken into account on sentencing in assessing the severity of the offences, separate charges were not brought against the offender in relation to the death of the unborn child.

This bill codifies what has now become the common law position following the Court of Criminal Appeal decision in the case of King. It does that by introducing a change to section 4 of the Crimes Act, which contains the definitions in the Crimes Act. The definition of "grievous bodily harm" now includes "the destruction (other than in the course of a medical procedure) of the foetus of a pregnant woman, whether or not the woman suffers any other harm". That definition now becomes relevant to a number of currently existing criminal offences: intentional infliction of grievous bodily harm, malicious infliction of grievous bodily harm, dangerous driving or aggravated dangerous driving causing grievous bodily harm and negligently causing grievous bodily harm. Importantly, the bill does not affect the current law concerning the unlawful termination of pregnancies.

Some would argue—the Right to Life letter has been referred to already in the debate—that a separate law should be made to introduce a separate offence of child destruction or killing an unborn child. That, of course, is one of the issues ventilated in the report by Mervyn Finlay on his review of the law of manslaughter. He refers to it in section 14A of his report. To some extent, I have to say that this argument becomes a debate about legalistics. Not introducing such a separate offence does not mean that the behaviour that it is aimed at would go unpunished. This legislation means that that behaviour would be dealt with. The dispute simply becomes: Which legal mechanism will the Parliament adopt to achieve exactly the same, and agreed, result? That is, will we have a separate offence or will we amend section 4 of the Crimes Act?

Whilst Justice Finlay did recommend, as I read his report, the adoption of a separate offence, his report was not quite as equivocal as some have tried to represent it. Indeed, as I read his report, the alternative proposed in this legislation, amending section 4 of the Crimes Act, was not considered by him; that is, this was not one of the alternatives that he considered. The alternative to the separate offence that he considered was an amendment to the list of aggravating factors in section 21A (2) of the Crimes (Sentencing Procedures) Act. It is certainly not the case, as I think one would infer from the Right to Life letter, that everyone agreed with introducing a separate offence. I notice, in particular, that the Australian Medical Association of New South Wales opposed the introduction of a separate offence. The Criminal Law Committee of the New South Wales Bar Association opposed the introduction of a separate offence. It—as quoted by Mr Finlay—regarded that as being fraught with difficulty.

I think, on balance, the proposition put up in this bill is the preferable one. One of the reasons for that is that this is a simpler amendment than introducing a new offence altogether. Those who read Mr Finlay's report would have some understanding that the number of consequential amendments that would have to arise because of the introduction of a separate offence are far greater than is contemplated in this bill. By definition, the more provisions that are changed, the greater the chance of something going wrong. I am not necessarily saying that the only thing people should be interested in is successful prosecutions. But, if you are interested in successful prosecutions, perhaps it is a better course to have a simpler provision, rather than a more complicated one. That also avoids some of the complications set out in Mr Finlay's report. My copy of Mr Finlay's report is being returned to the Parliamentary Library this evening. If one reads it one will see that he has a large section on whether a foetus is capable of being born. That is something he necessarily had to deal with because of the new offence he spoke about. That extra complication is not something that has to be dealt with in relation to this amendment, because this amendment can be dealt with in a much simpler way.

It is worth noting that Mr Finlay said at page 129 of his report that even the new offence he talks about presents no change to the anti-abortion provisions. It is perhaps worth making that point in response to the Right to Life letter. I note also that the Right to Life letter has some interesting comments about unscrupulous late-term abortionists. However, the problem it complains about, as I understand it, is currently prohibited by the law anyway. Whatever it is that the organisation is complaining about will not be solved by changing the law yet again, because the law already prohibits the particular thing that Right to Life complains about at the end of its letter. Essentially, if the Right to Life organisation wants to conduct a debate about termination of pregnancies this is the wrong legislation with which to do that. Whether one wants a separate offence or wants to amend the current legislation is a matter of judgment and of balancing the issues. I think it is fair to say there are legitimate arguments both ways. But I think, on balance, this legislation pursues the preferred option, which is simpler and therefore better for everyone concerned in this debate. I commend the bill to the House.

Mr BOB DEBUS (Blue Mountains—Attorney General, and Minister for the Environment) [7.53 p.m.], in reply: I thank the honourable member for Epping and the honourable member for Liverpool for their entirely sensible contributions to this debate. I will make a number of observations in consequence. The first is an observation that has been made on a number of occasions, but I think it bears repeating one more time. This bill does not impact on the law of abortion in any way. It is not intended to. The discussion around the bill is not intended to be a debate about that issue. It is not a debate about the present law with respect to the lawful termination of pregnancy. Terminations performed in New South Wales are subject to strict Department of Health guidelines, which require counselling, assessments of need based upon gestational age, and informed written consent, before an abortion is performed. Therefore, those medical personnel who perform, in good faith, terminations within the accepted legal and medical parameters are not engaging in a malicious or negligent act of grievous bodily harm. They should not, therefore, attract criminal sanction. Nothing in this bill changes that.

The Government has also included, for abundant caution, an exemption in this bill for medical personnel performing procedures that may result in foetal death. This is in recognition of the fact that medical decisions will sometimes have to be made, such as that to perform life-saving surgery on a pregnant woman, which may, unavoidably, result in foetal death. Just as it is not for the Government to make these heartbreaking medical decisions, neither is it for the Government to leave the medical personnel who do so open to criminal charge. In the context of what has been called in this debate the Right to Life letter—which I have had the opportunity of seeing only in the past several minutes—the offence of child destruction, which exists in other States, is not to be assumed to sit easily with existing laws in New South Wales.

Other Australian jurisdictions have an unborn child offence, but there are major variations between those offences, suggesting there is no consensus as to the best formulation, and that indeed there is not one

single best way of approaching this issue of protecting unborn children. I should also say that the offence of child destruction, as it exists in other States, is almost never used. So the honourable member for Liverpool was right to suggest, as I understood him to do, that we really have to tailor the law covering the matters that we are here debating in New South Wales for our own particular purposes. We could be guaranteed to be introducing all sorts of anomalous consequences if we were simply to adopt a bit of the law that exists somewhere else affecting this extraordinarily difficult area.

Nevertheless, it is perfectly legitimate for the public to ask why I did not introduce the offence that Mervyn Finlay, QC, specifically recommended. I should say that I have the greatest respect for Mervyn Finlay. It was a pleasure to work with him. He was quite notably compassionate and sensitive in the way that he dealt with Renee Shields and her family, whom he interviewed, and the way in which he dealt with this whole issue. Nevertheless, the review of the law of manslaughter in New South Wales written by Mervyn Finlay, QC, was released in June 2003, and it included in one of its aspects a report on the question of whether an offence of child destruction should be introduced in New South Wales. However, the whole report was written before the Court of Criminal Appeal had delivered its historic decision in the King case, and that changed the legal landscape in relation to this area of law.

I do not think anybody concerned with the reform that we are debating—no member of Parliament or indeed Mervyn Finlay—should have the slightest embarrassment in acknowledging that this is indeed a very difficult area, and one in which we all know the result we want might concern the circumstances that so tragically affected Renee Shields or Kylie Flick. On the other hand, we do not want to be disturbing the law as it at present affects abortion. Those two goals are quite difficult to knit together. That difficulty of itself explains the somewhat circuitous and difficult route that this legislation has taken to reach the Chamber. As I said, I do not think any of us should feel any particular embarrassment about it. It is, genuinely, a most difficult set of concerns to untangle.

The offence that Mervyn Finlay ultimately recommended—as I said, this was before the King decision of the Court of Criminal Appeal—brought with it a range of unavoidable legal and contextual problems, such as ramifications for the law of negligence and for personal injury and victims compensation law. Again by necessity it included, as recommended, a presumptive cut-off date of 26 weeks, which meant that not all offenders who caused the loss of an unborn child would necessarily be caught by the proposed offence. Again, Mervyn Finlay was wrestling with this conflict of legal concepts.

Finlay's proposed offence would not have automatically applied to an offender such as Phillip King, who caused the death of Kylie Flick's unborn child because at 23 to 24 weeks Mrs Flick's unborn child was under the proposed cut-off age. This bill does not carry a cut-off date—it does not have to. It means that a range of offences, from offences carrying a penalty of 25 years imprisonment down to offences carrying only two years imprisonment, can be charged when a criminal act causes a pregnant woman to lose her unborn child. As a result, a range of offences can be charged and penalties applied that will cover all the circumstances of fact, all the levels of criminality that are likely to surround the kinds of actions that we want this Act to catch. In terms of this legislation, all offenders will be able to be held responsible.

In formulating the bill, the Government has had an advantage not open to Mervyn Finlay. Following the King decision the Government was able to go back to—using the jargon these days —the key stakeholders and further consult them in the light of that decision. In the bill, the Government has taken into account that further consultation and the way in which the legal landscape has changed since the King decision. It is true that among the people, the health authorities and the legal authorities the Government consulted in the further round of consultation following the King case there was a high level of consensus that the new approach so chosen was in fact appropriate. The tragic reality is that some women like Renee Shields will, as the result of a criminal act into the future, suffer not only the loss of their unborn child but other terrible injuries on top of that which also amount to grievous bodily harm. Other women like Kylie Flick will suffer the loss of their unborn child but they will not suffer other injuries that would also have amounted to grievous bodily harm. Before the King decision the law was unclear about whether the loss of an unborn child would by itself constitute grievous bodily harm to a pregnant woman. The King decision has now established that it would.

This bill, which codifies the King decision, makes it clear that the loss of an unborn child can amount to grievous bodily harm even when that is the only harm the pregnant woman suffered. That is the nub of the matter. It makes that clear by including the words "whether or not the women suffers any other harm". The bill means that there can be no question that all those who criminally cause the loss of an unborn child will be punished, irrespective of whether they also cause a pregnant woman other injuries. If, in the terribly tragic case,

a pregnant woman suffers other injuries that will be reflected in a more severe sentence given to the offender. I hope that those explanations sufficiently respond to what I understand still only vaguely to be the criticism included in the Right to Life letter that has apparently been circulated to honourable members. Be that as it may, the Government's intention is crystal clear. The passage of this bill will—to a degree that would not have been possible in the legal context, the legal environment that existed before King, the legal environment that was known to Finlay—cover all the possible circumstances in which a child is tragically lost.

Motion agreed to.

Bill read a second time and passed through remaining stages.

NATIONAL PARKS AND WILDLIFE (ADJUSTMENT OF AREAS) BILL

Second Reading

Debate resumed from 2 March 2005.

Mr MICHAEL RICHARDSON (The Hills) [8.05 p.m.]: I indicate at the outset that the Opposition will not be opposing the National Parks and Wildlife (Adjustment of Areas) Bill, which is very much a tidy-up bill. Its intent is similar to that of several other bills passed by this Parliament over the past decade, the most recent of which was in 2001. This bill makes a number of fairly minor changes to a very small number of national parks. Indeed, the areas involved are small; one area is only 700 square metres. Under the National Parks and Wildlife Act, land reserved as national parks may not be revoked except by an Act of Parliament. That is an important issue, and it is absolutely essential to this bill. The Minister for the Environment in his second reading speech emphasised the fact that legislation was needed to change the boundaries of national parks, and that is exactly what is being done by this legislation.

The proposals are straightforward. Some are consequent on legislation that has passed through this House comparatively recently; others deal with issues such as dams in Kosciuszko National Park and the need, which arises from time to time, to provide for roads. A consistent theme that seems to run through the legislation is that compensation is provided for any revocations that are made under the bill. I shall deal with the revocations one by one. The first, which relates to the South East Forest National Park, corrects some boundary areas to allow roads to be used for commercial logging operations in the adjacent State forest. The roads will remain vested in the Minister under part 11 of the National Parks and Wildlife Act 1974.

There is no compensation sought in this instance as this kind of boundary gazettal error arises in circumstances when no fault is ascribed. Certainly, the roads will continue to exist, regardless of whether compensation is provided. The only observation I make is that this issue should have been dealt with in 1996, when the South East Forest National Park was originally reserved. It seems to be somewhat anomalous that nine years on we should be passing legislation to provide for logging operations that were clearly happening in 1996 and have continued since then. If the Government got it wrong in 1996 I wonder why it did not come into this place and seek to amend the legislation earlier than 2005.

The second change proposed relates to Botany Bay National Park. In recent years it seems that a number of changes have been made to Botany Bay National Park, perhaps because it is fairly close to the centre of the city and a number of competing activities occur within the area. The bill revokes some 716 square metres of Botany Bay National Park, which will be handed over to the New South Wales Golf Club to provide some degree of safety for golfers using the sixth tee. I suspect that were this to happen without some compensation being provided by the golf club the legislation would not go through the Parliament. Some 1,354 square metres of high conservation land will be added to the national park, which is almost a two-for-one swap. Nothing is particularly objectionable about a two-for-one swap that will enhance public safety. The National Parks Association has not indicated that it is in any way opposed to this aspect of the legislation.

The third proposal relates to Talbingo Dam in Kosciuszko National Park. One of the great ironies of Australia is that one of our great national parks, certainly the jewel in the crown of the New South Wales national park estate, should coexist with one of the greatest civil engineering feats in the world, the Snowy Mountains Scheme. Not too many people could object to the revocation of areas that have been highly modified by the Snowy Mountains Authority over a period of decades. The proposal is to revoke some 184 hectares, which includes 34 hectares of Talbingo Dam's water surface. The conservation value of the land is fairly minimal. The two parcels of land that will become part of the park as compensation total 146 hectares, which is

slightly less than the 184 hectares to be revoked, but 34 hectares of the dam's water surface will be transferred to Snowy Hydro. Most people would say that is a sensible move by the Government and would not object to it. Certainly the National Parks Association has no particular problem with the proposal.

The next proposal relates to Lake Innes Nature Reserve, and involves the revocation of 2.89 hectares to allow Hastings Council to construct an extension of Ocean Drive, which forms part of the Port Macquarie Ring Road Project. Often it is necessary to construct roads, and sometimes the only place to construct them is through a national park. Other proposals have passed successfully through this place to provide for exactly that eventuality. Some 2.89 hectares will be taken from the Lake Innes Nature Reserve, but another 3.98 hectares will be included in the nature reserve.

I note that a working group, including representatives from the National Parks and Wildlife Service, Hastings Council, the local branch of the National Parks Association and the Koala Preservation Society, has been involved in consultation regarding construction of the road. I understand that a fauna underpass will be built, particularly for koalas, to mitigate the impact on wildlife. That has been done elsewhere in New South Wales and the world. For example, in Canada I have seen very expensive overbridges costing upwards of $CA1 million to allow bears to cross six- or eight-lane highways. That is to be commended, and the proposal is not objected to.

The next proposal is more contentious and relates to the extension of special roads provisions in the National Park Estate (Southern Region Reservations) Act 2000. This does not involve any revocations or changes to boundaries, but extends the time allowed for public road boundaries and adjustments and declarations as to the states of other roads and tracts within new national parks and reserves in southern New South Wales for two years or until 31 December 2007. The conservation movement is concerned that this does not provide a degree of surety over what has been preserved in the Act in these new national parks.

I understand that there may be—as set out in a briefing note provided by the Minister—some unforeseen difficulties such as undertaking survey work in rough terrain. But the Government could have got it right, and should have got it right, in the first place. I go back to the correction of the boundary errors of the South East Forest National Park, which was gazetted nine years ago. One would have thought that in the intervening nine years the Government could have got it right. Section 10 of the National Park Estate (Southern Region Reservations) Act, which provides for an adjustment of description of land transferred to national park estate, states:

> (2) The description of any land in Schedules 1-6 may be adjusted from time to time:
>
> (a) to alter the boundaries of the land for the purposes of the effective management of national parks estate land and State forest land, including adjustments to enable boundaries to follow distinctive land features, to provide access to land or to rationalise the boundaries of similar areas of land, or
>
> (b) to adjust the boundary of any land adjoining a public road, including adjustments to enable the boundary to follow the formed path of the road or to provide an appropriate set back from the carriageway of the road, or
>
> (c) to include, remove or change a description of any easement or a restriction to which the land is subject.
>
> (3) An adjustment of the description of land is to be made by the Director-General of National Parks and Wildlife by a notice published in the Gazette that amends Schedules 1-6.
>
> (4) A notice under this section may only be published with the approval of:
>
> (a) the Minister administering the *National Parks and Wildlife Act 1974*, and
>
> (b) the Minister administering the Forestry Act 1916

I would ask the Minister to clarify, if he could, that any adjustment of boundaries under section 10 (2) (a) to alter the boundaries of the land for the purposes of the effective management of national park estate land and State Forests land, including adjustments to enable boundaries to follow distinctive land features, to provide access to land and to rationalise the boundaries of similar areas of land would have to be signed off by him as both the Minister administering the National Parks and Wildlife Act and the Minister administering the Forestry Act, and whether that adjustment would have to be gazetted.

The New South Wales national parks system has some 12 parks as well as a number of State parks and historical sites that were gazetted with the original National Parks and Wildlife Act in 1967. Honourable members may not be aware that all those parks exist by definition of what is known as a miscellaneous plan,

which is almost a mud map that is drawn in ink on a piece of parchment. Two of these pieces of parchment are extant for each park in New South Wales. One is held at the National Parks and Wildlife Service headquarters in Hurstville and the other is held by the Department of Lands.

It is my understanding that there is constant activity relating to the interpretation of those boundaries, because simply having a line drawn on a map with no relationship to contours, rivers or trig points is very difficult. The scale of these maps is around 1:136,000, and it is often difficult to identify details on those maps. That is an issue the Government could take on board. Those 12 national parks include some of the icon parks—since they go back to 1967 perhaps they could all be classed as icon parks in the national parks system—such as Morton National Park, the Royal National Park, the Gibraltar Range National Park and Blue Mountains National Park, which I am sure the Minister is very familiar with.

All of those parks are gazetted by way of miscellaneous plan, and adjustments are made from time to time. I assume that those adjustments are made by an Act of Parliament, particularly if part of one of those national parks is revoked. I repeat that the Opposition does not oppose this legislation. It seems sensible and I am sure that when we are next in government there will be occasions when we want to alter the boundaries of national parks along similar lines.

Mr BOB DEBUS (Blue Mountains—Attorney General, and Minister for the Environment) [8.21 p.m.], in reply: I thank the honourable member for The Hills for his support for the legislation, which is indubitably sensible. It is of a kind that we pass through this Parliament from time to time as necessary to do the housework, the small variations in boundaries to national parks for legitimate reasons. I am not sure that I can answer all of the issues raised by the honourable member in respect to miscellaneous plans on parchment, although if he allows me to take them on notice I shall be able to do so. I should mention, with respect to the provisions concerning the South East Forest National Park, that we are talking about roads that are not new. We are talking about existing roads which were unable to be used at all after, at least in one case, December 1998. It was only after that time that State Forests detected the error. These roads are related to commercial logging and therefore are not compatible with inclusion in the national park estate.

The extension of deadlines for the determination of road boundaries will simply allow the Department of Environment and Conservation, the Roads and Traffic Authority, the Department of Lands and local councils to do the necessary survey work to rectify cadastral anomalies. It is not all that surprising in practice to find that from time to time—especially when one is dealing with very rugged country and there have been a great many transfers of land between various agencies of government in a particular area in a relatively short space of time—these small anomalies will arise. It is appropriate that they are included in omnibus bills of this sort, which are only introduced to Parliament every couple of years. It would not make much sense to introduce bills to cover matters of this modest nature exclusively. I thank the honourable member for his support for the bill and have pleasure in commending it to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

WATER EFFICIENCY LABELLING AND STANDARDS (NEW SOUTH WALES) BILL

Second Reading

Debate resumed from 2 March 2005.

Mr THOMAS GEORGE (Lismore) [8.25 p.m.]: Although I speak on the Water Efficiency Labelling and Standards (New South Wales) Bill I do not lead on behalf of the Opposition: the shadow Minister will lead for the Opposition. The object of this bill is to give effect in this State to a nationally consistent water efficiency labelling and standards scheme by applying the Commonwealth Water Efficiency Labelling and Standards Act to New South Wales. The Minister said, in his second reading speech:

> The bill will … give effect in this State to a nationally consistent Water Efficiency Labelling and Standards [WELS] scheme.
>
> The purpose of the WELS scheme is to conserve water supplies by reducing water consumption through the adoption of water efficient appliances; to provide appliance efficiency and performance information to purchasers of water appliances to allow them to make a well informed purchasing decision; and to promote the adoption of efficient and effective water-use technology …

> The proposed legislative approach is a Commonwealth-led legal framework, supported by mirror State and Territory legislation. Under this approach, the Commonwealth legislation would apply to corporations and importers. The State and Territory legislation would apply to businesses that are beyond the limit of Commonwealth constitutional power such as unincorporated businesses. The Commonwealth's Water Efficiency Labelling and Standards Bill 2004 was passed by the Senate on 8 February 2005 and is awaiting assent. The legislation adopted by States and Territories will provide for the conferral of relevant powers and functions on a Commonwealth-based WELS regulator. The regulator will oversee the registration of WELS products to which the mandatory labelling and standards provisions apply, and will monitor and enforce compliance with the scheme.

The bill applies the Commonwealth water efficiency laws—which are defined in clause 4 as the Commonwealth Water Efficiency Labelling and Standards Act and all regulations, guidelines, principles, standards and codes of practice in force under that Act—as laws of New South Wales. It also provides that the following Commonwealth laws apply in New South Wales in relation to the applied provisions: the Acts Interpretation Act, and administrative laws defined in clause 4, except as provided by the regulations under the proposed Act. Other provisions of the bill include that regulations under the proposed Act may not apply to the Commonwealth water efficiency laws for the purposes of the proposed Act; and that the scheme regulator—the Commonwealth regulator—appointed under the Commonwealth Act and other authorities and officers have the same functions and powers under the applied provisions as they have under the Commonwealth water efficiency laws.

Clause 10 provides that an offence against the applied provisions is to be treated as if it were an offence against a law of the Commonwealth. Clause 13 provides that a person is not liable to be punished for an offence under the applied provisions if the person has been punished for the same offence under the Commonwealth water efficiency laws. Clause 14 provides that any matter arising in relation to the applied provisions will be taken to be a matter arising in relation to the laws of the Commonwealth, not New South Wales, and subclause (4) provides that any provision of a Commonwealth administrative law, which will apply because of clause 14, purporting to confer jurisdiction on a Federal court will be taken not to have that effect. The Legislation Review Committee shares the view of the Senate committee that strict liability may be appropriate when it is necessary to ensure the integrity of a regulatory regime, such as the one provided for in the Commonwealth Act, which this bill will implement in New South Wales.

Mrs KARYN PALUZZANO (Penrith) [8.36 p.m.]: I support the Water Efficiency Labelling and Standards (New South Wales) Bill. The purpose of the bill before the House is to implement a water efficiency labelling and standards scheme for water appliances in New South Wales. The scheme is a national initiative: the Commonwealth, States and Territories have developed similar legislation to ensure that the scheme will be nationally consistent. The scheme is one of a suite of measures included in the Government's Metropolitan Water Plan to secure Sydney's water requirements over the next 25 years. Currently there is no nationally consistent reference instrument for comparing the efficiency of water appliances, such as clothes washers and dryers.

Our voluntary labelling scheme has been in place since 1988, but its impact has been limited because not all suppliers joined the scheme and some of the suppliers that joined the scheme chose to label only their more efficient products. Consumers are limited in their ability to compare the water efficiency of competing brands of an appliance when making a purchasing decision. The Water and Efficiency Labelling and Standards Scheme, which is known as the WELS scheme, will remedy this. The Commonwealth Department of the Environment and Heritage published a regulatory impact statement on the proposed national WELS scheme. It contains a thorough cost-benefit analysis and identifies the impacts of the scheme on the water appliance industry and on consumers.

It is estimated that by the purchase of water-efficient appliances New South Wales consumers will save approximately $225 million over the next 18 years through reduced energy and water bills. The estimated net benefit to the Australian community as a whole over the same period is between $669 million and $674 million. For New South Wales, the WELS scheme is estimated to provide savings in annual water consumption of 29 billion litres in 18 years, and 87 billion litres nationally over the same period. The water savings generated by efficient appliances are substantial. An efficient shower head uses 40 per cent less water. An efficient dishwasher uses 50 per cent less water. Dual-flush toilets and efficient washing machines use up to 67 per cent less water.

More efficient clothes washers are the major contributor to the annual water consumption savings. Almost 50 per cent of future water consumption savings are attributed to efficient clothes washers. Water-efficient toilets and shower heads contribute 23 per cent and 21 per cent respectively to annual water consumption savings. Interestingly, the cost savings for water-efficient shower heads and clothes washers are almost the same because water-efficient shower heads save significantly more electricity and gas than do clothes

washers. Almost 38 per cent of water and energy cost savings are attributed to efficient shower heads. Clothes washers and toilets contribute 41 per cent and 15 per cent respectively.

These reductions in consumption mean that consumers will have an opportunity to make significant savings on household bills. Over 10 years, an average household could save up to $828 in energy savings from showers, $341 in water savings from showers, $124 in water savings from toilet flushing and $509 in water savings from clothes washing. Recently while doorknocking, I spoke to a Kingswood resident about the household's water bill. They had recently linked into the Every Drop Counts Program which, as all honourable members would know, is part of the water saving initiatives in the Sydney Metropolitan Water Plan.

Mr Frank Sartor: The strong and detailed plan.

Mrs KARYN PALUZZANO: Yes, that strong and detailed plan. That household's most recent bill showed that 381 kilolitres of water had been consumed under the Every Drop Counts Program whereas the previous bill showed that 427 kilolitres had been consumed. Over the same period for the previous year, the consumption of water was 580 kilolitres. Signing up to the Every Drop Counts Program cost $22, but consumption was reduced by 220 kilolitres in a year, which is a magnificent saving. That example shows that, over 10 years, average water consumption reductions for that household will have resulted in real savings. In addition, the WELS scheme will cut greenhouse gas emissions by reducing the volume of hot water that is used in dishwashers, clothes washers, showers and taps. The electricity required for pumping water will also be reduced. It is estimated that the scheme will result in reduced greenhouse gas emissions of 570,000 tonnes annually in an 18-year period.

Among other environmental benefits are lower water consumption, which will reduce the environmental impact of wastewater disposal and increase water for environmental flows in the stressed Warragamba and Cox rivers which provide water for Sydney. Appliance manufacturers will be required to register their appliances with the WELS scheme regulator. A registration fee will be imposed that is calculated on a cost-recovery basis. The estimated annual cost of administering the WELS scheme is approximately $900,000 and, based upon this cost, it is estimated that the registration fee per appliance will be approximately $2,500. Appliance manufacturers will also have to pay for water efficiency tests on their appliances, the cost of physically affixing the labels to the appliance and managing labelling in retail establishments. It is estimated that these costs will add approximately 57¢ to the cost of a shower head, approximately 36¢ to the cost of a toilet, 46¢ to the costs of a clothes washer, and 64¢ to the cost of a dishwasher.

The scheme is not likely to have an impact on the number of retailers, wholesalers, manufacturers and importers in the local market, nor is it expected to impact on competition between suppliers. However, late last year when Sydney's Metropolitan Water Plan was launched, I spoke to Penrith retailers, including George Rabie from Little and Rabie RetraVision in Penrith. RetraVision was one of the first retailers to sign up for the washing machine rebate scheme. Mr Rabie was really enthusiastic about the scheme and the brands that attracted the rebate. He felt it was good for the marketing of washing machines, assisted him in advertising the products, and enabled him to guide consumers in their purchases. It is interesting to note that up until June 2004, the rebate was worth $100 for a washing machine and that 6,500 rebates were paid. The water savings per washing machine litres per year ranged from 15,000 litres to 20,000 litres. The total savings under the rebate program amount to 118 megalitres, which represents a considerable saving. It is good that George Rabie from Little and Rabie RetraVision was so keen to become involved in the program and, in the context of this bill, is so keen as a retailer to endorse consistent savings in the products he sells.

The mandatory standards applying to toilets will not impact adversely on Australian manufacturers as they already are subject to a plumbing standard which limits production to efficient dual-flush systems. However, this bill will make water efficiency a more significant factor in production differentiation for both consumers and manufacturers. In effect, labelling increases transparency and permits consumers to exercise an informed choice, as George Rabie noted last year when he helped to launch the Sydney Water Plan—Penrith. The scheme will drive manufacturers to produce more efficient appliances. It will complement the efforts of householders, community groups, businesses and local councils to conserve water. The bill is an important accompaniment to the Government's plan to secure Sydney's water supply for the next 25 years and it deserves our support.

Mr BRAD HAZZARD (Wakehurst) [8.40 p.m.]: The bill takes some steps forward in regard to efficiently labelling products that consume our very valuable resource—water. The Carr Government would have us believe that the initiative is its own.

[*Interruption*]

The honourable member for Penrith gently guffaws—very politely, much better than the Minister sitting at the table.

Mr Frank Sartor: It is a joint ministerial initiative.

Mr BRAD HAZZARD: Now the Minister is indicating that it is a joint ministerial initiative from his tired old Labor Government here in New South Wales. In fact, this initiative has been driven by the Federal Coalition Government through meetings with the State governments. On 2 October 2003 the Commonwealth convened a meeting of State governments and the Government of New Zealand. The agreed outcome was implementation of a national mandatory water-efficiency labelling scheme covering shower heads, washing machines, dishwashers and toilets. It was also agreed that other products would be covered on a voluntary basis. The Minister from this tired old Labor State Government is trying now to capture the high ground by saying that his Government came up with this proposal.

It is a long while since this Government came up with any substantive proposals on anything in the water area. It was the Commonwealth that announced that it would draft national legislation and it would do it by directing the State and Territory governments to join with it in going down the path of ensuring that there is an effective water efficiency labelling scheme. Action, obviously, was taken a little quicker in the Federal Parliament. This Minister probably has not woken up to this until now. The first draft of the legislation was passed by the House of Representatives prior to the last election but unfortunately the proroguing of the Parliament intervened and the bill had to be reintroduced to be passed by both Houses.

This bill could have been initiated by the State Government, but it was not. The State Government waited for the lead from the Coalition Federal Government, the Liberal and National parties, before moving on the issue. There was not a word out of this Government. In the number of years that I have been a shadow Minister I have not heard one word about water labelling until the issue was driven by the Federal Government. This tired old Labor Government has presented the bill slowly and reluctantly, but it has done it. The Liberal and National parties acknowledge that the bill will take steps forward in preserving our precious water. For that reason the New South Wales Liberals and National parties will not oppose the bill.

I listened to the honourable member for Penrith with great interest because she broadened the debate by talking about the Metropolitan Water Plan. For that reason I have licence to talk about some of the other issues and the failings of the Carr Government in regard to its Metropolitan Water Plan. I cannot allow the House tonight to hear only the skewed and totally wrong perspective put forward by the honourable member for Penrith. She did not utter a word about the proposal by the tired State Labour Government to rip off consumers by upping water prices through a whole host of methods. This morning there was a report in the *Daily Telegraph* about submissions to the so-called Independent Pricing and Regulatory Tribunal [IPART] to have a two-tiered pricing system.

The New South Wales Liberal and National parties can tell New South Wales consumers, particularly those in the Sydney Water area, that it does not matter at what level of that tier they are, it will not mean lower water prices for consumers. It is just one more way of this tired old Labor Government dreaming up a new way to tax Sydney Water consumers with higher water charges. Not only is the Government looking to increase the prices; it has had the Department of Environment and Conservation—the Minister should take notice of this—submitting that in addition to upping the water prices under the guise of a two-tiered system, it also wants a risk premium. It has not had any media attention yet but I hope that as a result of the New South Wales Coalition bringing it to the attention of the Parliament that consumers in New South Wales will get to know about it. This is Bob Carr's own government department—

Mr Thomas George: They are just tired.

Mr BRAD HAZZARD: A tired old Labor Government directing that its department find other ways of ripping off Sydney water consumers. What is the risk premium? It is a great euphemism from a tired old Labor Government. The one thing they have learnt under Bob Carr is how best to use the English language to deceive the public of New South Wales.

Mr Steven Pringle: Spin.

Mr BRAD HAZZARD: Yes. The honourable member for Hawkesbury actually understands the significance of difficult environmental issues. His electorate is right on the Hawkesbury-Nepean river system, which receives far more pollution than it should because this Government has failed to upgrade sewage treatment plants on the Hawkesbury-Nepean. The department secretly proposed to IPART that there be a risk premium. What is it all about? It is not a payment for risk to protect the consumer; it is a payment that will have to be made by consumers because of the failed infrastructure after 10 years of a tired old Labor Government that has not renewed infrastructure.

Mr Thomas George: How long?

Mr BRAD HAZZARD: Ten years of this Government—

Mr Steven Pringle: What sort of government?

Mr BRAD HAZZARD: A tired old Labor Government that has done nothing to renew infrastructure. Do honourable members know how much it has taken out of Sydney Water in that time?

Mr Steven Pringle: Billions.

Mr BRAD HAZZARD: That is right, $2.3 billion out of Sydney Water's coffers. Where did that money come from in the first place? From Sydney Water consumers. It came from all of us as ratepayers, including the ratepayers in Penrith. The honourable member for Penrith did not even bother to raise the issue when she had the opportunity in the Chamber a few minutes ago. Families in the various parts of the north-west, the west and the south-west, in the Hawkesbury-Nepean area and all those areas west of the central business district that the Government seems to focus on—some families are quite large—will suffer very badly as a result of this Government's proposal to badge different ways of ripping off more money out of Sydney Water consumers.

Mr Steven Pringle: Like land tax; like everything else this Government does.

Mr BRAD HAZZARD: It is. A cunning slug on a whole range of fronts. The Minister should take this seriously because his Government has already increased water prices while putting a gun at the head of the Independent Pricing and Regulatory Tribunal, through Sydney Water, asking the tribunal to give it more money. Sydney Water wants the tribunal to allow it to get more money out of consumers so it can fix the infrastructure that this tired old Government has failed to fix for the past 10 years while it ripped off $2.3 billion; it took the money and ran. There is no question that there is a lot to be done to guarantee the future of water suppliers of Sydney, particularly those in the Illawarra who will be impacted by the Government's attack on the Shoalhaven.

How bad is this problem? It is very bad. In April 2002, just one month short of three years ago, Sydney's dam levels were sitting at 82 per cent. In the past three years our dam levels have dropped dramatically to, sadly, just over 40 per cent. The failure to renew infrastructure is not limited to Sydney. In regional areas—including Tamworth, Dubbo and other places where people have a direct nexus with the next rainfall—the Government has cut back on its Country Towns Water Supply and Sewerage Program. I concede that that was not all the fault of the present Minister for Energy and Utilities. When the Government came to office in 1995 it cut back the program by between 40 and 50 per cent. In more recent times the Government has realised it has to look as though it is doing something. So, as the honourable member for Hawkesbury said earlier, it has developed a bit more spin. We heard a little of that today when the Minister answered a question without notice.

The Government has allocated funds—there is no question about that—but it has made those funds impossible to access. Effectively the Government has told councils that they will have to pay about 80 per cent of the cost of renewing infrastructure. That is unacceptable for a Government that should be governing for the whole of New South Wales. Many New South Wales villages, towns and rural cities are located on rivers and they need to treat their wastewater to a very high standard. Currently, much of that wastewater is returned to the river system, but it is not treated as well as it should be. Hence, the quality of our rivers is not as high as it should be.

The Opposition is telling the Government that while it wants water labelling, while it wants to have efficiency in certain areas, and while it follows on the tailcoats of the Federal Government, it will happily go with the Government. But the Opposition will not accept the Government's failure to look after town and country water and sewerage services in rural New South Wales; and the Opposition will not accept the Government's failure to come up with a realistic plan for water for Sydney.

Mr Frank Sartor: What is your plan? We have not heard one yet.

Mr BRAD HAZZARD: Today the Minister said we had a plan. He said we were following—

Mr Frank Sartor: Malcolm Turnbull.

Mr BRAD HAZZARD: No—that Malcolm Turnbull was following our plan; that is what the Minister said today. Tonight he is saying we do not have a plan. The Minister is all over the place like a dog's breakfast. I think he should go back to Sydney Town Hall, where a few people accepted whatever he mouthed off about. But in this House we listen closely to what he is saying; and we do not like what we have heard. The Metropolitan Water Plan announced by the State Government is nothing more than spin; it is an empty sham; it is a nothing plan. It came only as a result of very strong pressure from the New South Wales Opposition highlighting, on behalf of the people of Sydney in particular, that this Government has no plan to deliver a sustainable water supply for Sydney.

Mr Thomas George: There are four former mayors over there, who should know what you are talking about.

Mr BRAD HAZZARD: Yes, there are four former mayors, all of whom have done nothing. There is the honourable member for Rockdale, who was elected on the coattails of some Labor deal and did not even go to full pre-selection. There is the honourable member for Strathfield, who was certainly a mayor. There is the honourable member for Penrith, who was in local government. There is the honourable member for Coogee, who is probably more interested in this issue because he is not far from the sewage that is being pumped into the Pacific Ocean. The Opposition has been calling for a plan for a sustainable water future for Sydney. What has the Premier delivered? He has delivered what he thinks is a sustainable re-election spin plan, by talking about a 25-year water plan, but delivering next to nothing.

I will break it down. The Government talked about deepwater storage, and it is true that there is a plan to spend a little bit of money to take water from the bottom level of dam storage. That will hold out for another month or two or three, but there is a finite amount of water, and when we get to the bottom of that we will be drinking mud. The alternative supply is from the Shoalhaven. The Government has announced that it will take high-water flows from the Shoalhaven. The residents of the Illawarra are rightly concerned about taking that amount of water from the Illawarra. There has been great consternation and debate about this tired Labor Government not thinking of anything better than raiding the Shoalhaven.

The Government will not tell the public what the environmental downside is of raiding the Shoalhaven. Additional pumping will be required and additional power will be required, and of course that takes us into another area of incompetence and inefficiency by the Government; the National Electricity Market Management Company forecast that we are facing blackouts by 2008-09—even before the Government can raid the Shoalhaven. The Government is prepared to pour tonnes of carbon dioxide into the atmosphere while it pumps water out of the Illawarra against the wishes of the local people. All that is because the Government will not come up with a sustainable water plan for Sydney.

As the Opposition has said, a sustainable water plan for Sydney should start with using the equivalent of the 1,100 Olympic pools of water that each day pass through Sydney's three main sewage treatment plants. That water could be available if the Government took just a few modest steps towards encouraging and supporting the reuse and appropriate treatment of the equivalent of 1,100 Olympic pools of water. Whether that water is drunk by Sydneysiders or goes back into environmental flows in the Hawkesbury-Nepean river system, it is a major commodity that the Government seems to be totally blind to.

This tired old Labor Government has no vision whatsoever for a sustainable water future for Sydney. And what is the Government going to do? As I said before, the best it has done is to introduce this bill and jump on the coat-tails of the Federal Government with a labelling system that we all agree is a very sensible system. Gee whiz, if the Minister thinks that is as good as it gets, he does not deserve to hold his position; and nor does the Premier. At the moment a consortium called Services Sydney has a plan. Services Sydney is doing precisely what the Opposition has been encouraging the Government to do. Services Sydney has asked for access to the 1,100 Olympic pools of water that flow into the Pacific Ocean daily. It has said to the Government, "Give us access to that water for environmental flows and we will give you water for use on golf courses; we will give you water so that you do not have to take water out of the State's potable water system." What has been the New South Wales Government's response to that proposal? It has been a very negative, carping, complaining response. The Government has said, "We do not want to do that. We think that is a silly idea."

When pushed to the limit by Services Sydney and taken to the National Competition Council, the Government went to the next step and decided it would no longer be critical. Who could forget the spectacle in this Chamber last year when I asked the new Minister what he proposed to do about Services Sydney. Lo and behold, at the end of question time, despite the fact that the question had been ruled out of order, the Minister jumped up and answered it. The Minister has no commitment to the reuse of water.

Again today we had the spectacle of the Minister jesting in the Chamber and making fun of the fact that a few months ago I, the shadow minister, had brought a bottle of Singapore water into the Chamber and offered it to the Premier. I suggested he should have a sip of that water. My purpose in doing that was to let the Premier be a statesman for a change, instead of a spin doctor. He sniffed the water but did not swallow any of it.

Mr Thomas George: You swallowed it.

Mr BRAD HAZZARD: I swallowed it. I was happy to swallow it. I have swallowed quite a bit more of that water since, as others have done, including the honourable member for Hornsby and a number of other members on the Coalition benches. I will not embarrass the Government by naming the very senior Government member who approached me after I did that, seeking to know more about Singapore water and how it worked.

Ms Virginia Judge: It's actually called new water, by the way.

Mr BRAD HAZZARD: Look, I know the honourable member for Strathfield has been there. She very kindly told me she went along shortly after that. The Government's senior advisers were unaware that Singapore was operating at that level, producing potable water—six hours north! What is being done in Singapore is a model for what should be happening in Sydney. Four years ago the Singapore Government realised it had a problem because of treaty issues with its neighbour, Malaysia. Singapore realised it could not rely on water beyond two treaty dates a number of years hence, the first in 2011, and it decided to just get on with things. The four years that have elapsed since Singapore first decided to look at this problem included one-and-a-half to two years of planning.

Mrs Judy Hopwood: Well organised.

Mr BRAD HAZZARD: Very well organised. The Singapore Government is not a tired old government like this Labor Government; it is a good government that is getting on with the job, providing sustainable water for Singapore's future. It came up with a multipronged approach and we in the Opposition support such an approach for Sydney. It is a sensible approach. Just as you cannot put all your eggs in one basket, you cannot expect all your water to come from one source.

The Singapore government decided it would find different sources of water, but first it established a new water plant, located it near a sewage plant, and began to treat the sewage through reverse osmosis processes. The result is pure water—water so clean that they have to put additives in it. It is so clean that when it passes through the pipes it actually sucks out ions from the pipes. They have to load some hydroxide back into the water. Singapore discovered that even if the water is not used for drinking—despite the fact that it is of potable quality—it is so good that it could be sold to industry and industry no longer needed to consume quite so much water. In fact, the same volume of water could be used 20 times more often through the cycles of industry.

Ms Virginia Judge: Point of order: With great respect to the honourable member, I believe he has strayed from the leave of the bill. The bill deals with labelling but the honourable member is talking about using recycled water, which is a long way from the ambit of this bill. He should come back to the leave of the bill.

Mr BRAD HAZZARD: To the point of order: You may have been somewhat distracted looking into matters of great significance as Acting-Speaker, but when I extended into this subject I was responding to the honourable member for Penrith, who strayed into other areas, including the metropolitan water plan and all those issues that go with that plan. It was outside the leave of the bill, but, nevertheless, she raised the subject.

Mr ACTING-SPEAKER (Mr John Mills): Order! In a second reading debate a member is entitled to make passing reference to matters broadly related to the subject of the legislation. The key words are "passing reference". I noted the passing reference made by the honourable member for Penrith. I suggest to the honourable member for Wakehurst that he has reached the end of his "passing reference" stage and that he should now return to the leave of the bill. He may make further passing references to the same topic later in the debate.

Mr BRAD HAZZARD: I will accept that. I will make some further passing references.

Mr ACTING-SPEAKER (Mr John Mills): Not straight away.

Mr BRAD HAZZARD: "Passing comment" within the ambit of a 15-minute contribution as opposed to "passing comment" within the unlimited time allowed a shadow minister leading for the Opposition suggests that I can make much longer passing comment. I am now making that longer passing comment. The Opposition is suggesting that the labelling of products is an important part of ensuring sustainable water supply, but it is only a very small part of it. Labelling is the easy part for this tired old Labor Government. The Government has to accept that it should be looking at projects such as that put forward by Services Sydney and taken to the National Competition Council—which Services Sydney has now taken to the National Competition Council tribunal—that involve big picture, visionary recycling, and reuse of Sydney's water.

The reuse of water should be at the forefront of this Government's policy. Instead, that big old dinosaur, Sydney Water, which employs many faithful and competent workers, has not come up with the vision that should be driven by government. Sydney Water needs to have that vision driven from the top. It is not going to get it from this tired old Labor Government, but we know it must happen. Unless we get some real vision and encouragement for the reuse of water, Sydney is going to be in deep trouble. At the moment we are experiencing heavy rainfall. A few minutes ago the Minister delighted in interjecting, "It's raining, Brad." Well, good for him; he has worked out fact one for the day. The Opposition is more concerned that only a fraction of that water will actually find its way into the catchment, although I have heard that water is falling over the catchment area. When I looked out the windows this afternoon a vast quantity of water was falling all over Sydney, but where is it now? It is in the Pacific Ocean.

Mr Steven Pringle: Out at sea.

Mr BRAD HAZZARD: As the honourable member interjects, it is out at sea. It is in the Pacific Ocean. The harvesting of stormwater and the serious promotion of harvesting stormwater that falls across the Sydney region is critical. I refer again to Services Sydney Pty Ltd. We had that embarrassing spectre when the Premier, who did not say a word about water reuse as proposed by Services Sydney, sent his lawyers to the Australian Competition Tribunal two weeks ago and said, "I want the right of audience. I want to be able to have a say in this matter. I want to be able to explain why the Government is not a visionary government, why it is not prepared to do anything to drive new vision into Sydney Water and why it is prepared to let Sydney run out of water." We need some vision. The Government must make a real commitment to the reuse of water and to the harvesting of stormwater.

Until the Government talks about a long-term plan for a new dam—not a plan for this year, next year or the year after—it is not being serious with Sydney residents. When the Premier came into office he said that he wanted to be known as the green Premier. That was his first pithy little title. So he whacked in a few national parks but he did not allocate money to provide resources or to enable the management of those national parks. In relation to water he said, "Cancel any plans and any thoughts you might have, put an X through any proposals, no more consideration will be given to a dam."

Mr Thomas George: To dams anywhere.

Mr BRAD HAZZARD: "No consideration will be given to a dam anywhere." The Government is not prepared to consider contingencies relating to dams. How dishonest, dishonourable and disgusting that is! On every occasion that the New South Wales Coalition, on behalf of the people New South Wales, sought information about the planning for a dam it was told, "We do not have any plans or any documents relating to the consideration of any future dams." It does not matter whether we are talking about the Sydney Catchment Authority or about Sydney Water, nobody has any plans. Where are they? Are they in the Minister's drawer? We do not know. However, we do know that every week 1,000 additional people are coming into Sydney. That equates to half a million additional people since this tired old Government started off on its first few days and we learned it was going to be a spin doctor government.

Mr Frank Sartor: Point of order: Clearly the honourable member is not making a passing reference to these issues; he is using this debate as an opportunity to trot out every bit of irrelevant rhetoric, which is something that Opposition members often seek to do. I would not mind if he was broadly relevant to the subject at hand but he is entirely out of order.

Mr ACTING-SPEAKER (Mr John Mills): Order! I uphold the point of order. I was looking for the relevant standing order before I interrupted the honourable member for Wakehurst. He is a long way from the leave of the bill, and I draw him back to it.

Mr BRAD HAZZARD: I am not outside the leave of the bill. I refer to the regulatory impact statement. If honourable members want me to go through every page of that 200-page statement I am happy to do so until midnight. Issues such as the need to harvest water are contained in that regulatory impact statement.

Mr Alan Ashton: Point of order: You ruled that the honourable member was outside the leave of the bill. You upheld the point of order that was taken earlier by the Minister. At that point the honourable member, who had his back turned to you, turned around and began to argue with your ruling. I ask you to restate your ruling so that he understands it.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Wakehurst was not arguing with my ruling. He moved on to another matter about the regulatory impact statement. I am interested in determining its relevance to the bill. He may still be outside the leave of the bill but I will give him some time to develop his argument.

Mr BRAD HAZZARD: The Water Efficiency Labelling and Standards (New South Wales) Bill is nothing more than a drop in the bucket of Sydney's future water needs. It is a clear indication that the Government is only capable of dealing with small issues, and that is all it does. The Premier and the tired old Labor Government are able to cope only with small bite-size chunks. The Government must deal with the big issues. If it does not, and if rain does not fall in the catchment, we will lose roughly 0.5 per cent of our total water capacity each week. I am grateful that is has rained, and I am sure every Sydneysider feels the same way. The loss each week of 0.5 per cent of our total water capacity means that in 80 weeks, or a little over a year, we could be out of water. The Government thinks that praying for rain is a solution to the problem. We say it is not.

Mr Gerard Martin: You are in trouble if Thomas is helping you out.

Mr BRAD HAZZARD: The honourable member for Lismore gave me some interesting facts about the electorate of the honourable member for Bathurst. He pointed out that the honourable member has been doing nothing about the water shortage in his electorate. There are major problems in his electorate that he knows nothing about. The Opposition does not oppose this bill. I welcome the fact that the Government has finally done what the Federal Coalition Government suggested. However, it is time that it took some of the other proposals seriously. If the Government does not address the sustainable part of Sydney's water supplies we are all at risk of having no water in Sydney in just over 80 weeks. The Government is not doing enough in relation to the water shortage. I leave the Government with this final message: This tired old Labor Government is doing nothing for Sydney's future water supplies.

Ms VIRGINIA JUDGE (Strathfield) [9.17 p.m.] I support the Water Efficiency Labelling and Standards (New South Wales) Bill. Every member in this House would agree that water is one of our most precious resources—and it is a finite, not infinite, resource. We must take every possible step to maximise the sensible and efficient use of water and we must protect our precious resource. I cannot understand why any honourable member would not speak in support of any measure implemented by the Government to save that precious resource. The bill will give effect to a national and consistent water efficient labelling scheme. The Government will then work with other governments to put in place a mandatory national water efficiency labelling scheme which would give all consumers the information they needed to make well-informed choices when purchasing water appliances such as showerheads for new homes, washing machines, dishwashers, toilets, taps and flow regulators, or when they are doing renovations

Every working Australian can play a part in that scheme. We can all contribute towards saving our precious finite resource not only for ourselves but also for future generations. It is estimated that the scheme will result in annual water savings of 29 billion litres within 18 years. During that period it will provide water consumers with net benefits in the vicinity of $225 million. No-one would say that that is not a good step, a step in the right direction. Those benefits will arise from a reduction in water and electricity bills. More efficient appliances will use less water and, therefore, less energy, which is commonsense. As I said earlier, I cannot understand why Opposition members are filibustering, getting agitated and going off on tangents about sewerage schemes and water recycling issues when the Government has put in place practical solutions to those problems.

[*Interruption*]

There is a definition for people who carry on like this. They think they are experts. My definition of an expert is a drip under pressure. Today we have seen drips under pressure, spouting forth with hollow words. They are so frustrated and agitated because they know that this energised and positive Government has policies and plans. I note that the people in the gallery are smiling and nodding. We are an energised Government, and we are bringing in, with the support of this proactive Minister and his hardworking staff, a bill to make sure that each and every one of us can save every precious drop of water we possibly can. I am pleased that I can go back to my electorate and say I spoke in this Chamber in support of a measure to save water.

The Water Efficiency Labelling and Standards Scheme complements the suite of water-saving measures in the New South Wales Government's Metropolitan Water Plan. It is a holistic approach to saving water. Australia is one of the driest continents on this unique planet in the solar system. Only so much water falls from the sky, and we must do everything we possibly can to ensure we capture that water. I am not one of those politicians who simply spout forth with empty, hollow words. I have a rainwater tank on my property, and with that tank I am trying to capture at least 25 per cent of rainwater, which would normally be washed into the street and into the gutters. I am using that rainwater to water my outdoor garden. Which member opposite has a rainwater tank? Does the honourable member for Wakehurst have a rainwater tank? Does the honourable member for Hawkesbury have a rainwater tank? Does the honourable member for Lismore have a rainwater tank?

Mr Thomas George: I have two rainwater tanks.

Ms VIRGINIA JUDGE: Good on you; that shows good sense. People who live in the bush know how precious water is. My dad lives on a farm and he has at least two rainwater tanks, as well as a few mini-dams. He is a bit of an inventor, and he had his own bush way of adjusting the toilets in our home—in those days there was no fancy labelling scheme—to make sure that when we flushed the toilet we did not waste water.

[*Interruption*]

I will have a drink of water. I appreciate every drop of that precious resource, particularly at the moment because I have had major surgery and I have a mouthful of stitches. Our proactive, energised and positive Government has implemented a range of water-saving initiatives. One of them is the retrofit program. As at 19 February 2005, 262,779 households have been retrofitted. That was not the situation 10 years ago. The number of triple-A rated showerheads installed totals 311,864. I hope the honourable member for Wakehurst has had a triple-A rated showerhead installed for when he has his lovely, hot shower. Water savings per household are 20,900 litres per year. Total water savings from the retrofit program are 5.5 billion litres per year. Total water savings per household are $21, the total water savings cost per year is $5.56 million, total energy savings per showerhead are $60, and the total energy savings cost per year is $18.6 million.

[*Interruption*]

Do members opposite suggest that is nothing? These are measures that people have adopted, and I am sure they are happy about it, because they feel they have done their part. In conclusion, I remind the House that the bill is only one of a number of measures the Government has introduced to save this precious resource so that people in urban and rural areas have enough water, and to ensure that our wonderful biodiversity is protected. We must look after and treasure our country's unique flora and fauna. We would be totally irresponsible if we did not do everything we can, with passion and energy, to make a difference. That is what the Government is doing.

Mr STEVEN PRINGLE (Hawkesbury) [9.24 p.m.]: All members on this side of the House, and indeed every Sydney resident, would agree totally with the overall sentiments of the honourable member for Strathfield. But, unfortunately, like everything else the Government does, it is all spin with little substance. The bill relates to the great, laudable objectives we are talking about: the potential to save millions of litres of water and the promotion of water efficiency. By way of comparison, Sydney Water and other companies are talking about how and where we use the precious resource of water; providing new and exciting solutions to river flows, effluent reuse, sewerage treatment, ocean outfalls, existing sewerage plants, biosolids management, and greenhouse efficiency; and assistance for irrigators and farmers. It is a sensible proposal, and the Government ought to take it on board. The Government is tired; it has lost the plot. According to the *Sydney Morning Herald*, yesterday the Premier took the extraordinary step of seeking a judge's permission to intervene in a controversial

court fight to dismantle Sydney Water's monopoly. The Government is deliberately going out of its way to prevent Sydney residents from receiving an adequate water supply.

There is a second proposal, which the Government probably does not even know about but it has dismissed upfront. I refer to the Upper Blue Mountains Scheme, under which another company proposes to send the sewage from the upper Blue Mountains to the Lithgow area to be used in the power stations there. Instead of clean water being used, the company has an innovative proposal to use recycled sewage to do exactly the same job: to provide clean, potable water for Sydney residents. The residents of the Hawkesbury district in particular have been demanding—

Mr Frank Sartor: Point of order: The honourable member for Hawkesbury has not addressed the subject matter of the bill; he has spoken entirely about other matters.

Mr ACTING-SPEAKER (Mr John Mills): Order! The honourable member for Hawkesbury has strayed from the subject matter of the bill for the past two minutes. I ask him to return to the leave of the bill.

Mr STEVEN PRINGLE: I refer to some of the other attributes of the bill. It speaks about saving many millions of litres of water and providing water efficiency. Returning to my earlier theme, water efficiency would be achieved by recycling water from the upper Blue Mountains and using it in the power stations in the Lithgow area. The honourable member for Strathfield referred to the need for rainwater tanks. Unfortunately the Government has let down the residents of many parts of the Hawkesbury electorate, as well as residents of the Penrith electorate. Residents who live in areas adjacent to, but not part of, the area for which Sydney Water is responsible are not entitled to a water tank subsidy. Indeed, huge areas of New South Wales do not have access to the scheme.

The Government is out of touch with the needs of New South Wales residents; it is not providing water tank subsidies to vast numbers of people. If the Government were serious about doing something about the shortage of water in New South Wales, particularly in Sydney, it would implement a number of strategies. Those strategies include capturing stormwater that is going out to sea, providing a subsidy for water tanks to people across New South Wales, and embracing the alternative technologies that are already available.

The Government should support the services provided by Sydney Water, the upper Blue Mountains Scheme and, more importantly, the Three Towns Sewerage Scheme, which services Freemans Reach, Glossodia and Wilberforce. Hawkesbury council has put forward a great proposal. It wants to recycle the water from those three towns and use it to irrigate the turf farms and vegetable gardens of Sydney, which are crucial to our food supply. However, yet again the Government has ignored the proposal. The Government has lost touch. It needs to get back to reality instead of concentrating on spin yet again. The Government is tinkering at the edges rather than tackling the important issues confronting Sydney.

Mr FRANK SARTOR (Rockdale—Minister for Energy and Utilities, Minister for Science and Medical Research, Minister Assisting the Minister for Health (Cancer), and Minister Assisting the Premier on the Arts) [9.29 p.m.], in reply: I am enormously disappointed by debate on the Water Efficiency Labelling and Standards (New South Wales) Bill, with the exception of the contributions of my colleagues the honourable member for Penrith and the honourable member for Strathfield, who made terrific speeches that were relevant to the legislation. Opposition members sought to repeat their antics of the previous sitting week, when they used the second reading debate on a bill about narrow electricity supply issues to score cheap political points in the most verbose and boring manner imaginable. They think that is somehow important to the people of New South Wales. We could condense the entire contribution of the honourable member for Wakehurst, the shadow Minister for Energy and Utilities, to five minutes—and that is before we discount those comments that were worthless!

We have heard much Opposition rhetoric about matters not related to the bill. Opposition members support the bill but they think it is fine to spend about an hour of Parliament's time waffling on, at great expense—they feel good when they hear the sound of their own voices. Virtually the only minor Opposition comment relevant to the bill is that it is a Federal idea. But it was not an idea of the Federal Government. The issue was discussed during the Natural Resource Management Ministerial Council in 2002, at which New South Wales was represented by the Attorney General, and Minister for the Environment. In fact, Victoria had already begun to implement a similar scheme, the Commonwealth picked it up and it was decided subsequently at a ministerial council meeting in October 2003 to introduce the scheme nationally. So it was not a Federal idea but a Victorian idea, which we have embraced. New South Wales will pursue it further. The Minister for the

Environment and I have talked about raising other issues at a national level, such as introducing minimum standards for appliances. That will save a heap of water. It is a positive move, consistent with the New South Wales Government's strong and detailed plan.

It is a sensible plan, unlike the Services Sydney Pty Ltd proposal, which Opposition members are running around promoting. I have spoken with Nick Greiner, who heads a water company, and several other water company heads who have been lobbied by Services Sydney. None of them will touch the proposal. This may be because Services Sydney wants a subsidy of $500 million from Sydney Water. It also wants us to buy a lot of reuse water that we may or may not need because at certain times of the year we do not need to augment environmental flows. It then proposes to charge people for their sewerage service, which has already been provided for. With the greatest respect to Services Sydney, people have access to sewerage now. The scheme may not be viable. There is no access scheme anywhere in the world of the nature proposed by Services Sydney. It proposes, it seems, that the Government charge Sydney taxpayers hundreds of dollars extra each year to support a boutique scheme.

The Government is promoting reuse. The rollout of our various schemes will produce 80 billion litres of reuse water in the next decade. As for Singapore water—which also has nothing to do with this bill—only 1 per cent of reuse water in Singapore finds its way into the drinking water system after it is shandied through the dam system. Listening to the honourable member for Wakehurst, one would think everyone in Singapore is drinking reuse water. That is rubbish. Only 1 per cent is shandied—at great cost—and most of it is used for industrial purposes. The Government has a strong, detailed and comprehensive plan to secure our water by diversifying supply. It will deal with demand and a range of other issues. We have a cost-effective and sensible plan. We will not throw billions of dollars at boutique or silly schemes that will not work. I thank the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

SPECIAL ADJOURNMENT

Motion by Mr Carl Scully agreed to:

That the House at its rising this day do adjourn until Wednesday 23 March 2005 at 10.00 a.m.

The House adjourned at 9.36 p.m. until Wednesday 23 March 2005 at 10.00 a.m.