

LEGISLATIVE ASSEMBLY

Thursday 10 November 2005

ABSENCE OF MR SPEAKER AND MR DEPUTY-SPEAKER

The Clerk announced the absence of Mr Speaker and Mr Deputy-Speaker.

The Chairman of Committees (Mr John Charles Mills) took the chair as Acting-Speaker at 10.00 a.m.

Mr Acting-Speaker offered the Prayer.

Mr ACTING-SPEAKER (Mr John Mills): I acknowledge that we are meeting on Eora land.

GENE TECHNOLOGY (GM CROP MORATORIUM) AMENDMENT (POSTPONEMENT OF EXPIRY) BILL

Message received from the Legislative Council returning the bill without amendment.

BUSINESS OF THE HOUSE

Postponement of Business

General Business Notice of Motion (for Bills) No. 3 called on, and postponed by Ms Moore.

SAVE ORANGE GROVE BILL

Second Reading

Debate resumed from 20 October 2005.

Mr ANTHONY ROBERTS (Lane Cove) [10.02 a.m.]: I begin by placing on the record the fact that Nabil Gazal and Gazcorp have been totally vindicated from any wrongdoing in the Orange Grove matter. Indeed, out of all parties involved, Nabil Gazal, his two sons, Nabil Junior and Nick, the rest of the Gazal family and Gazcorp are amongst a few who can stand proud and hold their heads high. One might say that this is a case of David versus Goliath, a case where in the interests of justice, probity and good governance, and at great personal loss and hardship, the Gazals, together with the Coalition, stood up for 60 small businesses, 400 jobs and the Australian concept of a fair go—something that this State Government has failed to do. For this they should be commended and congratulated.

It is obvious to anyone who has had dealings in this case that the Gazals have a strong sense of honesty, integrity, justice and commitment to Australian values. The New South Wales Labor Government could do itself a world of good by taking a leaf from their book. It is important that a summary of the Orange Grove matter to date is placed on the public record of this House. Administrator Kibble of Liverpool council proposed an amendment to the local environmental plan [LEP] on 13 April 2004 that would allow Orange Grove to fall within a new definition of "factory outlet". On 15 April Westfield lobbied Mr Wedderburn, the Premier's Chief of Staff, stating planning reasons why it should not be approved and alleging dishonest influences associated with Orange Grove.

It was the preferred position in the department as of 16 April 2004 to approve the amendment to the LEP. By 20 April Mr Wedderburn had repeated all of Westfield's allegations directly to Minister Beamer, including that the Government could be facing a political scandal. The Minister conceded that after the meeting she knew she was being forced to eat an unsavoury sandwich. The ICAC found that Gazcorp had no knowledge of Westfield's allegations and was denied an opportunity to respond. Minister Beamer gave reasons for refusal

which mimicked the main complaints of Westfield and which Mr Wedderburn stressed upon her. All Minister Beamer's reasons are unsupportable as they are wrong as a matter of fact.

All expert planners have agreed that Orange Grove was good for the community of Liverpool and surrounds. There was no valid reason for the closure of Orange Grove. The closure of Orange Grove violated State planning policy. There was no planner within the Department of Infrastructure, Planning and Natural Resources [DIPNR] from which Minister Beamer's reasons emanated as no planner communicated such reasons to her. The ICAC did not assess the validity of the reasons for the refusal. It found that the Minister, independently from her director general, arrived at her decision but did not analyse upon what information she did so. The ICAC merely concluded that she believed in her reasons and thus was not corrupt.

The Minister could not have arrived at her decision on the basis of any objective report by planners within the council, DIPNR, independent assessors or the section 69 report—the written report from the director general through her delegate—as all were in favour of Orange Grove. The only source was the secret lobbying of Westfield, which Gazcorp and the planners who were assigned to assess Orange Grove had no opportunity to counter. The Minister received bad advice from Mr Wedderburn and the decision to close Orange Grove would be found invalid on administrative grounds, and should be. The director general gave incorrect advice to the Minister, compounding the problem, and failed to properly advise her as to relevant legal advice by a DIPNR legal officer.

There was no transparency in Minister Beamer's decision-making process as no notes were kept. The only reason Gazcorp or the public ever came to know about Mr Wedderburn's briefing of Minister Beamer about Westfield's complaints was through the parliamentary inquiry. The secrecy behind the decision and the preferential access afforded Westfield by the Government goes against all planning legislation, which requires planning decisions to be made openly and transparently and in accordance with legislative requirements. It would be easy for the Government to apply its own planning policy and reopen Orange Grove as it is still intact and former retailers are eager to recommence trading.

Westfield alleged that Mr Gazal and council were corrupt, and that the same dishonest influences were behind the amendment to the LEP proposed by Ms Kibble. Westfield produced a scandal chart naming covert and overt relationships between Gazal, Liverpool council and Labor Party members. Wedderburn communicated Westfield's corruption allegations to Minister Beamer in the meeting on 20 April 2004. Minister Beamer conceded that "in terms of playing a part in my decision, they were of a very minor role". When Wedderburn passed on Mr Ryan's warning of a potential for political scandal if Minister Beamer approved the LEP, the then Premier, Mr Carr, became alarmed.

Given the serious nature of the allegations, the reversal of the Minister's position, the refusal of the Minister to heed the advice of her department, the Premier's serious concern of political fall out and the lack of transparency in the decision-making process, an objective analysis leads to the likelihood that the allegations had a significant impact upon the Minister's final decision. Indeed, it is important to note that, save for one or two vested interests, everyone believed that Orange Grove should continue to operate, including the 60 small businesses, the 400 employees and the 40,000 people who signed a petition to keep Orange Grove open.

Let me place on the record what the experts say with respect to Orange Grove and whether it should be allowed to operate. All expert planners in Liverpool council, DIPNR and independent experts retained by council thought it was a positive development that would fit well within planning policy and was good for Liverpool. These experts included Michael Everson of Hirst Consulting Services Pty Ltd, a Bachelor of Town Planning and member of the Planning Institute of Australia; Peter Leyshon of Leyshon Consulting, land economist, mixed planning and urban economic specialist; Adrian Hack of Hill PDA, Master of Land Economics; Peter Hamilton, senior policy advisor in DIPNR; Geoffrey Hunt, former senior development planner at Liverpool council, Bachelor of Urban and Regional Planning with the University of New England and Master of Science at the University of Wollongong; Phil Jeminson, a planner at Liverpool council who is the author of the report proposing the amendment to the LEP; and Phil Tolhurst, the Manager of City Development at Liverpool council, who has a Graduate Diploma in Urban and Regional Planning and is a civil engineer.

Other experts included Mark Lamond, Group Manager at Liverpool council; Gabrielle Kibble, Bachelor of Arts, Diploma of Town County Planning, Fellow of the Royal Australia Planning Institute, Honorary Doctor of Science from the University of New South Wales, former Director General of the Department of Planning—the predecessor of DIPNR—from 1987 to 1997; and Ms Westacott's former boss, who is a non-planner, Laurel Cheetham, DIPNR's Senior Environmental Planner who prepared the section 69

report recommending that the draft Liverpool City Council LEP amendment No. 92 be made; David Birds, DIPNR team leader, Sydney Division, west branch, who is Ms Cheetham's immediate supervisor and the director general's delegate for the Orange Grove section 69 report; Stephen Driscoll, DIPNR Regional Planning Co-ordinator, Western Sydney Region, from February 2002 to July 2004, who was Mr Bird's immediate supervisor and co-signatory of the section 69 report.

I refer to the many stated reasons why the planners liked the Orange Grove project. It would have a beneficial impact on Liverpool as people are drawn to Orange Grove and would visit the Liverpool CBD. Retailers such as David Jones have a need for shops both in the CBD and at outlets, as they need to offload last year's lines and seconds. It would keep business in Liverpool by reducing escape spending being directed to other centres, such as Homebush. It would provide badly needed employment of approximately 450 jobs in an area of Sydney that has the highest level of unemployment in this country. It is affordable for small entrepreneurs, and is home to approximately 60 small businesses.

The project is positive for consumers in the area because it eliminates long travel to other outlets, such as Homebush, Birkenhead Point, Maroubra and Tuggerah. It is part of an existing retail cluster in which all businesses in the cluster benefit inasmuch as a bulky goods store, Krispy Kreme Doughnuts, Office Works, a petrol station and McDonald's are served by the same parking lot. It is a natural travel destination given the other businesses in the cluster. It has very good and safe access. There are no traffic problems, there is no congestion and there are excellent parking facilities. It has a food court, a coffee shop and toilet facilities and is a pleasant place to shop. It was built on land that was already zoned with a retail component on the same site as a bulky goods store.

It has also been brought to my attention that Gazcorp has written twice to Premier lemma, once on 18 August and again on 8 September, requesting a meeting to discuss the Orange Grove matter. It is my understanding that to date both requests have been ignored and there has not even been an acknowledgement. This state of affairs was discussed on the Alan Jones program on radio station 2GB. Certainly, an issue such as this that continues to affect so many lives deserves the attention of the Premier and this House. The Premier knows all too well, as he has stated on the public record, the terrible and empty feeling of someone being unemployed and desperately wanting to work, but finding it difficult to obtain work. There are feelings of hopelessness, rejection and anxiety for oneself and one's family that only an unemployed individual can really relate to. I plead with the Premier to take up the Orange Grove cause for the sake of the hundreds of people who are still unemployed, Orange Grove staff who were ignored by the previous Premier, in an area that still has the highest unemployment, not only in New South Wales but also in the whole of Australia.

Orange Grove is a wonderful asset for the Liverpool community. It is not too late to mend the wrongs that were done in the past, it is not too late to address the failures and mistakes of the past, and it is not too late to save Orange Grove. I ask Government members to support the bill so that Orange Grove can once again be opened to allow consumers a choice as to where they want to shop, and provide some future for many of the 60 small businesses that were made bankrupt by the closure of the centre and recover some of the 400 jobs that have been lost. It is not too late to resolve this issue. I ask Government members opposite to support the bill.

Mr MATT BROWN (Kiama—Parliamentary Secretary) [10.12 a.m.]: Blame for this shocking bill can be attributed to the honourable member for Gosford. At the outset I will put the honourable member for Lane Cove out of his misery by declaring that for many reasons the Government will not support the bill. One of the reasons is the pathetic speech given by the honourable member for Lane Cove in support of the bill. It was one of the most lacklustre, mumbling speeches I have ever heard in this place. If a member is true to his convictions, he should at least try to present to the Parliament a persuasive argument in favour of the bill. The Save Orange Grove Bill proposes to allow Liverpool City Council to legitimise an existing unlawful development of an outlets centre at Orange Grove Road, Liverpool. Land use planning which legitimises an existing illegal use in this manner, rather than being responsive to the needs of the whole of the community, has the potential to significantly undermine the integrity of the planning system in New South Wales. But that is what the Liberal Party is all about.

First I will address the fanciful second reading speech of the honourable member for Gosford. It was a speech full of supposition and innuendo in which the honourable member conducted his own quasi, superficial, Independent Commission Against Corruption [ICAC] investigation. We need to devise a new nickname for the honourable member for Gosford, something along the lines of Commissioner Swamp Fox. After the honourable member for Gosford told the House that he did not wish to canvass the report of the ICAC, our learned friend then waxed lyrical for five pages of an eight-page speech, expounding his own theories on the ICAC's work. At

one stage the honourable member for Gosford stated when referring to Orange Grove, "If one believes that story, one believes in fairies and fairytales." There is no question that the honourable member for Gosford was in the thick of the fairies, holding court at the bottom of the garden. I want this Parliament to now abandon fanciful and fantasy agendas and concentrate instead on fact.

The Independent Commission Against Corruption found there was no corruption or wrongdoing involved in the Government's refusal to approve the draft amendment of the local environmental plan relating to the Orange Grove Road outlets centre at Liverpool. The ICAC carried out an exhaustive investigation into all issues surrounding the decision of the then assistant planning Minister. After considering all the submissions and evidence that was given over 22 days of public hearings—and I emphasise 22 days—Assistant Commissioner Ian Harrison, SC, found that the decision made by the Minister was made having regard to its merits and State government planning policies. The ICAC report found that the Minister was not inappropriately or illegitimately influenced.

The owner of the Orange Grove factory outlet and the New South Wales Opposition refused to accept the Land and Environment Court's declaration that the Liverpool council's development consent for the outlets centre was unlawful; nor could they accept that the subsequent appeal was dismissed. There is no question that the greatest regret in this matter was the dislocation and hardship suffered by the workers and traders at the centre as a result of Liverpool council's unlawful approval of the outlets centre. However, considerable efforts by retailers from the centre and a number of Government agencies ensured that net job losses were kept to a minimum. I am advised that towards the end of last year, Drake Personnel undertook a survey of traders which suggested that well over 90 per cent of staff had been either redeployed or had found jobs elsewhere.

The other regret is the huge cost to taxpayers of New South Wales of the Opposition's upper House inquiry. When it comes to the Opposition's waste watch committee, I take the view that it will blow its own constraints away with the costs of just one inquiry, the Orange Grove investigation. The Save Orange Grove Bill proposes to endorse the location of the outlets centre outside the established retail centre of the Liverpool CBD. This is fundamentally contrary to the Government's centres policy, which seeks to reduce dependence on car use, decrease the cost to the community of public transport infrastructure and increase the investment confidence and employment in the retail sector. The policy is designed to do this by ensuring that retail development is appropriately located in established retail centres that are close to established public transport infrastructure.

The former members of Liverpool City Council issued development consent for the outlets centre in November 2002. The development consent for the Orange Grove outlets centre was found to be unlawful following proceedings in the Land and Environment Court and the Court of Appeal. The courts found that the outlets centre constituted retail development which was prohibited by the Liverpool local environmental plan [LEP] 1997 by reference to the land's industrial zoning. The court ordered the outlets centre to close and those orders came into effect on 25 August 2004. Both courts stated that Gazcorp's breach of the Environmental Planning and Assessment Act 1979 was not merely technical, that planning control depends on the orderly enforcement of planning law and that economic benefit cannot be allowed to prevail over planning control.

Following the decision by both courts that the development consent for the outlets centre was unlawful, Liverpool council submitted to the Minister draft Liverpool local environmental plan 1997, amendment 92. This amended LEP would have allowed Liverpool City Council to regularise the unlawful use of the Orange Grove site as an outlets centre by allowing the council to approve development consent for retail businesses on the site. On 8 July 2004 the Minister refused to make draft amendment 92 because the amendment would allow retail development outside an already established centre and which was contrary to the Government's centres policy. Both the bill and draft amendment 92 are fundamentally inconsistent with centres policy because they seek to locate retail development outside an established centre. It really is as simple as that.

Under the planning criteria set out in draft State environmental planning policy 66 the outlets centre would be appropriately located in Liverpool central business district [CBD]. Factory outlets are identified as of particular concern under the right place for business and services policy. In particular, the policy requires that factory outlets should be treated like normal retailing outlets "unless they are genuinely ancillary to on-site manufacturing and used only occasionally". The policy notes that other forms of factory outlets, such as the one at Orange Grove, are simply shops seeking low rents. The preservation of Liverpool's current and future supply of employment land will be important for the growth of manufacturing employment and output in the south-western Sydney region.

Maintenance of investor confidence in the Liverpool CBD is also considered particularly significant, as retail employment is the major employment sector in the CBD. Notwithstanding concerns about the loss of jobs at the outlets centre, the bill should be opposed on planning, environmental and economic grounds. The centres policy is critical to the Metropolitan Strategy, and the reason key councils in Western Sydney have been given special funding to strengthen their centres. What is more, the Opposition has previously supported the centres policy. The former Leader of the Opposition told the Property Council on 13 August last year that:

The only way you can make a city of such sprawl, such size, work is a centres-based policy for the metropolitan basin.

He went on to say:

We are becoming very centres focused. We have to continue to drive that policy. It is good policy at work.

So, what is the Opposition's policy? On the one hand a former leader is backing it, but with the exception of Orange Grove. The Opposition needs to explain its position and whether there will be any other exceptions to its policy along the way. The bill seeks to legitimise an unlawful development for an outlets centre at Orange Grove Road. The effect of the bill will be to provide the developer of the outlets centre with rights in perpetuity for the use of the land as an outlets centre, even though this use has been declared to be illegal. Rights of this nature—the rights being proposed in the bill—are not available to any other person in the State and the provision of these rights undermines achievement of the objects of the Environmental Planning and Assessment Act 1979, in particular the promotion and co-ordination of the orderly and economic use and development of land. If the bill is approved, considerable pressure is likely to be exerted on the Government in future to make special legislation in relation to other illegal developments in the same manner. All these arguments and the facts of the matter clearly point in one direction—that is, that the Government will reject the proposed legislation.

Mr MALCOLM KERR (Cronulla) [10.23 a.m.]: I commend the honourable member for Gosford for once again going in to bat for the workers.

Mr Matt Brown: The workers' friend.

Mr MALCOLM KERR: The workers' friend, as even the Parliamentary Secretary acknowledges. The workers never had a truer or better friend. This Government delivered the Liverpool kiss to the workers over Orange Grove. Once again the Opposition has to rectify a terrible injustice that was done to them.

Mr Matt Brown: You have to justify your existence, I know.

Mr MALCOLM KERR: Of course—any Opposition has to justify its existence, and the justification is ample, in this case and in so many other cases, because of what was done to the workers at Orange Grove. The honourable member for Kiama would have saved the House a lot of trouble if he had tabled written submissions. He did not speak from the heart; instead he simply read out a prepared brief, in contrast to the passion displayed by the honourable member for Gosford and the honourable member for Lane Cove.

Mr Barry O'Farrell: It was signed by the Kaiser.

Mr Anthony Roberts: Which one?

Mr MALCOLM KERR: Exactly.

Mr Barry O'Farrell: Neither Kaiser will show his face in this place.

Mr MALCOLM KERR: Yes, that is exactly right.

Mr Matt Brown: You need a heart to speak from it. You can't.

Mr MALCOLM KERR: I am going to speak on the heart of the matter. This matter should concern everybody in this House. We all remember when the former Premier went on the Alan Jones program and said everybody at Orange Grove would get a job. That was his personal guarantee and the guarantee of the Government of which the honourable member for Kiama is a member. Yet the honourable member for Kiama conceded a moment ago that everybody has a job.

Mr Barry O'Farrell: He is still waiting for a ministry. He does not have a job either.

Mr MALCOLM KERR: He does not have a job either. I understand he has an appointment with Drakes this afternoon, so we are hopeful that there will be an announcement next week about his future. It is interesting that in opposing this bill the honourable member for Kiama acknowledged that the former Premier had not told the truth when he gave a guarantee that every person at Orange Grove would get a job.

Mr Barry O'Farrell: He said he was contesting the next election, too.

Mr MALCOLM KERR: He did, too. He was not interested in having an extension of his job or providing a job for these people at Orange Grove. That is a significant matter. That is the reason that Government members should vote for this bill. They should vote to make Bob Carr an honest man. I challenge every member of the Government to do that, to make what he said to Alan Jones ring true. That is their job when it comes to the vote, to protect his credibility. The former member's truthfulness and credibility should be of significance to members on the Government side.

The honourable member for Kiama mentioned the ICAC report. That is interesting, because the *Sydney Morning Herald* on 9 April 2005 had a front-page article about what ICAC had determined. Counsel assisting the ICAC was Jeremy Gormly of Senior Counsel. The *Sydney Morning Herald* got a copy of his written submission. It is a pity that the honourable member for Kiama did not read that submission along with his other reading material. That submission contains very interesting observations in relation to the evidence given. This was from a man who heard the whole of the evidence.

What did he say about the present Minister for Roads? He found holes in the evidence given by the Minister for Roads. In his submission, seen by the *Sydney Morning Herald*, Mr Gormly said there is no evidence to support the Government's concerns. He also accepted the Gazal camp's version of events as more believable. He talked about the two Ministers—the Assistant Minister for Planning and the now Minister for Roads and the evidence he gave. He said in relation to Mr Gazal's meeting with Mr Tripodi on 27 May last year that the Gazal version was to be believed. He described Mr Tripodi's evidence as not showing the same amount of frankness, as unsatisfactory and unconvincing and not reliable. These are serious matters and they were found by counsel assisting the ICAC.

Mr Steve Whan: But not by the ICAC.

Mr MALCOLM KERR: That is correct, not by the ICAC, and I have said that.

Mr Steve Whan: It is the independent body.

Mr MALCOLM KERR: Yes, it is an independent body. In fact the ICAC appointed counsel assisting to interpret the information and evidence presented before it. I am grateful to the honourable member for Monaro for raising that aspect. I am pleased that the honourable member for East Hills has entered the Chamber, because we will get the benefit of his learned contribution to this debate.

Mr Alan Ashton: I appreciate that.

Mr MALCOLM KERR: Exactly. When one considers the ICAC finding, one should look also at what was uncontested in relation to the submission of counsel assisting the inquiry. As I said, it is interesting that there has not been any dispute. Mr Gormly's submission was that he wanted the ICAC to make findings in relation to the credibility of two Government Ministers. It is a pity that the honourable member for Kiama did not address the decision-making processes at Liverpool City Council. As the honourable member for Monaro would know, Liverpool council was cleared by the ICAC in relation to its planning decisions and processes. There was no real criticism, no allegations of corruption, levelled at that council. It is interesting to note that Liverpool City Council was Labor dominated. The mayor, George Paciullo, who would be known to many members of this House, had a reputation as being a very honest man. Mr Paciullo had the interests of Liverpool at heart and worked very hard for the people of Liverpool.

Mr Steven Chaytor: As I have.

Mr MALCOLM KERR: You have? That is good. Does the honourable member for Macquarie Fields have an opinion in relation to Orange Grove? Are we going to hear his contribution in this debate as to whether

people should get their jobs back, whether that retail centre should be available to the people of Liverpool and whether those facilities of which they were robbed by this Government should be restored to them? I look forward to that contribution.

Mr Alan Ashton: Would you rather see it opposite Miranda Fair or at Cronulla?

Mr MALCOLM KERR: The honourable member for East Hills is showing a very limited understanding of planning if he thinks that the Orange Grove centre should now be moved next to Miranda Fair. Is that what he is suggesting? I reject the suggestion, because it would conflict with the centres policy to a marked degree.

Mr Alan Ashton: Do you believe in the centres policy?

Mr MALCOLM KERR: Yes. The centres policy would not provide for the Orange Grove centre to be moved close to Westfield Miranda Fair. I thank the honourable member for East Hills for his contribution. However, his suggestion would not be helpful to the people of Liverpool or for those who lost their jobs. At least he is concerned and is making some recommendations to the House. He is aware that an injustice has occurred, but his remedy may not be embraced by all of us. At least he wants to do something to help the people of Liverpool. Not all the people who have engaged in this activity have the level of understanding of the honourable member for East Hills. One person who has a considerably greater understanding of planning matters is Gabrielle Kibble, the former head of the Department of Planning. She recommended that—

Mr Barry O'Farrell: You cannot dismiss her.

Mr MALCOLM KERR: No, although she was in a caretaker role at the time.

Mr Barry O'Farrell: And still is.

Mr MALCOLM KERR: Yes, she still is, in relation to Liverpool council.

Mr Barry O'Farrell: She has maintained the rage.

Mr MALCOLM KERR: Yes, and I think the people of Liverpool are going to maintain their rage. As the Deputy Leader of the Opposition said, we cannot dismiss lightly the advice given by Gabrielle Kibble. She addressed the centres policy and her advice was tendered at the ICAC inquiry. She said that this would be an exception. However, it was not unprecedented. She said that Orange Grove was operational and could be left as it was. In previous cases the centres policy was departed from, and Orange Grove was one case in which the departure could be justified. After all, one only has to read the speech given by the former planning Minister, Craig Knowles, who opened the Orange Grove centre, to know the wonderful things that Orange Grove was going to do for the people of Liverpool.

The former Minister's speech is a pretty potent exhibit in the case for this bill. The closure of Orange Grove has been a tragedy: it has caused immense suffering for the people of the area and for the workers who lost their jobs. That retail facility was used extensively by people from the surrounding areas. The centre served a purpose, and could still serve a purpose. It could help the western suburbs economy if it were restored. And that is what the Opposition is asking for: simple justice.

Mr Barry O'Farrell: Hear! Hear!

Mr MALCOLM KERR: Yes, as Government members are saying, "Hear! Hear!"

Mr Steve Whan: Point of order: Well done, Malcolm. The honourable member for Cronulla suggested that Government members said "Hear! Hear!" No Government member said that. It is important that I clarify that. Members of the Opposition may have said it, but his sense of direction was a bit astray.

Mr ACTING-SPEAKER (Mr John Mills): Order! That is a good explanation, but it is not a point of order. *Hansard* will show it correctly.

Mr Alan Ashton: *Hansard* will name the offending member. Good tactic, mate.

Mr MALCOLM KERR: I thought that maybe the honourable member for Monaro had let his heart get in the way of his head. Obviously, that is not the case. However, I urge Government members to pass this bill, let us make an honest man out of Bob Carr, let us help the people of Liverpool, let us restore jobs, let us do it for the workers.

Mr STEVE WHAN (Monaro) [10.37 a.m.]: As the Parliamentary Secretary said, the Government opposes the bill, and for very sound reasons. Although the ICAC held a very thorough inquiry into this matter, the most important reason for opposing the bill is that the development that was closed down was fundamentally inconsistent with the Government's centres policy. We have had quite a bit of discussion about that today. But at no stage has any member of the Opposition give a proper justification as to why this one, single development should be allowed to proceed contrary to all planning policies.

It is an appalling precedent for the Opposition to try to seek, through an Act of Parliament, to retrospectively endorse something that is not consistent with government planning policy. It is frightening to think of how the Coalition would run the planning system in New South Wales were it ever to get its hands on it. An Opposition member said, by way of interjection, that this would be a one off. That makes me wonder on what basis this one off was chosen by the Opposition. I suspect that it has a lot more to do with a future one off, another one which gains a large amount of publicity and which the Opposition considers would be politically beneficial for it to pursue.

The Government has put the centres policy in place because we want to ensure the location of retail outlets in our communities. We want to ensure that the outlets do not pop up on any bit of land anywhere in New South Wales. It should not be an ad hoc exercise. The centres policy delivers significant economic and environmental benefits to the community by increasing the use of public transport and reducing car use. In other words, retail centres should be located in areas where they can be properly serviced by infrastructure. The Opposition does not seem to be concerned about those matters. The centres policy increases investor confidence in retail centres and it reserves industrial-zoned land for its proper industrial purpose. In my electorate of Monaro it is difficult for companies to find industrial-zoned land away from residential areas.

The Opposition's attempt to legitimise an unlawful development is an appalling precedent to set. One can only wonder at the planning policies we would see from the Opposition if it were in government. It would be frightening. It is important to emphasise that we are going over old ground. I acknowledge that it has taken some time for this proposal to come before Parliament, but the Independent Commission Against Corruption [ICAC] has already carried out an exhaustive investigation into this matter. The ICAC considered all the submissions and evidence that was provided over 22 days of public hearings. Assistant Commissioner Ian Harris found that the Minister made his decision having regard to the merits of the case and State government planning policy. The ICAC report found that the Minister was not inappropriately or illegitimately influenced. When the Opposition quotes the input of all sorts of people at the ICAC hearing but not the actual findings, we know it is on shaky ground.

Mr Matt Brown: Hear! Hear!

Mr STEVE WHAN: I am pleased to acknowledge the interjection of the honourable member for Kiama. I listened with great interest to the contribution of the honourable member for Lane Cove. Usually when the honourable member for Lane Cove—or young Winston, as he is sometimes called by his friends—makes a speech in this House his voice booms out across the Chamber with great confidence and enthusiasm. This morning his performance was distinctly unconvincing. There was a mumble here and there as he launched into a defence of Mr Gazal, the owner of the factory outlet.

The honourable member for Lane Cove said that Mr Gazal was a reliable man. I do not know him, so I will not argue with that. But I do know that the landlord of the honourable member for Lane Cove is Mr Gazal. The member's electorate office is located in the Gazcorp building in Gladesville. I do not remember hearing that declaration in his speech. Perhaps I missed it. However, it is an interesting point to note. I am sure the honourable member was speaking with the honesty that we are accustomed to hearing from him, but I noted that his presentation this morning was different to his usual performance in this place.

The Government rejects this bill because of the sound reasons put forward by the Parliamentary Secretary and canvassed by other Government members during this long process. The ICAC has thoroughly investigated this matter and the public has been made well aware of all the issues. This development was unlawful and was not consistent with the Government's centres policy. The basis for this Opposition bill is that

the retail outlet closure became a matter of some notoriety and got a few headlines in the *Daily Telegraph*. As we all know, the Opposition's question time agenda and research capacity are based on what it has read in the *Daily Telegraph*. The Opposition is driven by publicity and it wants to be seen as supporting populist causes. It clearly is not driven by sound planning principles. The Government has stuck to sound planning principles, and that is why we reject this bill.

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [10.44 a.m.]: I am pleased to support the Save Orange Grove Bill. The bill was introduced by the Hon. John Ryan in the other place, debated and supported in the other place and introduced in this place by the honourable member for Gosford. Just on the basis of the bill being given consideration by the other Chamber, it deserves serious consideration in this House. I have listened to the speeches of the previous speakers in this debate. Last night, as I was driving to my electorate office, I listened to Chester Porter, QC, on 2BL talking about his latest book on the art of public speaking.

Mr Alan Ashton: So did I, so don't verbal him.

Mr BARRY O'FARRELL: I will buy you a copy of the book because you need it most of all. Chester Porter made the point that there are three types of speeches. The honourable member for Gosford, who would have been running at that time of night, would have been interested to hear his comments. Chester Porter said there are those who simply seek to confront, there are those who assert and there are those who persuade. This morning we have heard a good demonstration of each of those approaches. The honourable member for Lane Cove gave a detailed defence and background of this legislation and the honourable member for Cronulla gave a forensic analysis of all the issues that underlie this matter. Regrettably, what we heard from the honourable member for Kiama was asinine assertions, which failed the test that Chester Porter established for good public speaking. What we heard from the honourable member for Monaro—who, like the car, has no future—was repetitive rabble.

Before detailing the persuasive arguments that the honourable member for Gosford, the honourable member for Cronulla and the honourable member for Lane Cove put, I want to spend some time referring to the Government's response. As the honourable member for Gosford and other Opposition members indicated, the issue is about jobs and small business. I well recall that after the 2003 election campaign the Labor Party said that this term would be about small business and getting rid of the factions. As we have seen in the last year, neither statement was true. Not only has small business been done in the neck once again but, as we saw from events 100 days ago, the factionalism within the Labor Party is alive and well. The Minister for Police, the Hon. Carl Scully, and I actually now agree on a few things.

The arguments advanced by the Government members were that this legislation would undermine the planning processes. That seemed to be the only argument put by the honourable member for Monaro, and it was repeatedly advanced by the honourable member for Kiama. Neither of those members is prepared to mention in this House that their own Government, over the course of the past 10 years, has done exactly the same thing that this legislation seeks to do in relation to a specific set of circumstances. I can instance four of them, which relate to three different sites. In relation to the Clyde waste depot specific legislation was introduced which overrode planning rules and legal rights. Secondly, in relation to the Walsh Bay redevelopment, similar legislation was put and passed.

Mr Michael Daley: That was before.

Mr BARRY O'FARRELL: I knew I liked the honourable member for Maroubra. The legislation relating to Walsh Bay was rushed through this place at the very time that the National Trust had action before the Supreme Court of New South Wales, which shows just how far this Government will go to move specific legislation irrelevant to consistent planning approaches in order to get its way. The third area the Government has legislated on twice—once as referred to by the honourable member for Gosford when he moved this legislation months ago, and again only recently—relates to Luna Park. In both instances the Government legislated against the rights of people, irrespective of its so-called commitment, as stated by the two Government speakers this morning, to consistent planning policies and the protection of people's rights.

The honourable member for Monaro said that legislation of this type would be frightening, that it would not be consistent with planning policies, and that it would be retrospective and a retrograde act. In relation to those four earlier pieces of legislation, all the criticisms made by the honourable member for Monaro could have been made and were in fact made. This Government changes its argument depending on which side its bread is buttered. That has been the real problem underlying this issue from day one.

Second, the honourable member for Cronulla made it obvious that, despite the contribution and the claims of the former Premier, not all the workers received their jobs. It is clear from the speeches that were made in this Chamber today that a concern for workers and for those who operate small business was not an issue for the Labor Government in making these decisions. The honourable member for Monaro could not even bring himself to mention the issue of workers or retailers who had their livelihoods wrecked overnight by this Government.

I find quite remarkable the fact that the honourable member for Kiama came into this Chamber and talked about costs. We know the cost of his spin doctors is \$42 million a year. He suggested it was not worth spending a few dollars trying to work out the decision-making process of the Labor Government when he is prepared to spend \$42 million a year trying to bamboozle people to ensure they are not able to determine how this Government makes its decisions. That just demonstrates that the honourable member for Kiama has a thicker hide than I see occasionally at Headquarters Fitness Club.

In rebutting the arguments advanced by Government members I am simply amazed at their claim that the shopping centres policy is the be all and end all in this matter. I drive through Sydney, through the city of Sydney, through my electorate and through many parts of the rest of the city and I frequently see factory outlet sales occurring in areas that are zoned for special purposes. Those areas are usually town halls. I state on behalf of those hard-working retailers in the suburbs of Sydney who operate in the city of Sydney, who pay rates and other contributions to local government to support their local areas, that the factory outlet sales that occur in local government premises zoned for special purposes infuriate them enormously.

After listening to debate this morning I found myself wondering: If the shopping centres policy is as sacrosanct as Government members have argued, why is it that on any weekend in this city, in premises zoned not for retailing, factory outlet sales are occurring—factory outlet sales that, as I said earlier, are causing great distress and distraction to retailers in all our electorates and shopping centres; retailers who are trying to do right thing by contributing through their rates to their local municipal areas.

Mr Steve Whan: Do you stop them?

Mr BARRY O'FARRELL: No. The honourable member for Monaro—who is going out of style, out of fashion and out of production; and I am sure the car does not appreciate being associated with him—has to explain to this House why, when it comes to Orange Grove, the Government is prepared to take enormous action to prevent a factory outlet operating on the basis, it alleges, of a lack of appropriate zoning and because of a shopping centres policy. However, in relation to other centres across this city it is not prepared to take action. I am not the one who is arguing consistency; I am simply pointing out the inconsistency being advanced by those opposite. Those arguments all mean that this legislation should be passed.

I suspect that I will not have another opportunity in this debate to state that the most disgraceful contribution this morning was the attack by the honourable member for Monaro on the Speaker, the Clerk and the Parliament's director of financial services. The honourable member for Monaro is a new member in this place. When he has been here a bit longer he will know that individual members do not choose their premises. Those premises have to be approved by the Parliament. I have not been given a lump sum that entitles me to go to a local landlord and say, "I want to go into your business." That process has to be approved by the three people I mentioned earlier—the Speaker, the Clerk and the Parliament's director of financial services.

The honourable member for Monaro alleged in a grubby sort of way that, somehow or other, because the landlord of a member of Parliament is also involved in Orange Grove, that landlord is influencing the actions of that member of Parliament. That is the most disgraceful thing I have heard in this place. The honourable member well knows that there is no direct relationship between members of Parliament and those from whom their offices are rented. Those issues are handled by the Parliament on behalf of members precisely to avoid those sorts of accusations being made. Once again that demonstrates the immaturity of the honourable member and the fact that his mind is still on Federal Parliament and all those defeats he suffered at the hands of the Federal Liberal Party.

The purpose of this legislation is simply to rezone the land at Orange Grove occupied by those designer factory outlets. The bill achieves exactly the same purpose as the proposed amendments to the Liverpool local environmental plan [LEP] that were suggested by the administrator of Liverpool council, the aforementioned Gabrielle Kibble—a former Director-General of Planning in this State and someone who, in all the dealings I have had with her over the years, has never been prepared to allow something to bear her imprimatur unless she was seriously convinced it was the right thing to do.

This legislation will not approve the factory outlets; it will simply allow Liverpool council to grant a development approval subject to any conditions. The designer outlets owned by Gazcorp were opened, as the honourable member for Gosford indicated, by former planning Minister Craig Knowles. As the honourable member for Macquarie Fields and Minister for Planning at that stage said, they were "great for Liverpool". They provided \$30 million worth of economic activity to Liverpool and they represented about 60 small business operators who, for the most part like most small business people across the State, had invested their life savings in them. Liverpool council gave development consent in November 2002.

Six months after council had approved them, in June 2003, the retail shopping giant Westfield commenced legal action against the outlets in the Land and Environment Court. The court determined on the legality of the approval given by Liverpool council, not on the planning merits of the case. Because Liverpool City Council planners saw great merit in the designer outlets remaining open they applied to the State Government for a spot rezoning to regularise that existing use. As I said, that application is extremely similar to those pieces of legislation and decisions made by this Government over the past 10 years.

In April 2004 Liverpool council administrator, Ms Kibble, forwarded an application to the Department of Infrastructure, Planning and Natural Resources for a change to the Liverpool LEP to rezone land at Orange Grove to enable the factory outlets to be approved. Ms Kibble said she did so on the basis of social and economic reasons, but she also added that the application had merit and that if it had not, as I suggested earlier, she would never have approved it. So we have council, Gabrielle Kibble and, within the department, we have the advice given on 16 April 2004 to the Minister to approve this land.

I am a strong supporter of the Independent Commission Against Corruption [ICAC]. It is on the record that I have been disappointed by its lack of productivity in the last few years. It was asked to consider, from a very narrow term of reference, whether there was corrupt conduct. What has never been explained satisfactorily to anybody is why the Minister, at the end of the day, rejected the advice of her director-general; why she rejected the advice of the administrator, a former director-general of the Department of Planning; why she rejected the advice of Liverpool council planners; and why she rejected the public interest, which, after all, was best served by ensuring that both jobs and small businesses were retained and that people had access to another source of retailing.

Despite what is being said in this debate, this legislation is still as relevant today as it was all those months ago when it was introduced. It deserves the support of all those opposite. Once again, their lack of support for this legislation demonstrates their genuine lack of commitment to small business, to workers and to some consistency in the planning regimes across this State.

Mr CHRIS HARTCHER (Gosford) [11.00 a.m.], in reply: I thank honourable members who participated in the debate, the honourable members for the electorates of Lane Cove and Cronulla, and the Deputy Leader of the Opposition. I acknowledge the token contributions from the honourable member for Kiama and the honourable member for Monaro. The Wran Government, back in the 1980s, was famous for introducing special legislation for spot zonings. That is why we have Parramatta Stadium. The development application was lost in the Land and Environment Court but the Wran Government said, "No trouble". Special legislation was whipped through Parliament and Parramatta Stadium went ahead. Raleigh Park was a big site at Kensington owned by W. D. & H. O. Wills. The company's application for a massive development was defeated in the Land and Environment Court, but that presented no problem. The Raleigh Park Act went straight through Parliament.

Sydney City Council, having been sacked, contested the sacking. No trouble. A special session of Parliament was convened, with both Houses of Parliament sitting together as night fell. Oh, the drama, as the legislation was rushed from one House to the other! That was the Wran Government. Then we have the Carr Government—a government of unhappy memory—and Clyde waste station, in respect of which, as the Deputy Leader of the Opposition said, special legislation was introduced into Parliament. Next there was the Walsh Bay redevelopment. Whilst a court case was in progress the Walsh Bay redevelopment legislation was passed by the Parliament.

Let us not forget the Luna Park site. Whilst a court case was in progress, one week out from commencement, the Luna Park legislation went through Parliament. Then we had a coalmine in the Hunter. A development application by the coalmining company was being contested by Rosemount Wines, which was concerned that dust from the coalmine would affect wine production. What happened? A special State environmental planning policy was introduced by the then Minister for Planning, Craig Knowles—who, wonder

of wonders, having made himself the consent authority, somehow approved the application lodged by the coalmining company.

Mr Anthony Roberts: Caesar judging Caesar!

Mr CHRIS HARTCHER: As the honourable member for Lane Cove interjects, in that beautiful way that attests to his great classical education, Caesar judging Caesar. The history of the Wran and Carr governments has been that, where they deemed it appropriate, special legislation or State environmental planning policies would be created for spot rezoning. To pretend that this is inconsistent with good planning is simply to fly in the face of the track record of Wran and Carr—and also, of course, the path blazed by the very man who opened the splendid establishment at Liverpool, Craig Knowles. I referred in my second reading speech to the Independent Commission against Corruption [ICAC] inquiry, about the conduct of the Assistant Minister for Planning, and about the conduct of Craig Knowles and Bob Carr, so I will leave the record to speak for itself.

I acknowledge the comments of the honourable member for Lane Cove in relation to the Gazal family. They are a fine family who have made a great contribution to Australia. They wished to provide people with employment opportunities at Liverpool and they have been deeply hurt to see them suffer. They have a genuine concern for and great pride in the small businesses and jobs that they helped to create. I respect them, as does the honourable member for Lane Cove, for their integrity and their strong belief in Australia, a land that the Gazal parents have chosen to make their home. I also acknowledge the salient point made by the honourable member for Cronulla that this is all about keeping Bob Carr honest—more than that, saving Bob Carr from being called dishonest, because it was Bob Carr who told Alan Jones on Radio 2GB, "Alan, all of those people will be found jobs." And it was done in that firm stentorian voice that Bob was so famous for: "Alan, they will all be found jobs."

That was so typical of Bob Carr. Jobs were not found for all those people. He did what he always did: he simply said what suited the occasion and then went away and ignored his promise. History has been quick to judge Mr Carr's performance over the past 10 years, but I will leave that for another day. The honourable member for Cronulla pointed out that Labor promised that these people would get jobs. Labor has not provided them with jobs. This bill will give those people a chance to get their jobs back. The Deputy Leader of the Opposition pointed out that in the past many schemes have been upheld by Labor governments through special legislation to achieve a desired rezoning, and that this is simply consistent with the policies set by the Wran and Carr governments. He also made a salient point about the honourable member for Lane Cove's electorate office, which the honourable member uses to service and service well the people of his electorate.

The office was chosen by the former member for Lane Cove, the honourable Kerry Chikarovski, and endorsed by the Speaker of this House and by the Clerk of the Parliaments. In fact, it is Parliament that rents the office and it is the Speaker's name that is on the lease. The location of the office and the payment of rent for that office have nothing to do with the honourable member for Lane Cove. They are the choice and responsibility of the New South Wales Parliament, a fact well known to the honourable member for Monaro, just as it was well known to the former Premier Bob Carr, yet both of them deliberately dissembled and deliberately sought to falsify the picture in relation to the location and management of the electorate office at Lane Cove.

The legislation that I have presented to the House was passed in the Legislative Council. It was passed in the Legislative Council with the support of the Liberal Party and the Nationals, and with the support of the Christian Democrats, the Greens, One Nation, the Shooters Party, the Unity Party and the Reform the Legal System Party. It had the support of every political party represented in this Parliament, other than one party, the Australian Labor Party, which pretends that it represents the interests of the workers of this State. We are talking about 400 jobs but the ALP says, "No, go away."

Families were dependent on those jobs. The people who held those jobs are battlers. They are ordinary people, anxious for a job. The jobs were not well paid. Some workers were cleaners and some were shop assistants. Some people had invested their savings in developing a small retail business. They are the little people. They are the people about whom the ALP cares not at all and for whom the ALP showed its contempt when it opposed the bill in the Legislative Council. The indications from the honourable member for Kiama are that the ALP will also oppose the legislation in this House.

The Australian Labor Party stands in the dock and it must confront its own hypocrisy and the hypocrisy of its former leader. This was a wonderful opportunity for the Premier to break with the past. If the Premier was a man with fresh ideas and a fresh approach, he would have accepted this proposal and said, "Bob Carr was wrong. I do stand for the workers. I am going to fight for workers' jobs." In opposing this legislation the Premier has shown how true was the comment made by so many people when he took office back in July that it is the

same horse with a different jockey. All that has changed is the rider; it is still that same horse. And there is nothing different about this Government, be it the Lane Cove tunnel, be it the cross-city tunnel, be it any of the projects that it has mismanaged. Orange Grove just goes on the list.

In assessing this legislation the House needs to consider the report by the Independent Commission Against Corruption. The commission's report was based upon a distinct narrow term of reference, being corrupt conduct, and whilst it did not find any evidence of corrupt conduct, nonetheless the commission expressed unhappiness with the total approach taken towards Orange Grove. The inquiry was not able to go into the issue of the planning merits; it was not able to go into the whole issue of the people who supported the rezoning and the people who would be unaffected by the rezoning and the people who would benefit by the rezoning not proceeding. The only narrow field that the inquiry examined was whether there was provable evidence of corrupt conduct.

With your leave, Madam Acting-Speaker, I would like to acknowledge the presence in the Speaker's gallery of the architect of this legislation in the Legislative Council, the Hon. John Ryan, who did a splendid job in seeing this legislation go through the Legislative Council. As the Deputy Leader of the Opposition said so eloquently a few moments ago, great speeches confront, assert or persuade, and the speech by the Hon. John Ryan was a speech to persuade—not to confront, but to persuade. And persuade it did. It persuaded those with an open mind, not the closed minds of members of the Australian Labor Party.

In assessing the report of the Independent Commission Against Corruption we look to the framework in which this decision was made: the support it had from the local community; the support it had from the then member for Macquarie Fields, Craig Knowles; the support it had from Liverpool Council; the support it had from Gabrielle Kibble, the administrator of Liverpool Council; the support it had from the experts in the planning department; the strange role of Jenny Westacott, the then Director-General of Planning, which I outlined in my earlier speech in introducing this legislation, who has now mysteriously left the department and who must remain under a cloud; and the very strange role of the now Minister for Fair Trading, the woman who gave us Mount Penang—and didn't John Hatzistergos really take over Mount Penang and turn to one side everything that the former Minister for Juvenile Justice had ever done there, and was that not a slap in the face for her—that same woman who was quickly moved out of Planning. As soon as the Government saw its opportunity it whipped her out of Planning, took her well away from the whole area and put her into Fair Trading. That was the Government's comment upon her handling of this situation.

So, Jenny Westacott, the now Minister for Fair Trading, Bob Carr and Craig Knowles are the ones in the dock—and none of them with any professional competence—and on the other side, all the people with professional competence: Liverpool council planners, Gabrielle Kibble and the planning department planners, all saying "Rezone". Would you not wonder how the scales laid with the incompetent versus the competent, with those who had any interest against those who had no interest? Would you not wonder if you were the ICAC commissioner just really what went on there? And the fact that there was no provable evidence found by the commission does not mean that the whole process was handled satisfactorily.

This is a chance for the legislature to cure that defect, correct the mistake and stand behind the 400 jobs—as was eloquently put by the honourable member for Lane Cove—and stand behind the splendid Gazal family and support them in their efforts to protect the community of Liverpool. We are proud to stand up for the workers; we are proud to stand up for ordinary people. That has been a record since the formation of the Liberal Party in 1944 and that has been a proud record of our great Coalition partners, The Nationals. Let history judge where the Labor Party stands on these issues. I have great pleasure in commending the bill to the House.

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

The House divided.

Ayes, 31

Mr Aplin
Mr Barr
Ms Berejiklian
Mr Constance
Mr Debnam
Mr Draper
Mrs Hancock
Mr Hartcher
Ms Hodgkinson
Mrs Hopwood
Mr Humpherson

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

Mr Slack-Smith
Mr Souris
Mr Stoner
Mr Tink
Mr Torbay
Mr J. H. Turner
Mr R. W. Turner

Tellers,
Mr George
Mr Maguire

Noes, 47

Mr Amery	Ms Gadiel	Ms Nori
Ms Andrews	Mr Gibson	Mr Orkopoulos
Mr Bartlett	Mr Greene	Mrs Paluzzano
Ms Beamer	Ms Hay	Mr Pearce
Mr Black	Mr Hickey	Mrs Perry
Mr Brown	Mr Hunter	Ms Saliba
Ms Burney	Ms Judge	Mr Shearan
Miss Burton	Ms Keneally	Ms Tebbutt
Mr Campbell	Mr Lynch	Mr Tripodi
Mr Chaytor	Mr McBride	Mr Watkins
Mr Collier	Mr McLeay	Mr West
Mr Corrigan	Ms Megarrity	Mr Whan
Mr Crittenden	Mr Mills	Mr Yeadon
Mr Daley	Ms Moore	<i>Tellers,</i>
Ms D'Amore	Mr Morris	Mr Ashton
Mr Debus	Mr Newell	Mr Martin

Pairs

Mr Armstrong	Ms Allan
Mr Cansdell	Mr Price

Question resolved in the negative.

Motion negated.

RURAL COMMUNITIES IMPACTS BILL**Second Reading**

Debate resumed from 13 October 2005.

Mr GREG APLIN (Albury) [11.25 a.m.]: On the last occasion I spoke on this bill I mentioned that Professor Julian Disney, in addressing the Planning Institute of Australia State Conference, said that the answer to many of Sydney's problems depends on development outside of Sydney and that there needs to be a lot more attention to regional development. Professor Disney proposed that a fast train service linking Sydney, Goulburn, Albury, and eventually Melbourne, would encourage people to move along the line. It is interesting to note that we have had to fight so hard to retain our CountryLink connections through the Albury electorate when they were under threat from being replaced by buses. It is pleasing that the Government has committed to retaining those CountryLink services, which are so desperately required. It is quite incredible that a community fight had to ensue before that commitment could be gained. We now have a prominent figure in society calling for new train services to assist in planning the development of this State. The Government would do well to listen to Professor Julian Disney.

Earlier this year the managing partner of Lake Hume Resort, Jon Ward, wrote a letter to the Minister for Regional Development, and Minister for Small Business titled *Enough is Enough*. In the letter he advised that he was considering repatriating his company's investment funds back to Queensland. His passionate desire to succeed in his tourism venture in one of the most picturesque conference and holiday resorts in this State has been severely tested by Government policies at both State and local levels. Jon Ward began his letter by saying:

The reason for this letter is to advise that as a tourism business investor and operator we have lost confidence and faith in continuing to invest in tourism in regional NSW due to State and Local Government policies.

The facts outlined in the letter constitute a strong argument for the introduction of the Rural Communities Impacts Bill. Mr Ward noted that he had owned property in Cairns when the pilots strike occurred, and that from that experience he is acutely aware of the financial impact of tourists on a local economy. He said that a newsagent in the main street of Cairns went broke because the tourists were not coming to town. He said there

were numerous examples of the indirect effect of this one major action, and that this result is no different to decisions taken by Government when there is an absence of consideration, when economic rationalism insulates the decision maker in Sydney from the reality in country areas. As Jon Ward says, one of the problems with tourism being understood by governments is that you cannot see the tangible benefits as you can with a factory, and governments therefore seem to think it contributes very little to the economy.

In relocating from Queensland to New South Wales almost 10 years ago, Jon Ward said he was not concerned about government procedures at State level as he assumed it would be similar to the proactive response received by regions in Queensland, where investment was encouraged. "Big Mistake," he wrote in his letter. He listed his company's achievements in raising occupancy rates, improving quality and facilities, creating a major conference and reception destination, and being recognised as a tourism leader and significant contributor to employment both directly and indirectly in the region. He even noted that the resort's growth and development had been good to the New South Wales State Government's coffers. He said:

Over and above all the indirect taxes and the flow-on effects from our suppliers and employees, of the tangible economic benefits our expansion has brought into the region we can identify over the last year an additional \$150,000 that has been paid into the coffers of the Office of State Revenue through our development activities at Lake Hume Resort. This is made up of additional Payroll Tax, Land Tax and stamp duty on property sales. A couple of years ago it was nothing.

Jon Ward observed that it takes considerable vision, time, money, effort, initiative, risk, confidence, and a proactive government to build a successful business. After 10 years of trying, he feels that the resources put into his regional tourism development in New South Wales would have provided much better personal and financial outcomes if he and his investment funds had remained in Queensland. He bases this assessment on comparisons of activities and relationships with governments, and criticises the State Government for a reactive approach to tourism and small business and also for bringing about an amalgamation of councils which impacted on his business.

Mr Ward expressed sentiments I have frequently raised in this House. In relation to customer service he said that his business has to service and satisfy customers' needs otherwise they go elsewhere and the business fails. His experience is that State governments have an attitude that businesses are beholden to government and there is no recourse if one is not satisfied with the attitude or service. Many of his customers are government departments or government funded and his business has gladly assisted them when grants or funding have been delayed and they cannot pay in the agreed time. Cash flow problems affect small businesses. They have a relationship with their clients and they try to work things out. The Government line, of course, is to fine people or charge interest if the payment is later than intended.

How would a rural communities impact statement on Government payment of bills stand up in the current climate when the Greater Southern Area Health Service is experiencing such difficulty in meeting its obligations and thereby jeopardising the viability of so many regional businesses? Jon Ward takes issue with the imposition of Government policies with little, if any, consultation. As he says, "They quote the new rules to you after they have been enacted." He calls for a relationship that is open and trusting, with a clear vision and plan; a relationship that encourages initiative and does not see it as a threat. Like many regional business people, Jon Ward is a disillusioned and unhappy customer who does not feel he has received the service he was promised. He points to a culture that has been generated as this Government has insulated and absolved itself from the difficulties confronting small business, particularly regional tourism. He says:

I am commenting on how government policies and attitudes have adversely affected a regional tourism business. These policies may be suitable on the East Coast but they put us at a competitive disadvantage.

I am commenting on how there appears to be a lack of care, empathy or responsibility for those who have changed and implemented the policies.

I am commenting on the fact that in many instances governments are unable or do not understand the correlation between the new difficulties facing regional businesses because of the governments attitudes and policies.

He states, amongst other things, that like any business he has the normal gripes with occupational health and safety, public liability and workers compensation. However, he also identifies areas relative to his business that have an impact because of the absence of regional impact statements. He refers to Government Sydney-centric policies and the perceived arrogance to country business. He euphemistically uses the expression, "We are in the 'Shadows of the Great Divide'".

Pursuant to sessional orders business interrupted.

BUSINESS OF THE HOUSE**Notices of Motions****General Business Notice of Motion (General Notice) No. 2 called on and lapsed.****AUSTRALIAN DEFENCE FORCE PERSONNEL**

Mr ANTHONY ROBERTS (Lane Cove) [11.33 a.m.]: I move:

That this House:

- (1) commends and thanks the Australian Defence Force personnel and civilians who contributed to operations in Iraq and Afghanistan in Operation Slipper, Operation Bastille and Operation Falconer;
- (2) extends its thanks to personnel unable to attend the march in Sydney on 18 June 2003, particularly the officers and crew of the HMAS *Kanimbla* and personnel of the SAS; and
- (3) pays tribute to the families of those servicemen and women and the important support structures and various organisations that assisted them during the period of separation.

I gave notice of this motion on 18 June 2003. Of course, much has occurred since then. It is important to place on the record of this House the commencement of our involvement with Iraq, an address to the nation by the Hon. John Howard, MP. He stated:

The Government has decided to commit Australian forces to action to disarm Iraq because we believe it is right, it is lawful and it's in Australia's national interest.

We are determined to join other countries to deprive Iraq of its weapons of mass destruction, its chemical and biological weapons, which even in minute quantities are capable of causing death and destruction on a mammoth scale.

Iraq has been an aggressor in the past against its neighbours and even its own people. If Iraq is allowed to keep these weapons not only might she use them again but moreover other rogue countries will copy Iraq knowing that the world will do nothing to stop them.

The Prime Minister further stated:

The attacks on the 11th of September and in Bali showed that international terrorists have no regard for human life no matter what the nationality of their victims may be.

Iraq has long supported international terrorism. Saddam Hussein pays \$25,000 to each family of Palestinian suicide bombers who wreak such murderous havoc in Israel. He has sheltered and sponsored many terrorist groups.

International terrorism knows no borders. We have learnt that to our cost. Australia and Australians anywhere in the world are as much targets as any other western country and its people.

Therefore the possession of chemical, biological, or even worse still, nuclear weapons by a terrorist network would be a direct undeniable and lethal threat to Australia and its people.

The Prime Minister went on to state:

There's also another reason and that is our close security alliance with the United States. The Americans have helped us in the past and the United States is very important to Australia's long-term security.

It is critical that we maintain the involvement of the United States in our own region where at present there are real concerns about the dangerous behaviour of North Korea.

The relationship between our two countries will grow more rather than less important as the years go by.

A key element of our close friendship with the United States and indeed with the British is our full and intimate sharing of intelligence material.

The Prime Minister further stated:

There is nothing comparable to be found in the any other relationship—nothing more relevant indeed to the challenges of the contemporary world.

I know that some people are saying that what we have done makes it more likely that terrorists will attack Australia.

Australia has been a terrorist target at least since the 11th of September 2001.

Australia is a western country with western values. Nothing will or should change that. That is why we are a target.

Remember that bin Laden specifically targeted Australia because of our intervention to save the people of East Timor.

Does any Australian seriously suggest that if bin Laden's warning had come before the East Timor action we should have caved in and changed our policy. That will never be the Australian way.

We believe that so far from our action in Iraq increasing the terrorist threat it will ... make it less likely that a devastating terrorist attack will be carried out against Australia.

It is important to place the Prime Minister's next comment on the record:

I want to ensure all of you [as Australians] that the action we are taking is fully legal under international law. Back in the early 1990s resolutions were passed by the Security Council authorising military action against Iraq.

The Prime Minister continued:

America's critics both here and abroad have been both opportunistic and inconsistent. They know and admit [that there have basically been cover ups around the world]. Yet they have persistently criticised American policy.

Apparently they believe that a quarter of a million American, British and indeed Australian troops should stay in the desert doing nothing indefinitely. We all know that if the troops had been withdrawn Iraq would have immediately stopped its minimal cooperation with the [United Nations].

The Prime Minister concluded:

The removal of Saddam Hussein will lift this immense burden of terror from the Iraqi people.

Our argument is with Saddam Hussein's regime. It is certainly not with Islam.

Australians of an Arab background or the Islamic faith are a treasured part of our community. Over the weeks ahead and beyond we should all extend to them the hand of Australian mateship.

To those in the community who may not agree with me, please vent your anger against me and towards the Government. Remember that our forces are on duty in the Gulf in our name and doing their job in the best traditions of Australia's defence forces.

Can I say something that I know will find an echo from all of you whether or not you agree with the Government. And that that is to say to the men and women of the Australian Defence Force in the Gulf—we admire you, we are thinking of you, we want all of you to come back home safe and sound. We care for and we anguish with your loved ones back here in Australia. Our prayers and hopes are with all of you.

We now live in a world made very different by the scourge of international terrorism.

He concluded by saying that it was a very difficult decision, but one that was good for Australia's long-term security and the cause for a safer world. That speech was made by the person who will go down in history as the best Prime Minister Australia has ever seen. I refer to our commitment to Iraq and its people and our fight against the world's threat of terrorism. It is with great pleasure and with the thanks of Lieut. Colonel Christopher Holcroft that I will relate one or two of the contingents and ships that were involved from the Royal Australian Navy and the Royal Australian Army.

I refer particularly to coalition Task Force 58, TF-58, and its Australian commander. Commodore Steve Gilmore, CSC, RAN, and his 14-person team returned home to a warm welcome from family and friends after four months of command in the northern Persian Gulf. Commodore Gilmore was in command of the task force comprising 10 coalition warships and up to 2,000 personnel in the northern Persian Gulf. This appointment made Commodore Gilmore the first Australian to lead a combined task group in operations since World War II. Commodore Gilmore and his 14 Royal Australian Navy staff originally embarked in USS *Antietam* and were transferred to USS *Normandy* during the period of April to August 2005. The task group patrolled the waters of the northern Persian Gulf. HMAS *Darwin* was one of the 10 coalition ships in the task group, and was replaced with HMAS *Newcastle* during this period.

At the time the task force comprised warships from the United States of America, the United Kingdom, Australia and Iraq. A major role has been maritime security operations, including the protection of the two Iraqi oil platforms ABOT and KAAOT, which together are responsible for 95 per cent of Iraq's oil production and 80 per cent of its gross domestic product. Commodore Gilmore said that the appointment of his team was in recognition of the level of respect held by the United States Navy towards the Royal Australian Navy and the close association that our navy and that of the United States share. He commented:

This assignment provided a once in a lifetime professional and personal opportunity for the entire Navy team and further builds on the partnership between navies of the coalition forces in Iraq.

In addition, the Australian-led task force was also responsible for the interdiction of illegal maritime trade associated with Iraq, escort of US Military Sealift Command shipping and co-ordination of operations with other maritime forces. The Royal Australian Navy's Anzac class frigate HMAS *Anzac* returned to her home port at Fleet Base West, HMAS *Stirling*, after a highly successful six-month global deployment. HMAS *Anzac* played a significant role in promoting the Royal Australian Navy during visits to ports in Asia, Europe, the United Kingdom and Africa, which had not been visited by an Australian warship in the past 15 years.

Deployment highlights for the ship included retracing the 1914 World War I convoy route from Albany to Gallipoli. Commander Surface Combatant Group Commodore Simon Hart, CSC, RAN, representing the Chief of Navy and commanding officer of HMAS *Stirling*, Commodore Paul Bartlett, RAN, whom I have met on a number of occasions, joined the families to welcome the safe return of the 175 crew members of HMAS *Anzac*. It is important to outline the role of not only the navy but also our military forces. Many reservists are serving in Iraq in specialist capacities. Indeed, some of my colleagues have served, and will continue to serve, there in the years ahead as we start to rebuild Iraq. I will allude to Iraq's return to democracy later. I pay tribute to the men of the navy, the army and the air force who have done a sterling job under the leadership of the Federal Government, in conjunction with our allies overseas in our war against terrorism and in our fight to restore democracy, safety and peace to the nation of Iraq and its people after such a brutal and savage reign of terror. I commend this motion to the House.

Mr KEVIN GREENE (Georges River) [11.43 a.m.]: I support the motion moved by the honourable member for Lane Cove. As honourable members will appreciate, tomorrow is Remembrance Day. Therefore, it is most appropriate that we have this opportunity to discuss the ongoing contribution made by the Australian defence forces not only in defence of our nation but also in relation to overseas duties to which they are commanded by our Federal Government. I join the honourable member for Lane Cove in thanking our Australian defence personnel for the work they continue to do in many war zones throughout the world. None of us, in our fortunate positions in this lucky country of Australia, can ever truly appreciate not only the great sacrifice of these personnel and the enormous courage they show as they move into war zones but also the contributions made by their families and friends. An enormous amount of pressure is placed on the family unit, recognising that loved ones are not only away from home but also putting themselves in difficult and dangerous situations.

At the time notice of this motion was given, I can remember having discussions with Monsignor Brian Rayner, who for a very long time, including 2003, was one of the Navy's Catholic chaplains before he took on other responsibilities. Brian Rayner worked with naval personnel, particularly when he was sent to the Middle East, and he indicated that it was a difficult time for those personnel. Looking at the role of the chaplain and his responsibilities shows that many lives are impacted by the overseas posting of defence personnel. I shall focus on the role of families. Recently I visited Jack and Joyce Marks, who are constituents in my electorate, on their wedding anniversary. During a discussion with these lovely people it became obvious that they were proud of the role their grandson was playing as he served overseas as part of a naval operation. As I said, the wider family is affected by defence personnel being posted overseas. In many cases it is not only wives and children but also parents and grandparents who are impacted by these operations. Paragraph (3) of the motion states that the House:

Pays tribute to the families of those servicemen and women and the important support structures and various organisations that assisted them during the period of separation.

I shall focus on the families for a short time. We recognise that the RSL sub-branch movement is particularly strong in New South Wales, and does a marvellous job. The sub-branches in my southern metropolitan area, led by Bill McKay, do tremendous work. I note that the honourable member for Cronulla is nodding his approval; we are part of the same area. In my area are the Oatley RSL sub-branch, the Penshurst RSL sub-branch and the Mortdale sub-branch. Indeed, Mortdale RSL sub-branch is holding its annual smoko tomorrow. That is a great tradition of Australia defence personnel. Unfortunately, I cannot attend the smoko, but I am sure Callum McDonald, Norm Vaughan, Doc Bailey and other members of the executive will put on a great function.

It is important to remember personnel not only when they are in active service but also when that service has concluded. That is one great strength of the RSL movement. Earlier this year I attended a function at Oatley RSL sub-branch—the president is Gary George, and Ian Thompson and Alf McGrath are on the executive—to commemorate the sixtieth anniversary of the end of the Second World War. As I said, it is

important that we as a community remember that these contributions have not only short-term effects but also long-term effects. We saw this with the Vietnam War, which is a sad reflection on our society. For a time the Vietnam veterans were neglected; it is only in recent years that we have recognised the need to look after those service personnel who gave so much of their energy. One hopes that those who have served in more recent war zones will continue to be looked after, as implied in this motion.

Only a couple of days ago the front page of newspapers informed us of the death of a SAS serviceman while he was training overseas. As I said, it is important that we remember his family and others affected by his death. The motion remembers not only personnel who lost their lives in the service of their country; certain traumas go with that service and we need to remember and look after those people as well. The RSL movement does a magnificent job, and that is something that Australia can be extremely proud of.

The other organisation that does an enormous amount of work but perhaps does not have as high a profile as the RSL is Legacy, but it still has a high profile in the community. Legacy badge day is the first Friday in September. Jim Slaven, the secretary of the St George-Sutherland branch of Legacy, does an enormous amount of work. Each year I am always pleased that a couple of my children and I sell Legacy badges. When selling the Legacy badges this year, I was most impressed with the number of young people heading off to school in uniform who came up to me and asked what it was about. We explained what the Legacy badges were for and what Legacy did. Those young people showed an enormous amount of respect for the work of Legacy.

We should encourage the support of our community. The motion focuses on that point. Defence personnel need community support while they are in a serving capacity and once their service is completed. Legacy does a marvellous job in that regard. Recently a number of ladies in their eighties have popped into my office with regard to the sixtieth anniversary of the end of the Second World War. They have spoken about the enormous contribution Legacy has made to their lives over many years. Our society should be proud of that. The motion recognises that point. It states:

Pays tribute to the families of those servicemen and women and the important support structures and various organisations that assisted them during the period of separation.

The RSL and Legacy are two such organisations. As we approach another commemoration of Remembrance Day—the eleventh of the eleventh—it is important that we focus not only on those who have given their lives in service, not only on those who have suffered as a result of that service, but also on the families and friends of those who have given that service. We should not focus on them only while they are overseas but also when that service is completed. I congratulate the honourable member for Lane Cove for moving this motion. I strongly support it.

Mr MALCOLM KERR (Cronulla) [11.52 p.m.]: I join the honourable member for Georges River in congratulating the honourable member for Lane Cove on moving this motion. Notice of this motion was given on 18 June 2003. As the honourable member for Lane Cove said, much has occurred since then. However, what has occurred has only reinforced the sentiments of the motion. The honourable member for Georges River spoke about the role of the RSL in the southern metropolitan region. Last Sunday I attended the annual service that is held on the Sunday before Remembrance Day. If Remembrance Day falls on a Sunday, the RSL branches combine to hold a remembrance ceremony.

It is always a moving occasion and is a reminder of how much we owe to Australian defence force personnel who have protected our nation and who have been instrumental in the protection of our freedom and the freedom of many people of the world by their service and sacrifice. The honourable member for Georges River reminded us of the recent death of a Special Air Service [SAS] member. We extend our sympathies to his widow and family for the sacrifice made on our behalf. The honourable member for Georges River also referred to Vietnam veterans. They are playing an increasingly significant role in the Anzac Day ceremonies and Remembrance Day ceremonies.

Mr Wayne Merton: And the service organisations they are involved in.

Mr MALCOLM KERR: Yes, as the honourable member for Baulkham Hills says, and the service organisations they are now involved in. That generation is coming to the fore. The honourable member for Georges River quite rightly reminded us that the response they received for their service was an aberration of the Australian community. They are now getting full recognition for having done their duty and served their country, and they are entitled to be treated on an equal footing with other servicemen. All honourable members

would join in that sentiment. It is right that Vietnam veterans are restored to their rightful place, with our gratitude and thanks for performing their service and for making sacrifices in the course of that conflict.

The motion is meaningful as we pause the day before Remembrance Day. As the honourable member for Georges River said, this is a good motion because it commends and thanks the Australian defence force personnel and mentions the operations they have been involved in. My Federal member, Bruce Baird, has recently returned from Iraq. During his visit he spoke to a number of servicemen who live in the Sutherland shire. He stayed in one of Saddam Hussein's palaces and swam in the swimming pool attached to that palace. There is no doubt that Iraq and the world are better places as a result of the removal of Saddam Hussein's Government.

Some defence force personnel were unable to attend the march in Sydney on 18 June 2003—the officers and crew of the HMAS *Kanimbla* and members of the SAS. They are remembered in this motion. The honourable member for Lane Cove paid tribute to the families of those service men and women, and the various support structures and organisations that assisted them during the period of separation. As I said, because this is a thoughtful, topical and meaningful motion every member of this House can support it. It certainly reflects our sentiments.

Mr WAYNE MERTON (Baulkham Hills) [11.57 a.m.]: I support the motion moved by the hardworking honourable member for Lane Cove, a man who has great concern for and is very patriotic in his outlook on Australia. Both sides of the Chamber support this motion. It recognises the enormous contribution made by Australian defence force personnel and civilians who contributed to operations in various places of war in recent months and years. They are of an ongoing nature. As the Prime Minister says, it is a cause that he believes is in Australia's national interest. We on this side believe that, as do many Australians. As the honourable member for Cronulla said, as we approach the eleventh hour of the eleventh day of the eleventh month, we consider the significance of the original sacrifice in the First World War, culminating in that peace that was effected so many years ago. Unfortunately, the war that was called the war to end all wars did not do that. Within 20 years the world again resorted to conflict to resolve its differences.

Whilst the Opposition does not glorify war, we respect those who participate in a noble cause. The cause of freedom can never be described as anything but noble. This motion pays tribute to the families of service men and women and the important support structures and various organisations that assist them during their period of separation. It takes sacrifice on the part of those on the front line. But equally the people left behind have to carry the banner. They have the responsibility of looking after families and the constant worry of what may happen to their loved ones on the front line who are defending the cause of freedom. All this effort, sacrifice and commitment must be acknowledged, and this Chamber is an appropriate place in which to do so. I again commend the honourable member for Lane Cove for bringing this motion before the House. I thank the honourable members who support this worthwhile motion which, as part of our parliamentary record, notes that we as a Parliament appreciate and express our thanks to the personnel who have been involved in the various avenues of conflict.

Mr JOHN BARTLETT (Port Stephens) [12.01 p.m.]: I am very pleased to join in this bipartisan debate on the motion before the House. The motion commends and thanks the Australian Defence Force personnel and civilians who contributed to operations in Iraq and Afghanistan, extends thanks to the personnel of HMAS *Kanimbla* and the Special Air Services [SAS] and pays tribute to the families of those service men and women and the important support structures and various organisations that assisted them during this time of separation. Remembrance Day, which is tomorrow, affects people in different ways. I come from a military family. My grandfather was a Royal Marine who served on British battleships and was stationed on a ship off Gallipoli during the bombardment there. My father served in the Royal Air Force and the Royal Australian Air Force and spent time in Vietnam. I spent 16 years in the Royal Australian Air Force Active Reserve [RAAFAR] at Williamtown air base with No. 26 Squadron. We spent a lot of time training with the Hornet pilots and squadrons through Townsville and Malaysia.

It is not only in times of operations that personnel are killed and injured; it is also during training. I had 16 years experience working with the Hornet pilots. One morning I was sitting in the operations room with a couple of young flight lieutenants, Chris Wylie and Paul Rim. They were as close to me as the members opposite. We were talking before they left to strap into their jets to fly off Townsville. They had a midair accident and never came back. I know personnel who have been involved in accidents involving Hornets off Tindal and Williamtown and Winjeels off Williamtown. The personnel undertake intensive training to reach the capacity they need when they go into operations in Iraq or Afghanistan. Following a fatal accident, there is the

shock to the families and the heartbreak of attending memorial services for these young men who gave their lives for Australia.

Some years ago Port Stephens Council and members of the community formed the Port Stephens RAAF Williamtown Support Group. Every year the group looks at ways to support the families during periods of separation when the RAAF personnel undertake their overseas service. We also have an award for the Port Stephens RAAF Williamtown Citizen of the Year, which acknowledges the work done by the members of the forces in the Port Stephens electorate. Recently a good friend from my air force days did a tour in Iraq, specifically at Baghdad airport. The personnel there are in a very dangerous situation every day. Even a plastic bag floating around the street is an enormous threat to their personal survival and may affect the lives of their families in the future. It is with a great deal of pleasure on behalf of the Government that I join with the Opposition in commending this motion to the House. With my few personal memories and words, I give my support to the Australian Defence Force personnel and their families. I commend the motion to the House.

Mr ANTHONY ROBERTS (Lane Cove) [12.05 p.m.], in reply: I sincerely thank honourable members who represent the electorates of Georges River, Cronulla, Baulkham Hills and Port Stephens for their contributions to this debate. I also acknowledge the presence in the Chamber of the honourable member for Willoughby and the honourable member for Mount Druitt, who are major supporters of our defence personnel both here and abroad. As the honourable member for Baulkham Hills and I said earlier, a great deal of hard work is undertaken by various organisations, such as the RSL sub-branches, to make sure that our defence force personnel are looked after and to remind people here of their service and sacrifice on a daily basis.

As the honourable member for Port Stephens stated, it is not only in times of war that people are lost or injured. The defence force personnel undertake a great deal of training in order to bring them up to a high level of proficiency. That training is rigorous and dangerous and has taken many lives. I particularly acknowledge the remarks of the honourable member for Port Stephens and his reflections on the two flying officers who died in a midair tragedy. His comments remind us of the SAS officer who recently was accidentally killed whilst undertaking training in the Middle East. It is important that we not only reflect on the people who serve overseas. Their service places a difficult and onerous level of duty on their families as well, particularly those whose partner must serve overseas, as part of their role in the defence forces.

We are thankful in these more enlightened days for the support network that is in place, organised by the military and bodies such as Legacy, the RSL sub-branches and Red Cross. It is also important to say thank you to the families. I reiterate the remarks of each of the speakers in this debate: we owe them a debt of gratitude for giving up their sons, daughters, husbands, wives and cousins who serve overseas to protect the things we hold true and dear to us. It is with great pride that I join with honourable members who spoke in this debate in commending this motion to the House.

Motion agreed to.

WEST CHATSWOOD ROTARY ATHLETICS FIELD

Ms GLADYS BEREJIKLIAN (Willoughby) [12.10 p.m.]: I move:

That this House:

- (1) notes widespread community use of the West Chatswood Rotary Athletics Field, including up to 1,000 athletes competing in Northern Suburbs Little Athletics, UTS Northern Suburbs Athletics Competitions, local school carnivals and many other community sporting events;
- (2) condemns the Roads and Traffic Authority [RTA] proposal to use the car park of the athletics field as a compound while it builds the Lane Cove tunnel, thereby threatening the use of the field; and
- (3) calls on the Government to immediately direct the RTA to find an alternative site for the compound.

I gave notice of this motion two years and three months ago and a number of things have happened since that time. However, I want to stress the importance of the West Chatswood Rotary Athletics Field and its contribution as a community amenity. I want to talk also about the impact of the Lane Cove tunnel project on the electorate of Willoughby. The continuing use of the field was threatened by the establishment of a work compound, which would have prevented people from parking their cars and gaining access to the athletics field. There were also safety issues surrounding the work compound.

I must say at the outset that I am relieved that shortly after I raised my concerns in this House and led a number of community delegations that made representations to the relevant authorities, consideration was given to the community's right to continued access to the site and the athletics field car park was no longer totally required for the compound for the Lane Cove tunnel project. On that occasion the voice of the community was heard. This should never have been an issue in the first instance. Those planning work around the site should have taken into account the level of use of the site, especially on weekends and for school and sporting organisations. There should never have been a question of access to the site or of denying the community use of the field. Regrettably, there was a problem, but after much community angst and concern the relevant authorities finally heeded those concerns and acted accordingly.

There was much relief on the part of those groups in the community who use the site that access was no longer threatened. Since that time there have been further amendments to access, especially in relation to buses that transport schoolchildren and others to the site, and improved parking facilities and traffic conditions around the site. I have said previously in this House, and would like to reiterate, that the oval is important to members of the community. Northern Suburbs Little Athletics and UTS Northern Suburbs athletics competitions, and numerous other events, take place on the oval. In addition, I have attended school carnivals there.

Honourable members may be aware that the Willoughby electorate is becoming very densely populated, and public open spaces are few and far between. Ovals such as this are treasured and highly valued. School and community events and many charitable events take place there. For example, last year's Relay for Life took place at that oval. I also want to take this opportunity to highlight the contribution made by Chatswood Rotary Club in this regard. The oval is aptly named West Chatswood Rotary Athletics Field because the Rotary Club has done an incredible job in maintaining the oval. Last year I attended the opening of a new boardwalk at the oval, which permits additional access to the site and enables people to enjoy the natural bushland surrounding the area. That once again highlights the contribution that Chatswood Rotary has made to the upkeep of that very important oval.

As I mentioned, access to the athletics field should never have been an issue. Those planning work for the Lane Cove tunnel construction in the vicinity of the oval should have appreciated the vast community need for those facilities. I am relieved, however, that since this motion was placed on the notice paper more than two years ago, the issue has been resolved. I would point out, however, that that is an exception. So far as the Willoughby electorate is concerned, there are many outstanding issues regarding both the construction and post-construction phases of the Lane Cove tunnel project in respect of which the concerns of residents and members of the community have been totally ignored. I want to place a number of those concerns on the record once again, as I did yesterday and as I have done on many previous occasions.

Firstly, residents' concerns in relation to tunnel filtration continue to be ignored. The Federal Government has put on the table a very generous offer of \$10 million to pay for filtration, so long as the State Government matches the offer. However, the State Government has refused to match that very generous offer. That is outrageous! The State Government is taking little notice of very valid concerns raised by the community, especially in Artarmon and nearby areas, relating to health issues, pollution and air quality. They are major issues of concern to the local community. Secondly, traffic routes in the post-construction phase are of concern. I have highlighted previously the fact that access to the Pacific Highway, especially for residents of the Northview apartments, will be compromised once the construction has been completed and the tunnel is in use.

This will mean an increase in traffic on many residential streets in Artarmon. Many large vehicles that currently access parts of the Pacific Highway at Artarmon and Chatswood in order to deliver vehicles and other major loads will potentially now have to use residential roads in order to access certain parts of the Pacific Highway. So far as Naremburn is concerned, the irony is that a bike path has been proposed at Naremburn shops, together with an overpass as part of the plan, yet every single interest group within the community that is associated with the project has raised safety concerns about the current RTA proposals. After I raised those very serious matters in this place and in the community, the RTA agreed to allow a six-month period for consultation with the community. But—shock, horror—it then went back to its original proposal, ignoring the many concerns raised on behalf of the community.

Many residents have expressed concern to me about the bike path as it comes through Park Road and in the vicinity of Northcote Road in Naremburn. The Willoughby electorate has a very strong biking community, as it should. No-one is arguing about the need for a continuous bike path, but the location designated by the RTA is totally inappropriate, especially in relation to the vicinity of the Naremburn shops. It is unsafe. The views of the committee and views expressed by many organisations, such as the progress association and other authorities, have fallen on deaf ears, and that is simply unacceptable.

In addition to that, there are outstanding issues regarding noise barriers, which the RTA has ignored. In fact, things came to an abrupt conclusion some 10 days ago when a very highly respected member of the community resigned from his position on Community Consultation Group No. 3 because he believed that the so-called consultation process regarding the Lane Cove tunnel project and the Willoughby electorate is an "absolute sham"—they were his words—and he no longer wanted to be part of a process that appeared to be providing consultation to the community when in fact the RTA's designated plans have not changed, notwithstanding the many concerns raised by the community.

I cannot emphasise enough the concerns that many of my constituents have expressed to me regarding the Lane Cove tunnel project. The most frustrating thing about these concerns is that if the RTA had been willing to keep an open mind and listen, many of them could have been resolved. It is still possible to resolve many of those concerns. The State Government is totally ignoring community concerns and the RTA is hell-bent on sticking to what it perceives to be the right thing, without considering the legitimate and justifiable concerns of the community. This should not and cannot continue. Residents give up many hours of their time to participate in this process and it is extremely unfortunate that the consultation process to date has been ineffective. I believe that to be the case because the voices of the community have been totally ignored. The motion before this House today is an exception to the rule, but, as I said, it should not have come to this point. I should not have had to move the motion in the first instance.

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [12.18 p.m.]: I oppose the motion moved by the honourable member for Willoughby on the West Chatswood Rotary Athletic Field. As the honourable member acknowledged in her contribution, this issue was dealt with by the Government and the Roads and Traffic Authority [RTA] some time ago. It concerned a request for alternative parking for the athletics field, which was required because of construction work on the Lane Cove tunnel. The impact on the athletics field was the use of parking spaces for a compound area for materials used in the construction of the tunnel. Willoughby council accepted the need for the compound and requested alternative parking for approximately 80 cars.

In response, I am advised that the RTA identified a preferred option for 73 parking spaces and an alternative option for 80 spaces. The general manager of RTA Motorway Services, Mr Garry Humphrey, sent these options to the general manager of Willoughby council in a letter dated 27 August 2003. For the benefit of members opposite, I will reiterate the preferred option. It comprised retaining eight spaces adjacent to the athletics field, reducing the construction compound to provide for 35 spaces, utilising the existing grassed area on the eastern side of the access road to provide for 30 parking spaces, including one for disabled people, and providing 15 new parking spaces in a new area on the northern side of Mowbray Road West, including improved pedestrian facilities from there to the park.

I am advised that the RTA preferred this option because it provided for closer proximity parking to the athletics field and did not conflict with bus movements. It also improved the bus drop-off and pick-up facility on Mowbray Road West through reduced impact on bushland and residents' visual impact. The RTA also considered and assessed alternatives to the operation of the compound area, including the construction of an underground cavern. The RTA concluded that the alternatives would cause a lengthening of the construction of the Lane Cove tunnel and further frustrate local residents. The Government clearly does not want to upset the constituents of the honourable member for Willoughby.

The RTA noted that upon completion of the tunnel the existing car park would be returned to the athletics field in its pre-construction state. I note that returning the car park to its original state was a pre-condition to granting planning approval for construction of the Lane Cove tunnel. The honourable member for Willoughby would know that in a letter dated 4 December 2003 Willoughby City Council agreed to provide access to the RTA for the construction of the compound and temporary parking. The honourable member would also know that very recently—yesterday in fact—the RTA consulted with the Northern Suburbs Little Athletics Club. The club said it is happy with the co-operation of the RTA and the Lane Cove tunnel company in addressing this matter.

The honourable member for Willoughby should know that she is welcome at any time to withdraw motions if outcomes have been achieved in the interim. This would allow the RTA and other government departments more time to achieve real results for electorates like that of the honourable member. The time of the House could be better spent if the honourable member made a private member's statement in relation to the wide-ranging issues that she proceeded to discuss after conceding that the first issue was resolved.

Ms GLADYS BEREJIKLIAN (Willoughby) [12.23 p.m.], in reply: I thank the Parliamentary Secretary for her response, and yes, I am aware of all the facts she has raised in this case. But the Parliamentary Secretary and the Government should be aware of the enormous angst that these matters created because the Government could not get the situation right in the first place. My community asked me to put this motion on the notice paper, and because the Government has not managed the business of this House it has taken two years and a few months for the motion to come up for debate.

I do not for a second resign from my right as a member of Parliament to wait my turn and discuss issues which have been and continue to be very important to my community. I sincerely hope that members opposite do not share the views of the Parliamentary Secretary in denying me my right to put these issues on the record. This issue is important because it is symbolic of a wider problem impacting on the Willoughby electorate as we speak. This issue is an exception: it has since been resolved, and I am relieved it has been resolved. But it is indicative of the fact that it should never have been an issue in the first place. Why could the State Government and why could the RTA not have known and accepted that their initial plans would have caused mass disruption to an important community facility?

Why did it take a lot of angst on the part of the community? Why did it take my having to raise this issue with a number of authorities and working with council and other authorities for the RTA to fix the problem? The issue should not have arisen in the first place. It is important to debate this point today because it highlights that these issues are ongoing as far as the Lane Cove tunnel construction is concerned. Two years ago this was an issue in my electorate and today the issues in my electorate are filtration, changing traffic routes, especially in relation to access to the Pacific Highway, proposed bike tracks, which are causing angst for constituents, and increased traffic on residential streets. The list goes on.

There are at least five or six major hotspots in the Willoughby electorate caused by the Lane Cove tunnel project, and these are ongoing problems. What this motion highlighted two years ago, and highlights now, is that these issues should not have come to the fore in the first place; there should have been proper consultation. The definition of "consultation" as per the RTA and the State Government is, "We will decide what is best for you. We will set up these committees and pretend to have consultation. You can express your concerns, but—guess what—we will come back to what we originally had."

Ms Alison Megarrity: That is not what they have done.

Ms GLADYS BEREJIKLIAN: But that is what is happening in the Willoughby electorate when we talk about tunnel filtration; when we talk about air quality; when we talk about changing traffic routes, especially in relation to Pacific Highway; when we talk about increasing traffic on residential streets. Whilst the issues in this motion have, to an extent, been resolved since the time this motion came to the attention of the House, it is appropriate to discuss the matter this morning because there are ongoing issues which the RTA and the State Government need to address in relation to the impact of the Lane Cove tunnel project on the electorate of Willoughby.

I know that members opposite, especially the Parliamentary Secretary, would rather I did not air these concerns, but these issues need airing at every opportunity. I totally reject the notion that there has been a proper consultation process as far as the Willoughby electorate is concerned in relation to the Lane Cove tunnel construction and post-construction phases. I will continue to raise these motions, notwithstanding what Government members try to do to gag debate and discourage members from raising these concerns. I certainly will not be influenced by their bullying. They may try to bully the community and bully us in other ways, but they certainly will not thwart my right to express the concerns and views of my community in this place. I would have expected better from the Parliamentary Secretary.

I have already stressed to the community the importance of the athletics field. I am relieved that the issues regarding access have been resolved, and I again call upon the RTA and the State Government to consider the many constituents impacted by the construction and post-construction phases of the Lane Cove tunnel project. I call upon them to engage in genuine consultation—not the current definition of "consultation", which is bypassing the concerns of residents.

Motion negatived.

SOUTHERN HIGHLANDS PUBLIC SCHOOLS

Ms PETA SEATON (Southern Highlands) [12.26 p.m.]: I move:

That this House:

- (1) notes:
 - (a) the outstanding achievements of Southern Highlands public schools in all fields of endeavour;
 - (b) the overcrowding in Bowral and Picton high schools and the need for an additional public high school in the Southern Highlands;
 - (c) the failure of the Government to provide adequate protection for schools such as Bargo Public School, which was recently the subject of vandalism; and
 - (d) the failure of the Government to provide for major upgrades and new facilities at many schools including Moss Vale High School; and
- (2) calls on the Government to commit to resourcing all Southern Highlands school needs in the 2003-04 budget.

My motion is very important because it goes to the heart of all the issues in the Southern Highlands electorate to do with public schools and the essential role those public schools play, and the amazing achievements that our parents, teachers and students in local public schools make on a day-to-day basis but which are let down by poor facilities and a lack of commitment by the Iemma Government to upgrade those facilities. It has taken two years for this motion to come up for debate because the Iemma Government refuses to give sufficient time to private members' business in this place. In paragraph (2) of my motion we could easily substitute the 2005-06, the 2006-07 and the 2007-08 budgets to the same effect.

There are many public schools in my electorate, all of which need some level of upgrading of facilities. I will focus on some of them today, but before I do so I wish to refer to the crisis that has arisen in the Iemma Government's plans to cut back IO and IM classes and teaching resources to many schools in my area and, indeed, across the State. There are concerns that services currently provided at Picton, Mittagong and Moss Vale will be cut back. I am also aware of concerns in the Illawarra area, where I have a shadow portfolio responsibility, that many parents who have children who require extra attention in an integrated public school setting find they are either faced with many kilometres of extra travel because classes will be cut in some areas and consolidated in others, or they will be provided with what would appear to be a second-rate service where some other lower level of resourcing is provided to those children. Many people are very concerned about this. The Government has set up a so-called consultation process in my area to deal with the matter.

Recently I received information from the regional superintendent about what that consultation process involved and the participants in it. I note that the consultation process was completely stacked in favour of the Government. Ten representatives were from government entities and departments, and only five could be reasonably construed to be student or parent representatives. So the odds are stacked against them from the beginning. This is really about the Government setting up a process to post-validate a decision it has already made. I put the Government on notice that if it proceeds with these plans there will be an enormous community backlash in the Southern Highlands and, I dare say, the Illawarra as well.

Both Bowral and Picton high schools are in urgent need of an upgrade of facilities. I have raised the issue in this House in the past. I visited Picton High School with Rae Dutton and other members of the parent community, and was shown the facilities that need upgrading. Nothing has changed in that regard since my tour to the school a year or so ago. I call on the Government to come forward with a plan to upgrade Picton High School facilities, as well as those at Bowral High School, which has many projects on its planning agenda that need support.

I also raise the need for an upgrade of facilities at Bowral Public School, an issue I have raised many times in this place. In 1995 the former Fahey Government had on its immediate agenda plans to proceed with an additional public high school in the Bowral area. Those plans were dumped by the incoming Carr Government. The parents of students at Bowral Public School are now being asked to make a decision that will affect the provision of public primary school facilities in the Bowral area for decades to come. Rather than having a two-school option for consideration, parents are being railroaded into a position where they have to agree to sell off Bowral Public School—the school that Sir Donald Bradman attended as a primary school student—in order to afford the establishment of a new public primary school at the so-called Retford site.

The parents are wondering why they are being asked to make this decision now on the basis of no demographic information. Essentially, they feel they are being railroaded into a process that they have been wanting to engage in for the last eight years, as I have, but the Government has refused to address the issue until now. The Government is now in an unholy hurry: within the next few weeks it wants consultation to take place with the parent community and a decision to be reached. Again I fear that the Government has made a decision that it expects the parents to post-validate, in a situation that I believe is less than ideal. I have also raised on a number of occasions the need for an upgrade of facilities at Bargo Public School. There appears to be some movement in the sale of the vacant land next to the school, which might go towards providing some facilities, but certainly not the new library that the school desperately needs. Currently the school has a demountable library that is absolutely substandard.

I wish to particularly focus on Moss Vale High School. I acknowledge the efforts made by Thomas Armfield, a student at Moss Vale High School who has consulted with his school colleagues, the parent community and the principal to come up with an update on the needs of the school. I thank Thomas Armfield for his research efforts in that regard. Moss Vale High School is a dynamic, exciting high school in the Southern Highlands electorate. The school has a diverse mix of clever, high-achieving students and a dedicated, hardworking staff. Sadly, however, the achievements of both staff and students are being let down by the New South Wales Government's failure to provide not enough basic and adequate funding to the school. I raise today only the most serious matters concerning facilities at the school. One of the major facility problems is a very small hall. The school hall is adequate for a school of 350 children. It has no internal toilets, and it is not possible for the school to conduct major school events with parents present, in the hope of demonstrating the value of public education. Moss Vale High School currently has more than 730 students, and it is likely that the school's numbers will continue to grow in the next five years.

The weather in the Southern Highlands demands a proper multipurpose centre to enable students to participate effectively in sports and PD/H/PE programs. Many high schools that are much smaller than Moss Vale High School have multipurpose centres, even high schools with fewer than 300 students. It is grossly unfair that students have been disregarded through failure to provide such an important school amenity for so many years. The multipurpose centre has been promised to Moss Vale High for years, and has been acknowledged by the Department of Education and Training in its facilities review. However, no funding has even been delivered to the school. Year after year, Moss Vale High School's request is passed over; nothing has been done, and nothing is being done.

Year 10 students practising Latin American dance for a School Certificate assessment were forced to practise outside on a poorly maintained oval as the hall is occupied many days during the week. Students' marks were surely affected due to the consequence of practising on a rough surface, then making the transition to the hall on the day of the assessment. The school currently has five demountables that are coming up for their twenty-fifth birthday. When the demountables were first installed the school was told by the department that they were temporary. The fact that they remain in the school after more than 20 years is, understandably, puzzling to many people. The demountables leak whenever it rains, they are cold in winter and hot in summer, there is a kiln inside one of the rooms that can only be used on weekends for health reasons, and they detract from the appearance of the school.

The community of Moss Vale High School, including teachers, parents and, most importantly, students, would like to know why the New South Wales Government has left a wonderful school like Moss Vale High out in the cold. The school does not deserve it, as do no public schools in New South Wales. The Director-General of the Department of Education and Training has made a personal visit to Moss Vale High School and discussed the many issues regarding facilities with staff and students. He is well aware of the inadequate treatment Moss Vale High has received regarding funding. Not only building facilities have been ignored; computers and technology are left at a basic level that students and staff do not deserve. The convergence of technology that is occurring rapidly needs to be part of the Government's thinking when it is providing computers to schools as students can be easily left behind. The students at Moss Vale High School are just as deserving as the students at publicly funded private schools and should have access to the latest technology.

It is regrettable that the school community feels it has to expose the problems to the media to actually get the Government moving. For example, the leaking to the *Daily Telegraph* of safety problems in design and technology classrooms was the only way the problem could be addressed. Even so, the problem has not been fixed as adequately as it should have been; it was only acted upon quickly to cover any embarrassment or concern for students that the report may have disclosed. Many in the school community are sick of the Government spoon-feeding them the notion that children are the future and public schools are so important in

New South Wales. The facilities at Moss Vale High are proof that the Government does not care about the conditions students are subjected to.

Time after time the school is pushing for grants to bring facilities to a satisfactory level. Members of the school community say that many publicly funded private schools in the region have state-of-the-art facilities and learning centres. They do not begrudge those schools of such benefits but simply ask that Moss Vale High, as a public school, receive the same attention and assistance. I commend the motion to the House.

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [12.37 p.m.]: The Government does not support the motion as it stands. I move:

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

"this House:

- (1) notes the outstanding achievements of Southern Highlands public schools in all fields of endeavour;
- (2) congratulates the Government on its record of achievement on capital works in schools in the Southern Highlands; and
- (3) congratulates the Government on its commitment of funding for schools capital works in the 2005-06 budget.

This Government has a proud record of supporting public schools in New South Wales, and we are building on that achievement with further capital works and security expenditure this year. The Government's 2005-06 budget provides significant funding for new and enhanced facilities in our public schools. More than \$587 million is committed for capital works and maintenance of more than 2,240 schools servicing almost 750,000 students. This funding is dedicated to the construction of new schools and upgrading schools by building halls, canteens, new classrooms and libraries. It also provides information and communications technology infrastructure, and minor capital works such as electrical and amenities upgrades.

Honourable members may recall that two new schools were announced in this budget, at St Marys and Second Ponds Creek. These new schools will provide critical infrastructure for expanding communities. More than 600 minor capital works projects were recently announced by the Premier and the Minister for Education and Training. That includes 139 air-cooling projects to make classrooms in the hotter parts of the State more comfortable. These air-cooling projects build on the work that has been completed to meet the Government's commitment to aircondition all demountable classrooms and libraries. It is also funding 170 special needs access projects, to enhance the accessibility of our schools by building lifts, ramping and covered ways.

Importantly, the Government has committed funding to an additional 39 new security fences at a cost of around \$6 million this year. The Government's analysis shows that security fences are extremely effective at preventing opportunistic crime such as vandalism and trespass. All these projects will be undertaken this financial year to enhance our public schools. This year's funding of \$392 million for schools capital works is part of more than \$3 billion provided by this Government since 1995 for school and TAFE improvements. We have spent an additional \$1.5 billion on schools maintenance since 1995.

The honourable member for Southern Highlands has moved a motion that accuses the Government of failing to provide capital works for schools in the Southern Highlands. That is clearly false. I am advised that from 1995-96 to 2004-05 schools in the Southern Highlands electorate have benefited from over \$25.4 million of capital works funding, with an additional \$900,000 in upcoming capital works in 2005-06. That is over \$26 million for capital works in Southern Highlands schools. The department also undertook a facilities review in relation to Moss Vale High School, in consultation with the school community, and the final report of this review was presented to the school in April 2004. The report will be considered by the department in formulating future capital works priorities.

I am pleased to inform the House that a project to provide improved accessibility at Moss Vale High School has been approved and tenders have been called. This year's minor capital works program also provides for Southern Highlands schools. Extensive access works will be completed at Picton High School to provide ramps and modify amenities for staff, students and visitors with special needs. Bowral Public School will receive a toilet upgrade, and Bowral High School will have the benefit of a health and safety project. Exeter Public School's former residence will be converted to provide a new administration facility. Oakdale Public School will also benefit from a toilet upgrade and connection to the Sydney Water sewer scheme.

These projects clearly demonstrate the Government's commitment to ensuring high-quality education facilities for our excellent public schools, including those in the Southern Highlands. Further capital works projects for the Southern Highlands electorate, including a redevelopment at Moss Vale High School, will be considered in the context of future capital works programs, in line with competing priorities across the State. The honourable member for Southern Highlands also referred to security of local schools. The safety of our students and staff is of the highest priority. With over \$15 billion of built assets across the public education system, we are committed to protecting those assets. That is why the Government has provided funding for 39 new security fences this year.

As I said, these fences are part of the Government's commitment to fence an additional 200 schools by 2007, at a cost of over \$20 million. I am advised that the department's safety and security directorate regularly monitors security breaches that are reported by schools and provides on-site risk assessments by expert security officers. Schools are also provided with advice on strategies to reduce the risk of security incidents. A risk management officer from the safety and security directorate has visited Bargo Public School on three separate occasions during 2005 to provide support and advice, and a further visit to the school will be undertaken this term. Bargo Public School has been provided with an electronic alarm system, which is monitored by the school security unit. The unit also provides contracted security guard responses to alarm activations and maintenance for this system.

This regular action is hardly a failure to protect local schools, as the honourable member for Southern Highlands wrongly suggested. It is an ongoing system of securing our schools so that they are safe and comfortable places for teaching and learning. We have a world-class public education system in New South Wales and we are providing world-class facilities to support teaching and learning. The last thing the public education system needs is honourable members talking down its standards and facilities.

Mr JOHN BARTLETT (Port Stephens) [12.43 p.m.]: I support the Government in opposing the motion as it stands. The honourable member for Menai has moved that the motion be amended to delete paragraphs (1) (b) to (1) (d) and (2), and insert new paragraphs (2) and (3). So the motion would read:

That this House:

- (1) notes the outstanding achievements of Southern Highlands public schools in all fields of endeavour;
- (2) congratulates the Government on its record of achievement on capital works in schools in the Southern Highlands; and
- (3) congratulates the Government on its commitment of funding for schools capital works and security measures in the 2005-06 budget.

The honourable member for Southern Highlands is also the shadow Treasurer. According to the Government, the Coalition has promised something like \$16.8 billion in unfunded capital works in the Southern Highlands electorate, and we are still 18 months away from the next election. The honourable member for Southern Highlands cannot push the barrow for the Southern Highlands and not look at the other 93 electorates in this State. Obviously the honourable member for Southern Highlands has decided to look after the needs of her electorate, rather than consider the education needs throughout the State. The Government must consider the school and education needs of all electorates and set priorities. The honourable member for Southern Highlands must show that a better education system is being provided across the State, rather than simply saying, "This isn't happening" and "That isn't happening."

I reiterate the Government's record in relation to capital works and maintenance in the Southern Highlands and across the State since coming to office in 1995. More than \$3 billion of funding has brought significant improvements to schools and TAFE since that time. All electorates have education needs, and all members lobby the education Minister to do the best they can for their electorates. The shadow Minister must provide a priority list that reflects the needs of the State, not just her electorate. What did we spend this \$3 billion on? That is 64 new schools, 21 new public preschools, more than 360 major school upgrades and more than 130 TAFE works.

For example, during this period the Port Stephens electorate got a new school and a new preschool. Also, as the local member I have constantly lobbied the Minister to improve the schools in my electorate, as have other members. At the end of the day the shadow Treasurer must provide a formula that is fair across the whole State, not just her electorate. This year more than \$390 million has been provided for the construction or redevelopment of schools and the provision of information technology infrastructure. A further \$84 million has been allocated to upgrade and redevelop TAFE institutes across the State, as well as the National Art School.

In addition, since coming to office the Government has spent well over \$1 billion on school maintenance, including schools in the Southern Highlands. The allocation for schools is part of the four-year, \$1.2 billion schools improvement package—we have not heard a word about that from the shadow Treasurer—which the Government commenced in 2001. Where is the Coalition's package? What would a Coalition government do? From 1995-96 to 2004-05 schools in the Southern Highlands electorate have benefited from more than \$25.4 million of capital works funding. That is the Southern Highlands' share of the capital works funding that has been distributed to the 93 State electorates.

Government school students in the Southern Highlands have access to a number of gifted and talented programs in their schools. Looking only at computer technology, at present students in the New South Wales school system have access to more than 130,000 computers, which are constantly being refurbished or replaced. In contrast, the computers in schools in America and Canada are usually hand-me-downs from industry; that is what the Canadian and American education systems are using. The technology upgrades in schools in the past 10 years are magnificent, compared with what has occurred in other countries in the Western World. I met a 14-year-old boy in Uruguay who took me to his local computer classroom. He spoke excellent English and knew where the computer room was but he had never been inside it. [*Time expired.*]

Ms PETA SEATON (Southern Highlands) [12.48 p.m.], in reply: At the outset I indicate that we reject the Government's amendment. It is a great insult to school communities not only in the Southern Highlands electorate but throughout the State. I am sure all of my Coalition colleagues are insulted by what the honourable member for Menai and the honourable member for Bathurst said.

Where is the Minister for Education and Training? She is now a member of this place and she could not take the time to listen directly to concerns from the Moss Vale High School community, and from high school and primary school communities across my electorate, who have a great interest in what the Minister for Education and Training might think about the concerns that have been raised today; she could not be bothered to be here. This is an insult to Southern Highlands schools. The Parliamentary Secretary called the quality of the facilities in our local schools world-class. I would like her to visit Moss Vale High School, Bowral High School, Picton High School and many of our public primary schools and say that to the parents who are struggling with leaky classrooms and inadequate numbers of power outlets. Moss Vale High School cannot use its art kiln during normal class times. I have raised these issues today and on many occasions throughout my time in this place.

Before the Parliamentary Secretary accuses me of talking down our public school facilities, I remind her that the comments I made about Moss Vale High School were made in direct consultation with the school, the school students and the school community, and the other issues I have raised were in consultation with those school communities as well. The Government uses this tactic all the time. Every time I visit school communities and talk to parents and citizens associations they say they have a great deal of difficulty with the existing facilities but the teachers and students do a great job in the school. The parents say they do not want to raise these issues in the media, even though they know them to be true, as that would give the community the impression that they should not enrol their children in these schools. We want people to be proud of their local public schools and we want people to continue to send their children there. School communities walk a fine line between speaking out about the inadequacy of some facilities and maintaining and promoting the educational reputation and great work of the schools, which are well deserved. Before the Parliamentary Secretary accuses me of talking down school facilities, I ask her to take a reality check about the day-to-day problems that school parents and citizens associations go through in walking that fine line.

I reject this self-congratulatory amendment by the Government, which really has not been listening. The Parliamentary Secretary does not have a clue about the situation at Moss Vale High School, or she would not have moved this amendment. I suspect when people in my local school communities see this amendment they will roll their eyes and say that the Government just does not get it. The Government has wasted millions of dollars on failed, overdue and poorly managed infrastructure projects on the State infrastructure strategic plan—at last count about \$750 million of wasted money on overbudgeted and poorly managed projects. That \$750 million could have paid for a lot of new school halls, school libraries and many other great facilities.

The Parliamentary Secretary also tried to claim credit for \$25 million worth of capital works in the Southern Highlands electorate. The Colo Vale and Hilltop school development projects were absolutely essential, and no-one in those areas sees them as a luxury for which we should be genuflecting to the Government in thanks. These are school projects that were much needed. They were hard fought for, and if the Government had had its way we would not have had them in the first place. They only happened because of the

strong advocacy of the school communities at Hilltop and Colo Vale. The Government is congratulating itself for putting in ramps for children with disabilities at certain schools when those things should have been there in the first place. We should not have to go cap in hand to the Government and then thank it at the end of the day. I reject the Government's amendment and I stand by everything I have said in defence of Southern Highlands schools.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 47

Mr Amery	Mr Gibson	Mr Orkopoulos
Ms Andrews	Mr Greene	Mrs Paluzzano
Mr Bartlett	Ms Hay	Mr Pearce
Ms Beamer	Mr Hickey	Mrs Perry
Mr Black	Mr Hunter	Ms Saliba
Mr Brown	Ms Judge	Mr Sartor
Ms Burney	Ms Keneally	Mr Shearan
Miss Burton	Mr Lynch	Ms Tebbutt
Mr Campbell	Mr McBride	Mr Tripodi
Mr Chaytor	Mr McLeay	Mr Watkins
Mr Collier	Ms Megarrity	Mr West
Mr Corrigan	Mr Mills	Mr Whan
Mr Crittenden	Ms Moore	Mr Yeadon
Mr Daley	Mr Morris	<i>Tellers,</i>
Ms D'Amore	Mr Newell	Mr Ashton
Mr Debus	Ms Nori	Mr Martin

Noes, 33

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

Pairs

Ms Allan	Mr Armstrong
Mr Price	Mr Cansdell

Question resolved in the affirmative.

Amendment agreed to.

Question—That the motion as amended be agreed to—put.

The House divided.

Ayes, 47

Mr Amery	Mr Gibson	Mr Orkopoulos
Ms Andrews	Mr Greene	Mrs Paluzzano
Mr Bartlett	Ms Hay	Mr Pearce
Ms Beamer	Mr Hickey	Mrs Perry
Mr Black	Mr Hunter	Ms Saliba
Mr Brown	Ms Judge	Mr Sartor
Ms Burney	Ms Keneally	Mr Shearan
Miss Burton	Mr Lynch	Ms Tebbutt
Mr Campbell	Mr McBride	Mr Tripodi
Mr Chaytor	Mr McLeay	Mr Watkins
Mr Collier	Ms Megarrity	Mr West
Mr Corrigan	Mr Mills	Mr Whan
Mr Crittenden	Ms Moore	Mr Yeadon
Mr Daley	Mr Morris	<i>Tellers,</i>
Ms D'Amore	Mr Newell	Mr Ashton
Mr Debus	Ms Nori	Mr Martin

Noes, 33

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

Pairs

Ms Allan	Mr Armstrong
Mr Price	Mr Cansdell

Question resolved in the affirmative.

Motion as amended agreed to.

[Mr Speaker left the chair at 1.06 p.m. The House resumed at 2.15 p.m.]

CENTRAL WEST FLOODING**Ministerial Statement**

Mr MORRIS IEMMA (Lakemba—Premier, Treasurer, and Minister for Citizenship) [2.15 p.m.]: I can think of no better way to have spent my 100th day as Premier of New South Wales than to share it with the community of Molong in the central west of New South Wales. Molong has been hit this week by wild weather. Shops, homes and businesses have been inundated and livelihoods swept away. One thing that was not swept away is the unique spirit and character of our rural communities. That is what I saw in Molong this morning: neighbours helping neighbours, a community rallying around its own.

I advise the House that the Government has declared Molong, Wellington, Forbes, Orange, Bland and Lachlan local government areas eligible for natural disaster assistance. Natural disasters such as this cause massive disruption to people's daily lives and to regional communities. The natural disaster declaration allows the Government to assist residents, business owners, sporting clubs, councils, churches and other non-profit

organisations in a number of ways. Assistance will now be available to councils to restore essential services such as roads and bridges. The Molong newsagency looks to have been hit by a wrecking ball. A side wall was obliterated by the force of water. The owners have set up a newspaper stand on the footpath this morning. They are still open for business.

Over the road at the supermarket the refrigerators are ruined and a significant amount of stock has been lost. However, the main concern of the owner, Graham Barnes, is to make sure he can pay the wages of his staff, who were at work today cleaning up the store. The Department of State and Regional Development can also offer assistance to businesses needing help to get started again. Today the Government has established a one-stop shop in Molong, bringing together all the government agencies that can provide assistance and information under the one roof at the council chambers. Tomorrow the team will move to Eugowra. Subsidies are available to primary producers to help them with road and rail freight, and the purchase of replacement livestock, machinery and other assets.

Small businesses, sporting bodies, churches and non-profit organisations are eligible for a range of grants and low interest loans to help with replacement of damaged assets. Personal hardship and distress assistance is also available through the Department of Community Services. The motto of the State Emergency Service [SES] is, "The worst of nature, the best of us." Today I was proud to thank in person the magnificent SES volunteers who have rallied in Molong's time of need. This week the Molong SES unit responded to the rescue of a mother, her child and four other people trapped in a vehicle in rising floodwaters.

I thank the SES volunteers and other emergency service workers who assisted residents and property owners affected by the floods. In times of trouble—whether it is flood, storm or other natural disasters—our SES volunteers and members of our other emergency services can always be relied upon to turn out to help those in need. They have again done a marvellous job evacuating residents and helping people whose properties and possessions have been damaged by falling trees, branches and other debris flung around at the height of the storm. Their hard work and commitment to protecting their community deserve the highest praise.

The Department of Primary Industries advises that early indications are that the weather this week has caused as much as \$7 million in damage to crops in the central west, more than 1,000 stock died in the floods, and damage to buildings and fences stands at \$8 million—although these figures could rise. I pay tribute to the families, the State Emergency Service, the police and council staff who are working hard to ensure that the central west communities affected by this week's wet weather recover as quickly as possible.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [2.23 p.m.]: Australia truly is a land of floods and droughts, and we have seen that in the central west over the past week with the area moving from drought to the flooding rains written about by the poet. More than 100 millimetres of rain fell overnight on 7 November and, of course, we experienced flooding, particularly the communities of Molong and Eugowra. The Opposition welcomes the natural disaster declaration made in relation to this event, and welcomes the forms of assistance that will be made available, not only to farmers but hopefully to small businesses—including contractors, such as harvesters.

Farmers are looking forward to a reasonable harvest this season, although, sadly, some in the central west now will not be able to achieve that. Harvesters, produce stores and various other small businesses will need to be assisted through this particular disaster. This disaster highlights the challenges that our farmers and their communities must face, year in and year out, whether it be drought or flood, and government must stand ready to assist. I acknowledge the enormous effort that has been contributed by the various emergency services. The State Emergency Service, on its fiftieth anniversary, was to the fore in providing those emergency services throughout the region.

The Volunteer Rescue Association, the New South Wales Fire Brigades, the Rural Fire Service and the police have all stood ready to provide the assistance to those communities that is essential. One more point needs to be made in relation to droughts and flooding rains. It just breaks the hearts of many people in rural communities to see all of that water not only do the damage to those communities, but also just flow down those watercourses—in particular, the Lachlan and Bogan rivers—past existing dams. That water will not be conserved for use when we next have a debilitating drought, such as the one we have seen over the past five years. It behoves this Government to investigate further investment in infrastructure, in particular dams, to take advantage of these situations. Where we have an excess of water, let us store that water for future periods of drought and assist our farming communities, not only in times of flood but also in times of drought.

DISTINGUISHED VISITORS

Mr SPEAKER: I acknowledge the presence in the gallery of the New South Wales President of the Returned Services League, Mr Don Rowe, and the New South Wales Secretary of the Returned Services League, Mr Chris Perrin, guests of the honourable member for Fairfield. I also acknowledge the presence of the former member for Fairfield and Federal member for Prospect, the Hon. Janice Crosio, and her husband, Ivo.

COUNTER-TERRORISM MEASURES

Ministerial Statement

Mr MORRIS IEMMA (Lakemba—Premier, Treasurer, and Minister for Citizenship) [2.26 p.m.]: I am advised that this morning, as part of Federal and New South Wales police operations, a target vehicle was located in Northam Avenue, Bankstown. I am further advised that the vehicle has been partly torched, and that it may contain items that could be of interest to authorities as part of their ongoing investigations. I am further advised that hazmat and bomb squad officers attended the scene. The vehicle has been taken to an undisclosed location for further forensic examination. I am unable to make any further comment about this ongoing operational matter, and the incident follows the events in Melbourne and Sydney earlier this week. I place on the record my congratulations to the police and other agencies involved on their ongoing efforts. I conclude my ministerial statement by advising that our thoughts are with the families of those killed and injured in the Oman, Jordan, bombings in which three suicide bombers this morning claimed 57 lives. It is another sobering reminder of our need to be vigilant and determined in our fight against international terrorists.

Mr PETER DEBNAM (Vaucluse—Leader of the Opposition) [2.27 p.m.]: As I said earlier in the week, in relation to terrorism and counter-terrorism this House speaks as one. We endorse the words of the Premier on the actions of State and Federal police. Our thoughts and prayers are once again with the families of people who have been killed or injured as a result of terrorism.

BUSINESS OF THE HOUSE

Routine of Business

[During notices of motions]

Mr SPEAKER: Order! The honourable member for The Hills will resume his seat. This time is set aside for the giving of notices of motions, not for debate.

Mr MICHAEL RICHARDSON: Mr Speaker, I am willing to withdraw—

Mr SPEAKER: Order! If the honourable member for The Hills does not resume his seat he will be removed from the Chamber.

Mr MICHAEL RICHARDSON: It is very easy—

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

[Interruption]

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

[Interruption]

Mr SPEAKER: Order! I call the honourable member for The Hills to order for the third time. I shall carefully examine the motion to ascertain whether it complies with the standing orders.

Later,

Mr Carl Scully: Point of order: The notice of motion of the honourable member for Davidson relates to a matter that is currently the subject of police investigations. It is inappropriate and offensive that the notice should be put before the House; it will simply prejudice police investigations. I ask you to rule it out of order.

Mr SPEAKER: Order! I direct the honourable member for Davidson to submit the motion to the Clerks so it can be examined. I will then make a decision as to whether I will allow him to give notice of it.

Mr Andrew Humpherson: To the point of order—

Mr SPEAKER: Order! In view of the concerns raised by the Minister for Police I have directed the honourable member for Davidson to submit his motion to the Clerks so it can be examined. If it is decided that the motion is in order, I will allow him to give notice of it.

Later,

Mr Andrew Humpherson: Point of order: Before we pass to other business, I understand that we have just completed the business of the House relating to notices of motions. Can I have an indication as to whether I can give notice of my motion, which I do not believe is out of order?

Mr SPEAKER: Order! I am still conferring on that matter and I will rule on it later today.

Mr Andrew Humpherson: We are dealing with notices of motions.

Mr SPEAKER: Order! I am still conferring on that matter, and I will rule on it later. If the motion is in order I will allow the honourable member for Davidson to give notice of it at a later stage.

Mr Andrew Humpherson: Point of order: You were consulting with the Leader of the House.

Mr SPEAKER: I was consulting with the Clerk.

Mr Andrew Humpherson: You were discussing that notice of motion with the Clerk and with the Minister for Police. You were showing it to him. The motion is mine to give in the order in which I wish to give it. It is not to be debated or edited by the Leader of the House. You did not ask me for permission in that regard; nor did you consult with the Opposition Leader of the House. Why are you trying to prevent me from giving notice of a motion, which should be given during this portion of business? Why do you want to delay it until later in the day?

Mr SPEAKER: Order! I assure the honourable member that any suggestions in regard to editing will be discussed with him, and those suggestions will come from the Clerk.

Mr Andrew Humpherson: When will you allow me to give notice of the motion?

Mr SPEAKER: I will make a determination on it later.

Mr Andrew Humpherson: How much later?

Mr SPEAKER: Later today, and I will ask the Clerk—

Mr Andrew Humpherson: Are you talking about an adjournment?

Mr SPEAKER: Order! There will be no need for an adjournment. I ask the Clerk to read the petitions to enable further time for consultation.

Mr Andrew Humpherson: Will that consultation involve me?

Mr SPEAKER: Order! The honourable member for Davidson will resume his seat. I have indicated what I will do. The Clerk will read the petitions.

PETITIONS

Gaming Machine Tax

Petition opposing the decision to increase poker machine tax, received from **Mrs Judy Hopwood**.

Alstonville Bypass

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

Southern Tablelands Rail Services Timetable

Petition requesting changes to the Southern Tablelands CityRail timetable, received from **Ms Katrina Hodgkinson**.

Newcastle Rail Services

Petition opposing the cancellation of existing Sydney to Newcastle rail services, and requesting the provision of a light rail service between Gosford, Singleton and Newcastle using the existing rail corridor, received from **Mr Jeff Hunter**.

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**.

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**.

Unborn Child Protection

Petition requesting mandatory statistical reporting of abortions, legislative protection of foetuses of 20 weeks gestation, and availability of resources for post-abortion follow-up, received from **Mr Andrew Stoner**.

Kurnell Desalination Plant

Petition opposing the construction of a desalination plant at Kurnell, received from **Mr Malcolm Kerr**.

Wagga Wagga Electorate Schools Airconditioning

Petition requesting the installation of airconditioning in all learning spaces in public schools in the Wagga Wagga electorate, received from **Mr Daryl Maguire**.

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**.

Breast Screening Funding

Petitions requesting funding for BreastScreen NSW, received from **Mr Steve Cansdell**, **Mrs Judy Hopwood** and **Mr Andrew Stoner**.

Campbell Hospital, Coraki

Petition opposing the closure of inpatient beds and the reduction in emergency department hours of Campbell Hospital, Coraki, received from **Mr Steve Cansdell**.

Lismore Base Hospital

Petition requesting that Lismore Base Hospital remains an accredited centre of excellence, received from **Mr Thomas George**.

Yass District Hospital

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

Kempsey Water Fluoridation

Petition opposing the addition of fluoride to the Kempsey and district water supply, received from **Mr Andrew Stoner**.

Morisset St John of God Site Development

Petition opposing the proposed development at the former St John of God site at Morisset, received from **Mr Jeff Hunter**.

Kurnell Sandmining

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

Isolated Patients Travel and Accommodation Assistance Scheme

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

Shoalhaven Heads Golf Course Amenities Block

Petition requesting funding to assist in the construction of an amenities block at Shoalhaven Heads golf course, received from **Mr Matt Brown**.

Recreational Fishing

Petitions opposing any restrictions on recreational fishing in the mid North Coast waters, received from **Mr Andrew Stoner** and **Mr John Turner**.

Crown Land Leases

Petition requesting the withdrawal of changes to the rental structure of Crown land leases, particularly enclosed road permits, received from **Ms Katrina Hodgkinson**.

Grafton Bridge

Petition requesting the construction of a new bridge over the Clarence River at Grafton, received from **Mr Steve Cansdell**.

Edinburgh Road, Castlecrag, Traffic Conditions

Petition requesting a right turn arrow for traffic travelling west on Edinburgh Road, Castlecrag, turning north onto Eastern Valley Way, received from **Ms Gladys Berejiklian**.

Naremburn Bike Path

Petition requesting an alternative route to the proposed bike path in the vicinity of Naremburn shops, received from **Ms Gladys Berejiklian**.

F6 Corridor Community Use

Petition noting the decision of the Minister for Roads, gazetted in February 2003, to abandon the construction of any freeway or motorway in the F6 corridor, and requesting preservation of the corridor for open space, community use and public transport, received from **Mr Barry Collier**.

Barton Highway Dual Carriageway Funding

Petition requesting that the Minister for Roads change the Roads and Traffic Authority's priority for Federal AusLink funding for the Barton Highway to allow the construction of a dual carriageway, received from **Ms Katrina Hodgkinson**.

Tumut River Junction Bridge

Petition opposing the indefinite closure of the Tumut River Junction Bridge, received from **Ms Katrina Hodgkinson**.

Caringbah Traffic Conditions

Petition requesting the installation of turn signal arrows at the intersection of Port Hacking Road and Mackay Street, Caringbah, received from **Mr Malcolm Kerr**.

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**.

Macdonald River Signage

Petition requesting that the Macdonald River be provided with signage stating "4 or 8 knots, no skiing, no wash", received from **Mr Steven Pringle**.

PUBLIC ACCOUNTS COMMITTEE

Report

Ms Noreen Hay, as Chairman, tabled the report No. 14/53 (No. 157), entitled "Annual Review 2004-2005", dated November 2005.

Ordered to be printed.

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Report

Ms Marianne Saliba, as Chairman, tabled report No. 2/53 entitled "Study Tour of International Jurisdictions: Malta, Dublin and New York", dated November 2005.

Ordered to be printed.

QUESTIONS WITHOUT NOTICE

LANE COVE TUNNEL VENTILATION SHAFT

Mr PETER DEBNAM: My question is directed to the Minister for Roads. Given that the Minister said on Tuesday that the Lane Cove tunnel community liaison group was told on 10 November last year that the ventilation shaft would be shifted 65 metres, but this document, presented to that same meeting, shows the shaft located well to the east of the apartment block, will he now apologise for misleading the House?

Mr JOSEPH TRIPODI: There has been an extensive community consultation program for the Lane Cove tunnel. The main volume of the environmental impact statement [EIS] was also available on the Roads and Traffic Authority [RTA] web site. In addition, it could be found on the web site of Sinclair Knight Merz, the company that worked for the RTA on the environmental impact statement. Display centres were set up at Lane Cove and Neutral Bay and were open on a number of occasions. The display centres were run by representatives of the RTA and Sinclair Knight Merz, who were available to answer questions from the community. Models, concept designs, summary brochures and display copies of the environmental impact statement and working papers were available at the display centres.

Advertisements for the display centres opening times were placed in the *Daily Telegraph*, the *Sydney Morning Herald*, the *Mosman Daily*, the *North Shore Times*, the *Weekly Times* and the *Northern District Times* between 8 and 27 November 2001. The RTA and Sinclair Knight Merz's web site also advertised the times when the display centres would be open. Representations were received on the EIS and it underwent an extensive process of review, including identifying and considering the broad and specific issues raised in each representation.

Mr Peter Debnam: Point of order: My point of order is relevance. The Minister was asked about misleading the House. This is the diagram.

Mr SPEAKER: Order! The Leader of the Opposition's question had many facets. The Minister is answering the question.

Mr JOSEPH TRIPODI: I have received advice from the RTA that confirms that the community and council were advised about the tunnelling operations. I am advised that the locations of proposed tunnel operations were detailed at a construction community liaison group meeting on 10 November 2004. The meeting was attended by Lane Cove council representative Mr John Lee. Minutes of the meeting show that Thiess John Holland provided a construction update detailing the proposed changes. The liaison group was provided with representation on these works. The Lane Cove tunnel builders have also advised that a letter was sent to residents with a map attached showing this change. The RTA has provided me with copies of these documents and I ask leave to table them.

Leave granted.

Documents tabled.

Mr Peter Debnam: Point of order: I seek leave to table these documents.

Mr SPEAKER: Order! There is no point of order. The Leader of the Opposition knows the standing orders.

POLICE HIGH-SPEED PURSUITS

Ms NOREEN HAY: My question without notice is to the Minister for Police. What is the latest information on making police pursuits safer?

Mr CARL SCULLY: Police must engage in pursuits of fleeing offenders. To do otherwise is to give offenders the clear message that all they have to do is to drive off and police will let them go. That is intolerable and will not be allowed. Similarly, police must respond to calls for assistance or to serious incidents. Sometimes they need to respond urgently. That is a vital part of modern policing. They take the conduct of their urgent duty responses extremely seriously. To help protect the safety of both the community and officers, NSW Police has developed a coded system of driving that will be adopted statewide tomorrow. The coded system of driving will provide clear parameters for police responding to urgent duty and at the same time reinforce the requirements of safe driving policy.

Put simply, it is a colour-coded response system—blue for routine responses and red for urgent responses. Any qualified police driver may respond to a blue level alert. Most police vehicles may be used, including marked and unmarked sedans, caged trucks and solo motorcycles. No lights or sirens are to be activated, and a blue level alert may not be escalated without contacting police radio. Blue level alerts will be used for less serious incidents such as break, enter and steal; shoplifting; noise complaints; and a motor vehicle accident where there are no injuries and the vehicle is to be towed.

On the other hand, red level alerts will be used for the most serious incidents that require an urgent police response. These include, for example, armed hold-ups in progress, sieges, serious domestic violence incidents and motor vehicle accidents in which people are trapped or injured. In short, red level pursuits will apply when the community expects and needs police to be there quickly. Only highly qualified gold and silver certified police drivers may engage in red level pursuits. Except in life-threatening situations or emergencies, only fully marked or unmarked police pack sedans fitted with electronic sirens and lights will be used. These lights and sirens must be activated.

Under the coded system of driving, officers must first advise police radio of the response code and give an estimated time of arrival. Police radio must then acknowledge the response code before an officer engages in a red level alert. By advising police radio of the response, an officer is also informing other car crews, duty officers and supervisors of the capacity to respond. This will assist in managing the overall police response to an incident. NSW Police has already taken several measures to reduce the danger involved in police pursuits. In-car videos have been installed throughout the highway patrol fleet to record every aspect of each pursuit.

Mr Brad Hazzard: We suggested that 10 years ago.

Mr CARL SCULLY: Your idea? I guess you invented the Internet as well?

Mr Brad Hazzard: I did not invent the Internet, but I would like to tell the Minister that this report was done in 1994 and it has taken 10 years for his lot to recognise the recommendations for videos in police cars and the integral role they would have in reducing the danger to police.

Mr SPEAKER: Order! The honourable member for Wakehurst will resume his seat. The Chair accepts the apology from the honourable member for Wakehurst for not inventing the Internet.

Mr CARL SCULLY: The honourable member for Wakehurst has got me. It was all his idea and I have taken a long time to implement it! At least he can appreciate our acknowledgement of his heroic efforts. We have also introduced road spikes, which have reduced the incidence, duration and severity of pursuits. NSW Police also reviewed its safe driver policy in 2004, and local area and regional commanders are now required to be more accountable for pursuits. These measures have helped to ensure that only two pursuits out of more than 2,000 ended in fatalities in 2004-05, and only 3 per cent of pursuits ended in an injury to a person or persons. The coded system of driving is a considered, practical and appropriate response by NSW Police. It will manage both its operational needs and the community's expectations of a safe and lawful society.

LANE COVE TUNNEL VENTILATION SHAFT

Mr ANDREW STONER: My question is directed to the Premier. Given that the Premier said on Tuesday that the Lane Cove tunnel Air Quality Community Consultative Committee was told in 2004 of the change of location of the now collapsed ventilation shaft but the minutes of all the 2004 meetings of this committee make no reference to such disclosure, will he now apologise for misleading the House?

Mr MORRIS IEMMA: The Minister for Roads just answered that question.

Mr SPEAKER: Order! I call the honourable member for Georges River to ask the next question.

Mr Peter Debnam: Point of order: This is a critical issue to the people of New South Wales.

Mr SPEAKER: Order! There is nothing before the House on which to take a point of order. The Leader of the Opposition will resume his seat.

Mr Andrew Stoner: Point of order—

Mr SPEAKER: Order! Unless the Leader of The Nationals is taking a point of order on my calling the honourable member for Georges River to ask his question, there is nothing before the House upon which the Leader of The Nationals may take a point of order. The Leader of The Nationals will resume his seat.

SCHOOL CLEANING CONTRACTS

Mr KEVIN GREENE: My question without notice is directed to the Minister for Education and Training. What is the latest information on improving cleaning standards in our schools?

Ms CARMEL TEBBUTT: I am pleased to inform the House that from the beginning of term one next year there will be new rules for cleaning schools and TAFE colleges. They will mean higher cleaning standards and a more pleasant environment for students and staff. The staff and students do a great job in public education and they are getting great results. It must be frustrating for principals, teachers and students if their school is not properly cleaned or they are unable to get a good result in a quick and easy manner.

Under the new four-year cleaning contracts, which are worth more than \$218 million annually, problems ranging from unclean toilets to dirty carpets and messy canteens must be fixed within a day. The performance of the contractors will be more closely monitored and reviewed. For the first time, cleaning site managers must inspect the standard of cleaning with school principals and TAFE managers and they will be held accountable for the delivery of cleaning services. This requirement will mean monthly inspections for most schools and TAFE colleges.

Mr Brad Hazzard: Ten years too late.

Ms CARMEL TEBBUTT: The Coalition did not do it when they were in government.

Mr Brad Hazzard: Point of order: My point of order, under standing order 138, is relevance.

Mr SPEAKER: Order! There is no point of order. The answer being given by the Minister for Education and Training is completely relevant. The honourable member for Wakehurst will resume his seat.

[Interruption]

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

[Interruption]

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

[Interruption]

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

Ms CARMEL TEBBUTT: Under these contracts specific concerns raised by schools or TAFE institutes must be addressed within an agreed time frame. If a job is not performed to the standard required there are new strict time limits on having it rectified. For example, unclean toilets must be addressed within two hours, unclean carpets within a day, messy canteens and eating areas within a day, and rubbish build-up along internal school or college boundaries within a day. Honourable members on this side of the House will be interested to know that cleaners employed under the current contracts will all be offered employment with the incoming contractors with the same weekly hours and entitlements. We are looking after the school cleaning staff.

The new cleaning contracts are worth more than \$218 million annually. An extra \$28.4 million will be spent every year on cleaning compared to the average spent over the last six years. Following a rigorous evaluation process, five contractors have been selected to provide cleaning services for schools and TAFE colleges across New South Wales. Other features of the new contracts include an emphasis on improved occupational health and safety, improved quality assurance provisions, overall performance monitoring and contractor reporting requirements. To ensure that each school and TAFE college has the resources needed to achieve and maintain the highest quality cleaning outcomes, the new contracts also include an agreed process for assessing and facilitating changes to individual site cleaning plans. They will ensure closer scrutiny of the services delivered and bring about better results.

These new contract arrangements demonstrate the Government's commitment to providing the highest standards of cleaning services to our public schools and TAFE colleges. They come on top of the new maintenance contracts that are also delivering improvements in the way maintenance is performed in our public schools. The principals play a greater role and local schools have a greater say over their maintenance priorities. We are also trialling in the Riverina and Central Coast regions facilities management where maintenance, planning and waste removal is under a single contractual arrangement. This is good news for schools, teachers and students and ensures that the new cleaning contracts deliver improved results for schools and give principals a greater say as to how the cleaning needs of their schools will be met.

LANE COVE TUNNEL VENTILATION SHAFT

Mr ANDREW HUMPHERSON: My question is directed to the Minister for Roads. Given that the Minister ran away from this question yesterday, can he guarantee today—

Mr SPEAKER: Order! The honourable member for Davidson will resume his seat. He will reword his question and I will consider whether it is in order.

Mr Andrew Humpherson: Mr Speaker, was it the word "question" or the word "yesterday"?

Mr SPEAKER: Order! I will place the honourable member for Davidson on three calls to order if he does not immediately resume his seat.

HOSPITALS PERFORMANCE

Mrs BARBARA PERRY: My question without notice is directed to the Premier. What is the latest information on the performance of the New South Wales hospital system over the winter period?

Mr MORRIS IEMMA: I thank the honourable member for Auburn for her question and her interest in the performance of our hospitals. I am pleased to be able to share with the House the latest report card on the performance of our hospitals during winter. I can advise the House that this winter our hospitals have been busier than ever with a 12 per cent increase in emergency department attendances. More people were admitted to care in a hospital bed with fewer delays than in the previous year. At the same time as this increase in demand for emergency care was taking place, a new ambulance system saw emergency response times improve on previous years.

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

Mr MORRIS IEMMA: A massive investment in extra beds has allowed more people to undergo scheduled elective surgery than in the previous year.

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

Mr MORRIS IEMMA: Winter is a time when there is increased attendance in our emergency departments and hospitals. Yet this year, despite increased emergency procedures, more elective surgery was performed, and more patients were admitted to beds, with less delay. This year saw improved ambulance response times and more elective surgery.

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

Mr MORRIS IEMMA: Overall, it was an outstanding performance by all our front-line health staff this winter, and we have seen significant improvement in key performance indicators.

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

Mr MORRIS IEMMA: The Opposition should welcome this news.

Mr SPEAKER: Order! A number of members have been called to order. The level of noise in the Chamber is becoming unacceptable, and it is clear that some members are calling out for the sake of disruption. All members who have been called to order are deemed to be on three calls.

[Interruption]

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

Mr MORRIS IEMMA: Not once will the member for North Shore ever say thank you to those hardworking nurses and doctors in emergency departments. They saw more people than last year, and they treated them better and faster. They made better responses than last year, but not once will she ever acknowledge their efforts.

Mrs Jillian Skinner: Point of order: I have an urgent motion congratulating—

Mr SPEAKER: What is the point of order? The honourable member for North Shore knows she is not entitled to debate the Minister's reply.

Mrs Jillian Skinner: The Minister has just misled this House. You should ask him to withdraw that comment.

Mr SPEAKER: Order! The honourable member for North Shore will resume her seat.

Mr MORRIS IEMMA: Overall there has been an outstanding performance by the staff and significant improvement in the key performance indicators. Emergency department attendances for August reached 140,000 in our major emergency departments—15,000 more than last August, or approximately 500

more people receiving emergency care each day. It was a similar story in September, with a 10 per cent increase in attendances compared to September of last year. In September this year 4,256 patients received emergency care at Liverpool Hospital—406 more than last year. At the Children's Hospital at Westmead 4,300 received care—837 more than last year. At Sutherland hospital in September this year 2,600 received care—431 more than September last year. All of them are showing significant improvement, despite substantial increases in attendances.

I can give the House further information on the kind of pressures on our hardworking staff working in emergency departments. Admissions to hospital beds from emergency departments reached 63,000 between July and August—5,000 more than last year, or around 80 more people every day receiving care in a hospital bed after admission from an emergency department. As a result of the efforts of staff, more nurses, more beds, and a more efficient system of management in both our emergency departments and hospitals, I can report to the House that access block—one of the key performance indicators for our hospitals, which is measured as the percentage of patients waiting to be admitted to a specialist ward from emergency department care after eight hours—has dropped from 35 per cent in September 2004 to 29 per cent in September 2005.

Mrs Jillian Skinner: Shows how much you know.

Mr MORRIS IEMMA: The member for North Shore might decry the significant improvement and the extra efforts of the staff, but we will not because if the staff give their best we say to them, "Good on you". We are here to encourage them. We are not here to slander them like the shadow Minister. So she can say, "Big deal", but that reduction from 35 per cent to 29 per cent is significant and it is well worth saying to the staff, "Good on you for your efforts," and giving them encouragement. She can come in here and say, "Big deal", but we say to the staff, "Good on you and we back you all the way."

On a year-on-year comparison, improvements at individual hospitals have been remarkable, and again we give encouragement and support for the staff responsible for that. At Bankstown-Lidcombe Hospital the improvement was a reduction from 46 per cent last year to 26 per cent this winter, with increased attendances and increased admissions. At Westmead the reduced figures are: 46 percent access block in winter of last year, down to 21 per cent. The honourable member for North Shore does not stand up and say, "Good on Westmead," but she does take a point of order.

Mrs Jillian Skinner: Point of order: My point of order is relevant to accuracy. I believe the Premier is quoting September figures—and that is not winter. Those figures are on the current web site and they show much worse performance than he is telling the House.

Mr SPEAKER: Order! I cannot accept that as a point of order. The honourable member for North Shore will resume her seat.

Mr MORRIS IEMMA: In July, August and September, Blacktown Hospital access block was down from 47 per cent to just 19 per cent, and Sutherland Hospital went from 43 per cent down to 17 per cent. At Auburn Hospital—for the benefit of the local member, who will be pleased to hear this—access block was down from 42 per cent in winter last year to just 5 per cent in winter 2005. These outstanding results are worthy of congratulations to the staff on their efforts in a difficult winter, when they have seen more people coming through the emergency department doors and they have admitted more patients through the emergency departments into the other wards. I can also inform the House that elective surgery has also shown encouraging signs of improvement with extra procedures being performed.

The extra resources that I mentioned earlier relate specifically to converting 200 of last winter's beds into permanent beds, and adding 187 new overnight beds from May of this year, 322 new overnight beds from July, 34 more short-stay beds or 23½-hour ward beds, which are beds dedicated to surgery, and 57 extra intensive care beds. Additional beds, extra resources, extra dollars, more nurses, and a more efficient system of management in the hospitals through the clinical redesign reform program, along with the professionalism and the dedication of the staff, have yielded encouraging results and given scope for further improvement. Nevertheless, the staff performed outstanding work this winter, and members on this side of the House say it is time to encourage and support them. And we will.

LANE COVE TUNNEL VENTILATION SHAFT

Mr ANDREW HUMPHERSON: My question is directed to the Minister for Roads. Can the Minister now guarantee that all required geological testing was actually done prior to excavation on the location of the collapsed ventilation shaft on the Lane Cove tunnel? And if so, when, and by whom?

Mr JOSEPH TRIPODI: As I have said in the past during question time, the investigation is well under way. As honourable members are also aware, over the past two days I have given some detailed answers to the questions about the Lane Cove tunnel. As I have said previously, it is too early to say what caused this collapse. At the moment the investigations are being carried out by WorkCover and by emeritus Professor Ted Brown, who was brought in by Thiess John Holland. The residents of the Kerslake unit block have the option of moving into their home if it has been deemed to be safe or to sell it at the pre-collapse market value to the builders of the tunnel. Just to confirm once again, we do not want to pre-empt the outcome of the investigation. It is only proper that it is allowed to be completed without the interference of the Opposition.

ABORIGINAL LAND COUNCIL ADMINISTRATOR

Mrs DAWN FARDELL: My question without notice is to the Minister for Aboriginal Affairs. I refer to the Administrator of the New South Wales Aboriginal Land Council, whose term has been extended to November 2006. Will the Minister confirm that the Administrator's salary is approximately \$500,000 per annum?

Mr SPEAKER: Order! I remind the honourable member for Wakehurst that he is on three calls to order.

Mr MILTON ORKOPOULOS: Mr Chapman was appointed by the former Minister for Aboriginal Affairs in November 2003 when the New South Wales Aboriginal Land Council was put into administration. I am advised that Mr Chapman does not receive \$500,000, as stated in the honourable member's question. He would receive less than half that amount. I point out that a democratically elected council would cost \$1.3 million a year to run. During his period as administrator, Mr Chapman has revised the policies and procedures of the New South Wales Aboriginal Land Council and completed an organisational restructure. Most importantly, I am advised that under Mr Chapman's watch the Statutory Investment Fund has increased in value by \$76 million, a far greater result that occurred under the previously elected council when that fund fell below the figure required in the legislation.

Further to these achievements, Mr Chapman has oversight of the best land rights system in this country. He deserves every cent he is paid. Mr Chapman has a distinguished background in public administration. He was a senior executive service officer in the Commonwealth public service, with responsibility for native title and the land rights program. He was the first Aboriginal General Manager of the Indigenous Land Corporation, with responsibility for the administration of a land fund worth \$1.3 billion. Mr Chapman is doing an excellent job and that is why I have recently extended his term.

CITYRAIL COMMUTERS INFORMATION

Ms MARIE ANDREWS: My question without notice is directed to the Minister for Transport. What is the latest information on improving passenger information and rail reliability?

Mr JOHN WATKINS: In May this year I informed the House that RailCorp was working on a number of new initiatives to improve passenger information, particularly when services have been disrupted. This is an area of RailCorp's business that the Premier and I have been particularly keen to see improved. Passengers rely on accurate and timely information, especially when there is disruption to services. Today I can report back on significant progress being made in response to the Government's commitment to achieving real improvements in this area. The Government's five-year plan includes technology-based improvements, and improved training for managers and frontline staff. Long line public address systems are now being rolled out to 84 CityRail stations on the South Coast, Southern Highlands, Central Coast and Hunter lines.

The software to support this system is currently being developed and it will be operational by the end of February next year. This technology enables announcements to be made remotely from the Rail Management Centre and group remote monitoring locations to all CityRail stations. That means that the staff who are informed of a problem on the network first will be able to communicate quickly to passengers on stations anywhere throughout the network. This year's budget also allocated \$7 million to improving communications technology. Last month train location systems were expanded to 15 stations between North Sydney and Waitara on the North Shore line. The train location system provides local station staff with electronic visibility of where trains are located on the network at any given time, allowing them to more accurately predict arrival times and communicate these to passengers in advance.

These systems are now installed at approximately two-thirds of CityRail stations. The budget allocation will also see electronic station passenger information systems installed between Marrickville and Birrong stations on the Bankstown line in the first half of next year. RailCorp will also pilot new equipment, known as line information controllers, to enable operators in signal boxes to make changes to electronic information over an entire line, rather than manually adjusting on a station-by-station basis. Plans are in place to roll out this technology to the East Hills and Illawarra lines, and the North Shore and northern lines within the next two years. RailCorp will also expand variable messaging plasma screens—currently installed at the entrance to 10 central business district stations and major locations—to Blacktown, Bondi Junction, Burwood, Edgecliff, Hornsby, Hurstville, Kings Cross and North Sydney within the next few months.

The screens provide up-to-date information about any delays being experienced on the network, and the reasons for those delays. It will provide some satisfaction to customers who had had their trip disrupted. New electronic indicators with clearer text will also be installed at Central, Town Hall, Wynyard and North Sydney stations early in the New Year. To assist staff to provide better passenger information, RailCorp has also made significant improvements to its training and resourcing of frontline staff. A new public address system has been installed at the rail training college at Petersham so that staff can be properly trained in making announcements using the equipment they would experience on the job. Prior to the introduction of the new timetable, station staff were provided with better pager systems so that they could receive more timely information about service disruptions and in turn give commuters that improved advice.

A program has also been in place to review and upgrade digitised voice announcements at stations. In the longer term, it is anticipated that new technology may be expanded to email or SMS solutions, where commuters affected by timetable changes or delays could be alerted early and personally. More extensive research is being undertaken into the possibilities and options available. The Iemma Government is also investing in new measures to improve network reliability by protecting CityRail from extreme conditions, such as heat and storms—like we are experiencing today. Days like today can pose significant problems for modern railways, even with the best technology on hand. RailCorp is investing \$42 million this year to heat-proof rail infrastructure against extreme summer temperatures.

Approximately \$110 million has already been spent in the past two years to replace timber sleepers with concrete sleepers, which are more resilient to heavy loads and heat stress. When the air temperature gets to 38 degrees, the rails can heat up to 60 degrees, increasing the chance of track defects, such as buckling and misalignment. The \$152 million three-year program will see more than 150 kilometres of Sydney metropolitan track upgraded with concrete sleepers. By next year, 60 per cent of the Sydney metropolitan network will be concrete-sleepered to ensure the continued safety and reliability of rail services.

Mr SPEAKER: Order! The Leader of The Nationals will come to order.

Mr JOHN WATKINS: As part of this project, all remaining timber sleepers on the Bankstown line will be replaced with concrete next year. As a result of the high temperatures forecast today, special speed restrictions apply to CityRail and CountryLink services. Trains travelling on timber-sleepered sections of track will reduce their usual speeds by 10 kilometres an hour. This is a longstanding RailCorp policy to ensure the safety of services in high heat, in line with standard Australian and international practice.

RailCorp has recently begun a trial of a new heat-reflecting white coating on the Carlingford line tracks to reduce rail temperatures in very hot conditions. We have also spent hundreds of thousands of dollars on state-of-the-art lighting protection on the Newcastle to Central Coast line. This is part of our ongoing commitment to provide safe, clean and reliable services to the travelling public. However, there is still a lot of work to be done to improve the quality of service on the CityRail network. Since the introduction of the new timetable two months ago, on-time running has been significantly boosted. I will ensure that we continue to improve all other areas of customer service as quickly as possible. This evening's peak is likely to be a challenge: there have been high temperatures today, especially in Western Sydney, and storm conditions are expected this afternoon. Such conditions have an impact on on-time running, especially in the peak periods. I encourage commuters to be patient. CityRail staff will work as hard as possible to get them home as quickly as possible.

ELECTRICITY SUPPLY

Mrs SHELLEY HANCOCK: My question is directed to the Premier. After 10 years of Labor's mismanagement in the State, will the Premier guarantee the people of New South Wales that there will be no blackouts and no power shortages this summer?

Mr MORRIS IEMMA: This question comes from a member into whose electorate the Government moved an entire department to create jobs and investment for the people who live there. The Government has spent millions of dollars plying additional investment into her electorate as part of a capital works budget of \$35 billion over the next four years, including \$8.5 billion in this financial year—which is a 15 per cent increase—involving water, energy, schools and hospitals. That is a record investment in infrastructure to ensure that the State has the water, energy, roads, schools and hospitals it needs to provide first-class service to the residents of this State.

LIGHT HORSE INTERCHANGE

Mr ALLAN SHEARAN: My question without notice is directed to the Minister for Roads. What is the latest information on the Westlink's M7 Light Horse Interchange?

Mr JOSEPH TRIPODI: The question is timely because tomorrow is Remembrance Day. The Light Horse Interchange at the intersection of the M4 and M7 is dedicated to the thousands of men who served in the Australian Light Horse during the Boer War, World War I and World War II. With the commemorative work at the Light Horse Interchange nearly completed, the design has attracted significant interest from the public. The centrepiece of the Light Horse Interchange is a 55-metre illuminated red tower. Its installation marked a major milestone in the construction of the \$1.5 billion, 40-kilometre Westlink M7, which is set to open before Christmas, eight months ahead of schedule. It is delivering infrastructure for New South Wales. The approaches to the interchange are marked by a display of commemorative red batons about two metres high, standing in native grasses, signifying the New South Wales Mounted Rifles' regimental colours of red and green.

Twisted stainless-steel yachting wire emerges from the batons to represent the union feathers worn on the hats of the men of the Light Horse. Plaques explaining the history of the Light Horse will be placed at three locations along the shared pedestrian path/cycleway. With the opening of the Light Horse Interchange only weeks away, I acknowledge the New South Wales branch of the RSL in the naming and design of the interchange. I pay particular tribute to former RSL State President Rusty Priest, who came up with the idea of the Light Horse Interchange. Unfortunately, Mr Priest cannot be with us today because of ill health. I am sure all honourable members join me in wishing him well. Happily, we have been joined in the public gallery today by the current President, Don Rowe, and State secretary, Chris Perrin. The RSL's dedication to the interchange project will allow present and future generations of Australians to be reminded of the debt we owe those who played a role in our war efforts.

Sydney's western suburbs have had a long and proud association with the New South Wales Mounted Rifles, one of the regiments of the Australian Light Horse. Following the outbreak of war in 1914, men from Western Sydney rushed to enlist. One of Australia's oldest regiments—the Royal New South Wales Lancers, first raised as the Sydney Light Horse in 1885—has been present in Parramatta since 1891. During the Great War, the Australian Light Horse fought in Gallipoli as well as in France and the Middle East. The most famous encounter was the charge of Beersheba. It was one of the last and most successful mounted charges in history, with Beersheba falling to the Australian Light Horse. During World War II New South Wales light horsemen returned to Western Sydney, where they were based at a major training camp on the former Wonderland site at Eastern Creek, close to the interchange. It is fitting that the men of the Light Horse are honoured on what is already proving to be a spectacular development in Sydney's west.

The Light Horse Interchange is Australia's largest interchange. It will allow motorists access to the Westlink M7 from the M4 motorway in all directions without having to stop at traffic lights. It will provide easy access for local businesses and freight operations. It will have four levels of motorway: the existing M4 forms the bottom level, ramps from the M4 to the M7 comprise the second level, M7 through-lanes form the third level, and ramps from the M7 to the M4 form the fourth and top level. A separate bridge will carry the M7 shared pedestrian/cycle path safely over the M4. The interchange will be 23 metres above the M4 at the highest point and 16 metres above the existing Wallgrove Road. The M7 will bypass 48 sets of traffic lights between the M5 and the start of the M2 at west Baulkham Hills. On the eve of Remembrance Day I am delighted to acknowledge the contribution of the Australian Light Horse. It is fitting that the efforts of these brave men will be forever recognised in the area in which they were based. I encourage the thousands of people who will take part in the community walk to open the M7 on 27 November to spare a thought for the men of the Light Horse.

Questions without notice concluded.

SPECIAL ADJOURNMENT

Motion by Mr Carl Scully agreed to:

That the House at its rising this day do adjourn until Tuesday 15 November 2005 at 2.15 p.m.

BUSINESS OF THE HOUSE**Urgent Motions: Suspension of Standing and Sessional Orders**

Mr CARL SCULLY (Smithfield—Minister for Police, and Minister for Utilities) [3.47 p.m.]: I move:

That standing and sessional orders be suspended to allow the consideration of both notices of motion for urgent consideration given this day in order of presentation and for the following speaking times to apply:

- (1) Notice in the name of the honourable member for Penrith: the usual times to apply.
- (2) Notice in the name of the honourable member for North Shore:

Mover	10 minutes
Two other members	5 minutes each

Mrs JILLIAN SKINNER (North Shore) [3.48 p.m.]: The Coalition objects to the motion moved by the Leader of the House because, in effect, it prevents the motion I have foreshadowed from being discussed because time will expire, as the Leader of the House and all honourable members know. I want an opportunity to debate my motion. Furthermore, I want the Premier to come into the Chamber to express his support for the hardworking doctors and nurses in our emergency departments. I know honourable members do not want to hear this motion; they do not want to hear about what the Coroner said yesterday in relation to the death of Mrs Brophy in Campbelltown Hospital just a year ago.

Mr Milton Orkopoulos: Point of order: The honourable member should not be discussing the substance of her motion; she should be debating the motion moved by the Leader of House

Mr SPEAKER: Order! The motion before the House relates to both urgent motions being debated this afternoon. The honourable member for North Shore is objecting to the motion. She should not debate the substance of her urgent motion.

Mrs JILLIAN SKINNER: I suggest that my motion should be the only motion debated today. The motion moved by the Leader of the House is a trick to prevent my motion being debated. Members opposite may laugh, but the Coroner suggested that patients will die—

Mr SPEAKER: Order! The honourable member for North Shore should not refer to the substance of her motion.

Mrs JILLIAN SKINNER: It is important that members have an opportunity to speak to my motion and express their support for the hardworking doctors and nurses in our hospital emergency departments. I believe that the only way to do that is to bring the motion on. As all members of this place know, the motion will not be brought on if we accept the proposal of the Leader of the House. It is important that my motion be debated today because patients are dying. The figures the Premier gave to the House during question time today are wrong. Anyone who wants to see the figures need only look at the web site. I believe it is imperative that the House takes note of the Coroner's comments and debates my motion today.

Mr SPEAKER: Order! I call the Minister for Aboriginal Affairs to order.

Mrs JILLIAN SKINNER: My motion should be debated today so that every member of this House—including those who purport to support the hardworking doctors and nurses in hospital emergency departments—have an opportunity to express that view and vote in support of the motion. I know all my colleagues support doctors and nurses—

Mr Gerard Martin: Point of order: The honourable member for North Shore is flagrantly breaching the standing orders by ignoring your ruling and referring to the substance of her motion, instead of informing the House why her motion is urgent.

Mr SPEAKER: Order! The honourable member for North Shore should confine her remarks to the motion before the House.

Mrs JILLIAN SKINNER: The motion before the House is that my motion not be heard at all. That is a disgrace. Every member of this House should have the opportunity to express their support for our hardworking doctors and nurses. I wish to move an amendment to the motion moved by the Leader of the House—

Mr Carl Scully: Point of order: One of the things that is of great concern to me is that the Opposition wastes the time of the House by giving large numbers of notices of motions. If the Opposition had not done that today, the honourable member for North Shore would have had plenty of time to speak to her motion. She has now wasted 5 minutes of the 10 minutes allotted to her. She should blame her colleagues: they wasted 20 minutes before question time today.

Mr SPEAKER: Order! I have heard enough on the point of order. The Leader of the House will resume his seat.

Mrs JILLIAN SKINNER: I move an amendment to the motion moved by the Leader of the House as follows:

That the motion of the honourable member for North Shore be debated first.

[Interruption]

If the honourable member for Penrith supported nurses and doctors, she would vote for my motion. She is an absolute fraud!

[Interruption]

It is not out of order. The Leader of the House will do anything to avoid voting in support of our hospital staff. Shame on him!

Mr SPEAKER: Order! The amendment moved by the honourable member for North Shore is out of order. It is not an amendment but a motion.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 49

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

Noes, 33

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

Pairs

Ms Allan
Mr Price

Mr Armstrong
Mr Cansdell

Question resolved in the affirmative.

Motion agreed to.

FEDERAL GOVERNMENT INDUSTRIAL RELATIONS POLICY**Urgent Motion**

Mrs KARYN PALUZZANO (Penrith) [4.02 p.m.]: I move:

That this House:

- (1) condemns the State Liberal-National parties for their support of the Howard Government's workplace relations changes;
- (2) notes that these changes will adversely impact on families and children's sport; and
- (3) calls on the Liberal-National parties to reject these Dickensian laws.

Unlike members opposite, who are willing to blindly hand over the rights and conditions of workers of this State, for which they fought for many years, to an ideologically driven government, the Premier and Government members will oppose these radical and destructive changes every step of the way. People in all electorates, and my electorate of Penrith in particular, are rightly worried about how these changes will impact on their working lives and the lives of their families. The Federal Government's misleading advertisements have not reassured everyone. Nor are locals convinced of the Prime Minister's mantra of "my guarantee is my word". Look a bit closer at his record.

Mr Chris Hartcher: Point of order: Speaker Murray and Speaker Aquilina have ruled against the use of props in parliamentary debate. The honourable member for Penrith is wearing a prop; she is wearing a T-shirt which is indicative of a political position. Clearly she is flouting the rulings of Speaker Murray and Speaker Aquilina. I would ask that she either change or not be allowed to continue to speak. She is not here as a member of the Parliament.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! The Chair cannot tell the honourable member for Penrith how to dress. What she is wearing is not offensive.

Mrs KARYN PALUZZANO: This Federal Government is the highest taxing Federal Government in the nation's history. It is the highest taxing Government ever! The current Federal Government has opposed every single minimum wage increase handed down by the Industrial Relations Commission. Who could forget John Howard and Peter Reith and their vicious attack on Australian workers on the wharves? Masked thugs set loose like pit bull terriers, controlled by a government with an ideological desire to crush the union movement. This man is asking us to trust him based on his record. I do not think so. [*Quorum formed.*]

I do not think we can trust the Prime Minister's record. It is not as if he does not have runs on the board when it comes to lying to this nation. Shall we mention the children overboard, the weapons of mass destruction and no interest rate rises? The list goes on! The Australian public cannot trust the Federal Government to tell the truth. And now the Prime Minister wants us to believe that workers will be better off under these radical changes. Let us look closer at what these changes will mean for Australian workers. These laws will remove unfair dismissal for workplaces with fewer than 100 employees. In Penrith there are more than 7,000 small businesses which employ thousands of local residents.

Under the Federal Government's changes in the proposed legislation, any employees in those 7,000 businesses will be able to be sacked for any reason. One page of that complex legislation states that employees can be dismissed for "operational issues". More than four million employees throughout Australia are employed in workplaces with fewer than 100 employees. As if that were not bad enough, the legislation will also give employers the power to abolish award redundancy provisions.

Mr Chris Hartcher: What does Jackie Kelly say?

Mrs KARYN PALUZZANO: Absolutely nothing. What about the so-called Fair Pay Commission? For more than 100 years minimum wages in Australia have been set and reviewed by an independent body—the Australian Industrial Relations Commission. The Federal Government intends to replace this independent umpire with a government-appointed bureaucrat who can change the minimum wage at any time. And if for some reason the new Fair Pay Commission is not setting wages low enough for the Federal Government's liking, the Prime Minister or the Minister can simply appoint a new Fair Pay Commissioner. There is no tenure for the Fair Pay Commissioner.

Local residents to whom I have spoken do not want to see an American-style system of employment where the minimum wage is \$5.15 and has not been increased for eight years. John Howard and the Federal Government have shamefully opposed every minimum wage decision since 1996. What about the issue of Australian workplace agreements [AWAs]? The Federal Government's legislation will give employers the right to make employees sign an Australian workplace agreement. It will allow employers to put workers on individual contracts that cut take-home pay and reduce employment conditions.

Mr Chris Hartcher: Point of order: Chapter 15 of the standing orders relates to pecuniary interests. The honourable member for Penrith, as her financial disclosure shows, has a pecuniary interest in that she is heavily financed by one union, the National Union of Workers, which contributed \$2,500 to her campaign. She has not disclosed in this debate the fact that she has a pecuniary interest. She has moved a motion which relates directly to an organisation which financed her 2003 election campaign.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! There is no point of order. The honourable member for Penrith has disclosed her pecuniary interest in the Pecuniary Interests Register.

Mrs KARYN PALUZZANO: I am proudly a mum of three from Kingswood. I have not worked for a union. I have been a union member and proudly support unions in any workplace. I will proudly stand with colleagues from the Public Service Association, the Nurses Association, the Teachers Association and any other union. Members opposite stoop so low against a mother of three from Penrith. That is why I have joined this campaign with local residents. These radical changes threaten the working conditions of millions of employees. Under this legislation the weekly hours of work will be annualised. Instead of someone working a 35-hour week, the boss can say they will work 70 hours this week and only one hour next week. The bills keep coming in, but if the hours are low who will pay them?

Overtime and penalty rates have been taken out of the five minimum conditions proposed in the AWAs. Overtime and penalty rates have been proudly accepted by people within the electorates of Lindsay and Penrith. These changes will impact on specific groups in our community. I stand before the House as a woman. Women will certainly be disadvantaged by these new laws. Presently, women on an AWA earn 70 per cent of a man's average earnings. However, under an award they earn 83 per cent of a man's average earnings. While most reasonable people believe women should earn the same as men, clearly women are better off under awards, not under AWAs.

What about employees from ethnic and non-English-speaking backgrounds? In my area of Kingswood there are many people of other nationalities, people who come from culturally and linguistically diverse backgrounds and who may not speak English as their first language. Until now most of these workers have been covered by awards, which protect their pay and conditions. That is not the case under an AWA. If the Federal Government gets its way these people can be forced onto AWAs and will have to barter away their rights to remain employed.

What about disabled employees? We know that most employers are good people who do not think only about their businesses. But some employers are out to exploit people to maximise profits. As we know, the wages of many disabled employees are linked to the minimum wage. Faith communities have expressed their concern. I have spoken to the Catholic Church, the Anglican Church and the Assemblies of God churches in the electorate of Penrith. They are outraged at these proposed changes. [*Time expired.*]

Mr CHRIS HARTCHER (Gosford) [4.12 p.m.]: I move:

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

"this House:

- (1) condemns the State Labor Government for its retention of an outdated industrial relations system and its ongoing financial relationship with trade unions in New South Wales;
- (2) calls on all Labor members of Parliament to sever their financial connection to trade unions; and
- (3) calls on the trade union movement to abandon its nineteenth century belief in the class struggle and support the Howard Government's progressive twenty-first century legislation."

The Australian Labor Party has deliberately organised proceedings this afternoon to ensure that the motion to congratulate health workers, emergency service workers and nurses—whom the honourable member for Penrith claims to represent—cannot be debated and this House cannot congratulate those emergency workers. That is indicative of the attitude of the Labor Party towards workers.

Mr Graham West: Point of order: The motion the honourable member refers to is coming up for debate at a later stage. The current motion relates to industrial relations. I ask you to draw the honourable member back to the motion before the House.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! The honourable member for Gosford will confine his remarks to the motion before the House.

Mr Gerard Martin: I draw your attention to the time, Madam Acting-Speaker.

Mr CHRIS HARTCHER: I move:

That the question be now put.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I cannot accept that motion.

Mr CHRIS HARTCHER: If the question is not going to be put, I will continue.

Mr Gerard Martin: Not for long.

Mr CHRIS HARTCHER: Madam Acting-Speaker will call "Time." As set out in my amendment, the important principle of unions and the Australian Labor Party—

Pursuant to sessional orders business interrupted and motion lapsed.

PRIVATE MEMBERS' STATEMENTS

YOUNG KOORI COOKS PROGRAM

Ms TANYA GADIEL (Parramatta) [4.15 p.m.]: Today I draw to the attention of the House a wonderful initiative called the Young Koori Cooks Program. This is a joint initiative of Restaurant and Catering New South Wales and the Property Services Training Centre [PST Group Training], the originator of the Breaking the Cycle Project funded by the Department of Education and Training New Apprenticeships Centre [DETNAC] as part of its Way Ahead Initiative. PST Group Training is a not-for-profit organisation. The Restaurant and Catering Association of New South Wales is the developer and presenter of Young Koori Cooks. By working with PST Group Training it designed a two-week program to encourage indigenous children to stay on for their final years of high school. I had the pleasure of being invited to a graduation ceremony at Barnaby's Riverside Restaurant in Parramatta.

During the two-week course, which was conducted during school holidays, the students learnt hospitality skills. They were taught about kitchen skills, occupational health and safety issues, basic food preparation and health and hygiene in the kitchen. The students also visited Fairfield City Farm, the Penrith Function Centre, Flemington markets and fish markets, Trippas White Catering, and Homebush stadium. This enabled students to get a first-hand look at the industry. They also went to the Royal Botanic Gardens, where they toured the indigenous gardens and were told about bush tucker ingredients. Young Koori Cooks and the Breaking the Cycle Project encourage and help indigenous high school students to remain at school throughout years 11 and 12 by giving indigenous students the opportunity to participate in part-time, school-based training programs.

Many honourable members would be aware that for every one non-indigenous student who drops out of high school, 3.49 indigenous students drop out. That is a shocking statistic. Thanks to initiatives like Breaking the Cycle and Young Koori Cooks something is being done about this. They have worked to try to reduce the dropout rate of indigenous high school students. PST Group Training goes to schools and talks to indigenous students in years 9 and 10. It explains that there are fantastic careers through new apprenticeships and that students can start these in year 11 by choosing a vocational education and training [VET] subject as part of their

subjects to go toward the Higher School Certificate [HSC]. PST Group Training works with them and with the support of their parents to link them into part-time work that aligns with their VET subjects so they become school-based trainees.

Young Koori Cooks works as a preparatory course to help the participants decide that cooking is really what they want to do and prepare for kitchen work when they start their school-based apprenticeship. If they do so, and if they are successful, they will achieve the HSC. They will achieve a nationally recognised certificate II. They will have learned what the world of work is all about. They will have been paid for their work and learned how to budget their money. When they finish high school they upgrade to a new apprenticeship and are not on the social benefits treadmill. Importantly, they are well on their way to a successful career. Participants gain their HSC, a nationally recognised qualification in hospitality, and two years work experience as the starting point.

Hospitality is not the only area they can pursue. In 2005 students from the Western Sydney region have more choice when selecting their VET subjects. In addition to hospitality, PST Group Training is targeting information technology, business administration, retail and automotive streams. Breaking the Cycle has been running since 2001, when Roger Corbett supported the project by offering retail positions with Woolworths. It was a success, with 26 indigenous high school students commencing a part-time school-based traineeship in January 2002.

This resulted in 9 students completing the full two-year course and gaining the Higher School Certificate and the Certificate II, 13 students completing part of the two years work hours and gaining the Higher School Certificate, and 4 students dropping out. Restaurant and Catering New South Wales and PST Group Training are hoping to extend the Young Koori Cooks Program early in 2006, subject to further funding commitments by the Federal Government. I take this opportunity to congratulate the Restaurant and Catering Association of New South Wales, PST Group Training and the successful graduates of the Koori Cooks Program on their fantastic achievements. I also encourage the Federal Government to continue to support this brilliant initiative.

Mr MILTON ORKOPOULOS (Swansea—Minister for Aboriginal Affairs, and Minister Assisting the Premier on Citizenship) [4.20 p.m.]: I congratulate the honourable member for Parramatta on drawing to the attention of the House the wonderful initiative by the Restaurant and Catering Association of New South Wales and the Property Services Training Centre called the Young Koori Cooks Program. From little things big things grow. We should encourage this successful program by ensuring that it continues to receive funding.

BEGA ELECTORATE HERITAGE BUILDINGS

Mr ANDREW CONSTANCE (Bega) [4.21 p.m.]: This evening I want to talk about two heritage-listed buildings in the Bega Valley that are in a desperate state of disrepair. One of the buildings is the historic and iconic Tathra wharf. Although the State Government owns the wharf, it has been happy to sit back and let Bega Valley Shire Council and the Federal Government do the work. Bega Valley Shire Council has done a wonderful job trying to co-ordinate funding and repair work of the wharf and the Federal Government has made a significant contribution to repairs.

I have received advice that the wharf is at risk of falling into the sea, as the pylons are moving. There is a risk that a big swell will take it out and the wharf will follow the same path as the Lane Cove tunnel ventilation shaft. The wharf is falling to pieces. It is imperative that the State Government pulls its weight and repairs the Tathra wharf. The wharf was built in the 1860s, and there are no other wharves of its type outside the Sydney, Newcastle and Wollongong areas. This iconic structure is worthy of repair. To date, the Federal Government has contributed \$610,000 and Bega Valley Shire Council has contributed \$270,000 for the repair of the wharf.

The State Government has contributed not one cent. I call on the Minister for Planning, who is the Minister responsible for this asset, to ensure that Treasury provides \$440,000 so that the council can properly administer the repair work. The pylons must be well and truly anchored into the rock and seabed around the wharf. The Heritage Council has inspected the wharf and provided in-principle support for the project. It is now up to the State Government to come to the party. As I said, I have been informed that the wharf could come crashing down at any time. It could take just one storm surge to finish it off. I do not want to see a situation where people are standing around scratching their heads wondering how it happened.

The other heritage building I refer to, which is also owned by and the responsibility of the State Government, is the old Bega Hospital. Honourable members would be aware that last year the old Bega Hospital suffered damage during a fire. Since that time the State Government has provided \$70,000 for selective demolition of the roof, walls and floor. I am pleased to say that this work was completed recently. I met with the trust recently, which raised a number of concerns about the future funding for the complete restoration of the building. Groups that previously operated from the site include Bega Valley Day Care, the South Coast Community College, several art and craft groups and a cafe. The Government provided a demountable office building. However, 18 months after the fire it still cannot be used, as it is placed on a site within the grounds that is deemed unsafe and the demountable does not have appropriate access.

I ask the State Government to address this problem so that the demountable can be used. Further, I ask the Minister for Planning to provide not only the \$440,000 required for the Tathra wharf but also a significant amount which is required to enable planning and architectural works to be undertaken on the old Bega Hospital site. The New South Wales Heritage Council has provided a small grant for restoration purposes. However, a significantly increased amount is required to enable the restoration work to continue. I do not want either of these two facilities left in their current state. The old Bega Hospital site has received some funding but it is not enough to complete restoration. For the life of me I cannot understand why the Government does not want to manage Tathra wharf. This well-known icon is in a precarious position. As I have raised these issues in the Parliament this afternoon, I hope that the Minister for Aboriginal Affairs, who is present in the Chamber, will convey my comments to the Minister for Planning.

NEWINGTON PUBLIC SCHOOL DOORWAYS PROJECT

Mrs BARBARA PERRY (Auburn) [4.26 p.m.]: Recently I was invited to attend the opening ceremony of the Doorways Project at Newington Public School. At the presentation were many proud parents, as well as my Federal parliamentary colleague the member for Reid, Mr Laurie Ferguson, and Department of Education and Training officials including Deborah King, the quality teaching consultant for Aboriginal education in the south-western Sydney region. The Doorways Project initiative was born not merely in response to the curriculum requirements of the Department of Education and Training, but more so out of a genuine enthusiasm to promote and participate in Aboriginal cultural traditions. This enthusiasm was made abundantly clear to me on the day when I evidenced the obvious delight and excellence that went into creating and sharing the results of the project.

Each class was asked to select a dreaming story upon which they based their artwork, which was subsequently painted on classroom doors. The paintings are a sight to behold, resplendent in an array of vivid colours and diversity of exotic designs with such titles as "Crab Gathering", "Creation Story" and "The Origin of the Platypus". However, the project is much more than a display of beautiful art and interesting tales. It is an important and profound example of Aboriginal literacy that is intended to convey critical cultural and survival messages. Aboriginal culture is rich in respect and affection for nature and also possesses a unique wisdom and understanding of life. The dreaming stories are a good example, as they powerfully embody an affinity with the earth and a depth of symbolism and thought, which is handed down from generation to generation. This heritage, containing key values of respect, compassion and humanity, is essential to the health of not only our planet as a living organism but also human society.

In an age of mounting anxieties over the state of the environment and other concerns, we would be well advised to be open to what Aboriginal culture may have to teach us. I was pleased to see how well received the project was by the student body and to observe their keen willingness to learn and assimilate the wisdom on offer. Their enthusiasm was palpable. It was particularly moving to see the special students program, which had a uniquely sentimental and heart-felt quality. Their genuine openness of mind and spirit was a powerful illustration of what we as adults sometimes fail to realise.

A further reflection, which impacted on me, was that by embracing the project as they did, the students were honouring the Aboriginal people and in doing so helping to restore the dignity and goodwill which is owing to them. I feel strongly that it is not enough to merely say sorry—as crucial, and may I say difficult, as it seems to be for some. We must make a point of giving honour where honour is due and recognise Aboriginal culture and its knowledge for what it is and what it has to offer us today. I take this opportunity to thank all the students of Newington Public School for being such shining examples to us all, and teachers Linda Eldridge and Albina Lee for doing a fantastic job of running the project.

I would like also to make special mention of Cathy Lucantonio, who was instrumental in this initiative and has performed marvellously as Acting Principal of Newington Public School. Under her guidance the

school has continued to excel in its tradition of providing first-class education and cultivating an atmosphere of unity and harmony in its diverse student body—and beyond, throughout the wider community of Newington. My heartfelt thanks go out to renowned Aboriginal elder Mrs Mavis Robinson, affectionately known as Auntie Mae, who was on hand as part of the proceedings to pass on custody of the doors to the classes. Students will in turn hand them on at the end of each year as they graduate to their next grades. It was a real treat for us to have Auntie Mae present and to include her in this symbolic ritual.

She is a wonderful person whom I respect immensely, and she is a credit to the Aboriginal community. I commend her before the House for her contributions as part of the Mil-Pra Aboriginal Education Consultative Group, the Indigenous Education Council for the University of Western Sydney and the New South Wales Education Consultative Group, of which she is life member. On a final note, I was pleased this morning to learn that this week's edition of the *Auburn Review* featured a picture of Newington students with their doors on the cover page. The project is worthy of such recognition. The cause that it represents is indeed worthy of our support and continued creative efforts towards cultivating a spirit of reconciliation and harmony with the Aboriginal people. I look forward to learning more of what their culture has to offer, not only to the electorate of Auburn but beyond, to the people of New South Wales as a whole.

Mr MILTON ORKOPOULOS (Swansea—Minister for Aboriginal Affairs, and Minister Assisting the Premier on Citizenship) [4.31 p.m.], in reply: I commend the honourable member for Auburn for celebrating the achievements of the Newington Public School doors program. She has demonstrated sensitivity and appreciation of the complexity of Aboriginal culture, which she described very well in her contribution. I agree with her that the project is an important example of cultural symbols and traditions important to Aboriginal people. May Newington Public School, its students and the wider community appreciate what this program can offer to not only this generation of Koori kids, but succeeding generations as well.

GWABEGAR SAWMILL CLOSURE

Mr IAN SLACK-SMITH (Barwon) [4.32 p.m.]: Eighty-odd years ago the town of Gwabegar boasted one of the largest liquor licences in New South Wales. Today things have changed absolutely dramatically, because today not only is there no liquor store in Gwabegar, there is no pub either. That is because on 23 September this year the last sawmill in Gwabegar, the last employer in Gwabegar, closed its doors for the last time. The lockup of prime timber in the Brigalow Belt South bioregion, and particularly in the Pilliga, meant that there were simply not enough sawlogs of quality in the Gwabegar area to be milled. So the owner of the sawmill, Tom Underwood, closed the doors.

The Gwabegar sawmill was first opened in 1949 and the Underwood family bought the operation in 1965. At the height of the timber industry, Gwabegar supported four sawmills, which employed more than 60 people. In addition, 22 sleeper cutters were employed. The Underwood family's link with the Gwabegar area dates back more than 70 years. Tom Underwood senior operated a sawmill at Rocky Creek and his brother Jack bought the Wooleybah mill located between Gwabegar and Baradine. The Wooleybah sawmill closed 15 years ago. This present situation has come about not because of the non-viability of the timber industry and not because of a lack of sustainable timber in the region, but because of the bloody-mindedness of the National Parks Association, very ably supported by the Minister for the Environment, the Premier, and the Minister for Planning.

They spent more than \$80 million to lock up the Brigalow Belt South bioregion and then saddled the taxpayer with five years of consultation at a cost of an additional \$50 million. It has completely destroyed the Gwabegar community and decimated the community of Baradine. Gulargambone, in my electorate, is also under threat because it is not known whether there is enough timber for that town to continue milling. They intend to try to continue for as long as possible. The mill at Gwabegar employed 20 people when it closed in September, but now 20 more people are out of work. It is really a terrible shame because there is no good reason for this to have happened.

The BRUS option, if the Government had adopted it, would have given a win-win result. The environment would have had a win because exactly the same area would have been locked up and preserved—or allowed to remain uncontrolled, which is the subject of another debate—and the prime areas of resource and sustainable timber in the Pilliga would have been retained. Closing down certain areas and picking out prime timber locations will create a lose-lose situation. Gwabegar lost its last employer. It has one small school, one police station, no industry, and a lot of people without any future at all. I think it is very, very sad that this has occurred when there is simply no reason for it to have happened.

In addition, Gwabegar has lost its train line, which was closed recently. That line serviced Gwabegar, Baradine and Binnaway. The Government spent \$2.4 million on upgrading the line and then, all of a sudden, closed it down—just before a record wheat harvest. If that is not proof that this Government has lost the plot, I do not know what is.

BREAKFAST POINT DEVELOPMENT

Ms ANGELA D'AMORE (Drummoyne) [4.37 p.m.]: This evening I wish to discuss the Breakfast Point development in the electorate of Drummoyne. On 31 August last the Minister for Planning declared the Breakfast Point project to be a major project under the provisions of the Environmental Planning and Assessment Act 1979, resulting in the Government taking over the site. Breakfast Point is a \$1.5 billion residential development to provide housing for up to 5,000 people in Sydney's inner west. Construction at Breakfast Point has created 1,000 jobs, and is 40 per cent completed. Construction had been proceeding according to a 2002 master plan for the site, which was approved by Canada Bay Council.

The master plan includes a village green, including a playing field and community hall; guaranteed public access along the entire foreshore of the site; a waterfront park and sporting facilities; a retail precinct and road design to allow future State Transit bus routes through the site; a community shopping centre; a sport and recreation club, including tennis courts, a swimming pool, gymnasium and aerobics room; stormwater retention and reuse on site, which means underground tanks to store up to one million litres of stormwater for reuse to irrigate gardens; and wildlife corridors and native species plantings.

The Breakfast Point development has won three urban design awards, including the 2004 UDIA award for best lifestyle development. The takeover by the State Government means that any future development applications for Breakfast Point will be assessed by the Department of Planning, not Canada Bay Council. It does not mean that any of the public benefits—for example, open space, public foreshore access, community centre and shops—will be taken away, as has been suggested by Canada Bay Council. All of the public benefits required in the 2002 master plan will still have to be delivered, and rightly so. What it does mean is that development applications will be assessed within a reasonable time, and approved or rejected without the 450-day delays that had begun to occur under Canada Bay Council's jurisdiction. It will provide certainty for local residents, who will get the public benefits they paid for, in full and within a reasonable time frame.

It is important to note that this does not mean that any particular development application will be approved, simply that they will be assessed by the Department of Planning and not by council. The department will assess the project according to the provisions of the 2002 master plan. The lengthy delays of the last two years will be avoided, and the project can proceed according to the original master plan, which was agreed by all parties in 2002. The reason the State Government was required to intervene in this matter was that in 2004 Canada Bay Council changed its mind on Breakfast Point—midway through the construction—and announced that it would bring in new development requirements for the entire site, even though Breakfast Point had been completed. Council insisted that the childcare and community centres be transferred to council ownership. I am happy to announce that a week and a half ago I met with residents. It is not so much who owns the facilities that is of concern; it is to what standard they will be maintained. This has been the concern of council that the facilities not be maintained to the standard that the residents were used to.

The council also indicated it would change floor-space ratios on site, effectively increasing the building heights in development away from the water's edge. This could potentially reduce the views from the originally planned apartments, many of which had already been sold off the plan. People who bought these apartments did so in good faith, expecting that the promised views from their windows would be delivered. At the same time, development applications for Breakfast Point began to be delayed at council—in some cases by up to 450 days without a decision. The extended delays, and the decision to change the development rules midstream, endangered the delivery of the entire project. This would have cost Sydney much-needed housing for 5,000 people, as well as hundreds of construction jobs, and left the surrounding suburbs in a state of disarray, not knowing when the site would be completed.

Even though the State Government has taken over this site, Canada Bay Council has continued responsibility for all development on land surrounding the Breakfast Point development. Canada Bay Council also has the opportunity to have a major say in the Breakfast Point project itself. The only change is that the assessment of development applications will be done by Planning, not by council. The Government is committed to the delivery of a world-class urban development at Breakfast Point, which will meet all of the environmental and community requirements of the master plan for the site. At the same time, we are ensuring

that major projects such as this are not subject to unreasonable delays and can proceed according to agreed planning principles.

I thank all the residents who attended my community meeting a week or so ago. There will be a number of ongoing meetings to discuss this matter with residents of Breakfast Point and surrounding areas. I assure Canada Bay Council that the State Government has the expertise, the knowledge and the ability to dictate things to the developer to ensure that those public facilities remain and that we have a world-class development in the State seat of Drummoyne. I am quite happy to work with council and I assure everyone that we will do our job in relation to Breakfast Point.

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [4.42 p.m.]: I commend the honourable member for Drummoyne for pointing out to the House the impacts of a major development in her electorate, impacts that other electorates face with developments of that size. The Breakfast Point development has the potential to bring some 5,000 people into Sydney's inner west. I can assure the residents of Canada Bay and Drummoyne that they certainly have a great ally in the honourable member for Drummoyne. I am sure that there is no-one else who could take up the challenge of making sure that what the community wants to see in place remains in place and that the community benefits from the development. These issues will be taken up by the honourable member for Drummoyne in her role as the local member. I commend the honourable member for Drummoyne for bringing this to the attention of the House.

MUDGEES RAIL LINE SPEED LIMIT

Mr GEORGE SOURIS (Upper Hunter) [4.44 p.m.]: I bring to the attention of the House a situation which has arisen on the railway line that runs between Lithgow and Gulgong, sometimes known as the Mudgee rail line. Only the other day, quite suddenly, without consultation and without any expectation, the speed limit on that line was reduced from 60 kilometres per hour to 20 kilometres per hour. Some \$11 million of expenditure was allocated for capital upgrades on the line about five years ago. It was intended that the line might be used for overflow freight if the Sydney Olympics warranted diverting freight traffic around Sydney. It was also intended that it would gain greater use as a freight line. But, unfortunately, the Rail Infrastructure Corporation at the time did not communicate too well with FreightCorp and, consequently, only very few trains—counted on one hand—have used the line for freight over that five-year period.

But the line has been used quite frequently for tourist traffic and at present there are some 22 train bookings this spring season in the lead-up to Christmas. The sudden imposition of the 20-kilometre speed limit means quite dramatic differences in the ability of tourist operators to operate trains to the beautiful Mudgee area, which is a tourist destination in its own right. Mudgee is a delightful destination not far from Sydney, with lovely wineries, heritage buildings and other attractions. One train has had to cancel Mudgee on its route and buses are being used instead. Another train, the Southern Aurora, will observe the speed limit, but that will almost ruin any tour of the region.

The line has been maintained continuously for the past five years and it comes as quite a surprise to the local operators, residents and local railway people that this imposition has occurred. I want to know whether this is happening as part of a premeditated plan to close the line, or because one of the proposed operators has pointed out that a particular area of the line needs to be maintained, or because a sleeper washaway problem has been discovered. Has a genuine maintenance issue arisen requiring temporary speed reduction until repairs are made, or is it the result of a premeditated policy to close this line?

The grain line between Gwabegar and Binnaway is closed—the last train went a couple of weeks ago. The XPT Casino to Murwillumbah service has also ceased operation, and the State Government has announced that it intends to close the electrified CityRail line between Broadmeadow and Newcastle. In the light of those examples, I would not be surprised to find that the speed reduction is part of a premeditated plan. Yet I point out to the State Government—and maybe it does not know what is going on in the Mudgee area—that the abattoir was taken over by the very successful abattoir operator from Dubbo, Roger Fletcher, and that abattoir is going to get going again in a big way and will become an export abattoir. Rail freight will be needed to move stock into the abattoir and to take meat exports from there direct to Port Botany.

There is a very large coalmine at Ulan but two new coalmines have been approved for the immediate area. There will be a considerable increase in coal traffic and a potential increase in the abattoir traffic. One or other of those coalmines will win part of the contract to supply to Mount Piper or to Wallerawang or, as has been mooted, the new baseload power station—and perhaps the construction of the second, duplication stage of

the Mount Piper power station. In any case, the imposition of the reduced speed limit on the Mudgee rail line is a very shortsighted decision. The Government ought to be about improving rail use and getting more freight on the rail, not less, and trying to preserve and enhance our rail infrastructure.

This comes as a very savage blow to the Mudgee community. It has been unexpected and unexplained. Even today, despite the fact that there has been quite a lot of media coverage, it remains unexplained, and there is a question mark as to the immediate future. Is there an intention to repair the track and get it back to the 60 kilometres speed limit, or is this decision part of a grand plan to shut down the railways of New South Wales, including this Mudgee line?

TACOMA PUBLIC SCHOOL CENTENARY

Mr PAUL CRITTENDEN (Wyong) [4.49 p.m.]: I draw the attention of the House to the centenary of Tacoma Public School, which was celebrated on 29 October. Parents of children in the area made application to the education department in 1903, but it was not until 1905 that Tacoma Public School opened as a single teacher school at South Tacoma with one teacher and 19 students. The Department of Education wanted to close the school in 1909 and convey children to Wyong, but the parents successfully resisted this move. The initial families were fishing families and some of their descendants are students at the school today: Clifford, Denniss, Duncan, Clarke and Garrathy. Other families over the years have been: Patterson, Clouten, Sales, Byles and Spiers.

It is interesting to note that for a thirty-five year period from 1911 Mrs May Spiers rowed children from north Tacoma across the Wyong River to South Tacoma without incident. In 1964 a decision was made to relocate the school to north Tacoma. The relocated Tacoma School was officially opened in 1969 with a new brick classroom and toilet block. Since 2000 there have been seven classes at the Tacoma School. A covered outdoor learning area was constructed in 2000. In 2004, thanks to the parents and citizens association, new playground equipment was installed. At the time of the centenary celebrations in 2005 there were seven classes and 182 students attending this very good school.

An interesting feature of the day was the presentation by Mrs Gloria Lowcock, a former student at the school from 1932 to 1939. She gave an account of what it was like to attend school during that period, an experience that I assume would be familiar to many country people of her time. Her teacher, Mr Goff, was a strict disciplinarian who was particularly keen on English grammar and arithmetic. Mrs Goff taught the girls sewing every Friday. The girls and boys played games at recess and lunchtime. The girls played hopscotch, skipping and catch, while the boys played marbles, cricket and rounders. Sometimes also the girls and boys would compete against each other in rounders. It was a great insight into the life of the community at that time.

Of course, these events would not have occurred without the organisational committee comprising three people who were the driving forces behind the centenary: Maree Trigg (nee Clouten), a former student at the school; Lisa Fenton, the president of the parents and citizens association; and Sue Crittenden, teacher/librarian at the school. Other people also took great interest in the project. Mr Jib Spiers, the oldest student still alive, had pride of place at the celebrations and added to the occasion with many of his insights. There were people who were synonymous with the Tacoma area, such as Ted Byles, but who were too ill to attend on the day. People travelled to Tacoma from Adelaide, Ipswich, Port Macquarie, Forbes, Gilgandra and Grafton for the centenary. The school captains, Jack Williams and Bronte Crawley, were the masters of ceremony for the day and both performed very creditably.

Although Tacoma Public School is a small school it is interesting to note that in 1996 it had ten networked computers. I can remember at that time many debates in this place on connecting one school by dial-up to the Internet, yet Tacoma was well in advance of that idea with the active involvement of the community in the provision of those facilities. The interest in technology continues today because Tacoma is disproportionately represented, in a positive sense, in the technology classes at part-selective Wyong High. Credit should be given to the community and teachers at Tacoma Public School who have ensured that technology is very prominent in the curriculum.

LISMORE ELECTORATE SCHOOLS

Mr THOMAS GEORGE (Lismore) [4.54 p.m.]: I pay tribute to public education in the Lismore electorate. Over the past few weeks several anniversaries have been celebrated, with fundraising activities and the awarding of a recognition of honour to one of our TAFE teachers. On 17 September 2005 Wyrallah Road

Public School celebrated 50 years of public education. On that memorable day school captains Georgia Han and Luka Cinnamond, together with vice-captains Gabrielle Wood and Jake Nind, joined the official party of Ron Phillips, the relieving North Coast director, myself as the local member, Merv King, the Mayor of Lismore, John Wade, who provided the original land for the school, Mr Ralph Taylor, the School Principal, and Colleen Riley from the parents and citizens association and others, for a wonderful afternoon. In the course of the afternoon we saw the unveiling of a plaque by Mr Phillips, and the special guests of the day, together with the original students, took part in a tree planting ceremony to create a windbreak grove around the school ground. The day reinforced the need for a school hall.

On 1 October 2005 Kyogle High School celebrated 50 years of the new building. The ceremony was attended by Pam Davidson, the original school captain in that building, Penny Langfield and Andrew James, the school captains for 2005, the Hon. Ian Robinson, who had unveiled the original plaque as the State member, Anne Riddell, the School Education Director for Richmond Valley, Max Strong, resident poet and teacher at the school, myself as the member for Lismore, Kylie Thomas, President of the Kyogle High School Parents and Citizens Association, Bryson Wilson, the chairman of the 50th Anniversary Committee, and David Harris, who represented his father, the late Mick Harris, the first President of the Kyogle High School Parents and Citizens Association. It was a great day and it was enjoyed by all. The master of ceremonies for the day was school principal Selwyn Nix.

Last Sunday I was humbled when, having challenged quite a few friends and Don Page, a colleague of mine, I received support in the 2005 Thomas George Charity Walk for the local radio station. You might ask what that has to do with education? The money raised by this walk supports all the early intervention centres at Ballina, Lismore, Casino, Byron Bay, the North Coast Children's Home and Wilson Park School. I challenged my friends, business associates and colleagues for the second year and, although sore-footed, we walked 13 kilometres to raise \$21,432.

I want to pay tribute to everyone who took part in this event, but in particular I would like to mention Susan and Matthew McDermott. Susan and Matthew run the Lismore financial planning service Step Up. When they found out we were conducting this walk they were able, through the AMP Foundation, to offer dollar for dollar up to \$10,000. At the end of the day we had raised \$31,432 for Biala Special School, Ballina Early Intervention, North Coast Children's Home/CASPA, Summerland Early Intervention, Wilson Park School, Byron Shire Early Childhood Intervention and Jumbunna Early Intervention. The early intervention schools really appreciated the support. I simply say thank you to all those people who supported me in that quest. We all had a great time.

Last Monday evening in Sydney I attended the School and TAFE NSW Administrative and Support Staff Recognition Award 2005 Presentation Ceremony. I was pleased to be there because Peter Jarrett, who does a mighty job for education working with TAFE NSW and the North Coast Institute Lismore Campus, was one of the ten people throughout the State presented with an administrative and support staff recognition award by Mr Andrew Cappie-Wood, the Director General of Education and Training. I would like to place on the record my thanks to Peter Jarrett for the wonderful job he does not only at TAFE but also looking after students within the area.

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [4.59 p.m.]: As a fellow North Coast member of Parliament, I join the honourable member for Lismore in congratulating those schools. In particular, I congratulate Wyrallah Road Public School on reaching its fiftieth anniversary. Many years ago I had the pleasure of visiting Wyrallah Road Public School when I was wearing another hat, and I enjoyed my time there. I spoke to the students about the Parliament and ran a mini parliament. In those days the school held Italian classes, which were greatly appreciated. I do not know whether the school still conducts those classes—the honourable member for Lismore may be able to tell me whether that is the case. It is certainly an extremely innovative and happy school community. It deserves all the recognition and accolades it receives.

Kyogle High School is a major institution. Kyogle, which is a major town, recently experienced a tragedy with the loss of its timber mill. I well remember that during my days as a student at Mullumbimby High School I travelled to Kyogle High School to compete in the interschool Kearney Cup, in which we challenged each other in various sports. We also tried to outdo each other on the social occasion in which we took part on the night we stayed in the town. They were great days. I am sure that the former students and current students enjoyed their reunion and the fellowship that is part of such an event. I am sure the honourable member for Lismore also enjoyed the day.

The honourable member for Lismore referred to the charity walk that raised funding for early intervention. I congratulate everyone who took part in the walk. It is hard to beat a charity that raises money for

early intervention, and I commend the members for organising the event. I congratulate Peter Jarrett from the Lismore campus on receiving the Support Staff Award, which is very well deserved.

STRATHFIELD MUNICIPAL COUNCIL AND STRATHFIELD RAILWAY STATION ANTI-TERRORISM MEASURES

Ms VIRGINIA JUDGE (Strathfield) [5.01 p.m.]: It has come to my attention that Strathfield Municipal Council recently passed a motion regarding Strathfield railway station and the council has requested that the information about anti-terrorist measures be revealed. I am extremely concerned about council's utter stupidity in passing the motion—I might add, under the leadership of the Liberal mayor and the Independent, liberally aligned deputy mayor, Councillor Gewandt. I believe this action has jeopardised the safety of the Strathfield community and, indeed, the wider community.

I have been advised that the State Government has anti-terrorist measures in place at Strathfield railway station. It would be irresponsible of me to specifically outline these measures, because if I did it would jeopardise all counter-terrorism operations undertaken by the Government. I can, however, outline the general policy that is in place for stations such as Strathfield, which is part of the CityRail network. I welcome this opportunity to do so. First, the New South Wales Government has made counter-terrorism a priority in the wake of international events in recent years, significantly boosting the State's counter-terrorism capacity. This has not been a one-off response but a continuing program to build the capacity of our government agencies and systems, test them and our commander systems in realistic exercises, and examine our legal system to ensure that we have the necessary offences and powers.

The Government has committed more than \$120 million to counter-terrorism measures on our rail network. This includes the following measures. A total of 6,224 closed-circuit television [CCTV] cameras have been installed across the 302 CityRail stations—an average of 20 cameras per station. RailCorp is trialling new portable, infrared spy-cams, which can be hidden on trains and stations or in depots and monitored on laptop computers by specially trained officers. There are 700 emergency help points on station platforms, whereby the press of a button alerts authorities. CCTV is connected to these points. The Rail Management Centre [RMC] operates 24 hours a day, seven days a week, and receives live CCTV footage from the 6,224 cameras. The RMC also has links for direct contact with train drivers and guards, CityRail transit officers, NSW Police and emergency services.

Monitoring of the CCTV cameras is conducted by RailCorp at the RMC and 17 other locations across the network. NSW Police has direct feeds from the RailCorp CCTV system. The technology was upgraded for the Olympics. The cameras are digital, and a \$25 million contract has recently been signed for upgrades and maintenance of the network over the next five years. London has a similar number of cameras, around 6,000. However, as the lines are segregated there is no central control point. In addition, many London cameras still operate with analogue tapes.

Millennium trains are fitted with on-board CCTV. The State Government is investing in around 700 new train carriages over the next few years, and all of these will be fitted with internal CCTV. All State Transit buses are fitted with internal CCTV, which records to a digital hard drive. NSW Police sniffer dogs are permitted on all Sydney CityRail lines. NSW Police has 300 positions within the Commuter Crime Unit. RailCorp deploys 600 transit officers with the powers of detention and arrest who have specific counter-terrorist training. Private security guards, using dogs, have been deployed in CityRail depots and maintenance yards. RailCorp is focused on training its station staff to respond quickly and appropriately in the event of a terrorist attack on the rail system.

The Transport portfolio agencies have been working closely with the Premier's Department and the NSW Police Counter Terrorism Unit regarding transport security. It would be foolhardy in the extreme to let a potential terrorist know what the precise anti-terrorist measures are, as this would provide a road map of what we have put in place to protect our hardworking citizens. One could imagine that it is like saying to a potential criminal or robber, "Here is a plan of the security measures we have in place in our house."

Recently I met with the commander from the Auburn Local Area Command, who informed me that Strathfield council needs to do a lot more to provide better lighting around the Strathfield station area and implement other safety measures to protect the community. What has the council done to make Strathfield a safer place? In my opinion, it has done little or nothing. The council should ensure that the area is cleaned up and that it is safe for the citizens the council has been elected to represent. I am absolutely appalled at how

disgusting and dirty the town centre area is. When I was mayor the town centre was absolutely spick and span, and safe. Indeed, a kiosk that was built as part of an area upgrade that I initiated more than two years ago is still empty. One can imagine the thousands of dollars that could have been earned in rent—money that could have been put into projects for the benefit the residents.

I am cynical about council's motivation in trying to step into the realm of State politics. Could it be that council is trying to create a smokescreen around its own local government inactivity? The council should stop creating hysteria in our community and engaging in scaremongering, but instead try to do something concrete for the residents. The mayor drives around in the latest mod-con car and council has brought back catered dinners. The thousands of dollars the council is wasting could go towards projects for the Strathfield community. Strathfield council is going from bad to worse. I feel sorry for the Strathfield community. It used to be a fantastic area; the council was well run and well organised. But now, instead of doing something positive on behalf of the residents, the council sticks its nose into State business. I hope council members read this private member's statement.

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [5.06 p.m.]: In response to the comments of the honourable member for Strathfield, I point out that occasionally members are faced with resolutions from councils in their electorates that to some extent can be difficult to deal with. The honourable member for Strathfield has done a good job of pointing out to the House and the residents of Strathfield exactly what the council motion means for security. As the honourable member said, the motion does nothing at all to improve security. Indeed, as she also said, if she were to follow through with what council has proposed it would be a retrograde step for the safety of her constituents and the people who use Strathfield railway station.

Decisions on what constitutes potential targets are best left to the experts in that area. It is not an area that we as members of Parliament claim to be experts in, but we certainly employ people who have the experience and training to be able to do that, and it is best left to them. Similarly, what is being done to protect specific areas also should be left to the experts. I am sure all residents of New South Wales appreciate that it would be foolish to reveal such information, as the honourable member for Strathfield said is happening with Strathfield railway station. I think residents, including the councillors, would be more than happy with the comments of the honourable member for Strathfield, and would appreciate that she is meeting her responsibility as a local member.

CRONULLA ELECTORATE TRAFFIC ARRANGEMENTS

Mr MALCOLM KERR (Cronulla) [5.08 p.m.]: I wish to raise traffic safety issues in my electorate of Cronulla. The traffic safety measures at a number of intersections in the electorate are totally unsatisfactory. Given the constraints of time, I draw to the attention of the House just two intersections. For some years I have spoken about the horror intersection at The Kingsway and Gannons Road, Woollooware. It is dangerous for pedestrians.

I first brought the matter to the attention of the Minister for Transport, Sparkles Scully, when I advised him of the pedestrian crossing on Gannons Road North and the need for a right turn arrow for motorists turning from Gannons Road approaches into The Kingsway. He refused to install that essential safety feature due to "circumstances and limited funds". However, an 18-year-old girl was seriously injured at that intersection in 1999. It is now 2005 and nothing has been done. In relation to the other intersection, on 18 July 2005 I wrote to the then roads Minister, the Hon. Michael Costa, stating:

I draw your urgent attention to the need for pedestrian safety at the pedestrian lights at the intersection of Port Hacking Road South and MacKay Street, Caringbah.

Pedestrians crossing the Kingsway with the pedestrian lights are at risk as they are in conflict with motorists turning right from Port Hacking Road due to there being no right turn arrows.

I enclose copies of correspondence with the Roads and Traffic Authority from 2001. Despite the reply by the Roads and Traffic Authority, no action has ever been taken to prevent conflict between pedestrians crossing the Kingsway and vehicles leaving Port Hacking Road.

Sadly, on 16 July 2005 a 77 year old woman was killed in a fatal pedestrian collision when a truck making a right hand turn from Port Hacking Road collided with the woman.

I received no reply. I placed a question on notice. Question No. 4502 stated:

When will the Minister answer my letter dated 18 July 2005 to the former Minister for Roads concerning the urgent need for right turn arrow phasing to protect the lives of pedestrians crossing the Kingsway at the intersection of Port Hacking Road, following the death of an elderly pedestrian?

The Minister replied:

A reply will be sent shortly.

I am still waiting. That is a disgrace. I have drawn attention to a situation that has resulted in death and injury, and action has still not been taken. That is appalling; it is totally unacceptable. I am sure honourable members share my concern about the lack of attention. Injuries and deaths will continue to occur unless urgent action is taken. I turn now to the second aspect of road safety, and it is perhaps a brighter note. Previously I have spoken in the House about speed cameras and the need for flashing lights at school crossings. I note that two members of the Staysafe committee recently returned from Great Britain. I was pleased to read an article in the *London Times*, which stated:

The relentless advance of speed cameras across Britain is to be halted under government plans to restore confidence in traffic policing, *The Times* has learnt.

Cameras will no longer be used as revenue-raising devices, and the system of recycling speeding fines to fund increasing numbers of cameras is to be abolished.

Old Labor in New South Wales could emulate what New Labour is doing in Great Britain.

COOKS RIVER FORUM

Ms LINDA BURNEY (Canterbury—Parliamentary Secretary) [5.13 p.m.]: I share with honourable members a great collaboration that took place about a month and a half ago in Canterbury. It was the second annual Cooks River forum, which are becoming a permanent fixture in Canterbury. Basically, we have a forum once a year, with a number of speakers. It is a public meeting for people who are interested in and/or live adjacent to the river. The forums have been attended by local government, the Federal member, Anthony Albanese, and local mayors. The chair of the Sydney Metropolitan Catchment Management Authority, Bob Junor, also attended this year's forum. The forum was organised by the Hurlstone Park Community Group and supported by the Canterbury electorate office. University graduates Sandra Bayliss and Camille White have helped us with organising the forums.

I shall relate to the House some of the issues that were raised at the Cooks River forum this year. The forum was well attended. It is an example of collaboration between volunteers and State and local government. It discusses environmental concerns, bearing in mind that the Cooks River is the most polluted river with the most densely populated foreshore in New South Wales. When we think about natural resource management we often think of regional and rural Australia. Of course, that is only one part of the issue. David Burfoot and Ian Flowers from the community group spoke about several issues, three of which I shall relay to the House. The aim is to improve the safety, attractiveness and amenity of open space along the Cooks River, to increase the availability of accessible community resources in relation to the river, and to increase community activities. Then there are many environmental issues involving work that is being done.

Another collaborative program is CREW—the Cooks River Enviro Workers—which includes Marrickville, Canterbury, Strathfield, Burwood, Bankstown and Rockdale councils, the Georges River Combined Councils and the New South Wales Department of Corrective Services. Corrective Services provides teams of volunteers from voluntary detention units to clean up litter and major pollutants along the river. That program will continue to grow. The Sydney catchment management area has already spent \$100,000 on the Cooks River to provide the Wolli Creek fish passage, the Fresh Water Rehabilitation Program and the Cooks River urban plant project and Pocket Parks project. There is much more to be done. We also had a presentation from Susan Calvert from the Sydney Metropolitan Strategy, who spoke about the Cooks River Foreshore Improvement Program and the New South Wales Government's commitment of more than \$2 million over four years for that project.

I draw the attention of honourable members to the Federal Government's lack of support for this important but polluted waterway. The Federal Government has committed more than \$1 billion to a salinity program and, as honourable members would be aware, it has a \$3 billion natural heritage trust. Only \$100,000 out of that \$4 billion has been committed to the Cooks River and its health and future. I place on record that Anthony Albanese has brought to our attention the lack of Commonwealth funding for this part of Sydney. Local government has a critical role to play in this. Once again I congratulate the Hurlstone Park Community Group on taking forward issues relating to this important waterway.

MR JOHN DEDERER INDUSTRIAL INJURY

Mr CHRIS HARTCHER (Gosford) [5.18 p.m.]: I shall detail a concerning case of industrial injury that unfortunately has affected a whole Australian family. Mr John Dederer and his wife, Carolyn, are residents

of Maitland. They have four children aged 18, 10, 8 and 6 years. For 12 months during 1997 and 1998 John worked for an aluminium processing plant in Tomago operated by W. M. and L. J. Balcomb. The purpose of the plant was to take aluminium from boat motors, car motors, gas meters and other manufactured aluminium products, place the material in a smelter and melt the material to remove the aluminium so it could be re-used and recycled. The furnace no longer operates. It was closed in 2000, and for the community's sake I am inclined to believe that this could only have been a good thing.

During the year John worked at the plant he was required to work without adequate protective clothing. He wore a tracksuit in the winter and shorts in the summer. He was required to wear boots on the site, seemingly because of the risk of stepping on something sharp. Unfortunately, no number of tracksuits or pairs of work boots could protect John from the chemicals produced by the smelting process. The plant was supposed to be smelting clean aluminium only—that is, aluminium with all contaminants removed before smelting. The plant in question disregarded this commonsense directive and simply threw everything with a trace of aluminium into the smelter. The resulting toxic chemicals got into John's skin, eyes and hair, and he breathed the fumes of the smelting process every working day for a year. The lack of safe, protective clothing allowed the chemicals to contaminate his body even more quickly.

John did not know at the time, but he was being poisoned slowly by the chemicals produced at the plant. Not only was he being poisoned but he also was taking the poisons home to his family when he returned from work every day. These chemicals were wide ranging but included heavy metal contaminants such as lead. I might deviate from the topic slightly to say that it is also quite clear that the company breached the licensing conditions set down by the Environment Protection Authority [EPA] for the operation of the plant and I am concerned that the EPA seems to have done very little to take action against the company for these breaches. Slowly the poisoning became obvious and John became sick. As John got sick, his family got sick. His children are now sick, having had the poison seep into their bodies, transferred by actions as simple as hugging their father when he returned home, sitting in dad's favourite chair or helping their mother wash their father's work clothes.

The family did not know but they were each being poisoned by the chemicals at John's work. Members of the Dederer family now suffer serious medical conditions as a result of their exposure and poisoning. The Dederers contacted WorkCover and their original solicitor managed to gain a one-off payment to John of \$169,242.40, mostly for back injuries and some aspects of his exposure to lead. John tried to gain compensation for his exposure to chemicals but as the workers compensation insurer would not accept liability, no money was made available for the medical reports, which would have shown John had been exposed and would have lead to further compensation. Because his injuries are work related and require the attention of a WorkCover approved doctor, medical costs are twice as much for John alone and the family simply does not have the money.

The Minister for Industrial Relations, the Hon. John Della Bosca, has made it quite clear WorkCover can do nothing more for the Dederers but has suggested they take private legal action against the company responsible. After years of medical costs the Dederers cannot afford to run an expensive legal battle against a private company. It simply is not possible. They require legal assistance, and I know the House and the Government will understand that.

The Dederers have one recourse for assistance with private legal action. Being of Aboriginal descent, they may be eligible for assistance from the Aboriginal Legal Aid Service. I have discussed this matter with the Minister for Aboriginal Affairs and he has agreed to review the matter on behalf of the Dederers, and I thank him for his co-operation and assistance. It would be wonderful if the Aboriginal Legal Aid Service could provide them with some assistance to take action for this terrible chemical poisoning. This issue runs to the core of our Australian idea of a fair go. John, his wife and their children have not received a fair go. They are sick because a company did the wrong thing. I can only hope the Government and the Aboriginal Legal Aid Service have the heart to take up the Dederer's case and give them a hand. Once again, I thank the Minister, who has indicated he is prepared to review the matter and if possible seek to assist this unfortunate family.

TOYS FROM WOOD CLUB

Ms MARIE ANDREWS (Peats) [5.23 p.m.]: I inform the House of the generosity of two of my constituents who recently were presented with New South Wales Government community awards by Premier Morris Iemma. For many years Arthur—but known as Jack—Nixon of Umina Beach and Jim Stevens of Woy Woy have been making wooden toys for distribution to children in need by charitable and not-for-profit organisations. Jack and Jim had the distinction of being the longest-serving members of the Toys from Wood

Club. Jim has clocked up 18 years and Jack 16 years. The group, originally known as Toys in Wood and later changed to Toys from Wood, was formed in 1989 by Mr Len Davies. On average, the group has made 200 or more toys each year under the motto, "We make for giving." All labour is voluntary and most of the materials are donated by individuals or by business people, most of whom are located on the Woy Woy peninsula. The materials are purchased by the individual members of the group.

Like so many wonderful volunteers working in so many spheres of our communities, Jack and Jim are senior citizens—Jack is 80 years of age and Jim is 77. Working in conjunction with a relatively small band of other retirees as amateur toy makers, their range of goods has been wide and varied. The toys include cradles, rocking chairs and furniture for dolls, toy ironing boards and irons, cars, semitrailers, trucks and tractors, pull along animal toys, jigsaw puzzles, block puzzles, sensory and geometrical puzzles, peg boards, tool boxes, stools, wheelbarrows and tricycles.

In addition, the group has designed and manufactured specialised toys for students with special needs. Some examples of these toys are shape recognition puzzles with knobs on each piece for small hands to manipulate, different surface texture puzzles for blind children to match by tactile feel and black-and-white, high contrast jigsaw puzzles for children with limited sight. Besides making complete toys for children, the group has complied with requests from a number of local retirement villages for the supply of semifinished toys. These toys were then completed by the residents of the homes as part of their occupational therapy.

Organisations that have benefited from receiving these toys include the Child Abuse Prevention Service at Umina; Central Coast Riding for the Disabled, based at Mount Penang; Glenvale Special School at Narara; Ettalong Beach Public School; St Vincent de Paul Society; Salvation Army; local Lions clubs; Aunties and Uncles; Hammond Care Group; Federation of Hospital Art; Peninsula Retirement Village; Umina Village; Umina Fire Service Brigade; Masonic Ladies Woy Woy; Occasional Care Woy Woy; Cancer Care appeals; Royal New South Wales Institute for Deaf and Blind Children at North Rocks; and Gosford Hospital.

At the State reception hosted by Wyong Shire Council at the council chambers at the conclusion of the State Cabinet meeting on 28 September 2005, Premier Morris Iemma presented Jack and Jim with their community awards. Lois and Janet, Jack and Jim's wives respectively, accompanied their husbands to the reception. Both Lois and Janet, who have been most supportive of their husbands' involvement in Toys from Wood, were justifiably proud that Jack and Jim have now been acknowledged with a community award. Congratulations, Jack Nixon and Jim Stevens, on assisting so many children and adults through your long involvement in Toys from Wood.

Ms LINDA BURNEY (Canterbury—Parliamentary Secretary) [5.27 p.m.]: I thank the honourable member for Peats for sharing with the House the Jack and Jim story. It shows us that it is nonsense that once one reaches retirement age one's contribution to society and to the community is over. I thank the honourable member for Peats for telling us the story of two senior men who sound wonderful and are walking examples of productivity into later life.

SHOALHAVEN POLICE NUMBERS

Mrs SHELLEY HANCOCK (South Coast) [5.27 p.m.]: This afternoon I again raise the issue of police numbers in the Shoalhaven Local Area Command [LAC]. For some years I have been concerned that the Government has intentionally decreased the local numbers in the Shoalhaven command and that the Government's plan is to decrease police numbers even further. In March 2003, coincidentally an election year, police numbers in the Shoalhaven were 137 and at that time the local area commander had argued that he needed an additional 30 police officers to resource the area adequately and provide appropriate policing for the villages and towns of the Shoalhaven. Contrary to the concerns of the local area commander, the Government has continued to decrease police numbers and its target is for 16 fewer police than there were in 2003.

The mayor of Kiama has also expressed her concerns about police presence in Kiama as part of the Lake Illawarra LAC. I raise the lack of interest in this issue by the honourable member for Kiama, who last raised policing in his area some five years ago in this place. Unfortunately, this morning the Minister for Police confirmed on ABC radio that numbers would continue to be driven down by this Government, despite concerns raised by communities in the South Coast, by the police, by the mayor of Kiama and by me in this place on several occasions. Throughout the past two years I invited the former Leader of the Opposition, John Brogden, to visit the area as well as the shadow Minister for Police, the Hon. Michael Gallagher, and the current Leader of the Opposition, all of whom displayed keen interest in this issue and visited my electorate on numerous

occasions to listen to the concerns of local police about declining police numbers and various operational issues in our area.

Declining police numbers is of great concern throughout the South Coast. Many communities have raised with me serious problems they have experienced. Recently I met with the Orient Point Progress Association and the Culburra Neighbourhood Watch group, and only last week with the Huskisson Chamber of Commerce, who conveyed their concerns not only to me but also to one of the local duty officers in the Shoalhaven Local Area Command. This week newspapers and radio stations again are reporting increased incidents of crime in the towns and villages of the South Coast, including disturbing accounts of vandalism, violence and assaults. Recently a female officer was assaulted in one of our villages. Clearly she was outnumbered by large groups of individuals who were out of control and intent on causing mayhem and distress amongst communities that are inhabited by large numbers of elderly people who fear reporting incidents because of recriminations.

The matter has reached crisis point. I have raised police numbers many times over an extended period of time, as well as the manning of village police stations and the need for a new police station in the bay and basin area. I regularly attend police and community training [PACT] meetings and I meet with my local area command police every two weeks to convey the concerns of my residents. But the situation is getting worse and is approaching crisis point. The Government often talks about its support for police, but by driving police numbers down it displays contempt for police. There is no doubt that morale amongst police officers is low. The average length of service now for new recruits after leaving the Goulburn Police College is five years. The reason is clear: police are expected to do too much with limited backup. Apart from the masses of paperwork they are required to process, they are expected to service large areas within their command areas with limited numbers.

In country and regional areas, such as my electorate, there are limited opportunities for backup from other command areas in times of crisis. We are losing our best and brightest, despite considerable investment in their future at Goulburn Police College and Charles Sturt University. The Minister must heed the warnings, stem the tide of police leaving the service and increase police recruitment for the future needs of our communities. Recruitment is paramount. Since 2003 we have seen a reduction in the numbers graduating from the Goulburn Police College, and that has resulted in fewer probationary constables for deployment throughout the State, let alone in my electorate. Class numbers have been reduced by hundreds—from more than 600 in 2003 to just over 100 last year. Communities have a right to feel safe. It is a fundamental right for all of us, particularly our elderly population, whom this Government is currently treating with contempt.

Down south in the traditionally quiet and peaceful towns and villages of the South Coast there is crime, fear of crime and a real fear about reporting crime. Repeated calls for increased police numbers from area commanders and our communities have fallen on deaf ears. I call on the Minister for Police to urgently liaise with the local area commander, who admitted on radio yesterday that he is struggling with the limited resources available to him to cope with crime in the Shoalhaven area. I also call on the Minister to return police numbers in the Shoalhaven area to 2003 levels—that is, 137—and seriously consider increasing police numbers in the local command by 30, which was requested by the local area commander way back in 2003.

RESIDENTIAL PARKS LEGISLATION

Mr MATTHEW MORRIS (Charlestown) [5.32 p.m.]: Today I wish to make some comments about the Residential Parks Act and place on record my appreciation to the Minister for Fair Trading and her staff for their work in reforming the Act. Over the past 12 months I have been working with local residents who reside in residential parks in relation to the review of the Act. Following my consultation with residents over this period, a range of issues were put forward including security of tenure, notice of termination, relocation range and costs, rent increases, redevelopment plans and emergency access. These issues will be addressed in the new Act, and I am pleased to see the Government so supportive of our residents who live in these parks.

History has shown that from time to time residents have been subjected to mistreatment by some park owners. I have previously seen owners treat residents like second-class citizens. Some owners do not comply with the Act and mislead individual residents to get them out. Park owners and operators must act in a professional manner and comply with the relevant Act. I recall residential park owners in Caves Beach who muscled their residents out to make way for a highly profitable redevelopment. Under the legislation before the Parliament, owners and managers must be more up-front with residents, as there is a greater level of protection for residents of these parks.

Given the large number of people living in residential parks, the Government is taking positive steps to protect residents' rights and to maintain those rights for many years to come. Often these parks are well positioned along the coast, many with a scenic outlook. They are highly attractive to developments that offer significant profit opportunities, which outweigh the rights of residents. The amended Act will provide residents with a much greater level of security while balancing the rights of owners. The three parks in my electorate contributed significantly during the consultation process of the review of the Act. I place on record my appreciation to all those residents who participated in the review process. Their feedback and contributions played an important part in the reform of the Act.

One important element of the changes before the House includes the establishment of a new code that will apply to electricity supply arrangements between park owners and residents. Future charges will be linked to the available supply of electricity. Many sites are limited to 40 amps of power and residents who are undersupplied are forced to obtain an alternative energy supply, such as gas, particularly for hot water services and cooking facilities. All residents pay a service availability charge. However, some park owners are capitalising on this charge.

The Sanctuary Park owner in Redhead in my electorate pays an availability charge of \$180 per annum to the energy supplier. Yet he collects \$8,500 per annum in fees from 77 residents. Owners claim the additional charge covers infrastructure and administration costs of managing individual accounts. He is charged \$180 per annum; yet he charges residents a total of \$8,500. This is morally wrong and very unprofessional on the part of the owner. The new code will go some way to ensuring that residents are charged only for the level of supply they receive, which will provide a greater balance and equity across residents. I look forward to the passage of the legislation so that park residents are afforded greater protection and support under the new Act. I stress that park residents are not second-class citizens. They are genuine, decent human beings. Like all of us, they are entitled to have their rights respected and to be treated fairly by park owners. They are entitled to be protected under the Act. I am pleased that the Government is so supportive of those individuals.

REDFERN-WATERLOO REDEVELOPMENT

Ms CLOVER MOORE (Bligh) [5.37 p.m.]: Tonight I again wish to set the record straight and report on positive actions being taken to provide real improvements for the people of Redfern, Waterloo, Eveleigh and Darlington. Over the past year the City of Sydney has expanded services in South Sydney and is investing more than \$50 million over four years to further improve facilities, services and recreational opportunities. There will be an \$11 million revamp of Prince Alfred Park pool, a \$20 million upgrade of the Redfern and Regent Street shopping precinct, a \$500,000 upgrade of the skate park in Waterloo Park, a \$1 million upgrade to local parks and reserves, and the expansion of child care places at Alexandria and Redfern Centres. Further, preliminary planning for a new youth centre is under way. The city's commitment includes \$19 million to restore Redfern Oval to provide professional level training facilities for the Rabbitohs so that they can keep their historic links with Redfern and also to increase active sporting, athletic and recreational opportunities for a broader range of community, school and sporting groups.

In a welcome move, the board of the Sydney Cricket Ground and Sports Ground Trust has voted unanimously to support the Rabbitohs returning to play matches in our local area at Aussie Stadium. Further, Peter Holmes a Court, in consultation with Russell Crowe, has proposed a strategy to unite Souths Juniors, seniors and the football club. The strategy includes a financial package to deal with the leagues club's \$7.5 million debt and is in recognition that Redfern Oval is not viable for NRL matches.

A report on the Redfern Park and oval proposal will next week be considered by the council in committee following additional consultation, which has been held with representatives from South Sydney Leagues Club, South Sydney District Football Club, Souths Juniors, the Construction, Forestry, Mining and Energy Union [CFMEU] and the Sydney Cricket and Sports Ground Trust. I welcome the genuine interest expressed by many local schools and community groups in the plans of the Police and Community Youth Club [PCYC] to increase recreational opportunities in Redfern. This is the city's primary aim for the Redfern Park upgrade. However, the challenge is to increase Redfern's recreational facilities and green space, and not to concrete over Redfern Park, in an area which has the lowest open space ratio in Sydney and a rapidly increasing population in Redfern and Waterloo, which is predicted to rise from 15,000 to 40,000 by 2015.

I welcome the decision of the Federally funded Indigenous Land Council to commit \$25 million to retain the Redfern school site in public ownership and create a centre for indigenous sport and culture by refurbishing the school and adjacent oval. The Indigenous Land Council has stated that it considers that the

PCYC would be a natural fit with its plans, should the New South Wales Department of Housing not provide the assurance of a long-term lease. Doubt does remain over the future of the PCYC. The General Manager of Central Sydney Housing Services wrote in May stating:

The original project proposal included the retention of the PCYC on its current site ... However we are now considering ... if a new club facility could be provided in a location to better fit with the overall design for the site. This may or may not be the existing location.

Finally, I correct the claims by the honourable member for Heffron about the Paddington PCYC. New South Wales PCYC sold the site in 2003, despite a strong community campaign to retain the facility in an area with an increasing population, no other youth facilities, and limited opportunities for low-cost recreation and sport, particularly as Woollahra Council had provided the land and the community had built the facility. On 12 November 2003, in response to my request for information on the reported \$7 million proceeds from the Paddington sale of this community facility that belonged to the community, the chief executive officer wrote to me stating that the PCYC board had resolved "to bring its total capital allocation for the upgrading of the Clubs at Woolloomooloo, South Sydney and Maroubra in the next year to \$1.4 million".

I wonder what happened to the other \$5.6 million from our Paddington community facility. Again the honourable member for Heffron and her urgers have shown themselves to be so far behind the main game. I say to her that the people in this city and this State are sick and tired of political games and negativity, and it would be welcomed if she could start focusing on positive initiatives that hopefully she is taking in her own electorate that would justify the tax-payer funded seat which she occupies in this House.

DR SUE-CHING YEOH TRAFFIC INFRINGEMENT NOTICE

Mr WAYNE MERTON (Baulkham Hills) [5.42 p.m.]: On 15 June this year Dr Sue-Ching Yeoh of Carlingford wrote to me seeking assistance in resolving a traffic offence which, she stated, she did not commit. The infringement notice number is 4005364276 and it was issued to her for allegedly driving using a hand-held mobile phone. Dr Yeoh provided a copy of correspondence that she had forwarded to the Director of the Infringement Processing Bureau outlining her appeal against the offence.

Dr Yeoh stated that she is very aware of the dangers of driving whilst using a hand-held mobile phone and she is fully supportive of the Police Force in this matter. However, she is disappointed that citizens who are obviously making an effort to do the right thing are being wrongly penalised. On 21 June I made representations on behalf of Dr Yeoh to the then Treasurer in relation to this matter. A number of follow-up calls were made from my electorate office in an effort to obtain a response to my representations. On 28 October I finally received a response from the Parliamentary Secretary Assisting the Minister for Finance. The reply stated:

The Infringement Processing Bureau has reviewed the issues Dr Yeoh raises, taking into consideration the comments made by the issuing officer who issued the penalty notice. This review has determined that the penalty notice was issued correctly and is to stand.

The response further stated:

The IPB reviews letters of representation within guidelines approved by New South Wales police, the Roads and Traffic Authority and the IPB's clients. These guidelines provide limited authority for the IPB to cancel penalty notices. While the IPB acknowledges the circumstances Dr Yeoh describes, under current guidelines it does not have the authority to consider these when deciding whether a penalty notice of this type is to stand. The role of the IPB is not to determine if a person is innocent or guilty of an offence. The court is the proper forum for assessing liability or to determine if leniency can be granted.

My constituent believes that when a fine is issued for driving whilst using a hand-held mobile phone, there is no grey area. Either the hand-held phone was used or it was not. Dr Yeoh has declared that in the case of the alleged offence, she was definitely using her hands-free device to talk to her consultant associate professor at Westmead Hospital, and she provided a copy of her Vodafone record to verify this call. She stated that when the police officer approached her whilst she was still seated in the driver's seat, she showed him her hands-free earpiece with microphone, which was still attached to the mobile phone lying on her lap. Dr Yeoh explained that whilst the hands-free device is attached to the mobile phone the phone can only be operated through the hands-free earpiece and microphone.

Given the circumstances, it would have been physically impossible for her to have used the mobile phone in the alleged manner. Because of the length of time taken to achieve a response to my representations, Dr Yeoh paid the fine even though she is vehement that she did not commit the offence. She could have elected to take this matter to court and have it resolved there. However, that would not only have inconvenienced her, it would also have adversely affected the provision of services to her hospital patients. It would have been necessary for them to reschedule their treatment after having waited an extended period of time for an appointment. She emphasised that having to pay a fine and collecting three demerit points for an offence she did not commit is equivalent to her patient receiving surgery and chemotherapy for a cancer that does not exist.

There would appear to be something seriously wrong with the guidelines for the Parliamentary Secretary to state that the Infringement Processing Bureau acknowledges the circumstances that Dr Yeoh described but that, under the current guidelines, it does not have the authority to consider those circumstances when deciding whether a penalty notice of this type is to stand. I urge the Minister to investigate this anomaly. It is ludicrous that Dr Yeoh should be forced to pay a fine and receive demerit points for an offence that she did not commit. Gone are the days when reasonable doubt was exercised in favour of people. It would appear that the guidelines are so rigid that it is only in the most unusual, often remote, circumstances that these fines can be waived. It is clear that motorists have neither the time nor the money to take these offences to court, and I believe there should be more flexibility in determining representations on behalf of constituents.

NORTHERN BEACHES SECONDARY COLLEGE

Mr DAVID BARR (Manly) [5.47 p.m.]: Public education has made an enormous contribution to the egalitarian nature of Australian society. Irrespective of their socioeconomic status, people can achieve their potential and go out and contribute to society. In recent years, public education, particularly the high school sector, has been under significant stress and many schools have lost numbers. We face that situation on the northern beaches, where a few years ago there was a surplus desk capacity of 1,440 and a number of schools were threatened with closure. Among those was Balgowlah Boys High School.

The solution that was found for the northern beaches was the creation of the Northern Beaches Secondary College. The college was established in 2001 following a review of secondary education on the northern beaches. The review involved extensive community consultation and identified a number of significant issues including the restricted curriculum choice and curriculum pathways for senior students, declining enrolments and retention rates in the senior year, and limited articulation with tertiary education providers. The newly created secondary college comprises five campuses: Cromer, with years 7 to 12 in a co-educational comprehensive campus; Balgowlah, with years 7 to 12 in a boys comprehensive campus; Mackellar, with years 7 to 12 in a girls comprehensive campus; Manly, with years 7 to 12 in a co-educational academically selective campus; and Freshwater, with years 11 to 12 in a co-educational comprehensive campus.

The college now has a total enrolment of 3,635, with 1,400 students in Years 11 and 12 and more than 300 teaching staff. Of those students, 57 per cent of students study a vocational education and training course, and many study more than one—both school and TAFE delivered. This is a unique and innovative arrangement, with the school and TAFE delivery being complementary, not competitive. Upon completion of the course 35 percent of students go directly to university. In recent times many students have switched from private schools to public education for years 11 and 12 because the Freshwater campus offered them a far greater subject choice. One-third of the 585 students at the Freshwater campus have come from Catholic and independent schools—a significant statistic when every year public schools lose students to private schools. There has been a 22 per cent increase in total senior enrolments since 1999.

There have been a couple of feature articles in the *Sydney Morning Herald* about this change in circumstances for public education in some areas, including the northern beaches. It has been an innovative model and it offers students a wide choice of courses and subjects, and makes the public sector competitive with the private school system, and that is important. It means that there is a very good choice. Northern Beaches Secondary College is located in an area that consists predominantly of small businesses and trades. Employment opportunities exist for young people in many traditional trade and vocational areas such as retail, construction, automotive, hospitality and information technology, with skills shortages having existed in these areas for several years. Northern Beaches Secondary College director, Steve Pickering, campus principals and staff should be congratulated on the collaborative approach they have taken to pooling resources and successfully changing the perception in our community of students and parents to equally value vocational training.

The college produces students with exceptional and nationally recognised vocational qualifications and skills to work in local businesses, promotes lifelong learning skills, and teaches students to recognise that skills

gained at school are relevant to their future working lives. The campuses that comprise the secondary college are growing. For example, Balgowlah Boys High School, which was under severe threat a few years back, has 180 applications for year 7 next year. It is going from strength to strength. The story for the Government and for the community is that public education can work in the secondary sector provided that an intelligent and innovative approach is taken to offer what has not been offered in the past, and that is greater flexibility, more subject choices and very good facilities.

Ms LINDA BURNEY (Canterbury—Parliamentary Secretary) [5.51 p.m.]: I agree with the honourable member for Manly. The collegiate model of secondary colleges—not only on the northern beaches—is having enormous success. The models at Blackwattle Bay, Ryde and a number of other collegiate campuses across the State are providing exactly what the honourable member for Manly described. They offer flexibility and a curriculum choice that is better than in the private sector, and they attract children back into the public education sector. It is an intelligent approach, it is a creative approach, and it is obviously working. I thank the honourable member for Manly for drawing the attention of the House to the Northern Beaches Secondary College.

Private members' statements noted.

The House adjourned at 5.53 p.m. until Tuesday 15 November 2005 at 2.15 p.m.
