

# LEGISLATIVE ASSEMBLY

Wednesday 1 March 2006

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

**Mr Speaker** offered the Prayer.

**Mr SPEAKER:** I acknowledge the Gadigal clan of the Eora nation and their elders, and thank them for their custodianship of this land.

## TRANSPORT ADMINISTRATION AMENDMENT (PUBLIC TRANSPORT TICKETING CORPORATION) BILL

### Second Reading

**Debate resumed from 16 November 2005.**

**Mr BARRY O'FARRELL** (Ku-ring-gai—Deputy Leader of the Opposition) [10.00 a.m.]: The Opposition welcomes the introduction of the bill, if for no other reason than it finally starts to demonstrate some progress in the introduction of the much promised Tcard across transport modes in Sydney. Mr Speaker, as a former Minister for Education you would know that this has been a longstanding promise by every transport Minister under the Carr and Iemma governments. It was in the detailed planning stage when Brian Langton was transport Minister, but I suspect its real problems began when Carl Scully was Minister for Transport and started to talk up the project. Michael Costa then got his teeth into it, and the current Minister for Transport is now making grand claims about the benefits of the Tcard. The Opposition has no concerns with the concept of the Tcard, but we have many concerns with the Government's failure over 11 years to advance it significantly. As I have said elsewhere, the only smart move by the Minister for Transport is putting off implementation of the full operation of the Tcard until after the next State election campaign.

The Minister for Transport knows that what former Minister for Transport Carl Scully starts cannot be expected to be delivered on time. That lesson was delivered clearly to the people of New South Wales with the opening of a particular toll road that was in the news again yesterday following the release of an upper House report. Much has been promised for the past 11 years, but the Government completely mismanaged this project from day one. That mismanagement has a real cost. That real cost is not only to taxpayers through the escalating and increasing cost of a project that originally was to cost in the order of \$300 million according to the first Carr Government. That real cost, if one is to believe the horror stories that continue to be trotted out by the Ministry of Transport over those 11 years, is also through excessive reimbursement to private operators under things like the School Student Transport Scheme.

The so-called abuses of the system are nowhere near as severe as successive transport Ministers have claimed. Nevertheless, one of the benefits that has been ascribed to this technology whenever it has been discussed is that it would ensure that operators, whether public or private, would be reimbursed only for the people they carry as opposed to the so-called phantom riders who have been trotted out in various newspaper stories of the past 11 years on the back of ministerial releases.

Despite what is a tremendous effort by the Minister for Transport in his second reading speech to make the legislation appear as though it has followed a sequential and ordered process, the reality is that it is well overdue. The legislation seeks to establish an entity that will be responsible for ensuring the delivery of ticketing across all transport modes in this city. It provides a legislative framework for the Public Transport Ticketing Corporation, which will be responsible for establishing and managing a common ticketing and payment system known as Tcard for public transport users and operators in the greater metropolitan area of this great city. As I said, the system is currently under development and has been under development for 11 years.

The Public Transport Ticketing Corporation will not be a policymaking or regulatory agency, but a small operational unit focused on delivering ticketing services through a Tcard. It will take over the development work currently performed by a division of the Ministry of Transport, and it will introduce the new ticketing system based on that smartcard technology. Given that the Ministry of Transport is primarily a policy

and regulatory body, it would have been inappropriate, and the Opposition acknowledges that, for an operational activity like this to be housed continually within that administrative arrangement. Equally, given that the ministry is an agent of the Crown and has a vested interest in Crown agencies that provide transport services—we recognise that in this city transport services are provided by the private sector—it would have had a clear conflict of interest had it maintained its role in this process.

The legislation will enable the Public Transport Ticketing Corporation to move from the status of a statutory corporation to a corporatised entity as implementation is finalised and as the ticketing system gets up and running. Again, the Opposition has no quibble with this. It seems to be an eminently sensible way to handle what, ultimately, will be a commercial operation that will, hopefully, efficiently and effectively run the smartcard ticketing technology across all modes of transport within Sydney.

I note the claim in the Minister's second reading speech that the Tcard should be operational fully within the next three to five years, and I will come back to that. The Public Transport Ticketing Corporation will be governed by a board of between three and seven members. I acknowledge the Minister's indication of strong representation from transport operators on the board and I welcome his indication that other board members will have some commercial skills that can add value. I certainly hope that the diversity of transport operators is represented on the board.

Whether it is standard public transport or other forms of public transport, such as taxis, people in the private sector have demonstrated a long-term commitment to delivering good public transport in this city. That is because they operate in the private sector in a way that has provided returns to the families, companies or shareholders who own the entities that provide the service. Frankly, the Government should tap into their experience when seeking relevant appointments to a board of this type. In his second reading speech the Minister made the point that one benefit of the corporation would be that it would own and operate the ticketing equipment. He said that the bill would provide:

... for the transfer of all ticketing and fare collection assets from government-owned transport operators to the corporation to provide clear lines of ownership and accountability for the provision of ticketing and fare collection services and the maintenance of equipment.

I certainly hope that happens in practice. As to the Minister's much-vaunted bus contracts, despite claims of improvements in efficiency and accountability and that questions of ownership will not interfere with meeting demands, and despite enormous bureaucratic mangling within the Ministry of Transport that has led to delays, we must not see the delays that have been apparent within the Ministry of Transport in responding to bus companies' needs across this city replicated in this corporation. The corporation must be responsive not only to protect the interests of taxpayers but also to focus on the needs of those to whom we provide public transport in this city.

At times the Government is in danger of forgetting that the reason for delivering public transport is to ensure that people can get around this city. There is a lack of customer focus within our transport agencies, and that lack of customer focus starts at the top, from the Minister and the Ministry of Transport down. The Auditor-General and others have provided a history of this Government's mismanagement of the development and implementation of the Tcard. As I said, at the end of the day the losers in that system will be commuters, who are longing for a one-stop shop, a ticket that can be used across all transport modes, and the taxpayers whose money is being used to finance this project. Earlier I said that Minister Langton quoted a figure of \$300 million as the total cost of the project. The 2004 Ministry of Transport financial report put the estimated total cost on of the project at \$400 million. I have every reason to believe that the cost is far greater than that, and I hope that the 2006 Ministry of Transport financial report at least allows taxpayers and commuters alike the advantage of providing a total estimated cost for the project.

Previously in the House I have been critical of not only the Government's tendering process in relation to the Tcard but also the company chosen to deliver the Tcard, ERG Transit Systems. However, I do not intend to revisit that issue today, despite its importance to both the possibility of this project to be up and running within any reasonable timeframe and protecting the interests of taxpayers and commuters in this affair. I note that amongst the many freedom of information [FOI] requests I have lodged since becoming the shadow Minister for Transport the one I lodged earlier this year is long overdue. That request sought the following information:

- A copy of any draft or final reports commissioned and received since 2003 by the Ministry and/or the Shadow Board from Ernst and Young relating to the Tcard Project, including any reports assessing the viability of the project or the supplier ERG Transit Systems and its associated company Integrated Transit Solutions (ITS);

- A copy of any emails, letters or briefings between officers of the Ministry and Ernst & Young about the terms of reference, scope or ambit of any reports commissioned since 2003 about the Tcard Project;
- A copy of any invoices or payment records detailing the amount paid for any reports commissioned since 2003 from Ernst and Young about the Tcard project.

The Ministry of Transport acknowledged that request on 9 January 2006. It is now March, and the response is well and truly overdue. That raises questions not only for me but also for others who are aware of issues surrounding the management of this project and the involvement of ERG and its financial viability and whether the market's concerns are genuine. I urge the Minister for Transport, through the Parliamentary Secretary, to ensure that the ministry attends to that FOI request, which is now outside the timeframe set for FOI requests to be determined. Either deny me access, in which case be it on the Government's head, or provide access and demonstrate some degree of accountability and transparency in a project which is costing taxpayers hundreds of millions of dollars and on which commuters want to see results delivered and not the sort of political machinations that surround many infrastructure and service projects in this city.

The second issue about the operation of the Tcards relates to the trial. On a number of occasions last year the Minister for Transport came into the Chamber and talked about the trial of the cards, which was conducted in areas in my electorate with school students and the like. As I said, one claim made as a benefit of introducing the Tcard technology is its ability to demonstrate to bus operators—in the case of my electorate, private bus operators; in the case of other electorates, operators owned by the Crown—what categories of traveller have been on their buses. For example, how many school students have taken a trip to and from Turrumurra High School, how many seniors have travelled to Turrumurra Station and how many fare-paying passengers have visited Lady Davidson Hospital.

That benefit that has been ascribed to this technology is worthwhile, and it should be available to anyone operating a transport system today. My concern is that on a number of occasions the Minister has claimed that all has gone well with the trial. When the trial was announced it was to provide bus operators with monthly statements of who has been travelling on their buses. However, for the entire duration of the trial not one private bus operator was provided with a monthly account. At the very least, the Minister for Transport needs to check his rhetoric before he next comes into the Chamber so that he does not mislead the Chamber again. More importantly, the Minister needs to ask why one of the parameters set for the trial, which is the provision to bus operators of the monthly report of who was travelling on their buses based on the Tcard technology, has never actually been delivered.

Finally, I place on the record some concerns about this issue that a commuter organisation has raised. Action for Public Transport [APT] focuses on the needs of those who travel on our public transport systems. For some time APT has been trying to get successive Ministers and the Ministry of Transport to focus on some of the issues. Recently APT released a summary of what it described as its Tcard concerns, which I will outline to the House. The document states:

Our concerns are:

1. That the system appears to be designed for the benefit of the government, the operators and the bank holding the money. As with the bus contracts, the needs and wishes of passengers appear to be the least concern.
2. That the travelling public is not being involved as a true stakeholder. There have been many "consultations", but they have all been along the lines of "This is what we're going to do. Any questions?", instead of "Please help us design the system the way you would like it." There is no commuter consultative committee involved in the planning.
3. That the technical part of the system may be unreliable. That is, that cards may not be read properly, that fares may not be recorded or charged accurately, and that the dozens of "what if?" questions may not have been addressed and resolved. APT has no knowledge of whether the computer processes work properly or not, but anecdotal evidence suggests that there have been problems.
4. That Tcard will charge fees only by distance, that is, single fares or TravelTens and FerryTens, and that zone fares provided by the popular TravelPass tickets will be lost. It seems that TravelPasses do not suit the contractual arrangements between the Ministry of Transport and the private buses, regardless of how convenient they are for the public. Tcard will provide integrated ticketing but not integrated fares.

While the State Transit Authority operates on a zone system and while to some extent the State Rail Authority operates on a zone system, private buses, which serve 70 per cent of the system, have never operated on a zone system. That is another of the issues that APT says is yet to be resolved. It has clear consequences for the hip-pocket nerve of commuters across the city, yet so far the Minister and the ministry have been silent. The document also states:

5. That there has been no decision, or none that we know of, on how to calculate fares for users of rail weeklies or longer-term season tickets. At present, the discount on such tickets increases both as the length of the journey increases and as the term of the ticket increases. When the system designers are asked, "Can the system do such-and-such?", they reply, "Yes, it can do anything you want." When asked again, "But WILL it do such-and-such?", they reply, "Nobody has made a decision about that yet."
6. That the take-up rate of Tcard by the public will not be as high as the Ministry hopes. This is mainly of concern with buses, where people buying fares from the driver are a frustrating and expensive cause of delay and congestion. APT is not aware of what the Ministry's target percentage is, nor what an acceptable percentage might be. However, if the people don't buy TravelTens or TravelPasses now, when all the money goes towards the fares, they won't buy a Tcard, where some of the money goes into a deposit.
7. That magnetic stripe tickets will be withdrawn, and that all users will either have to buy a Tcard, or pay cash to the driver. One cannot but help draw similarities with motorists being funnelled into the Cross City Tunnel.
8. That a statement of "Objectives of the System" may not have been written and that it may not be possible to monitor compliance with the objectives.
9. That quantitative success criteria may not have been pre-determined, so that a success or failure may not be able to be objectively assessed. We fear that it will be like the cross-city tunnel - whatever user figure occurs will be judged "OK in the circumstances - it's early days yet". What is the Ministry's pre-determined success criteria? Have objective success criteria been pre-determined for: Boarding speed? Technical reliability? Accuracy of fare calculation? User acceptance?
10. That implementation is so long delayed. The trial in the Inner West was supposed to have started in early 2005 but has not started yet. This trial is to cover (a) selected STA bus routes, (b) selected private bus routes, (c) selected SFC ferry routes, (d) selected railway stations, and (e) selected customers. There has been no mention of private ferries in the trial so far. Continual time and cost over-runs do not inspire confidence.

In short, the point made by APT, besides the group's questions about how fares will be calculated by the system, is the lack of accountability and transparency in the development process to date in relation to Tcard technology. Given experiences under Minister Langton and Minister Scully, I can understand why Minister Costa and Minister Watkins are averse to risk, drawing lines in the sand and giving themselves hard deadlines. However, the reality is that the failure to do that puts at risk not only the ultimate benefits that communities may derive from Tcard but also the hundreds of millions of dollars that may be delayed because of a failure to commit to a definite timetable, or because of a failure to commit to benchmarks. In the long run, those failures will either lead to contractual disputes with the providers of the technology or ultimately result in the system not meeting expectations.

The reality is that irrespective of whether the complaints emanate from APT, private bus operators or other people with a vested interest in the system, there should have been greater involvement, greater accountability and, above all, greater transparency in the preparation of this project. The huge significance of inadequate transparency is best demonstrated by the fact that between 2004-05 the Ministry of Transport refused to put a total cost figure of the project in its annual financial statement. I know that the Auditor-General is maintaining a watching brief on that issue. For the information of Ministry of Transport personnel, I point out that the Auditor-General is particularly interested in the Ernst and Young report. If I do not get the report, the Auditor-General certainly will.

At the end of the day, this project should have been delivered years ago and it is welcome. I doubt there would be a member of this House who would not accept the benefits to be derived by the city from integrated ticketing that one encounters frequently when one travels to other cities throughout the world. The Opposition's concerns relate to the escalating cost caused by this Government's mismanagement of the project. Lately this Government has failed to provide clear guidelines, benchmarks and lines in the sand in relation to the project's delivery. I add the usual criticism of this Government—its complete lack of commitment to any concept of accountability and transparency in its delivery of a project that is of inordinate cost as well as of inordinate benefit and interest to the people of New South Wales.

**Ms LINDA BURNEY** (Canterbury—Parliamentary Secretary) [10.24 a.m.]: I support the bill, which will result in the creation of the Public Transport Ticketing Corporation [PTTC]. I think it is really exciting that we are moving towards a Tcard ticketing system in Sydney that will remove much of the bother associated with travelling on public transport. The ticketing system will be cashless and people will be able to pay in advance for their tickets. The system will enable people to travel throughout the greater Sydney area using a single ticket. I think that is exciting. Sydney will be the first city in this nation to have a Tcard system. As all honourable members know, trials involving schoolchildren using the Tcard system have been undertaken and they have gone exceptionally well.

In one breath the Opposition spokesman for transport welcomed the Tcard system and in the next breath he said that the system had taken too long to implement. The better view of the project is that Sydney is

the first city in Australia to implement a Tcard system, and New South Wales is leading the way in this transport initiative. Many honourable members and many people in Australia have travelled to places such as London where smartcard ticketing systems operate on trains, buses and ferries. Trials will be conducted during 2006 but the system will be fully implemented by 2007. That is exciting and it is an innovation that should be welcomed instead of being the object of Henny-penny criticism from the Opposition, which is focusing on what could go wrong.

The focal point of my speech concerns the statutory or governance arrangements for the operation of the system. Initially, the PTTC will be a statutory body. Eventually, after three to five years, the corporation will be a State-owned corporation. The decision to characterise the corporation in that way has been undertaken with great caution, insight and thoughtfulness. The new ticketing system will embrace all forms of public transport, including private buses, in the greater Sydney area.

The Deputy Leader of the Opposition, who preceded me in this debate, should understand that the project is a complex exercise. It requires enormous planning and thought and it involves complex technology. It seems to me that the action taken by the Lemna Government through various Ministers for transport has been very sensible, remembering that the implementation of an integrated ticketing system is part of a larger agenda. The project is a key recommendation of the Parry and Unsworth bus reform inquiries and is a response to the substantial change that has taken place in public transport in this city.

I pause to relate a personal story. My mother-in-law is staying with me at the moment, but she has lived in many cities in this nation. She is currently a resident of the Sunshine Coast, but she has also lived in regional Queensland, the Australian Capital Territory and in a range of other places. She is 80 years of age and yet is using Sydney's public transport system. She is absolutely astounded at the frequency of buses and trains and the efficiency of the system. That impression, coming as it does from an Australian woman of senior years who has lived in many places, should be taken into account. I know that she will be even more impressed with a ticketing system that covers all forms of public transport.

The aim of this legislation is to establish a common ticketing and fare payment system. As I said, the Tcard system has been trialled with schools using both public and private bus operators, and it has worked extremely well. Imagine a person being able to catch a train, for example, from Dulwich Hill to Circular Quay, take a ferry across to Taronga Park, Manly or Balmain and then catch a bus to a destination without having to buy a ticket at every stop and having to go through the process of working out what to pay and where. People will be able to buy a prepaid Tcard and travel with ease. It is fantastically exciting. It is a great initiative and a great step forward for public transport users in our city. Eventually this will extend to light rail and the monorail, so public transport will be completely paperless and people will not have to scratch around handbags or pockets for the extra 10¢, 20¢ or 50¢ for the correct fares.

The PTTC will not be responsible for determining ticketing policy and products; that will remain with the Ministry of Transport. The sole purpose and focus of the corporation will be to ensure that the Tcard is implemented over the timeframe I mentioned. The PTTC will collect and allocate revenue and will operate the whole system. The Government believes that this initiative will also provide a transparent system for payment, which is very important. The corporation will also maintain and deliver the system.

Field trials have gone well. The community transport organisation's fears outlined by the Deputy Leader of the Opposition seem a little Don Quixote in that they highlight problems that may not exist, such as lack of stakeholder involvement. This system has been extremely well thought out. One does not put in place something as wide ranging, innovative, creative and important as a new ticketing system in the biggest city in the nation, a city with the most complex public transport needs and systems, without a little bit of thought. I have a tendency to lose things like sunglasses and the great thing about this system is that it will be secure. If something is lost or stolen, it will be easily dealt with and the fears we heard earlier about the sky falling will be covered by this secure system.

The corporation's board will comprise three to seven members. That is eminently sensible. We have all been involved in organisations that are cumbersome and huge. The fact that the final statutory body responsible for this system will be a small, focused body is the way that governments should operate. Initially, the State authority will comprise operators, people with commercial skills and skills in common ticketing systems. This has been extremely well thought out. Trials have been conducted and further trials will be conducted prior to the full implementation of the system.

Over the past few years the transport reforms the Government has introduced in Sydney have involved some pain, and on many occasions the Minister has acknowledged that, particularly with the trains. I deliberately place on record that people in the Canterbury area, including members of my own family, have said that it is fantastic that the trains are running on time. Elderly people who have used the new ticketing arrangements for public and private buses are absolutely thrilled. I do not say that to score political points; it is simply the public's reaction to the efforts of the Ministers responsible for transport, particularly the current Minister. The implementation of the Tcard will be revolutionary in Australia. Not all cities across the world have this more efficient and reliable system, but many big cities are moving in this direction.

Like most members in this Chamber I have had considerable experience setting up new systems and government arrangements. I have confidence in the Government's arrangements to oversee the implementation of the Tcard system. As I said, initially there will be a statutory body, but eventually there will be a State-owned corporation. In conclusion, I look forward to having a cashless system in Sydney across all transport systems. It is puerile of the Opposition to criticise this innovative transport system. It will stamp Sydney as a city that has a first-class transport payment, collection and ticketing system that will compare favourably to the best in the world. I support the bill.

**Mr STEVEN CHAYTOR** (Macquarie Fields) [10.38 a.m.]: I support the Transport Administration Amendment (Public Transport Ticketing Corporation) Bill. I very much share the excitement that was relayed by the honourable member for Canterbury in relation to the introduction of the Tcard in Sydney. This bill establishes the Public Transport Ticketing Corporation [PTTC]. This new corporation will be responsible for establishing and managing a common ticketing and fare payment system to be known as Tcard. I strongly welcome and support an integrated transport card in Sydney.

The electorate which I represent and to which I am responsible, Macquarie Fields, has five railway stations—at Minto, Ingleburn, Macquarie Fields, Glenfield and Casula. Each of those will benefit from the Tcard that will be introduced for train journeys. The nature of the electorate of Macquarie Fields means that connecting buses are an important part of daily public transport use, and the Tcard will facilitate ease and connectivity for those public transport services. Public transport is undoubtedly very important to the way of life in my electorate and vital in accessing employment and recreation.

This morning I caught a train to the Parliament from Glenfield railway station. When I saw the excessively long queue at the ticket window, I realised, knowing that I would speak on the bill to introduce the Tcard and the corporation to facilitate its introduction, that such a long queue could become a thing of the past with the successful introduction and adaptation of this system. In relation to that introduction, it is appropriate to record again the Minister's sentiments in his second reading speech when he said:

... the delivery of public transport is not just about buses, trains, ferries and associated infrastructure. Fundamentally, delivering public transport services is about providing equity and connectivity to a society.

That system of equity and connectivity with the Tcard will benefit not only the electorate of Macquarie Fields but all of New South Wales. As outlined by the honourable member for Canterbury, the bill ensures that ticketing policy, products and pricing will still be managed on behalf of the New South Wales Government by the Ministry for Transport, not by the corporation established by the bill. The new corporation has an operational and management focus primarily related to delivering the new ticketing system. I have a great passion for the integrated transport smart card, so much so that in my inaugural speech last October I strongly supported the introduction of such a scheme in Sydney. At that time I said:

In the time I serve in this Parliament I look forward to Sydney taking its place as a world city in the Asia-Pacific region.

I note the presence in the Chamber of the Lord Mayor of Sydney, the honourable member for Bligh, and add that it is very important that Sydney does take its place as a world city in the Asia-Pacific region. I continued:

The lives of the residents I represent—

in the electorate of Macquarie Fields—

function better when Sydney functions best. Few issues would assist that better functioning than an integrated smart card for all transport and daily item purchases in Sydney. To become a leading world city, Sydney must adopt leading world's best practice. That means a multi-application smart card to assist the movement of people on public transport. The Hong Kong Octopus card is Australian technology by an Australian company. I could not think of a better place to use it than here.

I expressed those sentiments a little less than six months ago in my inaugural speech and I am delighted to support a bill that will make such a system a reality in Sydney. Stored value, pre-paid cards for electronic transport ticketing were introduced in the 1970s. Transport networks moved from magnetic strip technology to smart cards in the late 1990s. Around the world there has been a steady introduction of smart cards in transport networks and this bill ensures that Sydney will join that trend. Cities using smart card technologies for public transport systems include New York, Hong Kong, Washington DC, Taipei, Nottingham, Singapore, Paris, Warsaw, Tokyo, Chicago, Nagasaki, London, Dublin, Boston and San Francisco.

Importantly, the integrated smart card transport network system is under development in Brisbane, Melbourne and Perth, as well as Sydney. An integrated transport network is very much a part of the future of this country and certainly overseas. Undoubtedly, the Hong Kong Octopus card is the world's most successful smart card operation. During my studies, work and travels in China I often had to transit Hong Kong. Each time I did I thought that as a member of Parliament one of the most important things I would like to achieve would be the introduction of a similar system in the city of Sydney. My parents lived for some time in Hong Kong and I can attest to the ease of transport connectivity and equity established by the Octopus card, and Sydney would do well to emulate that. It would undoubtedly ensure that we have a leading public transport ticketing system.

The Hong Kong Octopus card is credit card size and has an embedded chip that allows people to store and spend cash. The card was launched in 1997, with three million cards issued within its first three months of operation—a fantastic take up of that new technology. Some 10 years later the Octopus cards have a total circulation of 12 million, which is twice the population of Hong Kong. The Hong Kong smart card collection system is the largest of its kind in the world, processing more than 7.5 million transactions each day. The cards are recognised by electronic readers within half a second, and they do not need to be removed from a wallet or purse. I understand that similar arrangements will be made for the Tcard in Sydney. The Hong Kong integrated smart card is an example of what can be achieved in Sydney, and that is what this legislation will enable.

I strongly welcome the New South Wales Government's entering into a contract with a subsidiary of the ERG Group for the development and operation of a new ticketing system for all buses, trains and ferries in Sydney. The ERG Group designed and implemented the Hong Kong Octopus card. I do not share the sentiments expressed by the Deputy Leader of the Opposition that the company would not deliver a system of integrated transport smart cards that would benefit the city. Partnership with that company does the exact opposite, as has been demonstrated in many other cities. I am surprised that the Deputy Leader of the Opposition criticised what he perceived as a lack of customer focus in our transport system, particularly by CityRail and the bus networks. The ERG Group has a very strong customer focus in its worldwide operations, and I am sure it will have a similar focus in Sydney.

The opportunities to use smart cards for public transport as well as other purchases is significant. The smart card chip can be loaded with funds that can be spent in parking meters, vending machines, public leisure facilities or at various merchants. I imagine, and hope, that the various local government authorities in Sydney that attempt to introduce a cashless item for daily purchases, whether for parking meters or public leisure facilities, will enter into negotiations with the new corporation to establish whether synergies can be established. Additionally, software can be developed to offer loyalty programs to cardholders. The Hong Kong Octopus card does all that without storing personal information, bank accounts or credit card details on the card. That is a very important element for the protection of privacy and the maintenance of customer confidence in the system.

The Sydney transport network handles in excess of 630 million passenger journeys each year, with revenue collection in excess of \$800 million. An integrated smart card presents the opportunity to increase revenue collections and decrease costs, delivering a better public transport network. In Hong Kong, prior to the introduction of the Octopus card system, 60 tonnes of coins were collected on a daily basis. The cost of collecting and counting that volume of coins was as high as 0.8 per cent of revenue. A similar potential for savings should exist in the Sydney transport network.

In Hong Kong more than 95 per cent of the population uses an Octopus card. The reason for that high level of use is its simplicity and convenience. The PTTC, which will be established by this legislation, must enshrine and strengthen those principles of simplicity and convenience. For the Tcard to be successful in Sydney it will need to be simple and convenient to use at all times. The establishment of the PTTC is an important opportunity that should not be missed and certainly should not be underestimated; that is, the corporation will have a leading role in encouraging the embrace of new technology by the community. It should be recognised that the Tcard system was successfully trialled this year in the School Student Transport Scheme and more than 300,000 Tcards are now in use.

It is important to constantly encourage and embrace new technology. It was refreshing to hear the comments and sentiments of the honourable member for Canterbury who said that her 80-year-old mother-in-law embraces and uses public transport. Educating and encouraging the community to embrace new technology is an important role for the corporation established by this bill. As evidenced by the cashless toll roads and mobile phone technology in this city, the community will embrace technology so long as it remains simple and convenient. I encourage the corporation never to lose sight of these principles, as they lie at the very heart of the success of an integrated transport smart card. Prepayment of tolls and mobile phones is now a reality for many people. We should similarly shift that acceptance of prepayment to an understanding of the transport smart card. It must be flexible and user-friendly and it must always be efficient in its touch-on, touch-off system.

I note the comments in yesterday's *Australian* that smart card readers are wrapped and ready to go on trial in Sydney's inner west and the central business district. The system, which is the product of a \$65 million allocation in the last budget, will become a reality in this city. Transport smart cards are being introduced around Australia. As I said, the system is under construction in Perth, Brisbane and Melbourne. Just as the tollways have compatible readers, nothing should stand in the way of various State governments having compatible readers. In that way, the Tcard in Sydney will work on Metcard readers in Melbourne and on smart card systems in Brisbane and Perth, ensuring convenience and simplicity across all of Australia.

The bill allows in the future for the conversion of the corporation from a statutory body representing the Crown to a State-owned corporation with the function of the ongoing management of the ticketing and fare payment system. I agree with this framework for the establishment of the corporation and the future operation of the corporation. I also note that the key to the financial success of integrated transport smart cards worldwide is for all transport operators to own stakes in the company so that they have a vested interest in ensuring the uptake and continuing use of the new technology and that the technology remains convenient and easy to use.

The integrated transport smart card is a whole-of-government project and a whole-of-transport initiative. I conclude with the comments with which I started. When I was at Glenfield railway station this morning I realised that the long queue at the ticketing window could become a thing of the past with the successful uptake of this integrated transport system. As happens worldwide, when people arrive at Sydney domestic or international airports, the first thing they will do is to purchase a Tcard for use on public transport in this city. The future of public transport in Sydney is the Tcard. [*Time expired.*]

**Ms CLOVER MOORE** (Bligh) [10.53 a.m.]: I welcome the Transport Administration Amendment (Public Transport Ticketing Corporation) Bill, which establishes the Public Transport Ticketing Corporation. It is about time! An integrated public transport ticketing system using a smart card is a step into the twenty-first century for New South Wales' public transport. During the "City Talks" series of public discussions on the future of Sydney, which were held last year by city sponsors in partnership with the *Sydney Morning Herald*, I asked: Why are we waiting for an efficient, environmentally and passenger-friendly public transport system? Why are we putting our country's number one economic driver, the city of Sydney, at risk with a transport system that is failing?

One reason is that the system for collecting fares and allowing journeys across public transport modes is so primitive that it slows down our buses, in particular, and makes public transport journeys frustrating and time consuming. The introduction of a Tcard system is central to building a fast and efficient system that will attract back the commuters lost to cars as public transport has become so slow. We all take pride in the fact that Sydney is a world-class city with a breathtaking harbour, beautiful beaches, a vibrant and diverse community, an enviable climate and, currently, a dynamic economy. We cannot take all this for granted. The warning signs are there.

The annual Mercer Quality of Life survey shows that Sydney's world ranking has fallen from fifth in 2004 to eighth in 2005. Mercer is a global management remuneration expert that advises corporations on the salary of executives working in various world cities. The survey is especially relevant as it evaluates quality of life criteria such as political, economic, social and environmental factors, including transport, using a series of objective measures. While people may take pride in the fact that Sydney has again been voted as the favourite world-wide city by 28,000 readers of the United States of America *Conde Nast Traveller* magazine, it conducts a more subjective assessment of Sydney's attractiveness to tourists by rating cities on ambience, culture and sites, friendliness, lodging, restaurants and shopping.

While tourism is incredibly important to Sydney, with half of all international visitors either staying in or visiting Sydney, and is unquestionably the highest export earnings generator per square kilometre, we want to



make sure that Sydney's economic capacity continues to increase. We cannot afford to ignore the signs that we are reaching capacity, which could inhibit our future potential and jeopardise our current success. It is important to note that Sydney's fall in the Mercer Quality of Life ranking this year was essentially due to other world cities improving their transport and environmental infrastructure. We need to lift our game on this front if we want to remain globally competitive.

Clearly, investment in Sydney's public transport is more than just a local issue to address increasing road congestion, which affects existing residents and business. A failure to invest in public transport infrastructure is retarding Sydney's capacity to remain globally competitive, which will have detrimental flow-on effects for the national economy. People who have recently visited Asia would be aware of how quickly Asian cities, which are our competitors, are developing new transport infrastructure. Asian governments understand that it is critical to successful economic development. Before 1990 Hong Kong and Singapore had barely any urban rail systems to speak of, but now they have some of the largest and most efficient operations in the world. Shanghai now has the world's fastest rail and is building a huge metro system, which will be twice the size of London's by 2021.

I saw and experienced the Hong Kong system early last year. I agree with the honourable member for Macquarie Fields that it is impressive. Hong Kong's trains move almost 2.5 million commuters every day, and its rail stations are clean, cool and efficient. Incredibly, the MTR Corporation achieves better than 99 per cent timetable accuracy and passengers complain about delays of more than 10 seconds. Imagine what Hong Kong commuters would think of our trains! I spent a day travelling on every mode of transport in Hong Kong and met with the Special Administrative Region Secretary of the Environment, Transport and Works, who told me her biggest problem was ensuring that every mode of public transport—80 per cent of transport in Hong Kong is public transport—maintained an airconditioning temperature of 19 degrees Celsius. That was the big issue in Hong Kong when I was there, as compared to the problems we have here.

To get around Hong Kong I used the Octopus card, which is an integrated electronic ticketing system that works on trains, buses, ferries, vending machines and public phones. Octopus cards can be topped up to a maximum of \$HK1,000 and the remaining value is displayed with every use. The card's popularity is evident and numbers more than the city's population. Australia has had an EFTPOS system for two decades. It is beyond belief that Sydney has not yet managed to introduce an integrated ticketing system. This bill is very welcomed. The Tcard system will have an additional benefit for public transport if the new corporation realises the commercial benefits of the Tcard as a widely used cash-card.

When I toured the Hong Kong transport system I was impressed not only with the efficiency of the system, which is based on a type of Tcard, but also with their commercial acumen in generating additional revenue from very small usage charges on their card. The card has become a replacement for cash in petty transactions, providing convenience to the users. An integrated traffic and transport blueprint is a basic requirement to ensure that costly projects, such as the cross-city tunnel, are integrated with other forms of transport, well planned and demonstrably in the public interest.

Future transport needs should be the responsibility of one authority charged with co-ordinating all transport, including roads, as part of a planned and well-integrated transport network. Any proposal for private sector involvement needs to fit into an integrated transport network. Government agencies working independently and sometimes at cross-purposes with competing priorities are an anathema in co-ordinated traffic and transport management and are more likely to make our existing problems worse.

The clear lesson from other cities is that co-ordination of transport agencies is essential, and London or even Perth offer good examples. Co-ordination and co-operation between agencies to enable integrated ticketing combined with demand management measures can make a huge difference. A couple of aspects in the bill concern me. I seek the Minister's assurance that funds generated from the Tcard above and beyond those needed to reimburse transport providers will be used for improvements in public transport. The surplus of the Ticketing Corporation Fund established under this bill to receive money from Treasury and fares and to pay costs must not be absorbed into paying a dividend determined by the Treasurer but must be reinvested in further public transport improvements.

I am also concerned that the board of the new corporation consists mainly of representatives of public transport operators in the State, such as State Transit, Sydney Ferries, RailCorp and private operators. It is important that the board also includes representatives of public transport users. This will increase the accountability of the corporation, which primarily should be to commuters and not to providers. In nearly every

case putting representatives of user groups onto government boards brings a new perspective, greater transparency and, in consequence, better decisions. There is no need for this corporation to be a secretive or closed organisation.

I was pleased, however, to see that the ticketing corporation is to publish an annual corporate plan, which will be displayed for comment for 30 days before going to the Minister for approval. This approach should be spread to other government agencies. Giving people an opportunity to comment before decisions are taken is an important step towards more open government. Despite these reservations the Public Transport Ticketing Corporation is an essential component of a modern public transport system. It should also be the basis for better planning and co-ordination of all transport services in New South Wales. I call on the Government to build the other components of the system, including an integrated transport planning and co-ordination agency, new light and heavy rail infrastructure, and increased priority for public transport over private polluting vehicles in making transport decisions.

**Ms VIRGINIA JUDGE** (Strathfield) [11.02 a.m.]: I support the Transport Administration Amendment (Public Transport Ticketing Corporation) Bill. I thank the Minister for Transport and his hard-working staff for introducing this bill. I thank some of my colleagues for giving us their perspectives on the bill. I thank, in particular, the honourable member for Macquarie Fields, who referred to broad transport issues and to statutory and governance issues. The honourable member for Canterbury gave us her perspective of the use of local transport by her mother-in-law, which I thought was an interesting and pragmatic approach. The honourable member for Bligh talked about smart cards and modern technology providing clients, customers or members of the public with efficient transport services. The key objects of this bill are:

- (a) to constitute the Public Transport Ticketing Corporation (*PTTC*) as a statutory body representing the Crown to enable the establishment of an integrated ticketing and fare payment system for public transport in this State.
- (b) to allow at a future time for the conversion of the *PTTC* from a statutory body representing the Crown to a statutory State owned corporation with the function of the ongoing management of that ticketing and fare payment system.

I digress for a moment to talk about some of the experiences I have had in my wonderful electorate of Strathfield. It is good to look at a snapshot of the train and bus network in a busy electorate. In the Strathfield electorate, which is located in Sydney's inner west, there are seven stations, starting with Flemington at one end and finishing with Summer Hill at the other end. In between are Homebush, Strathfield—the second biggest station in the network outside Central—Burwood, Croydon and Ashfield.

**Mr Russell Turner:** Don't forget Macdonaldtown.

**Ms VIRGINIA JUDGE:** I am talking specifically about stations within the Strathfield electorate. One can only imagine the number of people using that public transport. We also have some wonderful schools in the area. Students connect to those transport modes and regularly use the buses. I commend the honourable member for Port Macquarie for getting on the train this morning. He is not prepared just to talk about it; he is prepared to use public transport. I also caught the train this morning, something that I tend to do when I do not have to carry a lot of things such as laptop computers, files and other things.

I did not know I would be contributing to debate on this bill but when I was preparing my speech I recalled how many people were queued and were trying to get a ticket when I got on the train at Strathfield station. I also noticed a long ramp going down to the ticketing office. I thought it would be a good thing in the future if we conducted a trial for students as I saw them gathering around to catch buses on one side of the line. On the other side of the line another lot of buses collect and take people to and from the Everton Road side of the line. At Strathfield station people come from all over the State to access CountryLink and to get on and off buses. Taxis are also located on both sides of the line.

When I saw all those young people getting ready to get on or off buses and trains in the area I thought how much safer it would be for them once this new technology was implemented. Every time they go to the bank to get cash or change they place themselves at risk. Sadly, some people are looking to prey on others for dishonest purposes. Apart from the efficiency aspect of this new smart card there are also the safety factors. It should not be forgotten that we all have seniors in our electorates who will benefit greatly from not having to carry and handle cash. The key elements of this new technology are efficiency, reliability and safety.

After looking at early reports I established that this Government has engaged in a great deal of consultation in an attempt to get such a complex system right. When the Parry inquiry was being conducted I

held a forum in a location close to Strathfield station and underneath the Russian club. I sent out letters advertising that forum and we received a good response. I wrote a report that was considered by the Parry inquiry and became part of its report. All the issues that were raised by the public relating to this new technology, and to which the Minister referred in his second reading speech, were picked up and dealt with.

I refer also to the fantastic results achieved by the Unsworth inquiry after a thorough process of broad-reaching community consultation. When we introduce technology like this we want to get it right. We want to ensure that New South Wales is at the cutting edge of technology. Some honourable members referred to technology in other countries and said that they wanted to ensure this wonderful city of ours was at the cutting edge of technology. Hong Kong, Singapore and London have this technology and I think Korea, a developing country with a huge population located not far from us, is also looking at implementing a smart card. It might be called something different, but it involves a similar sort of idea—a bringing together of transport modes and offering accessibility to the public.

I must address also the pragmatics of budgeting. Many mobile telephone service providers issue limited-use cards—perhaps the limit is \$25 or \$30 per month—that are ideal for use by young people, who top up the cards when necessary. The smart card could utilise similar technology: people could purchase their smart cards and when they plan to travel extensively by public transport—which is a very good thing—could top up their card limit. I highlight that point. I believe there has been a very successful trial, which went off with few hiccups. Young people have grown up using much more technology than those of my generation did. They have readily embraced technology, and I am sure that they will assist other family members—particularly grandparents—and educate them about the scheme.

The speech of the Deputy Leader of the Opposition was filled with negatives. I am amazed that he can get out of bed in the morning when he harbours so much negativity. According to him, the world is about to end. The Deputy Leader of the Opposition accused the Government of not being customer focused, but how customer focused can we get? This technology is about people and ensuring that they have a system that will make public transport more reliable, safer and easier to use. The Deputy Leader of the Opposition spoke of transparency but did not elaborate further. This process is transparent. The panel to be established will issue reports and put the relevant information in the public domain, which is where it should be. That is important. If the Government is to plan for the future in a city such as Sydney—the premier city in this nation—it must have some idea about public transport usage, whether it is trains, buses or ferries. That statistical information will enable the Government to cater in the long term for the growing and dynamic needs of our city.

Quality, not just quantity, is important. Demographic shifts occur continually. Some areas have an ageing population, for example, and people move frequently around the State. We must have some idea of the demographics—where do young people live, where do they go to school and where do we require more services? That sort of information is vital if the Government is to be proactive about long-term planning. The people want a government with vision. They want a government that can gauge current needs, formulate a plan to address them and deliver on that plan further down the track—pardon the pun. That is what we must do to ensure that Sydney is on the cutting edge in every way possible.

The Government is not just about providing reliable and efficient public transport but about investing in hardcore infrastructure. The Deputy Leader of the Opposition neglected to mention all the money that this Government has injected into the Transport budget. We have manufactured new rolling stock. We have invested \$211.6 million in transport and we will provide 122 new outer suburban carriages. We have spent \$253.3 million on rail infrastructure and station upgrades. I am fortunate to have the busy Homebush station—it is not quite as busy as Strathfield station—in my electorate. Many pensioners and self-funded retirees live in that area and they will benefit from the construction of a new platform at Homebush station, which is part of the process of detangling the lines. That project is well under way. That will be great for public transport in the inner west, and for commuters in my electorate, in particular.

Technology is taking us into the future. This bill is about reliability. It is about being smart and tying together the different forms of transport for people who use buses, trains and ferries. Let us make sure that people can travel easily by public transport and reach their destinations comfortably, safely and punctually. This is exciting legislation. It reveals that the Government is on the front foot and is addressing the needs of contemporary society. I commend the bill to the House.

**Mrs JUDY HOPWOOD** (Hornsby) [11.15 a.m.]: The Transport Administration Amendment (Public Transport Ticketing Corporation) Bill constitutes the Public Transport Ticketing Corporation [PTTC] as a

statutory body representing the Crown to enable the establishment of an integrated ticketing and fare payment system for public transport in New South Wales and to allow at a future time for the conversion of the PTTC from a statutory body representing the Crown to a statutory State-owned corporation with the function of the ongoing management of that ticketing and fare payment system. The Opposition does not oppose the bill, although we are concerned about the timing of the conversion of the PTTC to a State-owned corporation and the strength of privacy safeguards when that occurs. We support the introduction of smart card technology—it is about time—and look forward to its effective implementation by a corporation designed specifically for this purpose.

My electorate of Hornsby is similar to that of the honourable member for Strathfield in that there are 10 railway stations in my electorate and seven in hers. I cannot believe the honourable member is unaware of the public dissatisfaction with the current rail system. We look forward to using a smart card for rail transport but people in the electorate of Hornsby do not have much of an incentive to take a train. Additional platforms are being constructed at two stations in my electorate as part of the clearways project but no additional car parking has been provided. That is absolutely ludicrous. The Government is trying to encourage more people to use the trains—and many more rail routes now originate and terminate in Hornsby—but it is providing no extra parking spaces. It beggars belief!

The Government is investing in new platforms at Berowra and Hornsby stations to support the suburban network but there is no additional commuter parking. Many people who travel from the Central Coast want to park at Cowan, Berowra and Hornsby stations and continue down the line to other station parking. Residents who travel from the far reaches of my electorate also have trouble parking their vehicles at stations including Hornsby station. If they do not reach the station by 6.30 a.m. it is totally impossible to find a parking space. I cannot understand why parking is not more of a priority to this Government. I have received some unhappy letters from constituents about ticketing. I hope that the Tcard will solve some of these problems in the future but, judging from the difficulties with timetables and rail travel generally, I cannot see that happening in the next couple of years at least. The first letter I received is from John Hay, who stated:

I am writing to you hoping that you can obtain for me, a refund on my attached rail ticket.

This morning I intended to travel to Woy Woy to meet our daughter-in-law and accompany her to her cancer specialist. I intended to catch the 8:47 Cowan train arriving at Woy Woy by at least 9:20 and then by taxi to Woy Woy hospital, for a 9:30 appointment.

I purchased my "Gosford" ticket (no Woy Woy tickets sold at the Cowan automatic machine) at approximately 8:40 a.m. I waited for the train but in the absence of any indicators to advise me of the train running time, at approx 8:55 I contacted somebody by intercom to find out about the train's expected arrival.

I was told the train was "currently 20 minutes late". This was then announced over the station public address system.

By my reckoning, from the estimated train arrival time of 9:15 then a 20 minute ride to Woy Woy has my arrival at 9:35, five minutes after I was to be with our ill daughter-in-law at the hospital.

I rang my wife from the station who contacted our daughter-in-law to say that I could not be with her this morning. Although very upset, I will now drive my car to see her later in the day.

I like thousands of others, now realise what a pitiful rail system we have, especially at Cowan:-

No tickets for Woy Woy,

No body to ask "face to face" about running time of the train,

No overhead light indicator system to constantly up-date train schedules;-(like they have at Hornsby station)

No body to see about a refund.

In his letter Mr Hay asked me to obtain a refund on his behalf, which was duly denied. Rebekah Peachy wrote me a letter, which I will read on to the record. She stated:

I refer to the attached copy of the infringement notice ... received from State Rail via the Infringement Processing Bureau.

I am a Nursing student at UTS and had to travel to the city on 7 July 2005. I drove to Cheltenham railway station and purchased a ticket for the city and put it into the back pocket of my jeans. I had obtained part-time work in the city to help pay for some of my university expenses—

bear in mind that she is a nursing student—

When I alighted from the train at Town Hall station I couldn't find the ticket in my pocket; I assume at some stage during the journey it had fallen out.

Because I didn't have a ticket I approached the State Rail attendant at the barrier and explained what had occurred and asked if I could purchase another one. He refused to let me do so and said that the only course of action was for me to receive a fine for fare evasion. I have since received an infringement notice for \$200.00 ...

As a university student studying a discipline [sic] in much demand in this State I can ill-afford to pay such a fine.

She sought assistance from me, but she was also refused and had to pay \$200. Mark Sistrom wrote to me about an incident that occurred on 22 December 2004. He was issued with a \$200 transit fine for travelling on a concession ticket without a valid concession pass. He stated in 2004:

This year I have undertaken a Master of Conservation Biology degree in conjunction with Victoria University in Wellington, NZ and Macquarie University in Sydney. As a result, my student identification for the year was issued to me whilst in New Zealand, and does not bear a specific CityRail sticker. However, it is valid until the end of March 2005 and I had used it to purchase the concession ticket I was travelling with from a CityRail ticket window. Hence I genuinely believed I was in possession of a valid student card when I bought my train ticket. I have included a scanned copy of the card ...

I have also included a copy of my academic record ... which I completed at Macquarie University. It shows that I have exceeded the minimum undertaking of 8 credit points required to be eligible for full time student status.

As a result, I believe the fine I received to be excessive and wrongly issued. I would very much appreciate any assistance I could in waiving this infringement.

Again, he was refused the waiving of the infringement. The Government and the Minister for Transport must take into consideration that some students travel overseas for a year and do not have the previous year's CityRail sticker. My daughter fell into that category. She was a Rotary exchange student in the United States of America for a year. On her return she could not obtain concession fares on the railways because she did not have a 2005 sticker. Given we live in a global world and that many Australian students travel overseas, the Government should be lenient and give consideration to overseas students in that regard. My daughter had to wait until she enrolled in university to qualify for the concession fare. The final letter I will read on to the record is from Matt Enright, who wrote to me in May 2005. He also forwarded his complaint via email to CityRail. He stated:

Since September 2004, I have been a regular commuter on CityRail services between Berowra and Summer Hill.

Additionally, I have used CityRail services as my primary method of travel when visiting clients around Sydney.

Unfortunately there has not been one single day during which I have not been adversely affected by the inefficient running of the rail network.

At its best, the CityRail networks costs me only about 10-15 minutes per day in lateness, at its worst, up to 3 hours.

This is highly unsatisfactory and I would like to be issued with a refund for every weekly ticket that I have purchased since the 20<sup>th</sup> of September 2004.

I apply for this refund based upon the refund policy provided by the NSW Department of Fair Trading which states ... :

"The goods a consumer purchases must be of merchantable quality, good and services supplied to consumers must also be reasonably fit for the purpose they have made known to the supplier, and be safe.

Consumers may ask for a refund if the goods purchased:

- are also defective that they should not have been sold; eg. They don't work, they break down or they develop a serious fault. If an article becomes defective after sale, of the considerations for merchantable quality would be the price received by the supplier for the goods ...
- they are not suitable for the purpose made known by the consumer to the supplier; or
- they do not match the sample or description provided."

The services provided by CityRail have not been of a merchantable quality, nor have they been fit for the purpose advertised.

Trains are advertised as being scheduled to arrive at a certain time. In 99% of the cases experienced by myself, they do not. Therefore, they are not suitable for the purpose made known by the consumer to the supplier, nor do they match the sample or description provided.

Mr Enright did not qualify for a refund. I hope that with the establishment of the PTTC statutory body—which will eventually become a State-owned corporation—and with the provision of a smart card for transport, the abysmal state of transport, particularly trains in my electorate, will improve.

**Mr KEVIN GREENE** (Georges River) [11.26 a.m.]: Unlike the honourable member for Hornsby, I will confine my comments to the smart card ticketing project and the Transport Administration Amendment (Public Transport Ticketing Corporation) Bill. This morning I caught an on-time train from Hurstville on a superb service that allowed me to sit down and read the paper. The train arrived at Martin Place on time.

**Mr John Turner:** One!

**Mr Steven Pringle:** What about the afternoon trains?

**Mr KEVIN GREENE:** For the information of the honourable member for Myall Lakes, I caught a train home yesterday afternoon.

**Mr John Turner:** I don't have trains in my electorate.

**Mr KEVIN GREENE:** That is because you live on the wrong side of a river. Yesterday the morning train arrived on time at 10.32 a.m. at Hurstville and I returned home on an excellent on-time train.

**Mr John Turner:** Two!

**Mr KEVIN GREENE:** It is three actually. Mathematics is not a strong point in Myall Lakes, unfortunately. Unlike the honourable member for Hornsby, I have taken the time to research the smart card and Tcard process. Students trialled the Tcard last year. My children have been using the Tcard, which has worked successfully. Obviously, the trial was on a small sample but I have heard no adverse comments during the time I spend at local schools, both primary and secondary. In fact, I have noted from comments in newsletters published by my local schools, both State and Catholic, that the Tcard and the roll-out with school students seems to have worked efficiently. The Tcard will be trialled as of June. When the ticketing corporation legislation passes through Parliament today, the Tcard will be trialled by the Punchbowl Bus Company, through Steve Scott and his troops. It provides an excellent bus service to commuters throughout my community. The Punchbowl Bus Company will trial the system in June, together with State Transit in its Kingsgrove Bus depot.

I have spoken with Darryl Mellish, Executive Director of the Bus and Coach Association, and he also is supportive not only of this legislation but of the Tcard ticketing project. The Bus and Coach Association is excited by this technology and is supportive of the project. The association is keen that it be rolled out as quickly as possible as it regards this as a way forward in servicing the needs of commuters. That sentiment applies to other modes of transport, particularly trains and ferries. In discussions with me Steven Scott of the Punchbowl Bus Company indicated that he also believes that the project with school students had worked very effectively. As a bus operator, he too is excited by the possibilities that the project brings to the transport industry as well as being very supportive of the process.

I take this opportunity to express my support for the legislation. Unlike a number of Opposition members who have spoken in this debate, I congratulate the people in the transport industry on continuing to introduce new technology to take us further in the twenty-first century. Most importantly, I congratulate those involved in the transport industry on the services they provide not only by buses but also by trains, which provide me with an excellent service to and from Parliament each day.

**Mr FRANK SARTOR** (Rockdale—Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)) [11.31 a.m.], in reply: I commend all the contributions to the debate, and I commend the bill to the House.

**Motion agreed to.**

**Bill read a second time and passed through remaining stages.**

## **PROPERTY, STOCK AND BUSINESS AGENTS AMENDMENT BILL**

### **Second Reading**

**Debate resumed from 8 November 2005.**

**Mr JOHN TURNER** (Myall Lakes) [11.32 a.m.]: First I should say that I am staggered yet again that the Government gave the industry such little opportunity to comment on this bill before introducing it late last year. I note from the Minister's second reading speech that she has congratulated the industry on working with the 2002 Act and that since 2002 the number of transgressions has been very minor. However, notwithstanding

this fact, the Government believes it needs to amend the Act. As I said, there has, as usual, been a lack of consultation with the industry. Therefore, who determined these changes were needed? This brings me to a tangential area of fair trading legislation and one that can be applied to this bill.

We have an enormous wealth of knowledge in the various fields administered by the Department of Fair Trading, but because of some inherent view that principal traders, if you like, are not to be trusted and that consumers' rights are supreme, this knowledge is not being tapped into. It therefore appears that bureaucrats make an arbitrary decision on behalf of both traders and consumers as to what is good for them, throw it together in a discussion paper and then, it appears, irrespective of what arises from the discussion paper, proceed to legislation on what they think is right and proper. Before I return to the specific contents of the bill, I should say that on coming to government the Coalition will ensure that in the consideration of legislative change there will be a change of emphasis to ensure that it is from the bottom up rather than from the top down. We will listen to consumers and traders alike, first to see if there is need for change and then react to that need co-operatively, constructively and with inclusiveness right from the start of the process.

I note this bill is basically split into three divisions. Those are provisions as to licensing for agents, auctions and agent conduct. The licensing provisions really relate to the disqualification provisions. At present disqualification of a director or person can only occur where that director or person has been concerned in the management of a corporation that is subject to a winding-up order. For want of a better word, a loophole presently exists in that a person or director can escape disqualification by resigning, say, a day before the company becomes subject to a winding-up order.

I note that the changes mean that persons or directors could be, subject to their actions, disqualified when they have been involved in the management of the corporation up to twelve months before it became externally administered. The Minister makes reference to like provisions in the Corporations Act 2001. As that Act preceded the Property, Stock and Business Agents Act 2002, one has to question why this was not picked up earlier and included in the original Act. I note this section of the bill proposes other amendments, including extending discretionary powers of the commission to allow undisclosed bankrupts to be granted a license, but only on consideration of what bona fide actions they took to avoid bankruptcy or, in the case of corporations, the appointment of an external administrator before it got to the crucial position of unavoidable bankruptcy or administration.

The next section of the bill concerns auctions. At last we see some action on the "dummy bid" rhetoric we have heard from the Government for years. There are other provisions concerning auctions, and I will come back to the dummy bid provisions shortly. The Minister admits that since the 2002 Act the industry has been very responsible in relation to auctions. Surely it would have been more desirable to work and consult with the industry in this sphere to seek co-operation in the workings of the 2002 Act rather than yet again resort to prescriptive regulation. At least the industry should have been given a copy, or at least details, of the proposed legislation for comment before it was brought in last year. The Minister states in her second reading speech that she wants increased transparency at auctions. Surely it would have been better to work through the issues with the industry to achieve this transparency rather than springing a bill on it. Again it comes back to what I said earlier: it seems the bureaucrats at the Office of Fair Trading know what is good for the industry and consumers. How they know this without consultation is beyond me.

One of the overriding issues in the auction section of the bill is the onus of proof. Whilst the Opposition certainly supports the provisions to outlaw dummy bidding, collusive practices and invented bids, the onus of proof will be difficult and may well be subjective. The Minister states in her second reading speech that the penalty will be imposed on the person who made the dummy bid, whether the vendor knew or not. I suppose that is to safeguard against unscrupulous agents planting dummy bidders to increase the price and, therefore, possibly their commission. But again that is not set out, and again who is to know and determine that a person has made a dummy bid? What standards of proof will be required or accepted? I note that one of the methods of enforcing this provision is to ensure proper addresses are available for bidders. I am not quite sure why the address is vital, but it is strange that you can travel the world on a passport as evidence of your identity but a passport is not sufficient for the Office of Fair Trading. It is also noted that where the legal vendor's bid is the last bid before a property is passed in, in any subsequent negotiations that fact has to be disclosed. How open-ended is that? What happens if, say, the property is not sold in six months and the market is such that it would clearly be in excess of the vendor's bid? Is there still a necessity to disclose it?

An amendment is proposed to provide that there is no need for a director of a corporation that acts as a real estate company or a licensee, or licensee in charge of a real estate agency, to be an accredited auctioneer to

conduct auctions provided that person employs accredited auctioneers to conduct the auction. On behalf of the Opposition, I raised this matter in questions on notice some time ago following the Office of Fair Trading's ruling to the contrary. The question must be asked: Why the change now? I know the industry had brought the ambiguity of the situation to the notice of the Office of Fair Trading and, of course, the potential for well-meaning directors, licensee or licensees in charge to fall foul of the Office of Fair Trading whilst this ambiguity occurs. It is clear the Office of Fair Trading is pedantic in relation to such matters as auctions.

There is a matter that was, or perhaps still is, before the courts and could be sub judice. However I do not think I will prejudice the case by outlining how pedantic the Office of Fair Trading has been on this issue and the fact that I am told it will, apparently, in all such cases, even where minor technicalities are involved, proceed to court rather than issue infringement notices. The case arose when an auctioneer who was licensed in 1978 sold a property at auction but was charged with selling the property without completing his accreditation.

The auctioneer advises that he was given a prior learning assessment and passed it. The assessment resulted in his being able to bypass the normal five-day course for accreditation and undertake a two-hour non-examinable course, which he completed before he sold the property. He completed the paperwork and lodged it with the Office of Fair Trading—he was ticked off for prior learning, he did the non-examinable course and he completed the paperwork. However, the Office of Fair Trading was tardy in processing the paperwork, which, regrettably, is becoming a hallmark of the department. For all intents and purposes this agent was accredited when he sold the property, but he did not have his piece of paper. The heavy hand of the Office of Fair Trading fell on him and he was charged with selling the property without accreditation. Surely, at worst, it was an infringement notice offence. He should not have been charged. But no, the Office of Fair Trading is dragging this man, a person who has had an unblemished record since 1978, through the courts. The reason cited is zero tolerance.

Returning to the specifics of the bill, in the disclosures provision it is curious that an agent who owns or has an interest in a property as an individual has to disclose that interest, but if he or she has an interest in a company that owns that property he or she does not. A company is a separate legal entity and the director and shareholder may well be, and often are, the same person. What difference is there, apart from the separate legal entity concept, between the individual selling and the company selling when the individual, by way of dividend or on winding up of the company, will benefit? The provision concerning unclaimed money under the Act is also somewhat ambiguous. In the Minister's second reading speech she stated that under that part of the Act I just mentioned unclaimed money held in a licensee's trust account for more than two years must be paid to the Commissioner for Fair Trading, if that is still his title, and deposited in the Corporation Fund.

However, leaving that aside, the Act provides that the remaining money be remitted to Treasury following the end of each year. What is this remaining money if all unclaimed money has been deposited in the Corporation Fund? How much is the Office of Fair Trading going to deduct for, I presume, administration costs? I note that the rules have changed, but the manner in which that is set out in the second reading speech is still fairly ambiguous. I note an amendment concerning action being taken against agents who indulge in unjust conduct. Yet again I note that the commissioner has taken on the role of judge and jury, a role that must be exercised carefully. I note further that the Government will move a number of extra amendments in Committee. Although I am pleased that the Government has consulted the industry over the Christmas and New Year break, I have to, and will, assume that the intention of the amendments reflects consultation with the industry because I received the amendments only this morning and I have not had an opportunity to discuss them with industry representatives. The Opposition does not oppose the bill.

**Mr STEVEN CHAYTOR** (Macquarie Fields) [11.42 a.m.]: I support the bill, which amends the Property, Stock and Business Agents Act 2002. I will speak particularly about some of the provisions relating to auctions and unjust conduct to which the honourable member for Myall Lakes referred. These important provisions are aimed at lifting and sustaining consumer confidence in the industry. There is little doubt that purchasing a property is potentially one of the largest purchases people will make. They have the right to be confident that unjust conduct will be limited and that dummy bids will be completely eliminated. When the Property, Stock and Business Agents Act commenced in 2003 it introduced substantial reforms that enhanced the transparency of auctions. Those reforms, which included compulsory fact sheets distributed by agents about auction procedures, bidder registration at auctions, reintroduction of specific auctioneer accreditation, and a single declared vendor bid for auctions of residential property and rural land, were supported by the industry, property owners and property purchasers.

However, two years on some additions and refinements to the Act are required to help improve its operation, and it is the refinements and additions that the bill seeks to implement that I support. Key proposals in



the bill, which I am sure all members of the House would support, are the clear and specific prohibition of dummy bidding at property auctions and the provision that a person who makes such a bid is committing an offence. A dummy bid is a false bid made at an auction by a person with no intention of buying the property. Dummy bids are designed to jack up the price of a property artificially and to induce genuine buyers to pay more. Dummy bids clearly undermine the legitimate process of disposing of a property by auction. Undoubtedly, auctions are emotionally charged events, and consumer confidence in the process is essential. Dummy bidding seriously undermines consumer confidence in the auction process and should not be tolerated.

The bill makes it absolutely clear that dummy bidders are committing an offence, for which a maximum penalty of 500 penalty units may be imposed. Potential purchasers will welcome this move to ensure that auctions are conducted with the highest level of transparency and integrity. The provision in the bill for the imposition of 500 penalty units for making a dummy bid reflects the seriousness of any action that seeks to damage the auction process or bring it into disrepute, which in turn undermines the ability of purchasers to participate in a fair system that maintains equality throughout the purchasing process. I am pleased to report that the Government's proposal to outlaw dummy bidding once and for all has been welcomed by auctioneers and real estate agents and the industry in general. It must be eliminated to maintain the integrity of the process. An example of that support by auctioneers and real estate agents is the statement by one well-known auctioneer from the Central West of New South Wales who was reported recently as saying:

These latest amendments will make life difficult for anyone not toeing the line and protect the integrity of those doing things the right way.

At the time the Minister announced these changes—and I note her presence in the Chamber—an auctioneer and real estate agent from Port Macquarie stated:

On the local front most people are okay with the auctioneering laws, and the high calibre of real estate agents and auctioneers in the area ensure everyone is professional.

However, the bill will ensure that the highest quality standard is adopted at all times across the industry. Although it is acknowledged that in general the vast majority of agents participate in the system in a fair and just way, the bill will ensure that the process is equal, fair and transparent. The legislation will ensure that the whole system maintains its integrity. Associated with the phenomenon of dummy bids are collusive practices—an auctioneer inventing bids to raise the price of a property artificially. It is a very unfair phenomenon. Although there are current rules of conduct about acting fairly towards all parties and a prohibition on misleading conduct, there is currently no specific provision in relation to the taking of fictitious bids by an auctioneer. The bill rectifies that by including a provision creating an offence, with an appropriate penalty, of accepting fictitious bids.

I will now comment briefly on provisions in the bill enabling the Commissioner for Fair Trading to require an agent to discontinue unjust conduct or to rectify the consequences of such conduct. This is important because the bill seeks to ensure that unjust conduct is eliminated from the process of auctioneering. In circumstances where unjust conduct is occurring or has occurred on repeated occasions, it is important that a range of possible courses of remedial action be available to those responsible for enforcing the legislation. Several options, such as disciplinary action, are contained already within the Act, but one option that is not contained in the Act, and should be, is the ability for the Office of Fair Trading to seek a discontinuance of unjust conduct and/or to remedy or rectify such conduct. This is an important point.

Unjust conduct is defined in the bill and covers repeated behaviour that is clearly dishonest or unfair, in breach of contract, in contravention of the Act or regulations or any Act administered by the Minister for Fair Trading, or which fails to comply with a condition or restriction of the licence. Under the new provisions, the commissioner will be able to seek undertakings from the licensee to ensure that repeated unjust conduct will be discontinued and also to rectify the consequences of unjust conduct. Failing any agreed undertakings being given by the licensee, the commissioner may seek to obtain binding orders by application to the Consumer, Trader and Tenancy Tribunal. That is a fair and reasonable addition to and strengthening of the current legislation governing unjust conduct, and in the interests of consumers it should be strongly supported. Indeed, improved provisions dealing with unjust conduct are in everyone's interest. They are in the interests of agents, the industry and the overall economy. It is particularly in the interests of consumers that complete confidence is maintained in the process of purchasing so that dummy bids and unjust conduct are removed.

We are dealing with an industry in which representations are continually being made by vendors to purchasers. Those representations must always be fair. Any process by which representations are made falsely

should be made an offence and should be eliminated. The bill provides for exactly that outcome, which is why it is so welcome. I hope and expect that these provisions will be unnecessary for the majority of agents, who operate their businesses professionally and with integrity, and it is hoped, of course, that the provisions will need to be used on rare occasions only. It is with this in mind that I recall the comments made by the honourable member for Myall Lakes, who referred to the zero tolerance approach that has been taken. That approach is appropriate in strengthening consumer rights.

There is no doubt that the vast majority of agents operate their businesses professionally and with a high degree of integrity. That proposition is commonly accepted by all sides of politics. However, provisions are certainly needed to cover conduct that is unprofessional or lacks integrity. Provisions are needed that will protect consumers. The bill achieves that outcome because its provisions will be administered by the relevant department taking a zero tolerance approach when digression from professionalism and integrity occurs. Those are the key principles underpinning the bill.

Agents who are caught engaging in unjust conduct—and I am sure that will be a very small number—and who do not, or will not, play ball will be dealt with by the commissioner, who may apply for binding orders from the independent umpire, the Consumer, Trader and Tenancy Tribunal. Any decisions made by the tribunal under the provisions of this bill will be subject to the normal appeal mechanisms that are already available under the Consumer, Trader and Tenancy Tribunal Act 2001, that is, by application for a rehearing by the tribunal or an appeal to the Supreme Court on any question of law. The honourable member for Myall Lakes expressed significant concern relating to the operation of the tribunal. The tribunal's independence will be maintained, but in addition there will be a process of appeal to the Supreme Court should a party feel aggrieved by a determination on a question of law. That provision is welcomed.

The bill provides for inbuilt appeal processes if a licensee is aggrieved. The system is stronger but also maintains flexibility. While adopting a zero tolerance approach, the system will maintain flexibility to ensure that consumer rights are the highest priority in this State in relation to the conduct of property, stock and business agents. The new provisions governing unjust conduct will provide an important alternative to disciplinary action and will allow rectification undertakings to be made to the benefit of consumers. As the honourable member for Liverpool, who is in the chair, would undoubtedly be aware, many remedies are available when illegal activity has occurred. The bill introduces a process of rectification that will be one of the best remedies available to benefit consumers.

However, the provisions are not easily triggered and are subject to an appropriate set of checks and balances. That is an important point. The first element that must be proved is repeated unjust conduct. The second element is that, as negotiation is being introduced as part of the checks and balances, the licensee will have had a chance to negotiate an acceptable outcome with the commissioner. The third element is that undertakings will be made with the overriding consent and supervision of the Minister. The final element is that enforcement of undertakings will be carried out by the Consumer, Trader and Tenancy Tribunal. That process is undoubtedly transparent and fair. I submit to this House that, considering those four checks and balances, it would be difficult to implement a system that is fairer than that. Those checks and balances will maintain consumer rights.

The provisions are modelled on existing provisions in the Motor Dealers Act and the Motor Vehicle Repairs Act that have operated without raising significant concerns in those industries. They are tried and tested mechanisms. The Government is confident that, just as similar provisions have been accepted in relation to vehicles, the bill's provisions relating to property, stock and business agents will be adopted and will operate with similar success. I conclude my remarks by urging all members of the House to support the bill, which not only will deliver positive outcomes for the auctions process but also will provide appropriate remedies in circumstances in which unjust conduct has occurred. The bill will also strengthen integrity within the system. The bill fundamentally demonstrates that the Government is keeping this important legislation under active and constant review—I know that the Minister is committed to doing so—to ensure that it continues to meet the demands of consumers and industry alike.

**Ms VIRGINIA JUDGE** (Strathfield) [11.55 a.m.]: I support the Property, Stock and Business Agents Amendment Bill. I commend the Minister, the Hon. Diane Beamer, her hardworking ministerial staff and the departmental staff for doing everything necessary to prepare this legislation for presentation to Parliament. During my speech I will make some key points and then, to highlight the importance of having in place legislation that will protect consumers, relate some personal experiences of my constituents and mine in relation to auctions. The bill is the result of the Government's close monitoring of, and experience with, current

legislation. Most of the amendments in the bill are aimed at clarifying the original intention of the legislation and will put beyond doubt the nature and operation of certain provisions.

The Act is important legislation because it governs the operation of approximately 35,000 licensees and certificate holders who operate currently in the property industry in this State. The Minister's second reading speech provided a comprehensive summary of the bill's provisions. I understand that the Minister intends to move some minor clarifying amendments to the bill at the Committee stage which she has agreed to include following further consultation with the industry. It is a feature of the style of this Minister that she always is accessible and listens to stakeholders whenever legislation in which she is involved is being prepared for presentation to this House. I will make some brief comments in support of provisions that finetune entry and disqualification requirements. Those are important elements of the legislative framework because they govern who may hold a licence. The provisions are aimed at ensuring that agents and certificate holders meet the highest standards of probity, which is as it should be. That is ultimately important because of the level of trust that consumers expect when dealing with such significant transactions involving property.

When the Act commenced, it included more explicit grounds for entry and disqualification of licensees and certificate holders than its predecessor, the Property, Stock and Business Agents Act, which was passed a very long time ago in 1941. The 1941 Act basically required applicants to satisfy general "fit and proper" criteria. The new Act will be much more transparent, will provide greater accountability and will be much more specific in addressing areas of consumer risk. This legislation has become necessary because many longstanding businesses and industries have become very complex over time as a whole range of new industries have derived from traditional ones. My father has a property in the Sutton-Gundaroo area, where formerly the stock and station agent virtually did a little of everything, but roles are becoming much more specialised in property, stock and business agencies, as they are right across the board.

However, experience with the operation of the provisions in practice has highlighted the need for some finetuning to ensure that their interpretation reflects the Act's original intent and purpose. For example, the bill contains a number of provisions to enable disqualification on the grounds of being involved in the management of a corporation up to 12 months prior to an external administrator being appointed to it. The insertion of a time frame is important, otherwise a person could avoid disqualification by resigning the day before the appointment of an external administrator. The bill closes that loophole.

The bill also clarifies the disqualification provisions in relation to an undischarged bankrupt. To summarise, people can hold a certificate of registration but not a licence. Holding a licence is similar to becoming a justice of the peace. When members of Parliament conduct interviews for applicants to become a justice of the peace, we ask "Have you ever been an undischarged bankrupt?" People can hold a licence and be a justice of the peace, an important position within the community, bringing with it the huge responsibility of looking after trust funds and accounts and also being liable for the operations of that office.

I recall that when I was pregnant with my third baby I hiked up three flights of stairs at Petersham TAFE, located at Fort Street High School, to do a three-year part-time course to hold a real estate agent's licence. Indeed, many years ago my mother attended Fort Street High School, when it was located at Observatory Hill—it has since been relocated to Parramatta Road, Leichhardt. It is a fantastic school, and I wish it were in my electorate. It was important to me to be the holder of that licence. I do not know whether my licence is valid because I do not recall whether I have paid this year's annual fee, but a lot of people ask me whether they can use my real estate agent's licence. I always reply, "No way in the world". The holding of that licence incorporates a lot of responsibility. Unless I am supervising the proceedings I would not know what was going on.

I cannot overstate the importance of a real estate agent's licence. People trust agents with their life savings and their property. Agents have to oversee auctions and other transactions such as collecting rent, so they have to be of high repute. I do not know how many real estate agents operate in my electorate, perhaps as many as 50. Anything that the Government can do to make sure that people are protected across-the-board is a fantastic step in the right direction. I will check on whether my licence is still valid, although I do not intend using it.

Currently the Act provides that the Commissioner for Fair Trading may grant a licence to an undischarged bankrupt only if the commissioner is satisfied that the person took all reasonable steps to avoid bankruptcy. If one were investing money with an agent, one would want to be sure that the agent knew how to manage money. If the agent had been a bankrupt there could be a doubt about that, obviously. There has been

some lack of clarity in the interpretation of when that discretion applies and how it is assessed. The bill will make it clear, once and for all, that the commissioner needs to consider the steps taken to avoid bankruptcy when financial difficulties first arise in the business, and not consider the steps taken only once bankruptcy, liquidation or administration have become imminent.

The commissioner will be able to exempt persons from the disqualification provisions if satisfied that the person took all reasonable steps to avoid the situation; and that is fair. The need to tighten some provisions arises from several recent decisions in the Administrative Decisions Tribunal, which have read down the current Act, so that the intent of the provisions has not been achieved. In one case the tribunal limited its consideration to events that dated from when the licensee was first served with a notice and held that it should not inquire into any earlier conduct leading to the financial failure of the business. Such a reading of the Act overlooks the intended purpose of the legislation, which is, as I have described, to exclude persons who have demonstrated an inability to adequately manage their business and who may put their financial needs above those of people on whose behalf they act. Clearly all the relevant circumstances should be taken into account, and the bill makes that situation clear.

Finally, the bill broadens an existing ground for disqualification in circumstances where an agent has been suspended or disqualified from holding an authority under another Act administered by the Minister for Fair Trading. Section 16 (1) (h) of the Property, Stock and Business Agents Act 2002 already provides that a person is disqualified if that person holds a licence or authority that has been suspended under the Fair Trading Act 1987. The bill broadens the current provision by disqualifying a person from holding a licence under the Property, Stock and Business Agents Act if that person is also disqualified from holding a licence under other legislation administered by the Minister for Fair Trading.

The reason for broadening the provisions is because any disciplinary action that results in disqualification is an indicator that a serious offence has been committed by that person as a holder of another authority and as a trader and therefore calls into question the person's ability to trade fairly in other industries. I support a tough approach in the circumstances where a person has been disqualified because of the high standards of probity required in the property industry and to protect the interests of unsuspecting consumers. I am sure that the many good, honest licence holders would agree with that. The amendment includes an appropriate discretion for the Commissioner for Fair Trading to ignore this ground of disqualification if it is not relevant in the circumstances. So, again, there is an inbuilt fairness for licensees to demonstrate that the disqualification should not apply.

The amendments to the Property, Stock and Business Agents Act contained in the bill are important additions to the legislation. Many of the amendments relating to licence entry and disqualification are administrative in their nature, or represent refinement to clarify and help the Act to work better. The current Act's provisions concerning licensee entry and disqualification requirements simply require some finetuning, that is all! To ensure better protection for consumers, and higher standards of probity and integrity in the industry, the bill contains provisions that are important and welcome additions to the Act.

In closing, I will briefly digress and talk about dummy bids at auctions. For many people auctions are incredibly emotionally charged and stressful, not just for the buyers but also for the sellers. The bill tightens up some aspects of how the bids are called, including the vendor's bid. All vendors are entitled to a single bid, but anyone at an auction could make that bid. That bid is important, because it is called at any time, but the auctioneer has to state that it was the vendor's bid. It is now specified that the auctioneer is to make that bid. The reason for that is that sometimes that bid was put at the end of the auction, and it would leave the price hanging in limbo at an unrealistic level. It could come in at \$10,000, \$20,000 or even \$30,000 above the possible reserve.

If a property is handed in or if a bid is withdrawn, sometimes the relevant and interested parties sit down, talk together and negotiate. This could involve thousands of dollars and people could end up paying an unrealistic price for the property. That situation needed to be tidied up because it is such a stressful time. At auctions the owners are often anxiously waiting, and hoping that their belief of the market value of their property will be realised. However, other people may be intent on that not happening.

Sellers are often led a merry dance and buyers are left in limbo about the price of a property. We want healthy auctions and competition but we want it to be within a structured framework that is fair, honest and underpinned by integrity. At the end of the day a lot of people could end up as losers in this whole scenario. I hope today that dummy bidding is well and truly put to bed. I have attended auctions in the past at which some amazing things have happened. I commend the Minister and the Government for trying to ensure that when

people are parting with their life savings they are given the utmost protection. It is wonderful to see that some Opposition members are nodding their heads in agreement with me. I commend the bill to the House.

**Ms KRISTINA KENEALLY** (Heffron) [12.10 p.m.]: I support the bill and wish to make some brief comments. The bill finetunes the Property, Stock and Business Agents Act by making several important amendments in the interests of consumers and industry. Among the changes that all honourable members should support are refinements to the licensing entry requirements for agents to help ensure that consumers have confidence in the professionalism of those with whom they engage; tough new penalties for anyone caught trying to tamper with the process of auctions through dummy bidding or collusive practices; and greater transparency for consumers in any subsequent marketing of a property sold after an unsuccessful auction.

As my colleague the honourable member for Strathfield just said, the bill also contains a number of amendments that will enable the Office of Fair Trading to act in the interests of consumers if an agent's conduct is called into question. For example, the Commissioner for Fair Trading will be able to require an agent to discontinue unjust conduct and seek rectification of unjust conduct if that has occurred. In those unfortunate situations—and these are in the minority overall—where a breach of the code of conduct has occurred, tougher penalties will apply. The Government's reforms to this sector through the Property, Stock and Business Agents Act have seen improvements in professionalism and conduct in the industry. As a result, consumers can be more confident that the procedures at auctions and in the sale of property generally are fairer.

The bill also has two minor, but nonetheless important, amendments designed to help agents better administer their businesses. Firstly, it provides that authorised deposit-taking institutions will be able to pay interest up to the seventh business day of each month rather than on the first day. In practice, this will reap benefits for deposit-taking institutions, agents and consumers because the majority of institutions currently find it hard to pay interest within the time required because of their internal systems and, consequently, revenue due is delayed. A more reasonable time frame would increase compliance and be more easily enforced, increasing the interest earned on the statutory interest account, as revenue will be received more promptly.

The statutory interest account provides valuable funding for purposes including grants for education and research relating to the property services industry, rental advisory services, dispute resolution between consumers and providers of property services. Secondly, the bill provides for the commissioner to be able to prescribe the method by which a deposit-taking institution is to notify the commissioner of the required information in relation to trust accounts. Again, this is expected to deliver a better result for deposit-taking institutions by enabling more streamlined electronic reporting. This will assist in the examination of submitted information by the Office of Fair Trading. Consumers expect and deserve high levels of integrity from the people with whom they deal when purchasing a home.

Other honourable members have said that buying a home is one of the biggest investment decisions most Australians will make in their lives. This Government has a duty to ensure that appropriate laws are in place and from time to time it should review those laws. This bill contains provisions that are important and welcome additions to the Act. I commend the bill to the House.

**Ms DIANE BEAMER** (Mulgoa—Minister for Western Sydney, Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [12.15 p.m.], in reply: I thank the honourable member for Macquarie Fields, the honourable member for Strathfield, the honourable member for Heffron and the honourable member for Myall Lakes for their contributions to debate on this important bill. I thank also other Opposition members for their support for the bill. I wish to respond to issues regarding consultation that were raised by the honourable member for Myall Lakes. I reject the honourable member's assertion that the Government has not consulted with industry on these amendments.

In April 2005 copies of the draft bill were forwarded to peak groups and several major agents including the Australian Livestock and Property Agents Association, the Institute of Strata Title Management, the Law Society of New South Wales, several peak real estate associations, the Property Council of Australia and the Real Estate Institute of New South Wales. The Property Services Advisory Council, which meets quarterly and reports to me, received nine submissions relating to this bill. Groups were given time to consider and respond to the draft bill and their views were taken into account. Since the introduction of this bill further consultation has also occurred with the Real Estate Institute of New South Wales.

The bill contains important measures to finetune and clarify the operation of the Property, Stock and Business Agents Act. The bill takes steps to help ensure that the Government's policy objectives are clear and

are better able to be implemented in practice. These amendments follow the Government's close monitoring of and experience with the Act and its ongoing consultation with the community and industry. I wish to reiterate some of the more important provisions in this bill. It outlaws dummy bidding and unjust conduct, with penalties of up to \$27,500 for individuals and \$55,000 for corporations. Penalties for breaches of rules of conduct and for agents acting dishonestly will be increased. There is greater clarity and refinement to agent disclosure requirements and the circumstances in which agents can be disqualified from holding a licence.

The bill requires identification of the vendor's bid in any statement marketing residential property or rural land that was passed in at auction and the highest bid was a vendor bid, and that information is recorded in the bidder's record. The bill also contains provisions to allow the commissioner to prescribe the method by which the Office of Fair Trading is notified of relevant trust account information.

**Mr John Turner:** Point of order: I am reluctant to take a point of order as I have a good relationship with the Minister, but when Ministers reply to debate on the second reading of a bill they seem to be reiterating their second reading speeches. A Minister is given an opportunity to reply to debate so that he or she can address any issues that are raised. With all due respect, the Minister said a few moments ago that she wanted to reiterate what this bill was all about but she should be addressing issues that were raised in debate.

**Madam ACTING-SPEAKER (Ms Marianne Saliba):** Order! The Minister is concluding her contribution.

**Ms DIANE BEAMER:** The bill also contains a number of miscellaneous amendments. All these measures are designed to ensure a high level of consumer protection, transparency and confidence in property transactions and to encourage high standards of probity and professionalism in the industry. This bill has been well received by industry and most agents have accepted and are implementing the changes introduced by the Government in 2002. I expect that the new offences and tougher penalties in the bill would be rarely used, but in cases where they are justified I make no apologies for taking a tough stand in the interests of consumers.

Some regulatory issues in the sector remain of concern to the industry, for example, continuing professional development [CPD] requirements. I have already signalled to industry that the Government welcomes an ongoing dialogue to reduce red tape and ensure that the CPD works effectively in practice. As foreshadowed by the honourable member for Strathfield, in Committee I intend to move several minor and clarifying amendments to the bill. These amendments, which will further help to clarify the operation of the Act, follow additional representations I have received since the bill was introduced in Parliament last year. I thank the Real Estate Institute for taking such an active interest in ensuring that the Act operates in practice. I commend the bill to the House.

**Motion agreed to.**

**Bill read a second time.**

### **In Committee**

**Clauses 1 to 3 agreed to.**

**Ms DIANE BEAMER** (Mulgoa—Minister for Western Sydney, Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [12.10 p.m.], by leave: I move Government amendments Nos 1 to 11 in globo:

No. 1 Page 4, schedule 1 [5], proposed section 16 (1A) (d), lines 4–10. Omit all words on those lines. Insert instead:

(d) is a person:

- (i) who at any time in the last 3 years, was a director or person concerned in the management of a body corporate that, within 12 months after the person ceasing to be such a director or person, became an externally-administered body corporate (within the meaning of the Corporations Act) except in the case of a voluntary winding up of the body corporate, and
- (ii) who failed (while a director or person concerned in the management of that body corporate) to take all reasonable steps to avoid the body corporate becoming an externally-administered body corporate.

No. 2 Page 4, schedule 1 [6], proposed section 16 (2B), line 20. Omit ", (c) or (d)". Insert instead "or (c)".

No. 3 Page 4, schedule 1 [6], proposed section 16 (2B) (c), line 30. Omit "or (d)".

No. 4 Page 4, schedule 1 [6]. Insert after line 34:

- (2C) Subsection (1A) (d) does not operate to make a person a disqualified person unless the Director-General has served a notice on the person giving the person the opportunity to make oral or written submissions to the Director-General within a period (not being less than 14 days) specified in the notice with respect to the grounds on which the person believes he or she took all reasonable steps to avoid the body corporate becoming an externally-administered body corporate and the Director-General is satisfied that the person failed to take all such steps.

No. 5 Page 4, schedule 1 [6], proposed section 16 (2C), line 35. Insert "or (2C)" after "subsection (2B)".

No. 6 Page 5, schedule 1 [11], lines 23-25. Omit all words on those lines.

No. 7 Page 5, schedule 1 [12], proposed section 47 (1) (c), line 28. Insert "of which the agent is aware that" after "benefit".

No. 8 Page 5, schedule 1. Insert after line 32:

**[13] Section 47 (2) (c)**

Insert "at the time the agent refers the client or prospective buyer to a person for professional services associated with the sale or purchase of land and" after "acknowledged" in section 47 (2) (c).

No. 9 Page 6, schedule 1 [13], lines 3-5. Omit all words on those lines. Insert instead:

*prospective buyer* means a person who there are reasonable grounds to believe is a potential or likely buyer of land (whether or not the person has made an offer to buy the land).

No. 10 Page 6, schedule 1 [14], proposed section 50 (2), line 9. Omit "acting". Insert instead "carrying on business as an agent".

No. 11 Page 10, schedule 1 [16], proposed section 66 (6) (c), lines 19-21. Omit all words on those lines.

The amendments are designed to give greater clarity to the bill's intent and to ensure a high standard of procedural fairness when an agent's conduct is called into question. Amendment No. 1 clarifies that an agent is not a disqualified person under proposed section 16 (1A) (d) unless he or she was actually involved somehow in the events leading to external administration and failed to take all reasonable steps. This is achieved by adding proposed section 16 (1A) (d) (ii). The amendment is necessary because the original drafting may have unintentionally led to persons becoming technically disqualified when they were not actually involved. Amendment No. 1 clarifies the situation. Amendments Nos 2 and 3 are consequential to amendment No. 1.

Amendment No. 4 establishes an additional procedural safeguard in relation to the operation of proposed section 16 (1A) (d). It does this by requiring the Commissioner for Fair Trading to give at least 14 days notice to people who may fall within that ground of disqualification and to give them the opportunity to make oral or written submissions in relation to why they should be given an exemption from the operation of proposed section 16 (1A) (d). Amendment No. 5 is consequential to amendment No. 4. Amendments Nos 6 to 9 confirm the disclosure requirements on agents and have been developed following further consultation with industry to give greater clarity and certainty as to their obligations under the Act.

Amendment No. 6 omits references to the concept of a "prospective buyer" being only someone who makes an offer to purchase land that has been passed on to the vendor. This reading in the context of disclosure obligations on agents may have the effect of being too narrow when one of the policy objectives underpinning the Act is to encourage a high level of transparency for consumers. An alternative and broader definition of "prospective buyer" is needed to ensure that disclosure of relationships between an agent and third parties occurs to a broader range of people than just those who have made a formal offer. An alternative definition of "prospective buyer" has been developed in further consultation with industry, and is given effect to by amendment No. 9.

Amendment No. 7 adds an additional minor clarification to the operation of disclosure requirements under proposed section 47 (1) (c) by making it clear that an agent needs to disclose only benefits of which he or she has knowledge. The principle of disclosure covering only matters of which the discloser has knowledge is well established in case law. Amendment No. 7 merely makes this situation explicit and should help agents to understand their obligations better. Amendment No. 8 is another minor clarifying amendment. Essentially, it will make clear that disclosure needs to occur at the time the agent refers his or her client or a prospective buyer to a person for professional services associated with the sale or purchase of land. Amendment No. 9 inserts a revised definition of "prospective buyer" to capture a wider range of persons to whom the agent must disclose than in the original drafting of the bill. As I said earlier, the definition has been refined and clarified following further consultation with the industry.

Amendment No. 10 concerns the operation of proposed section 50 (2) of the Act, which requires an agent advertising a property for sale to disclose in the advertisement whether he or she has an interest in the property as a principal. The purpose of this requirement is to promote transparency when agents engage in property transactions relating to their own properties. Amendment No. 10 simply clarifies that the disclosure requirements do not apply to an agent when he or she is acting in a private capacity to sell real or personal property as an individual, not as an agent or in association with his or her business as an agent. The Government's intention is to require disclosure when an agent is selling and advertising property as an agent and in association with his or her business, and amendment No. 10 simply clarifies this situation.

Amendment No. 11 deletes proposed section 66 (6) (c) from the bill, which requires each bid made by a co-owner, executor or administrator to be announced at an auction as a "vendor bid". As a substitute for each bid made by a co-owner or executor being announced as a vendor bid, I propose to use the regulation-making power under existing section 77 of the Property, Stock and Business Agents Act. The regulations already enable the prescribing of certain matters that an auctioneer must announce before the start of bidding, and this will be expanded to ensure that bidders are made aware that a co-owner, executor or administrator may be bidding at an auction. Interested parties will be consulted about the matters to be prescribed in the regulation.

**Mr JOHN TURNER** (Myall Lakes) [12.25 p.m.]: The Opposition does not oppose the amendments. I note that the Minister for Fair Trading said in replying to the second reading debate that the industry was consulted about the Property, Stock and Business Agents Amendment Bill in April. This bill was pulled from the parliamentary program last year because the Real Estate Institute of Australia expressed grave concerns about it. However, the first the institute heard about the issue after April was when I sent the organisation a copy of the Minister's second reading speech. These amendments have now been moved and I trust the Minister's assurance that they were discussed with the industry—particularly the real estate industry—and reflect its concerns. I was kindly given a copy of the amendments this morning and I note that they were drafted by Parliamentary Counsel on 29 November 2005, which was at least two days before Parliament rose for the summer recess.

**Amendments agreed to.**

**Schedule 1 as amended agreed to.**

**Bill reported from Committee with amendments and passed through remaining stages.**

## **BUDGET ESTIMATES AND RELATED PAPERS**

### **Financial Year 2005-2006**

**Debate resumed from 30 November 2005.**

**Mrs JUDY HOPWOOD** (Hornsby) [12.30 p.m.]: It is now some time since the 2005-06 budget was delivered—indeed, it is almost time for the 2006-07 Budget Speech. While it may seem a little bizarre, I now have the chance to examine the implementation of budgetary measures in the electorate of Hornsby and to comment on the progress of certain projects, or the lack thereof. Coalition members believe that this is an incompetent, irresponsible and arrogant budget from a tired Government. We have high taxes, high debt and low growth, as was shown in the months following the delivery of the budget. There are no answers to the problems created by the Labor Government, which has been in office more than 10 years. There are no answers to our water crisis, to late trains or to our public hospital crisis. The Government appears not to have any plans or vision; the budget will not rebuild New South Wales.

Every household in New South Wales, particularly in the Hornsby electorate, will be punished by the budget. For example, the budget provides an increase in insurance from 6 per cent to 9 per cent, which will see an increase of \$30 per year on the average \$800 per year insurance policy. Expenditure was allocated to the continuing saga of the redevelopment of the Hornsby and Ku-ring-gai hospital for accident and emergency, maternity and paediatrics units. When one drives along Palmerston Road one can see the early stages of the construction of the building and we are hopeful about it. The redevelopment budget has been overspent and completion is delayed. An amount has been allocated to build an intensive care mental health unit in the footprint immediately behind the current maternity unit. I can report that the development application has been presented to Hornsby Shire Council. I wait with bated breath.



I have had a briefing in relation to the unit. Last year's budget announced that the unit would have 15 beds. The figure was subsequently reduced to 12. Upon my inquiry in relation to that reduction, it was deemed that 12 beds will be sufficient. However, I will keep an eye on that matter. At one briefing in relation to the Hornsby and Ku-ring-gai hospital redevelopment I was told that an amount of money had been put aside for planning for a child and adolescent mental health unit, which is sorely needed in the area. I have received many complaints from parents and young people alike about the inadequacy of a mental health unit for the needs of children and adolescents. In December last year, at a subsequent briefing, I was told that the \$500,000 allocated was for planning for general child and adolescent needs—which I dispute. We desperately need a child and adolescent mental health unit in Hornsby. It would be in keeping with mental health facilities and services in the area.

A railway platform is being built at Berowra station, with an allocation of \$7 million. The railway platform being built at Hornsby station started with an allocation \$66 million, which ballooned to \$98 million. Building has commenced and is in its early stages. Berowra station should have been completed last year, but last week it appeared that completion was months away. An allocation of \$4.8 million was made for construction of a sewage treatment plant and connection to sewerage on Dangar Island and Brooklyn, which begs the question why Cowan was not included in that plan. Cowan will literally be left high and dry without a sewage treatment plant. That is alarming since it is now 2006. The budget provided sundry road funding. On 7 June 2005 an article appeared in the *Sydney Morning Herald* entitled "And lo, the Queen did lead them on", written by Elizabeth Farrelly. It stated:

The name of the virgin queen was, elegantly, the NSW Government. The baby she kept promising was known variously as the Metro Plan, the Freight Plan, the Ports Growth Plan. What the Queen didn't realise, however, was that there are some essential steps in having a baby; that just declaring her intentions, year after year, wasn't actually enough.

The people of New South Wales have come to expect that seeing is believing, in many cases. In my electorate many promises have been treated with a great deal of scepticism. Parking at Hornsby and Berowra stations is one example. During the 2003 election campaign the then Minister for Transport visited my electorate four times and promised a feasibility study on parking at Berowra and Hornsby stations. However, nothing has happened. This is a budget of missed opportunities. It is a beg, borrow and steal budget. The people of Hornsby and New South Wales believe that this Government is unreliable and has failed in many attempts to provide the services that we need.

I refer to the Premier's tax record. This is the most highly taxed State. He has imposed many more taxes upon the people of New South Wales. My constituents find their budgets a nightmare because they cannot estimate what they will have to pay out. I put on record that taxes introduced by the Premier include: increases in the stamp duty rate on insurance products from 6 per cent to 9 per cent; increases to the waste and environment levy to fund \$425 million; extensions to the payroll tax; new mining charges to pay for government regulation; extensions to land tax; new measures on mortgage duty; increases of 11 charges ahead of time, including Sydney Water by as much as 73 per cent, Heritage Office fees by 400 per cent, Hunter Water fees by 36 per cent, and Department of Lands fees forced vendor victims to fork out \$60 million more in tax; and an increased eligibility age for First Home Plus scheme from 16 to 18 years. This does not cement any faith in the Government. Malcolm Turnbull released an important newsletter on 21 March 2005. It stated:

Right now we are flushing 450 billions of water out to sea as barely treated sewerage. This is 75% of Sydney's annual usage. Not only is it fouling our oceans, but it is wasting a vital natural resources: Sydney's freshwater.

We use about 700 billion litres each year; if we were to recycle our sewage we could lift our water supply to more than 60% of capacity in the first year (up from 42% today) and up to 80% in the following year ...

Sydney Water's solutions seem to be limited to (a) praying for rain, (b) lowering the level of the pumps at Warragamba, (c) praying for rain again, (d) plundering more water from the Shoalhaven (where the locals are up in arms), (e) doing a rain dance, (f) studying desalination.

My constituents have raised significant concerns in relation to the desalination policy. The backflip on that policy wasted \$120 million. That money could be much better spent in my electorate and for the benefit of the people of New South Wales. It could employ 600 probationary constables and build or fund major upgrades of several police stations. In relation to education, it could wipe out the school maintenance backlog of \$160 million, hire 700 school counsellors, employ 15 Aboriginal teachers' aides and securely fence 297 schools. In relation to transport, it could buy 100 new airconditioned buses, and fund new bus drivers and 100 new train drivers. It could also reopen the Casino to Murwillumbah rail line. In relation to utilities, it could fund 120,000 household water tanks—that is, 5,000 litres.

In relation to mental health, it could employ 300 extra community-based caseworkers and provide 300 residential places for supported accommodation. In relation to disability services, it could fully fund 3,500 Adult Training, Learning and Support Program post-school options clients for five years and provide 600 extra group home places, or it could provide 900 children with autism with a three-year intensive early intervention program. In relation to health, it could employ 250 extra nurses and the performance of 9,000 extra operations, and provide 10 new intensive care beds and 37 neonatal and child neonatal intensive care beds, and employ 28 extra ambulance officers, and build a new 45-bed hospital. In relation to roads, it could build the Bonville Bypass on the Pacific Highway, or double upgrade funding for the Princes Highway, and install flashing lights in 40-kilometre school zones. Many of the items I have listed are extremely relevant to my electorate.

As at November last year this Labor Government had hired 398 more tax collectors since 2003-04 to rake in the revenue from its continuous stream of new taxes. That we have such a top-heavy bureaucracy is appalling. I spoke at some length about transport issues when speaking to earlier legislation, but I reiterate that, despite the extremely high spend on two new platforms for the clearways project, there is no extra parking. That is a grave oversight. In relation to the Hornsby clearway project, I implore RailCorp to consider extending the sound barrier down to the Pretoria Parade bridge, to spare the long-suffering residents of Alliedale Close continuing to endure a higher embankment and more noise. My comments on this next subject have been a long time coming. I shall read two clippings onto the record. They are letters to the editor in the *Sydney Morning Herald* of 24 June 2005. The first is from a Wahroonga man, who states:

It is comforting to know CityRail will spend more time responding to passenger needs and achieving service excellence. They might begin by ensuring that the trains make all scheduled stops, even if they do not run on time.

Yesterday, having been shunted off a train after it was announced it would not make five of its last six stops, I passed the half-hour waiting for another train talking with some overseas tourists. They were incredulous, having discovered that not only did trains not arrive and depart in accordance with the published timetable, but they often did not make the scheduled stops.

As we boarded another train the tourists posed two questions: why do the people of Sydney tolerate being treated in this way and, more significantly, why do we continue to tolerate a Government that fails us in such an important and basic way?

The second is a short letter from a Surry Hills man, who states:

CityRail [is] proving that chaos is not a theory.

Road problems in my electorate are at flashpoint, particularly at Mount Colah. I have been waiting for more than nine months for the complete report relating to an audit that allegedly was undertaken up until July last year. A promise was made at a public meeting held in May last year. We have been awaiting reports on the intersections with the Pacific Highway of Beryl Avenue, Foxglove Road and Excelsior Road. There is a desperate need for lights at either one or two of those intersections—preferably two. I applied for black-spot funding, and this was granted, but, due to the Roads and Traffic Authority's lack of communication with local residents, residents could not agree with some options linked with closing off an intersection to provide lights at either the Foxglove or Excelsior intersections, so the money was lost. I call on the Minister to immediately release that report. I am having another public meeting shortly whether that report is released or not. I am sure that will result in the Government having egg on its face.

In relation to schools, for the past four years I have been calling for a school hall for Berowra Public School. This is well overdue. The parent body has fought for many years to have this hall built. Students obviously would benefit from having a proper school hall. At the moment, they are in a room that lets wind in, that has tar falling from joints and that has an inadequate area for storage of musical instruments. Some of those musical instruments have rusted because the storage area is open to inclement weather via vents that provide ventilation to that room. I implore the Minister to include in the upcoming budget funding for capital works for that school.

Asquith Boys High School also needs a boost in maintenance funding. Spotless last year quoted \$360,000 for the maintenance work, yet the allocation for this work was a ridiculous \$29,000. There has been an ongoing issue relating to the basketball court, which is situated between the front entrance gate and the administration building. The concrete court is crumbling and is in need of renovation. It should be moved from its present position. I thank the shadow Minister for Education and Training for visiting the school and demonstrating his ongoing interest in the education of students in the Hornsby electorate. Within a few days of the visit the principal was confronted and told he should agree to having the ridges around all of the blocks on that basketball court pummelled down and resealed after weed eradication. This was hardly adequate and would only fail in the near future as the existing, newish surface had already crumbled and was full of weeds. He was

told he would be regarded as responsible if anyone fell over on the court if he did not agree. That is an appalling example of the Government's attitude to school maintenance. [*Extension of time agreed to.*]

I have already spoken about Hornsby hospital, but I add that the hospital has had many airconditioning problems, and those problems are ongoing. I believe this relates to the fact that the Government is broke, the area health service is broke, and they have not been able to pay their bills. A couple of portable airconditioning machines have been moved into the accident and emergency department, but that department can ill afford to lose the space. I call on the Government to increase funding so that the hospital can maintain basic airconditioning for the comfort of patients and staff. I also call into question why ward 2B has not properly reopened. The almost 500 people on the elective surgery waiting list need access to beds and a functioning operating theatre. Ward 2B has only 10 beds open and this leaves a big question mark over this issue. I turn now to taxation of clubs. I have some extremely community-minded clubs in my area, and they provide in-kind support as well as very substantial financial benefits for community groups. The clubs are extremely unhappy with this Government's so-called negotiations in relation to the clubs tax impost. I shall read on to the record an item from a letter about poker machine taxes written by a Berowra person last year. It is titled "How dare they up the pokie taxes?" It says:

Your article last week on the State Liberals promising to stop poker machine tax increases for registered clubs should they be elected prompted me to have a look at my recently delivered annual report from Asquith Leagues Club. I almost choked on my corn flakes when I read they had contributed \$239,040 to the local community in the last financial year. Community, charitable and sporting organisations all benefited from the generosity of the club including local primary and night schools, Meals on Wheels and the rural fire brigade, just to name a few. The other club I am a member of, Berowra RSL Bowling and Community Club, is also a significant provider to the local community. The greedy Labor government now threaten this crucial funding to our community with continued tax increases. Let's make sure our vote counts at the next election. Vote Liberal.

Obviously that sentiment is shared across the board. Many of my local preschools have expressed concern about the proposed changes to the Department of Community Services [DOCS] funding. I had the pleasure of the shadow Minister for Community Services visiting and meeting with many of the managers and owners of those preschools. I will read on to the record a letter from Tim Nelson in relation to DOCS funding for Normanhurst West Community Preschool that was sent to me at the end of last year. It states:

I write to you to register a formal and strong protest against proposed changes to DOCS funding for Normanhurst West Community Pre-School.

It is my understanding that the funding could be reduced and the funds re-distributed to 'other community pre-schools of greater need'.

My protest is based on the following;

1. The result of this will mean increased fees at our community pre-school. As a single income family, supporting 6 children this will create a serious burden on our family budget.
2. The proposition assumes a degree of affluence in our community. This is not realistic as many families struggle with limited budgets in an ever more expensive environment.
3. The increased fees is likely to decrease enrolments, creating a further price burden on those who do enrol as they have to pay to make up for short numbers.
4. There are, to my knowledge, no low-cost options for parents who require such a service. This would see many children simply miss out on pre-schooling.
5. Schools would be burdened with many children who would be sent to school at the earliest possible age, simply to get them out of an expensive Pre-School environment. This would create a drain on teachers having to handle children who really should be held back another year ...

I am sure that others will highlight many other problems with this proposal ...

Basically, the assumption that Normanhurst West Community Pre-School can afford this funding reduction is wrong.

That sentiment has been expressed by many other parents in the area. The Hornsby Ku-ring-gai Community College is a standout success in our local area. It is a well-loved resource but, once again, it is at the mercy of the State Government. I quote from a letter dated 30 November 2005 from Elaine Harris, the Principal of the college to the Friends of the College:

I received funding guidelines yesterday. As feared, the State Government is again chopping us off at the knees.

The college had experienced a 30 per cent reduction in funding in the year before the letter arrived. The letter continues:

Even worse news was a 27 per cent cut to Language and Literacy funding and that this Language and Literacy funding will now require an application to be submitted, to demonstrate capacity and need. This targets the most vulnerable of students, and those least able to pay fully their classes. These are the very people that without literacy and language support, will be unable to secure employment or carry on to further training and education

This drastic reduction in funding (for our college we will likely see 45 per cent reduction over 2005 and 2006) places huge barriers to the college being able to put into practice its fundamental belief: "Hornsby Ku-ring-gai Community College believes in the right of all learners to pursue knowledge, attitude and skills in a structured environment, so as to contribute to their individual position in home, family and workplace contexts in creating a healthy community and a purposeful, productive society."

The NSW Government believes adult learning is a noble pursuit, or so they say in the Life Long Learning Policy, but a noble pursuit for those who have the capacity to pay for it themselves. For those marginalised? They will be out of the learning, growing, contributing loop, I'm afraid.

That is an absolute tragedy. The Government should take a really close look at it. I refer to the supply of power to my electorate. In the past few weeks there have been extremely long blackouts and continuing brownouts in my electorate, not only for the long-suffering residents of Galston, who have the misfortune of enduring most of them, but also for the residents of Berowra and Brooklyn through to Hornsby. One Sunday night a couple of weeks ago I arrived home from a function to find a fire brigades vehicle in my street. My children had witnessed what they termed an explosion across our valley. The power went off at 9.45 p.m. and was not reinstated with any certainty until 7.30 the next morning. The pathetic excuse provided by EnergyAustralia was that it was due to a build-up of dust and heavy dew. The power was out predominantly down the spine, from Brooklyn down to Berowra, through Mount Colah and into Hornsby.

At that time the residents of Galston did not experience a long power blackout, but there was some interference. The night before they had a power blackout for one hour. A couple of days later the Galston area had a significant power blackout for five hours—environmental factors were again cited as the reason. We are getting sick and tired of the number of environmental factors that can cause blackouts when it is really a case of lack of funding for maintenance and infrastructure. I must have touched a raw nerve, as did many residents who rang to complain about the blackouts. Some people have vital health equipment in their homes. Chemists had to take medications home overnight because they could not rely on power to operate their fridges. We have been told that \$14 million will be expended to build a substation in Galston, but not until 2008. I call on the Minister to bring that date forward, to include the expenditure in the next State budget and to build it now. It is urgent. These people cannot tolerate loss of power any longer.

I refer to water supply. There is no plan. We would like the condition of pipes in our area to be improved. From time to time I have received complaints about pipes bursting and valuable water leaking into the street. On the whole, my electorate is in need of vital capital expenditure. Berowra Public School needs a hall and Asquith Boys High School is in need of maintenance. A Child and Adolescent Mental Health Unit at Hornsby Hospital is vital. I have been told of a number of circumstances of young people being sent away from the accident and emergency department with a prescription or being placed in an adult ward, which is unsuitable. They would be better off and more appropriately managed in a child and adolescent unit. Clarke Road school for children with special needs is in desperate need of a new kitchen learning area. Many young people who attend the school learn how to work in hospitality. I commend Trevor Taylor and his Upper crust team in Normanhurst, which takes a number of these students. They learn hospitality skills and go on to jobs in other areas.

If the Clarke Road school for children with special needs does not have an adequate kitchen teaching area they will not be instructed properly and will not go on to lead fulfilling lives. I have undertaken a number of courses at our community college. I am 110 per cent behind the need to fund it fully to meet the needs of our community not only from a vocational perspective but also from a social and networking perspective. It provides a wonderful resource. I call on the Government to take heed of my requests for the Hornsby electorate. I could mention many other issues. However, I shall await this year's budget.

**Debate adjourned on motion by Mr Bryce Gaudry.**

*[Madam Acting-Speaker (Ms Marianne Saliba) left the chair at 1.00 p.m. The House resumed at 2.15 p.m.]*

#### **PARLIAMENTARY LIBRARIAN**

**Mr SPEAKER:** I am pleased to inform the House of the appointment of Mr Greig Tillotson as Parliamentary Librarian, effective from 28 February 2006. From their reaction it is obvious that all members wish him well in his new post.

**SELECT COMMITTEE ON THE CROSS-CITY TUNNEL****Extension of Reporting Date**

**Mr SPEAKER:** I report the receipt of the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the following resolution:

1. That the reporting date for the second report of the Joint Select Committee on the Cross City Tunnel be extended to Wednesday 31 May 2006.
2. That this House requests the Legislative Assembly to agree to a similar resolution.

Legislative Council  
1 March 2006

MEREDITH BURGMANN  
President

**Consideration of message deferred.**

**RETIREMENT OF MR KEN BROWN, AM, DIRECTOR-GENERAL OF THE DEPARTMENT OF GAMING AND RACING****Ministerial Statement**

**Mr GRANT McBRIDE** (The Entrance—Minister for Gaming and Racing, and Minister for the Central Coast) [2.21 p.m.]: I pay tribute to Mr Ken Brown, AM, on his almost five decades of service to the people of New South Wales and to the government of New South Wales. I acknowledge Ken's presence in the gallery. It is a pleasure and an honour to record in the Parliament my personal gratitude and that of the Government for Ken's work. Ken has the distinguished record of being the longest-serving departmental head currently employed by the New South Wales Government. He has been a departmental head for a quarter of a century.

As testament to his professionalism, Ken has worked with nine Ministers of various political persuasions. After being educated at the Parramatta High School, Ken joined the New South Wales Public Service in 1960. In the following years Ken worked in various government agencies, including the Auditor-General's Department, the Chief Secretary's Department and the Sport and Recreation Service. In 1982, Ken was appointed as Director-General of the Department of Leisure, Sport and Tourism. In 1985, he was appointed as Director-General of the Department of Sport, Recreation and Racing. In 1995, he was appointed to his current position of Director-General of the Department of Gaming and Racing, and the Director of Liquor and Gaming.

Ken's contribution has been widely recognised by the community. In 2000 he was awarded the Australian Sports Medal for his contribution to Australian sport. On Australia Day 2001, he was appointed a Member of the Order of Australia for service to the development of public sector policies and infrastructure programs in tourism, sport and recreation, the hospitality industry, and racing in New South Wales. In August 2001 Ken was awarded the New South Wales Service Medallion for meritorious service over a period in excess of 40 years to the government and people of New South Wales. Ken has held numerous board directorships for organisations, including the Australian Tourism Commission, the Totalizator Agency Board of New South Wales, the Parramatta Stadium Trust, the Sydney Olympic Games Sports Commission, and the Australian Standing Committee on Sport and Recreation. Ken is also President of the Canine Research and Veterinary Foundation of New South Wales, and the vice-president of the Australian Paralympic Committee. He was the Assistant Chef de Mission of the Australian Paralympic Team in Athens.

Ken has served as director-general of the department throughout my time as Minister for Gaming and Racing, but I have actually known Ken for somewhat longer than that. As a cadet in the Public Works Department I had the experience of watching Ken as a player, both for the Chief Secretary's Department and the Audit Office in the public service rugby league competition in the Domain. Ken was regarded as a cheeky half-back in the Tommy Bishop mould. He has never lost that energy, enthusiasm and zest for life in almost five decades in the New South Wales Public Service. Ken has always made himself available to all members of the House, whether in Government or Opposition, and I am sure both sides of the House will join me in thanking Ken for his commitment to the New South Wales Public Service, and wish him well for the future.

**Mr GEORGE SOURIS** (Upper Hunter) [2.25 p.m.]: I have pleasure in supporting the remarks of the Minister for Gaming and Racing. I thank him for the opportunity to say a few farewell words to Ken Brown. In May 1991, shortly after the State election, I was appointed Minister for Sport, Recreation and Racing. I received a telephone call from the Hon. Michael Cleary, who wanted to offer a few words of support for Ken Brown and suggested that Ken would serve the Minister of the day completely impartially and capably. I happily say that I took that advice, and I never regretted it. Indeed, I put in the same call to the Hon. Joe Schipp in support of Ken Brown after the first reshuffle when Joe became Minister. As the Minister for Gaming and Racing has said, Ken Brown has served nine Ministers including the late Ken Booth, Michael Cleary, Bob Rowland Smith, Joe Schipp, Chris Downy, Richard Face, Gabrielle Harrison and the present Minister, Grant McBride.

Ken Brown has been a director general in the Public Service for 24 years and is the longest serving departmental head in New South Wales. That is quite an incredible record. He was director general during the period when the Government had ownership and control of the Totalizator Agency Board [TAB], which turned over \$3 billion per annum. He was ably served by the then chairman, Ross Cribb, and the chief executive officer, Alan Windross. Prior to the Olympic Games the Sydney Cricket Ground and Sydney Football Stadium were the main venues—one might say still are—and were ably controlled by Sir Nicholas Shehadie.

In 1991-92 Ken Brown oversaw the conduct of 12 Sunday race meetings, which was a temporary measure to help finance the ultimately successful Olympic bid. His other achievements include oversight of the construction of the Sydney Football Stadium, Parramatta Stadium, Sydney International Athletics Centre, Penrith Rowing Centre, the New South Wales Academy of Sport, the State Sports Centre, Sports House and the New South Wales Sports Council for the Disabled. Any public servant interested in knowing how to handle oneself in public office need only look at Ken's most recent performance at last year's estimates committee hearing: it would be instructive for many public servants.

During the Labor administration post-1995 Ken Brown oversaw the privatisation of the TAB, the creation of Racing New South Wales, which took over the functions of the Australian Jockey Club. Ken oversaw the introduction of poker machines in hotels and the general administration of liquor and gaming laws, including the Liquor Administration Board. He also oversaw the establishment of Sydney's Star City Casino. Minister McBride has mentioned Ken's various awards, including his appointment as a Member of the Order of Australia. I add to that the pleasure that Ken Brown would have experienced as vice-president of the Australian Paralympics Committee from 1998, culminating in his appointment as Chef de Mission for Australia at the Athens Paralympics in 2004.

Ken Brown is a career public servant, and he is completely politically impartial. Ministers of whatever political persuasion were able to rely upon him for expert advice and efficient administration of a diverse portfolio. Such longstanding experience will be sadly missed in the bureaucracy. However, Ken Brown retires with an exemplary record of which anyone would be proud and of which the Liberal-Nationals Coalition is also proud.

## PETITIONS

### **Mid North Coast Airconditioned School Buses**

Petition opposing the removal of airconditioned school buses from the mid North Coast, received from **Mr Andrew Stoner**.

### **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**.

### **Pensioner Travel Voucher Booking Fee**

Petition requesting the removal of the \$10 booking fee on pensioner travel vouchers, received from **Mr John Turner**.

### **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**.

**Cronulla Policing**

Petition requesting a strong police presence in Cronulla, received from **Mr Malcolm Kerr**.

**Graffiti Policing**

Petition requesting strategies and resources, including employment of additional police and security agents, to catch and prosecute the perpetrators of graffiti, received from **Mrs Jillian Skinner**.

**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**.

**Manly Hospital Maternity Services**

Petition requesting the retention of the current level of maternity services at Manly Hospital, received from **Mr David Barr**.

**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**.

**Breast Screening Funding**

Petition requesting funding for BreastScreen NSW, received from **Mr Michael Richardson**.

**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**.

**Kempsey District Hospital**

Petition requesting that Kempsey District Hospital be maintained at level 4, and requesting the construction of a new hospital for Kempsey, received from **Mr Andrew Stoner**.

**Cammeray Open Space Rezoning**

Petition opposing the rezoning of 2 Vale Street, Cammeray, from open space to residential C, received from **Ms Gladys Berejiklian**.

**Malua Bay**

Petition opposing the inclusion of Malua Bay in the Batemans Bay Structure Plan, received from **Mr Andrew Constance**.

**Recreational Fishing**

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

**Kurnell Desalination Plant**

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

**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**.

**Tintenbar to Ewingsdale Highway Upgrade**

Petition opposing all route options in the October 2005 route options development report, and requesting an upgrade of the Tintenbar to Ewingsdale route to a class A highway, received from **Mr Donald Page**.

**Old Northern and New Line Roads Strategic Route Development Study**

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

**Forster-Tuncurry Cycleways**

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

**QUESTIONS WITHOUT NOTICE****STATE FINANCES**

**Mr PETER DEBNAM:** My question without notice is directed to the Premier. Given that today's Australian Bureau of Statistics figures for the 12 months ending December show New South Wales economic growth was, disturbingly, the lowest of all States and Territories in Australia, will the Premier now acknowledge that his high tax regime has stifled investment, growth and jobs in New South Wales?

**Mr SPEAKER:** Order! The Premier has the call.

**Mr MORRIS IEMMA:** We did get some bad news today—bad news for Opposition members. There they were, desperate in their offices, sweating on a negative growth figure for today.

**Mr Peter Debnam:** Point of order: I find that offensive.

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

*[Interruption]*

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

*[Interruption]*

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

*[Interruption]*

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

**Mr MORRIS IEMMA:** There they were last night, gearing up. They just could not wait to see the figures today. They were on the phones this morning to talk down New South Wales. They were desperate as they prepared for Parliament today, sweating on a negative figure so they could race out and talk down the State.

**Mr Joseph Tripodi:** Disappointed?

**Mr MORRIS IEMMA:** Yes, they were disappointed. It is bad news for them because they have been denied another opportunity to continue their campaign of talking down the State and trying to drag down the State's reputation.

**Mr SPEAKER:** Order! The Leader of the Opposition will come to order.

**Mr MORRIS IEMMA:** Today's figure reveals a growth rate of 2 per cent. I add that there is some more bad news for Opposition members. The figures for the 2005 September quarter were revised—a 0.5 per



cent improvement on the figure announced last year for the September quarter. There was no mention of that by Opposition members. They have been denied the opportunity to race out again today and kick New South Wales. What was revealed today was a turnaround of 1 per cent on the September figure—a solid, credible result, backing up last week's statements by Standard and Poor's. Does the House remember that fine statement?

**Ms Peta Seaton:** You have to try harder.

**Mr MORRIS IEMMA:** No, you have to try harder.

**Mr SPEAKER:** Order! The honourable member for Southern Highlands will cease calling out.

**Mr MORRIS IEMMA:** As we speak the Federal Treasurer is on his feet in the Federal Parliament.

**Mr SPEAKER:** Order! The honourable member for Willoughby will cease calling out.

**Mr MORRIS IEMMA:** Opposition members will have to try harder. The turnaround of 1 per cent on the September figure confirmed the statement last week by Standard and Poor's that New South Wales has solid, steady growth. The growth rate of 2 per cent is a credible figure. There has been a 0.5 per cent revision but we heard nothing at all from Opposition members about that. When it comes to any plans to stimulate investment growth and prosperity in New South Wales, the Leader of the Opposition mentions the word "debt". More than \$10 billion of debt has been paid off over the past decade.

Opposition members are the ones who almost sent New South Wales broke. If they get anywhere near the Treasury benches after 2007 they definitely will send New South Wales broke. The Leader of the Opposition's economic recipe, his plan for the New South Wales economy, involves, first, sacking at random, without any idea of how he will do it or calculate it, nearly 30,000 public servants—and we can include in that figure thousands of teachers, nurses and police. Second, he says yes to everybody who leans on him as he traverses the State. He says to every interest group that knocks on the door or that he comes across, "Here it is, here is a bucketful of money", without the foggiest idea about where the \$22 billion he wants to spend will come from.

In quick time he wants the State's interest bill to keep ticking over and the debt that he loves so much to come back to the balance sheets of New South Wales—a debt has been paid off over the past decade. That is a recipe for disaster and for bankrupting the State. No wonder members of the business community reckon he is the most dangerous Leader of the Opposition they have even seen. It is truly voodoo economics. If he managed to sack 30,000 public servants, what would that do to health and education? It would be a nightmare for our hospitals, our schools and our front-line police. The Leader of the Opposition's recipe is to bankrupt the State.

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

**Mr MORRIS IEMMA:** The Leader of the Opposition does not have the foggiest idea how to run a State economy. All he does is pluck a figure out of the air. Last Thursday he started to have some doubts when he fumbled over questions he was asked at a press conference. He then reverted to stating, "Well, maybe the figure is right. Who knows? I will just pluck another figure out of the air when I am revising them down. But maybe I won't revise them down; maybe I'll just keep them at 29,000 and here's hoping that there won't be a nurse, teacher or police officer among that number". The Leader of the Opposition has no chance. His figure of 29,000 is a recipe for disaster for our hospitals. It will include nurses, teachers and police. The Leader of the Opposition knows that and he is looking for a way to back away from it. But he cannot find one.

**Mr Barry O'Farrell:** Rubbish!

**Mr MORRIS IEMMA:** The Deputy Leader of the Opposition is absolutely correct: it is a rubbish economic plan. The Leader of the Opposition would sack nearly 30,000 public servants, including nurses, teachers and police. He has made \$22 billion worth of promises with no idea of how to fund them. The State's interest bill will increase, as will the debt that he loves so much.

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

**Mr MORRIS IEMMA:** With that kind of economic plan, it is no wonder the Leader of the Opposition was the third choice for leader. The honourable member for Ku-ring-gai was the first choice.

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

**Mr MORRIS IEMMA:** He loves American politics so much that he is referred to as the majority leader. The honourable member for Epping was the second choice for leader. He was the choice of the Prime Minister—his Federal leader—but unfortunately, by his own admission, he did not have the ticker to step up to the mark. So we were landed with the third-choice leader. The Deputy Leader of the Opposition is absolutely right: it is rubbish. It is a rubbish plan and a recipe for disaster for this State. Even if the Leader of the Opposition were able to do half of what he has promised—even if we discounted the \$22 billion worth of promises to \$10 billion—it would still lead to a record interest rate payment for New South Wales, the return of record debt and pretty soon bankruptcy for this State. Much to the Opposition's disappointment, the New South Wales economy is growing at a rate of 2 per cent. According to Standard and Poor's:

NSW is still in a pretty strong position.

One of the reasons that NSW is AAA is because it has a very strong balance sheet. It's got very low levels of debt. It's in a very strong position.

But we will not continue to have low levels of debt with the Leader of the Opposition around. It would be a nightmare for our front-line services and to see the return of record debt levels. Standard and Poor's went on to say that New South Wales, by its very characteristics, tends to have slow, steady growth rather than the big booms that we have seen in the mining States. Government members do not fret about record mining prices and their effect on the economy because we know that New South Wales has slow, strong, steady growth. We are the engine room of the nation's economy. That is what the Leader of the Opposition is putting at risk. Standard and Poor's continued:

Certainly from an international perspective the level of growth in NSW, [which] at the moment is 2½%, is very strong.

And if you compare that to what has happened in Western Europe or parts of the United States it's a pretty strong story to be in.

That is a resounding endorsement from Standard and Poor's. The General Manager of the Domestic Economic Division of the Commonwealth Treasury, Dr Kennedy, endorsed the remarks about Western Australia and Queensland and the strength of the New South Wales economy.

I draw the attention of the House to the reaction of the business community to last week's economic statement. It must have annoyed, disappointed and embarrassed Opposition members, who would have been fretting and hoping on Wednesday night for a negative reaction from the business community. But they got the exact opposite. They were disappointed—like they were today—to learn that the New South Wales economy is growing at 2 per cent. We did not return the negative figure that those opposite were sweating on, which would have given them another opportunity to talk the State down. The fact is that we have had four tax cuts in seven months and an economic statement that sets the direction of New South Wales to build on the existing growth and stimulate further investment, jobs, growth and prosperity for this State. That is what the Government has done. If those opposite get anywhere near the Treasury bench after March it will be a nightmare and lead to bankruptcy for New South Wales.

### SEX OFFENDERS MONITORING

**Ms KRISTINA KENEALLY:** My question is addressed to the Premier. Can the Premier advise the House of the Government's plans for convicted high-risk sex offenders?

**Mr MORRIS IEMMA:** Repeat sex offenders are especially abhorrent to the community. As the name suggests, these are pathological criminals who keep offending without regret or remorse despite punishment, therapy and counselling. The community deserves to be protected from such monsters. Ordinary citizens should not live in fear that such predators could attack them or their children. That is why the Government is taking action to empower the courts to keep these offenders either behind bars or under strict supervision. We will target a small group of offenders who refuse to rehabilitate and who are assessed as being at high risk of reoffending.

Legislation will be introduced shortly to allow the Attorney General to apply to the Supreme Court to make a continuing detention order or extended supervision order for serious sex offenders. A continuing detention order would provide for the continuing detention in a correctional centre of serious high-risk sexual offenders when there is a high probability that they will commit a serious sexual offence if released and if an extended supervision order is inadequate to manage the risk. An extended supervision order would provide for

intensive supervision and monitoring of certain serious high-risk sexual offenders in the community if it is shown that there is a high probability that an offender will commit a serious sexual offence if released without an extended supervision order.

The supervision order may include home visits, continued participation in treatment programs, counselling, curfews, satellite tracking or electronic monitoring, and restrictions on changes of names and addresses. The scrutiny and supervision would be intense, drastically limiting the chance of a predator destroying innocent lives. If the offender breached his or her supervision conditions the court could send that offender back to gaol for up to two years. It is proposed that the Attorney General apply to the Supreme Court for one of these orders on the advice of the Minister for Justice and the Commissioner of the Department of Corrective Services. The orders will apply to offenders imprisoned for a serious sexual offence that carries a maximum penalty of seven years imprisonment or more. It is proposed that orders can be made for up to five years. The Attorney General would be able to make the application to the Supreme Court six months prior to the offender's sentence expiring.

The Supreme Court will be asked to consider the following: The safety of the community, first and foremost; the prisoner's history, including juvenile record; whether there is a pattern of offending behaviour; the result of an actuarial assessment of the offender's risk of committing further serious sexual offences; any other risk assessment or medical, psychiatric or psychological reports concerning the offender; the offender's willingness to participate in treatment programs; and whether the person is, or will be, a registered child sex offender or subject to a child protection prohibition order. The Supreme Court will be able to make an interim detention order for 28 days to enable it to hear an application for one of these orders in a timely manner. This is critical if the community is facing an imminent threat from a serious offender's release back into the community.

These are tough measures that are needed to provide additional protection to the community. But serious repeat sex offenders are in a category of their own. It is important to make that point. This legislation is aimed at the category of offenders who will not rehabilitate. They almost always return to their criminal ways, changing location, disguising their past and concealing their identities to continue their trail of manipulation and abuse. Such people present an ongoing and serious danger to the community, and the normal system of criminal law is not a sufficient deterrent. We need extraordinary measures to combat extraordinary criminals who strike at the innocents in our society, our children. These new laws will put children's interests first and foremost, where they should be, and they will put repeat sex offenders where they belong: under surveillance or in gaol.

## STATE FINANCES

**Mr ANDREW STONER:** My question is directed to the Premier. Given that in December the Premier forecast a tiny \$21 million surplus based on a growth rate of 2½ per cent and that Australian Business Ltd data shows negative growth in the September quarter and only barely positive growth in the December quarter, will the Premier admit that his budget is in deficit this year as well as next year?

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

**Mr MORRIS IEMMA:** Remember the question six or seven months ago also about the budget? Didn't they get a shock in December when the projection was a surplus? There was silence when the figures were revised. It is little wonder the Opposition is reeling in the shock over this morning's figures because it was salivating at the prospect of a negative figure for New South Wales. There is no prospect that the Coalition will just once say something positive about the State. The mid-year statements that were released in December with a surplus figure came as an almighty shock to the Leader of The Nationals. He was talking doom and gloom and when the opposite occurred, was there ever one positive word for the State? Is the Coalition trying to strike a blow—

**Mr Andrew Stoner:** Point of order: On a point of relevance, it is a simple question requiring a simple answer. Is the budget in deficit? Yes or no?

**Mr SPEAKER:** Order! The Premier is answering the question.

**Mr MORRIS IEMMA:** The mid-year statement was released in December and it is in surplus. The figures for September have been revised. There has been a 1 per cent turnaround since then.

**Mr Andrew Stoner:** Yes or no?

**Mr MORRIS IEMMA:** I cannot add up for the Leader of The Nationals, I am sorry. I cannot do that job for him. There has been a 1 per cent turn around since September. Australian Business Ltd [ABL] says that the latest national accounts data confirm that New South Wales is growing. On Thursday the economic statement marks steps in the right direction for the State. There is a plan to keep the State going in the right direction, a 1 per cent turnaround on those September figures and today's figures confirming a 2 per cent growth rate for the State—strong, credible, consistent growth, not subject to the booms and busts.

*[Interruption]*

Western Australia and Queensland are enjoying boom times, of course, with all that iron ore going to China but at the same time as enjoying boom times they are also fretting about when the bust comes, but not New South Wales. We have steady, consistent growth at 2 per cent. The account figures, with the turnaround in September—

**Mr Peter Debnam:** Point of order: My point of order is that the Premier is misleading the House. This report by Econtech today actually says New South Wales has the weakest economy, growing at about 1.8 per cent. It is simply not going to get anywhere near the growth forecast. You are way under.

**Mr SPEAKER:** Order! That is not a point of order. If the Leader of the Opposition believes the Premier has misled the House he should deal with the matter by way of substantive motion. The Leader of the Opposition is flouting the standing orders. He will resume his seat.

**Mr Milton Orkopoulos:** What did Bill Heffernan say to you?

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

**Mr MORRIS IEMMA:** There is only one problem with what Heffernan had to say: there is no-one on the back bench with whom he can replace the front bench. ABL said that the latest national accounts data confirm New South Wales is again growing. Standard and Poor's says the financial position of New South Wales is strong. The debt has been paid off; the triple-A rating confirmed. The New South Wales economy has steady, strong growth.

*[Interruption]*

I know members Opposite hate it. I know they are all geared up. I could see the lights on last night.

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

**Mr MORRIS IEMMA:** They are so desperate for a negative figure today.

**Mr SPEAKER:** Order! The honourable member for Southern Highlands will stop calling out.

**Mr MORRIS IEMMA:** Strong, steady growth was confirmed today, together with a 1 per cent turnaround on September. As far as the budget is concerned, the mid-year statement was released in December and the budget will come down as scheduled in May this year.

**Mr Andrew Stoner:** Yes or no?

**Mr MORRIS IEMMA:** The figures were released in December. I cannot do the adding up for the Leader of The Nationals. The mid-year statement released in December showed a budget in surplus. The national accounts figures of September were revised showing the turnaround and today's account figures released show a growth rate of 2 per cent. Last week Standard and Poor's confirmed the State's balance sheet as strong—and the audit says "exceptionally strong"—the triple-A confirmed, and Standard and Poor's says the economy is sound. It has good growth and its performance has been very respectable when compared with the United States of America and Western Europe. Australian Business Ltd says the economy is growing again. That is a ringing endorsement from business groups with today's confirmation of 2 per cent growth, which is a credible sound performance.

## WATER RECYCLING

**Ms ALISON MEGARRITY:** My question is addressed to the Minister for Water Utilities. What is the Government doing to encourage residents to save, re-use and recycle water?

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

**Mr DAVID CAMPBELL:** I thank the honourable member for Menai for the opportunity to talk about these important issues. She is a very strong advocate, as is the Iemma Government, and is committed to encourage more efficient water use by business, community and households. Starting today, customers of Sydney Water in the Blue Mountains, the Illawarra and Sydney can take advantage of a new \$150 cashback scheme when they buy a water-efficient washing machine. Households can play a big role in helping to secure Sydney's long-term water supply. Residents have made a fantastic contribution to water savings, installing rainwater tanks and water saving devices and purchasing more water efficient appliances. This contribution is critical because about 70 per cent of all water used by greater Sydney residents is used in our kitchens, bathrooms and laundries. Washing machines are the third biggest water users in the home behind showers and toilets.

The \$150 rebate will encourage residents who are concerned about their water use to replace their old water-guzzling washing machines with newer models, which can save up to 120 litres of water per load. That adds up to a potential saving in each home of more than 21,000 litres of water each year. These significant savings will help secure Sydney's water supply both now and into the future. It also means less water is diverted into the waste water system. The washing machine rebate will be available for 12 months from today for people who buy a new washing machine with a water efficiency rating of four stars or five A-stars.

One rebate is available per household and all they need to do is post their receipt to Sydney Water to receive the rebate within 30 days. To help householders take advantage of the program, sales staff from the major white goods retailers have been given details on the rebate and applications are available in stores. Retailers are also incorporating the rebate into their washing machine advertising as we see from advertisements in today's metropolitan newspapers. Retailers are embracing this scheme and I am sure families will also embrace the scheme. This rebate is just one of a series of initiatives by the Iemma Government designed to save and recycle millions of litres of precious water each year.

The Government has outlined plans to install water saving devices in more than half a million homes by 2008. Since 2000, more than 300,000 homes have had water efficient showerheads and flow regulators installed. An additional 250,000 homes will be targeted to have the devices installed to contribute to saving an estimated 12 billion litres of water a year. Households in Sydney, the Blue Mountains and the Illawarra are also eligible for a rebate of up to \$650 for installing a rainwater tank—an offer that about 20,000 homes have taken up during the past three years. As well as these measures, the Iemma Government is concentrating its efforts on boosting recycling, both at a household level and for larger water users. Together with recycling projects already under way, the measures now proposed and under investigation will increase the amount of water recycled by more than 55 billion litres per year. This will take Sydney's total recycled water volume to 65 billion litres by 2011, rising to more than 70 billion litres per year by 2015.

On my first day as Minister for Water Utilities, I visited Sydney Olympic Park to see the Water Reclamation and Management Scheme [WRAMS] in operation. WRAMS is an excellent example of how innovative environmental technology has been used for water recycling and conservation—encompassing storm water harvesting, water treatment and supply and sewage treatment. The scheme is designed to save more than 850 million litres of drinking water annually and was Australia's first large-scale urban water recycling scheme. The New South Wales Government has been providing leadership on urban recycling for some time. Water recycling for the Olympics led the way.

Now the Iemma Government has developed the Western Sydney recycled water initiative to recycle as much wastewater as possible from existing inland sewage treatment plants. Recycled water is projected to service 160,000 new houses in the north-west and south-west of Sydney that will be built during the next 30 years. When complete, the initiative could see more than 27 billion litres of recycled water being supplied to the area's new homes, farms and rivers each year, making it the largest recycling scheme in Australia using recycled water as a drinking water replacement. The Western Sydney recycled water initiative is now in the final stages of development and an expression of interest will be issued to the market in the near future.

There are already several high quality sewage treatment plants in the region that will provide the recycled water. Future urban development plans for the south-west are being finalised but recycling projects will be implemented as development proceeds. The Government has also undertaken detailed planning on the construction and operation of smaller, more localised recycling schemes in built up areas of Sydney, using a range of recycling methods including sewer mining, stormwater harvesting and use of treated wastewater. Recently, the Government called for registrations of interest from the private sector to provide a recycled water scheme at Camellia, near Parramatta. This area has large industrial water users that could use recycled water and save up to 6 billion litres of drinking water every year.

The Iemma Government also has announced a plan to make it easier for households to install grey water reuse systems. In the coming weeks regulations will be changed to allow households to divert grey water to their gardens without the red tape burden of local council approval. Householders are doing the right thing, the commercial sector is doing the right thing, the industrial sector is doing the right thing, and recycling and reuse are at the heart of the New South Wales Government's multifaceted water plan. I commend the \$150 rebate for washing machines in households in New South Wales. I commend the water plan. I certainly will be having much more to say about this Government's commitment to water reuse and water recycling in the weeks and months ahead.

### STATE FINANCES

**Ms PETA SEATON:** My question is directed to the Premier. Given Australian Bureau of Statistics figures released today suggest his tiny \$21 million budget surplus for this financial year has disappeared, despite the \$700 million in new taxes that he has introduced since becoming Premier, will he now rule out any further new taxes or increases in existing taxes?

**Mr MORRIS IEMMA:** The half-yearly forecast estimate of growth in gross State product [GSP] is 2 per cent in 2005-06 and a State final demand of 2½ per cent in 2005-06. So the honourable member has it round the wrong way—which is no surprise. Opposition members were desperate for a negative figure today, and they just could not get one. The Government's record is: four tax cuts in seven months, scrapping of the vendor duty, an increase in the land tax threshold to \$352,000, a 5 per cent cut in workers compensation premiums, and a \$90 million payroll tax concession package. Those four tax cuts in seven months are stimulating economic growth, investment and jobs, which are our priorities. Today's figures confirm a respectable 2 per cent growth in the State's economy. Make the comparisons with the United States of America and Western Europe, as Standard and Poor's has done, and you will come to the conclusion of a respectable, steady, solid growth. That 2 per cent is the assessment. The honourable member has the mid-year statement round the wrong way.

Yes, the mid-year statement in December forecast a modest surplus of \$21 million. But judge the Government on its record—four tax cuts in seven months! Just imagine how much more we could do with a decrease in taxation and costs on businesses if today's news on the GST had been better. But, no, the cheating continues. The honourable member quoted what business and Australian Business Ltd [ABL] had to say. Not only did it confirm that with a growth of 2 per cent we are heading in the right direction, it also said that we need to see a real change in the way the GST is distributed. That is, New South Wales business is sending a message to Coalition members to stand up for New South Wales. That is the invitation. We need to see a real change in the way the GST is distributed—and that change needs to come at a national level. This is an area in which we need national leadership. This is what was said today by ABL, the peak business organisation in this State: we need to see national leadership on getting New South Wales a fairer distribution of the GST.

ABL offers to lead a business delegation to Canberra—not Brisbane, but Canberra—calling on the Commonwealth to show national leadership to give New South Wales back the money that it has been cheated out of, and continues to be cheated out of. The Opposition has been silent today about the GST—another Grants Commission decision, another failure to reinstate the relativities in favour of New South Wales. Is there a press release or statement from the Opposition on the continued cheating? No—nothing. They were not prepared to criticise the Commonwealth.

**Mr Peter Debnam:** Point of order: There has been statement after statement from the Opposition about the GST.

**Mr SPEAKER:** What is the point of order?

**Mr Peter Debnam:** Six months ago I said that the Premier and I should go to Queensland to renegotiate with Peter Beattie.

**Mr SPEAKER:** Order! The Leader of the Opposition cannot take a spurious point of order to create an opportunity to speak again.

**Mr Peter Debnam:** Today the New South Wales Treasurer has offered to make that trip with me. The Government's Treasurer and I will go and renegotiate with Queensland.

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

**Mr Peter Debnam:** If the Premier cannot do that, I will.

**Mr SPEAKER:** Order! When the Leader of the Opposition is given the call to take a point of order, he should state his point of order instead of making a statement. That will enable me to rule on the point of order.

**Mr MORRIS IEMMA:** ABL says we should go to Canberra. It is offering to lead a business delegation to Canberra—which is where the decision rests, not in Brisbane. The Leader of the Opposition will not look John Howard in the eye and tell him to give the money back. For the record, section 9 of the legislation entitled A New Tax System (Commonwealth-State Financial Relations) Act 1999 provides:

The relativities factor for a State [to receive the] GST ... is the factor determined in writing by the [Federal] Treasurer.

That is, Mr Costello. The intergovernmental agreement on the GST states that the Commonwealth Treasurer will determine the relativity factor for a State or Territory. If that is not enough, the Commonwealth Parliament passed the Commonwealth Grants Commission Act of 1973, establishing the Grants Commission as purely an advisory body to the Federal Treasurer. Opposition members who want further proof should refer to section 96 of the Australian Constitution:

... the [Commonwealth] Parliament may grant financial assistance to any State on such terms and conditions as the Parliament thinks fit.

It has nothing to do with the Queensland Parliament, nothing to do with Peter Beattie, and nothing to do with getting on a plane and going to Brisbane. It is in Canberra. The 2004 review of State revenue by the Commonwealth Grants Commission said that the Australian Government Treasurer determines how the revenues are to be shared. The body that does the calculation that is involved in the relativities and makes recommendations, the Grants Commission says that it is the Australian Government Treasurer who makes the decision. The Australian Bureau of Statistics provides further evidence. It stated:

... the Commonwealth exercises its influence and discretion over the setting of the GST and the distribution of its proceeds.

Federal Treasury official, Michael Wilcock, in evidence to the Senate estimates, had this to say about section 9 confirming the legislation: the GST legislation accords to the Commonwealth Treasurer the decision on the distribution of the GST.

### **SURGEON TRAINING NUMBERS ACCREDITATION**

**Mr PAUL McLEAY:** My question without notice is directed to the Premier. What is the latest information on accreditation of basic surgeon training numbers in New South Wales?

**Mr MORRIS IEMMA:** I thank the honourable member for Heathcote for his interest in getting more surgeons into his public hospitals. Thanks to a decade-long underinvestment in places in our universities for young Australians to become doctors, the Commonwealth has inflicted on this nation a medical work force crisis. The Commonwealth decade-long underinvestment in university places—universities come under the administration of the Commonwealth, which is responsible for determining places, and there is no shortage of young men and women in this country who want to be nurses or doctors, just a shortage of places—means that the States have had to undertake action to ensure that our hospitals have enough nurses and doctors while awaiting the Commonwealth leading up to its responsibility to increase the number of places.

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

**Mr MORRIS IEMMA:** This is the action we have been taking: a massive increase in TAFE training of enrolled nurses—some 300 and an investment of \$8.1 million—and putting in place a scholarship program for enrolled nurses to upgrade to registered nurse status. We have made an investment in nurse TAFE training

and an investment in scholarships to get TAFE-trained enrolled nurses upgraded to registered nurses. These are just some of the measures we have taken while we await the Commonwealth's decision on more university places for nurses, which we have been promised is coming in the middle of this year.

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

**Mr MORRIS IEMMA:** Some 3,500 applied last year to universities for 500 places. When it comes to medical places the States fund the training and make the training positions available in public hospitals—

**Mrs Jillian Skinner:** Go to the union rallies, like I do.

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

**Mr MORRIS IEMMA:** I assume that the shadow Minister was referring to going to nurse union meetings.

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

**Mr MORRIS IEMMA:** Let us see if the shadow Minister will go to the next one after we come in with a little package on nursing and industrial relations. Let us see whether she will go to the next one and stand up to tell them that she will hand them over to John Howard's new industrial relations system. Let us see her stand up in front of 600 nurses and tell them that if she becomes Minister her promise and commitment will be to hand them over to John Howard and WorkChoice. Let us see then whether she will go back to another one.

**Mr SPEAKER:** Order! Members of the Government will cease calling out.

**Mr MORRIS IEMMA:** Let us see her stand up and say, "I'm not sure if it's a State issue. We'll be working on a policy and we'll get back to you at some time." Let us see if she stands up and tells them that.

**Mrs Jillian Skinner:** I'll tell them that I'll look after them.

**Mr MORRIS IEMMA:** While she is at it she might want to tell them what she would have done to help the Boeing workers up in the Hunter or that if she had been in government whether she would have appealed against the Federal commission's decision of last week. She might want to tell them whether she would have allowed a reference to the State commission in the first place. There are lots of questions and policies for her to outline the next time she goes to a meeting of the Nurses Association.

When it comes to medical positions we have the odd system whereby the States fund the training and make the training positions available in our public hospitals, while the Royal Australasian College of Surgeons decides how many training places it will accredit and then undertakes the training as a monopoly provider. It is a system with obvious potential for restrictive practices, and that is exactly what has been happening. The shadow Minister might lend some support to this, who knows? Silence! I was expecting too much to think that the shadow Minister would support us. That is exactly what the State Government has been doing to build surgeon training numbers in New South Wales. It is a task that we have done with outstanding co-operation from the State College of Surgeons. There is a distinction. The State-based body has done an outstanding job in standing up for New South Wales against its Federal colleagues, the Royal Australasian College of Surgeons. State representatives have done an outstanding job in working with the Government in getting a fairer deal for New South Wales. I will outline some of the successes we have shared with the State-based college.

At the national level we have faced the old-fashioned restrictive practices, the closed shop. In 2004 the State proposed and funded 82 surgical training posts for the following year, 2005, but the college offered in the end—and it took a lot of effort—only 65. We proposed and funded 82, but the college said no. It started at some ridiculously low figure and inched its way to 65. We threatened to take this closed shop to the Australian Competition and Consumer Commission [ACCC] and the college relented, lifting its offer to 79. In 2005, in preparing for this year's intake, we went through the same process again. NSW Health offered to fund—not a promise, but an absolute commitment—88 training places in 2006. It was 82 in 2004 and 88 in 2006, but the protectionists at the college have offered just 63.



**Mr Milton Orkopoulos:** Not a word from the Opposition.

**Mr MORRIS IEMMA:** That is right, not a word of support for New South Wales from the shadow Minister. There is plenty of work for the surgeons to do. The Government, through the public hospitals, will fund their training and we will give them plenty of work to do when they are finished. When the ACCC allowed the college of surgeons to maintain its monopoly on surgeon training it did so on a number of conditions.

**Mrs Jillian Skinner:** How many hospitals are open at Easter? Are they open at Easter? How many weeks are they closed at Easter? Tell us about the Easter shutdowns.

**Mr MORRIS IEMMA:** Is it the shadow Minister's new surgical policy to force everyone to cancel Easter and Christmas? For surgeons in New South Wales, Christmas is cancelled, and so is Easter. For nurses in New South Wales who work in an operating theatre, Christmas is cancelled. That is the shadow Minister's policy. One of the conditions that the ACCC placed on the college was that the college acknowledge the legitimate role of the States in determining their medical work force requirements. That was one of the conditions that the ACCC placed on the college so that the college could maintain its monopoly. One of those conditions was that the college had to recognise the role of States in determining their medical work force needs.

The ACCC stipulated in determining the trainee places that the college was to consult with the States and take into account the States' needs in its final decision on the allocation of surgical trainee places. The fact is that the college is not upholding the conditions. It is maintaining its closed shop. By doing so, the college is artificially holding down trainee numbers. The Government has offered 88 training places, but the college has come in the well short of that number of places. Last year we offered funding for 82 positions and the college came well short of that, too. That is simply not good enough. Moreover, it is a contravention of the ACCC decision. The Government has set aside funds this year for 88 places. If that is what the Government has set funds aside for, if that is what the Government is funding, then that is what the Government expects the college to deliver, instead of the offer that the college has made of just 63 positions.

The college is simply engaging in a restraint of trade to hold back trainee places. The Government will continue to ensure that the college adheres to ACCC's very good decision to place those conditions on the college. We look forward to the action and advice of the ACCC in our determination to ensure that the college accredits the trainee places for which the Government has set aside funding.

#### STATE ROAD 54 FUNDING

**Ms KATRINA HODGKINSON:** My question is directed to the Premier. What does he say to Sharon Robinson, who is in the gallery today, whose mother died in January this year on Main Road 54 near Crookwell two months after his Government withdrew \$750,000 in funding that had already been allocated for sealing the dangerous gravel section of the road, due to his Government's budget crisis?

**Mr MORRIS IEMMA:** I will seek advice from the Minister for Roads on the specifics of the road mentioned by the honourable member for Burrinjuck in relation to the tragic death. Obviously, the family and the member of the family she mentioned have our condolences for the tragedy that occurred, and our deepest sympathy.

#### ECONOMIC STATEMENT

**Mr NEVILLE NEWELL:** My question without notice is addressed to the Premier. Will he inform the House of the response in regional New South Wales to the Government's economic statement and related matters?

**Mr MORRIS IEMMA:** Last Thursday the Government announced its fourth reduction in State taxes in the past seven months—a \$93 million payroll tax package to help regions experiencing high unemployment. The announcement was part of a wider plan to trim back expenditure by \$2.5 billion over four years to streamline the workings of our administration and the planning system. The package was warmly received by all major players. Heather Ridout from the Australian Industry Group said that it is a step in the right direction. That sentiment has been backed up by the likes of the Property Council of Australia, the Council of Social Service of New South Wales [NCOSS], Australian Business Ltd [ABL], the State Chamber of Commerce, and the *Australian Financial Review*, but I was particularly pleased by the reaction from country New South Wales, which again confirmed that members on the Government side of the House are seriously investing in

employment in rural and regional New South Wales. In the *Northern Star*, the chair of the Northern Rivers Regional Development Board, Margot Sweeney, said that the announcements would be of great economic benefit to the region. According to an article in the *Northern Star*, a spokesperson for Lismore Unlimited Opportunities stated:

For businesses who want to relocate to the Northern Rivers it is a great incentive. And that potential for investment into the area is good because it will offer more jobs and the spin-off from more jobs is more spending.

Amber Hall is the manager of Lismore Unlimited Opportunities. It is good to notice that the honourable member for Lismore is nodding his head in acknowledgment of that ringing endorsement of the package that was announced last week. The reaction of Australian business, the financial press and regional media all endorse the payroll tax reduction package, but have there been any positive signs from the Opposition? No. Once upon a time there was something called the Coalition—two parties that worked together for country New South Wales, exemplified by the Askin-Cutler, Greiner-Murray and Fahey-Armstrong administrations. They were the glory days, but look at the Coalition now—a hornet's nest of disloyalty and disarray, with any remaining member of The Nationals worth his or her salt becoming either a Liberal or an Independent.

The death of The Nationals, or the National Party, or the Country Party, has been predicted many times over the past 80 years, but matters have become pretty bleak lately. The Nationals now hold only 12 out of 29 seats in country New South Wales, and its party room is beginning to resemble the phone booth that the honourable member for Upper Hunter cherishes so much. Of course, we also have Julian McGauran's decision to defect.

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

**Mr MORRIS IEMMA:** That was so helpfully pointed out by the *Sydney Morning Herald* on 24 January, which stated:

McGauran said he left the party that had nurtured him partly because he thinks it is in terminal decline.

How accurate! He follows a long line of Nationals who have become disillusioned by their party's decline into irrelevance as a mini Liberal Party.

**Mr Joseph Tripodi:** Pocket size.

**Mr MORRIS IEMMA:** Yes, the Minister for Energy is right. That is what Tony Windsor thought when he defected in 1991. It is what Bob Katter thought when he left in 2000. Of course, the indestructible honourable member for Port Macquarie jumped ship in 2002 and now enjoys an indestructible 80 per cent plus margin. McGauran, Windsor, Katter and the member for Port Macquarie make a long line. They all caused Ian Causley to observe last month:

We're not happy about it—I can tell you. It has caused us some pain.

Ian Causley's observation recognises that, fundamentally, the problems are not just numerical—not at all—but geometric. With the latest defection by McGauran, we have a determination on the part of the Leader of the Opposition to impose three-cornered contests on the Coalition. We know that that is calculated to destroy the Coalition.

**Mr SPEAKER:** Order! The Minister for Local Government will come to order.

**Mr MORRIS IEMMA:** Not satisfied with Windsor, not satisfied with Port Macquarie, not satisfied with Northern Tablelands, not satisfied with losing the traditional Country Party bastion of Dubbo, the three-cornered contest will be designed to destroy what is left of The Nationals for those who do not jump ship or sign up as Independents. That prompted the Hon. Jennifer Gardiner to state:

If the Liberals don't have sufficient resources to contest Sydney by-elections ... then why don't they leave seats that are traditionally contested by The Nats to us, and focus on winning metropolitan seats? A fair question.

The question of why the Liberals will not leave The Nationals alone with a three-cornered contest policy is one that the honourable member for Pittwater could possibly answer.

**Mr Ian Armstrong:** Point of order: A little bit of new verbiage! We have had a lot today. Maybe the Premier will tell us about Bob Sercombe, Simon Crean and the Ferguson faction in Federal Labor. Labor has self-destructed in a great horde.

**Mr SPEAKER:** Order! I was quite keen to hear a point of order from the honourable member for Lachlan, but this is not the right time for him to be making a speech. The honourable member for Bathurst will come to order.

**Mr MORRIS IEMMA:** All of them have gone or are going, except one. There is only one old-timer, one of the traditional National Party gentlemen left, the honourable member for Lachlan. But what did The Nationals do to him? They sent a submission to the redistribution commissioners to get rid of the electorate of Lachlan. No wonder he is so upset. He is the last of the former Country Party gentlemen. Not satisfied with the defections and defeats, starting with Windsor many years ago, and later Dubbo and Northern Tablelands—McGauran being the latest: When it was time for redistribution submissions they decided to get rid of the last remaining Country Party gentleman. That sums it up—The Nationals no longer hold the seats of Dubbo and Northern Tablelands, and there is an indestructible margin for the Independent in Port Macquarie.

Even Jenny Gardiner said that if the Liberals have the resources, they should just stick to city by-elections. The honourable member for Pittwater will attest to how well they have done there. There are only 12 left, and the honourable member for Lachlan is still hanging around looking for a role. There has been resounding endorsement from regional and rural New South Wales for the fourth tax reduction in seven months. At the rate we are going there will be a lot more tax cuts to come.

### CROSS-CITY TUNNEL AND ROAD CLOSURES

**Ms CLOVER MOORE:** My question without notice is addressed to the Premier. Will the Premier reduce the toll on the cross-city tunnel and reinstate the right-hand turn from William Street into Palmer Street to allow motorists to access harbour crossings from Sir John Young Crescent so that they are not forced into the city?

**Mr MORRIS IEMMA:** There is nothing in the cross-city tunnel contract that prevents the company from dropping the toll on the cross-city tunnel. The issue is very simple: change can occur in co-operation with the company if the company moves from its position of insisting on its legal rights under the contract. If the company is prepared to do that, the Government is prepared to sit down and listen to any sensible proposal that will give motorists a better deal, as outlined by the honourable member for Bligh, and not provide the company with a windfall at the expense of taxpayers, which is the Opposition's policy.

**Mr SPEAKER:** Order! Members of the Opposition will come to order.

**Mr MORRIS IEMMA:** The policy of the Leader of the Opposition is to rush in and rip up the contract. Today he has asked questions about the economy. How many other contracts does he not like? How many other contracts would he like to rip up? He has no idea how he would pay for the tunnel. He has an obligation to say how he would pay for it. In response to the question asked by the honourable member for Bligh, change can occur in co-operation with the company, if the company moves from a position of insisting on its contractual rights. If the company is prepared to do that, the Government is prepared to listen to any proposal that will give motorists a better deal, but not land the company with a windfall at the expense of taxpayers.

### DERELICT MINES REHABILITATION PROGRAM

**Mr GERARD MARTIN:** My question without notice is addressed to the Minister for Water Utilities, representing the Minister for Primary Industries. Will the Minister update the House with the latest information on rehabilitation projects for derelict mines in New South Wales?

**Mr DAVID CAMPBELL:** The honourable member's question reflects the interest of Country Labor in mining issues. Honourable members would know that mining has provided enormous benefits for the people of this State for more than 200 years. Mining remains vital to the prosperity of New South Wales, especially in regional and rural economies. In New South Wales 30,000 people rely on mining for their jobs. The industry provides nearly twice as many jobs indirectly, through related industries and services. Part of the security of workers in mining and their families is linked to environmental responsibility particularly when it comes to caring for old, derelict mine sites within New South Wales.

Today the Government requires that all mines meet strict environmental guidelines. It also retains substantial security deposits to ensure compliance with those conditions. However, past mining practices were not regulated as rigorously as they are today. Old mines may have complied with the requirements of the time,

but some have left an environmental legacy, one that can be potentially harmful to the reputation of today's industry. Standards in the mining industry have evolved and so have the expectations of our regional and rural communities. The Derelict Mines Rehabilitation Program is a New South Wales Government initiative that helps address the environmental and safety issues associated with old, unused mine sites.

In the last year of the Coalition Government, it spent a mere \$125,000 on derelict mines—a disgraceful \$125,000. I am pleased to advise the House that the Iemma Government has allocated almost 14 times that amount to the 2005-06 program. This year's budget allocation is \$1.7 million. The Iemma Government's Derelict Mines Rehabilitation Program improves public safety. It also better protects our unique environment through waste containment, revegetation, and erosion and sedimentation controls. I am pleased to advise the House that rehabilitation work on the derelict Burruga copper mine, 47 kilometres outside Oberon in the Central West, has been completed. I am sure that the honourable member for Bathurst would be particularly interested to know that that \$300,000 project focused on safety works and sediment control. Burruga was one of the largest copper mines in New South Wales and its remnants can be seen from the outskirts of the village.

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

**Mr DAVID CAMPBELL:** Starting last October, expert teams sealed four shafts with steel grates, fenced two shafts and sealed off the chimneystack with a steel grate. A further five shafts were backfilled and crowned, and two mine openings were sealed with steel grates. I advise the House also that rehabilitation work on the derelict Milburn Creek copper mine is currently underway. Milburn, situated 30 kilometres east of Cowra, was a busy copper mine from the 1860s until mining was discontinued in 1904.

Works at that site include shaft sealing, fencing and grating, along with containment of contaminated material and drainage works. That project alone is valued at more than \$90,000. I look forward to advising the House of additional projects, including work at the Yerranderie silver mine in the Sydney Basin, which is expected to begin in April. Work at Webbs Consul in the Northern Tablelands is also expected to begin in April, pending Heritage Office approval. Preparation is under way for demolition work at Oakdale Colliery, near Picton. Finally, I am advised that a \$130,000 rehabilitation project at Collison's silver mine, near Glen Innes, is due to be completed later this month, marking yet another example of the New South Wales Labor Government delivering for the people of New South Wales.

**Questions without notice concluded.**

## **BUSINESS OF THE HOUSE**

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

#### **Special Adjournment**

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

That standing and sessional orders be suspended to provide at this sitting:

- (1) from 7.30 p.m. until the rising of the House, no divisions or quorums be called; and
- (2) at the conclusion of Government Business the House adjourn without motion until Thursday 2 March 2006 at 10.00 a.m.

## **CONSIDERATION OF URGENT MOTIONS**

### **Problem Gambling**

**Mr GRANT McBRIDE** (The Entrance—Minister for Gaming and Racing, and Minister for the Central Coast) [3.38 p.m.]: My motion is urgent because the people of New South Wales need to know the Opposition's stand on an important community issue. The community needs to know that the Opposition does not care about problem gambling and that it has no substantial policy in this area. This issue is urgent because it is of the utmost concern to the people and families who suffer from problem gambling. About 2 per cent of the population suffers from problem gambling and they depend upon a range of services provided through the Responsible Gambling Fund and regulatory measures. The State Government is implementing a range of positive and effective measures to help problem gamblers. It is also working within the vast community network to deliver localised services throughout the State to problem gamblers and their families.

Members of the community need to know that the Leader of the Opposition is a lightweight with no policy credentials or any idea of the issues that affect the New South Wales community. He proved that the other week. Members of the community need to know how out of touch he is. On many occasions he has claimed that problem gambling is not a driving issue and he repeated that position in interviews across the State. The community is outraged by those comments. The community organisation that delivers these services is demanding that the Leader of the Opposition be honest about his position on this important social issue. This motion is urgent because many people across New South Wales depend on the good work of community service providers and the Government.

### State Finances

**Mr PETER DEBNAM** (Vaucluse) [3.40 p.m.]: What a dishonest approach by a Minister in trouble—a Minister who has been in trouble since he was appointed to his portfolio, a Minister who was under threat in the recent ministerial reshuffle, and a Minister who, no doubt, will be dumped in the next ministerial reshuffle. It is a disgrace when Ministers of the Crown wander around the State being totally dishonest.

**Mr Alan Ashton:** Point of order: My point of order relates to urgency. So far the Leader of the Opposition has not stated why his motion is urgent. I know you will allow him some latitude to develop his argument, but he should refrain from his personal attack on the Minister and get on with his urgent motion.

**Mr SPEAKER:** Order! I take the point made by the honourable member for East Hills.

**Mr PETER DEBNAM:** It is a matter for the Labor Party to sort out dishonesty in its ranks. This Minister is one of the most dishonest Ministers. My urgency motion relates to the recent release of economic growth figures for New South Wales. During question time Opposition members raised a number of points. This Government needs to understand the impact of today's figures on the State budget. Before today this Government had a wafer thin surplus of \$21 million. It had a wafer thin surplus in the State budget this year and next year it will have a deficit in excess of half a billion dollars. This Government just lost that wafer thin surplus. Last year there was a growth of 2 per cent and the September quarter was negative at 0.8 per cent.

**Mr Alan Ashton:** They have corrected that.

**Mr PETER DEBNAM:** The honourable member for East Hills, the straight man opposite, said that the Government corrected it. If he had listened to what the Premier said earlier he would know that the Premier said it had been corrected. He said there was a 1 per cent turnaround, which is not true. I do not know whether the Premier knows that, or whether he was trying to spin figures, but it is not true. There was a correction from 0.8 per cent to 0.3 per cent. Both those figures were negative. The New South Wales September quarter had negative growth in both the first figure and the revised figure. The December figure is barely positive, which presents a problem for the Government. When it did its half-yearly estimate for growth this financial year it revised the figure downward to 2.5 per cent.

The Government will not make it and that will have a real effect on State budget revenue. Econtech, a well-respected consulting firm that estimates growth for New South Wales, issued a report this week. In December the Labor Party estimated it would get 2.5 per cent growth. That figure was shot out of the water by today's figures. Econtech reckons it will get 1.8 per cent growth. It states:

We estimate New South Wales to be the weakest economy, growing at the rate of 1.8 per cent.

Econtech is a respected consulting firm. That throws the State budget into deficit this year and it will throw it into a huge deficit next year. That means that front-line services will be starved of funds. The Government has already clawed back money from front-line services, protected the bureaucracy and saved money in the core of government. It has already clawed back money from front-line services. Over the past 2¼ years we have seen 540 fewer police. This week the Minister for Police finally admitted that police numbers had been reduced over the last three years, but he made a mistake. He said that police numbers have never gone below the authorised strength. If members look at figures on the police web site they will find that police numbers went below the authorised strength at the end of November.

This Government has slashed police numbers across the State. Imagine what it will do when it is under pressure 12 months before the election. It is about to go into deficit this financial year, and it will have a deficit in excess of half a billion dollars next financial year. This motion is urgent. We must talk about the 11 years of

economic vandalism that this Government has imposed on the people of New South Wales. The one question people in New South Wales keep asking every member of Parliament is, "Where has the money gone?" Opposition and Government members keep hearing them asking, "Where has the money gone?" They know they have been taxed to within an inch of their lives but they are not seeing any money going back into services—the biggest and most urgent problem in New South Wales.

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

**The House divided.**

**Ayes, 52**

Ms Allan	Mr Gaudry	Mrs Paluzzano
Mr Amery	Mr Gibson	Mr Pearce
Ms Andrews	Mr Greene	Mrs Perry
Mr Bartlett	Ms Hay	Ms Saliba
Ms Beamer	Mr Hickey	Mr Sartor
Mr Black	Mr Hunter	Mr Scully
Mr Brown	Ms Judge	Mr Shearan
Ms Burney	Ms Keneally	Mr Stewart
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, 34**

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

**Pair**

Mr Price

Mr R. W. Turner

**Question resolved in the affirmative.**

**PROBLEM GAMBLING**

**Urgent Motion**

**Mr GRANT McBRIDE** (The Entrance—Minister for Gaming and Racing, and Minister for the Central Coast) [3.53 p.m.]: I move:

That this House:

- (1) condemns the Leader of the Opposition for his out-of-touch remarks that "problem gambling is not a driving issue in New South Wales";

- (2) supports the overwhelming community response against the Leader of the Opposition's comments;" and;
- (3) notes the Leader of the Opposition's arrogant failure to respond to calls from the Central Coast Problem Gambling Service for a meeting to clarify his position.

Unfortunately, about 2 per cent of the population have a problem with gambling. My reason for bringing this issue to the urgent attention of the House is simple: only one side of Parliament, the Iemma Government, is committed to helping problem gamblers and their families. On 7 February the Leader of the Opposition went live to air on the John Stanley 2UE radio program. He stated clearly that problem gambling "is not a driving issue". They are the words of an elite man, a man who is clearly out of touch and out of his depth as a political leader. To make matters worse, three days later on 10 February the Leader of the Opposition spent six minutes on 2BS radio in Bathurst reinforcing his position on this issue. The transcript of that interview is as follows:

2BS Presenter: So, could I ask you if you were caught off guard in that interview with John Stanley?

Mr Debnam: No, I've got to tell you I'm never caught out by interviews with John Stanley. Not at all.

But the Leader of the Opposition was caught out recently, as was pointed out during question time. The interview continued:

Presenter: You stated that you did not think that gambling, problem gambling, was a driving issue today. Do you stand by that?

Mr Debnam: Absolutely.

The Leader of the Opposition is absolutely out of touch with the community. He is absolutely out of touch with the issue of problem gambling in our society. The Leader of the Opposition had an opportunity to restate his position but he failed to do so. But he was not finished there. The Leader of the Opposition continued:

There seems to be a lot of people who are for some strange reason really anti-gambling, philosophically sort of whingers.

The cold approach of the Leader of the Opposition to this extremely important and sensitive social issue is appalling. But do honourable members think for a second that his shameful comments end there? No, they do not. When questioned by a reporter for the *Daily Telegraph* about problem gambling the Leader of the Opposition could do little more than launch a baseless personal attack on me and the Government, which has been actively addressing problem gambling in this State. I make no comment about the personal attacks but I am bothered by his uninformed and insensitive remarks that have offended the community.

The Leader of the Opposition needs to get his priorities right. I do not think the people who run the Liberal Party would approve of those comments. Maybe the Leader of the Opposition should run it by David Clarke before he makes outlandish statements in future. Perhaps Liberal members should consider the comments of Reverend the Hon. Dr Gordon Moyes on radio 2UE on 16 February. He responded to the comments of the Leader of the Opposition by saying:

Peter Debnam really is a bit of a lightweight in all of this, and is floating above the issues.

They are not my comments but those of a member of the upper House. The Leader of the Opposition first dismissed this issue on the basis that he had not heard any calls to talkback radio on the subject. That is the criteria that the Leader of the Opposition uses to determine priority issues. The people of New South Wales are calling for Coalition support on this matter. The Leader of the Opposition has the opportunity to listen to the community and to come to grips with the social issues facing the people of this State. How many times must the Leader of the Opposition be told that problem gambling is a serious issue before reality sets in? I take this opportunity to inform the Leader of the Opposition of some responsible Government policies that have been introduced to manage problem gambling in New South Wales. In the past 11 years the Labor Government has increased funding for problem gambling counselling services from \$300,000 to almost \$11 million. When Labor came to power only about \$300,000 was spent on this problem and today we spend \$11 million. Eleven years ago problem gambling was not recognised as a major issue in the community. But it was a major issue for problem gamblers and for those who offered services to them.

Generally, the issue was not as recognised across the community as it is today. During the past 11 years the Government has dealt with this issue constructively and has developed a responsible policy in this regard. For example, the Government has placed a ban on 24-hour gaming in licensed venues and has introduced a freeze on gaming machine numbers in this State. Under the Labor Government's gaming machine trade-in scheme, machine numbers in New South Wales have fallen by more than 2,000 in recent times. We gave that commitment to the community. It is amusing to watch the trio from the Opposition laughing. The Leader of the

Opposition has been publicly laughing at this serious issue. The three little monkeys on the other side of the Chamber are laughing now. That is their contribution to this debate. It emphasises that the Opposition does not recognise this issue.

**Mr George Souris:** Where were we?

**Mr GRANT McBRIDE:** I was referring to the main issues and the reforms made by the Government. The Government has also implemented and continued to fund the G-Line, a free, 24-hour phone counselling service available statewide to everyone. The Labor Government has banned automatic teller machines from the floor of gaming rooms. We have made precautionary signage compulsory in and around gaming rooms and on gaming devices. To date, not-for-profit community organisations have received almost \$95 million in funding from the Government's Responsible Gambling Fund. At present, more than 50 statewide organisations receive funding to provide counselling services to problem gamblers and their families. Thirty of the organisations that provide a service are located in regional and country New South Wales. We have on-the-ground services provided by community organisations right across this State.

In July 2003 the Government asked the Independent Pricing and Regulatory Tribunal [IPART] to conduct a review of the effectiveness of gambling harm minimisation measures. The report identified the need for an evidence-based approach to problem gambling—something supported by the shadow spokesperson—and sought to promote a culture of responsibility. The Government's policies have been supported in public and on repeated occasions by the shadow Minister, but they have been denied by the Leader of the Opposition. In May 2005 the Government released its response to the IPART report. We supported 109 of the 113 recommendations. In addition, the report has been endorsed by governments across Australia. It has set a national benchmark in developing an approach to problem gambling.

The Government is in the process of awarding a tender for a comprehensive problem gambling prevalence study. This tender is due to be awarded in the coming weeks, with the results of the study available by the end of the year. The study will profile problem gamblers by analysing a number of key demographic indicators. The Government will commission a comprehensive review of all signage relating to gaming. This will allow the Government to evaluate which signs are most successful and the areas of signage it can improve on. The Government is working with community counselling services to develop counselling accreditation for problem gamblers. The Government wants to make sure there is a common approach to help problem gamblers and their families.

The principle that underpins the approach in the Government's policy is responsibility, a responsibility on the Government, the individual, industry and the wider community to manage problem gambling. I have seen numerous transcripts of the Leader of the Opposition at work. He refuses to answer questions on policy and to commit to any policy that promotes responsible gambling. I want to reassure every community counselling service in New South Wales that they are not working in isolation but have the support of the Iemma Government. The Central Coast Problem Gambling Service has publicly made a call on the Leader of the Opposition to speak to it about his comments. In his arrogance, he has not bothered to speak to the service or to assure it that such hard working community organisations enjoy his support. The Leader of the Opposition has abandoned the people of New South Wales and he has abandoned his party on this issue.

As I pointed out, the shadow Minister has supported these initiatives repeatedly in public forums and in the public domain, yet when the Leader of the Opposition was asked about problem gambling he made the call and set himself up. He said that he did not see it as a main issue for government. He had an opportunity to repudiate his position on Bathurst radio, and he chose not to. People have called his office and he has chosen not to speak to them. He has had many opportunities to clarify his position and support the Government's initiatives, but he has refused to do so.

**Mr PETER DEBNAM** (Vaucluse—Leader of the Opposition) [4.03 p.m.]: As I said earlier, the Minister for Gaming and Racing is a disgrace. Problem gambling has always been dealt with as a bipartisan issue in this Parliament. I have been here for 12 years. The Opposition has supported all harm minimisation measures that have been put in place. Obviously, every member of Parliament is concerned about problem gamblers and has dealt with families who are dealing with the issue. This motion has been moved today because the Minister for Gaming and Racing is in trouble. The Minister was in trouble about one month ago.

**Mr Grant McBride:** Again, it is not about me, is it? The issue is problem gambling. Stick to the issue, mate!



**Mr PETER DEBNAM:** All the interest groups have refused to deal with an incompetent, lightweight Minister. All of a sudden he decided this issue would resurrect his career, but it is not going to work. Obviously, all members of Parliament are concerned about services for problem gamblers.

**Mr Grant McBride:** You have repeatedly had the opportunity to say this publicly and to make these statements.

**Mr ACTING-SPEAKER (Mr John Mills):** Order! The Minister has a right of reply and will cease interjecting.

**Mr PETER DEBNAM:** The Government has had the opportunity to boost funding for problem gambling services for the past 11 years. Where does the money come from? It comes from the Casino Fund, not from Consolidated Revenue. As I have said to John Stanley and to other radio stations, the issue is simple: Are sufficient funds being made available for the services? If the Minister had done his job he would know of the backlog for services that he has been underfunding. The Minister knows the Government cut Lifeline funding. Until this Minister got himself into trouble in the lead-up to a reshuffle, this was a bipartisan issue. We have always supported the measures and will continue to do so, but we will not support a dishonest Minister. The real disgrace is that the Minister has taken an issue that is of real concern to every member of Parliament and has made some sort of dishonest political attack because he has failed as a Minister. That is a disgrace.

**Mr JEFF HUNTER** (Lake Macquarie) [4.06 p.m.]: What a performance! The Leader of the Opposition could be described as a wolf in sheep's clothing. What a performance: All innocent and light, but the facts are in the transcripts of radio interviews, to which I will refer later. I support the motion. The best the Opposition can come up with is a question about the adequacy of funding for problem gambling services. When the Leader of the Opposition was questioned he did not know how much the Government is spending on problem gambling services. We should compare what the Labor Government and the former Coalition Government spent in this area. The expenditure was less than \$300,000 per year when the Coalition was in office, compared with more than \$10 million per year under the current Labor Government.

Labor Government funding is based and provided on a competitive submission-style process. All funding applications were considered against set criteria such as needs analysis and planning, value for money, scope and feasibility of the proposed service, equitable geographical coverage for the region and available service trends—for example, are adequate counselling hours provided within a region? Since the beginning of the 2005 financial year all regions in New South Wales have received an increase in counselling hours available for problem gamblers and their families. This increase was based on available data and service trends, ensuring adequate hours are available in each region.

The Leader of the Opposition tried to argue that there are waiting lists. I understand that the Department of Gaming and Racing has not been informed of any waiting lists, and all services have been advised that they have a duty of care to ensure that a client is referred to another service if immediate assistance is required and/or not available. Should the need arise, resources would be available to assist problem gamblers to travel to other services. The current funding model in New South Wales is designed to allow clients to access a counsellor within a region as soon as possible. In addition, problem gamblers can access a telephone counsellor 24 hours a day, seven days a week, by phoning the G-line (NSW) crisis counselling, information and referral service on 1800 633 635.

The Hunter region depends upon the funding provided through the Responsible Gaming Fund. In the Hunter services are provided by the Cessnock Family Support Service, Newcastle City Mission, the Newcastle Rehabilitation Services Centre of the Salvation Army, and the Woodrising Neighbourhood Centre at Woodrising in the Lake Macquarie electorate. Since June 2003 those services in the Hunter have received \$1.44 million in funding from the Responsible Gaming Fund. Those community groups are working with the support of the Government. Their work is much more meaningful than that of the Opposition. Those groups actually help people. Mr Ashley Gordon, the President of the Hunter Council on Problem Gambling, issued a press release in response to the comments of the Leader of the Opposition. He called them:

... way out of touch with the current issues in New South Wales and the nation.

He said:

Mr Debnam talks about personal choice when gambling, for many thousands of people ... this choice is made for them.

Mr Gordon went on to explain the serious and dire effects it has for the community, and stated:

Current NSW funded programs through the Responsible Gaming Fund address the issues of problem gambling at their source, namely the gambler, their family and loved ones.

I quote also from Mr Gordon's press release:

Gambling counselling services are working diligently to support the growing demand for help. This problem should not be swept under the carpet.

One of the services that I mentioned earlier has expressed concern about what the Leader of the Opposition had to say. That is the service of the Woodrising Neighbourhood Centre, which is in the electorate of Lake Macquarie. I was at the centre on Monday for a community meeting, when staff expressed to me grave fears that their service would not be able to continue to operate if the Opposition went through with what the centre staff believe is a threat to cut its funding. The Woodrising Neighbourhood Centre runs an excellent problem gambling and financial planning services. Their fear is that if a Liberal government is elected they will be defunded. All service groups throughout the State have been highly offended and slighted by the Opposition. So offended have they been that they have been trying to get hold of the Opposition to demand that it come clean and be honest on where it stands. This House should condemn the Leader of the Opposition for his callous remarks. He is out of touch and out of step. Everyone involved in this area condemns him for the comments he made on radio the other day.

**Mr GEORGE SOURIS** (Upper Hunter) [4.11 p.m.]: I speak on behalf of the Coalition. The first point I make is that it is quite extraordinary for the Minister for Gaming and Racing to profess such admiration for these measures in such an observable and disingenuous fashion when he himself is in the contradictory position of being the Minister responsible for the operation of the Act relating to the responsible service of alcohol and responsible gaming. I say that because only recently he leapt to the stage to pronounce, like a silly schoolboy, that he had previously worked in the clubs industry under an assumed name.

Before we deal with this issue the subject of the motion, I have to ask whether the Minister is an appropriate person to have carriage of the responsible service of alcohol and responsible gaming when he has confessed—in fact boasted—about having breached in such a way the very Act for which he is responsible. The Minister is not only a lightweight, he is completely disingenuous in relation to this matter. By his self-recrimination, he has ruled himself out as an authority on this issue. To emphasise how lightweight he is, the Minister said 2 per cent of the population have gambling problems. Everybody knows that we are talking about 2 per cent of poker machine players, not 2 per cent of the whole population. So a larger number of persons have gambling problems.

**Mr Grant McBride:** We checked it.

**Mr GEORGE SOURIS:** The Minister is wrong. It is nonsensical that the Government or the Minister should have any notion that the Coalition, the Opposition, the Leader of the Opposition, or any member of the Coalition is not concerned about problem gambling. Of course we are concerned about problem gambling; it is one of the major social issues. To suggest otherwise is patently ridiculous. I want to place on record how ridiculous it is for the Minister and the Government to assert that there is some lack of interest or concern on the part of the Opposition about the plight of problem gamblers. He would know, best of all, that each and every member of the Opposition in each and every speech that has been made—certainly I have done so in every speech I have made—has completely and utterly supported every harm minimisation measure, whether it is to do with the responsible service of alcohol or responsible gaming.

Most of those initiatives have come from third parties such as the Independent Pricing and Regulatory Tribunal. Not much of it has come from the personal thoughts of the lightweight Minister; most of it has been by way of adoption of reports from third party consultancies, which Opposition members have supported completely. The Minister is trying to use this issue to make a cheap point. How could he imagine that this should be the subject of today's urgent motion, when the state of the New South Wales budget, the State's economy and our growth rate have emerged so recently and have such overwhelming importance?

I might point out that the Central Coast Problem Gambling Service wrote to the Leader of the Opposition. He gave me that letter last Thursday, and I am in the process of responding—I might add favourably—to the request that the service has made. The Minister commented adversely about the Opposition in relation to calls that the Central Coast Problem Gambling Service has put out to the Leader of the Opposition.

It is a recent letter, and the Leader of the Opposition has asked me for advice on it. Indeed, we have every intention of meeting with the people from that organisation. As I said, the Minister is simply using the service to make a cheap political point. He ought to be ashamed of himself. After all, these people are in his area. The fact is that the Minister has cut funding for that service, a service that is supported strongly by the honourable member for Gosford and other members of the Coalition.

The final point I will make is about the boasting by the Minister that the Government is putting in \$10 million to address problem gambling. Neither he nor his Government is putting in a cracker. Not one cent of consolidated revenue, of government money, has been assigned to this problem. All of the money that is ascribed to problem gambling comes from a levy charged on gaming revenue at Star City Casino. The Minister simply allocates it. Neither he nor his Government raises it. The Minister does not win this funding from the Government. It has nothing to do with consolidated revenue. The Minister is making that claim fraudulently. *[Time expired.]*

**Mr PETER BLACK** (Murray-Darling) [4.16 p.m.]: Today we have heard two most extraordinary performances. The first, from the Leader of the Opposition, was one of the most defensive and oversensitive responses I have heard in this place. But there was not one word of commitment from the Opposition or from the Leader of the Opposition to funding or to doing something about problem gambling generally—absolutely nothing! Then we heard from the former Leader of the National Party, the honourable member for Upper Hunter. He started by saying he was speaking for the Coalition. He was not. The only coalition working in this place is that between Country Labor and City Labor, which is more than happy to support the Minister on this matter. The honourable member for Upper Hunter went further—but he mentioned not one thing about the bush. For example, he did not mention that this morning his leader, his replacement, his follower, one Andrew Stoner, was talking on the ABC in Broken Hill today, unbelievably, about railway fares—but there was not one word about problem gambling. He said that \$10 is too much for pensioners to pay to catch the train, which Labor put back on the tracks, from Broken Hill to Sydney. That is what the Leader of The Nationals was saying.

I would have thought the honourable member for Upper Hunter would have mentioned country issues in this debate, but he did not mention one. All the Leader of The Nationals does is get it wrong and the former leader, the honourable member for Upper Hunter, did not mention the bush once. I will now come to some of the issues that have been raised. I make the simple observation that one area we should talk about relating to the bush is problem gambling in Aboriginal communities. I would expect The Nationals to talk about it, but the former leader has said nothing about it. He has said nothing about the problems at Bourke or about the fact that this great Government had to remove the licence from Post Office Hotel to deal with problem gambling. We are fair dinkum about this. The honourable member for Upper Hunter said nothing about Lifeline out west. The funding for Broken Hill Lifeline to deal with problem gambling has been increased, not decreased as alleged. Lifeline is doing a fantastic job not only out west but also with the Central Western Gambling Council Service in Bathurst and Dubbo.

**Mr George Souris:** What about the Central Coast? That's in the motion.

**Mr PETER BLACK:** The problem with The Nationals is that they are schizophrenic. They do not know where the bush is any more. They think it is on the coast. Have a look, have a listen. They think the bush is on the coast. Six coastal members—

**Mr George Souris:** Point of order: The motion refers specifically to the Central Coast problem. I did not draft the motion, the Minister did. We are speaking to the motion.

**Mr ACTING-SPEAKER (Mr John Mills):** Order! The honourable member for Murray-Darling should confine his remarks to the leave of the motion.

**Mr PETER BLACK:** Indeed, and I will stay within it because The Nationals are ignoring their traditional supporters. They want to talk about the coast; I want to talk about the bush. It is as simple as that. The New England and the north-west are in the bush. They did not even mention the great good that is being done by the St Vincent de Paul Society in places such as Deniliquin and Cobar.

**Mr George Souris:** Point of order—

**Mr ACTING-SPEAKER (Mr John Mills):** Order! If the honourable member for Upper Hunter intends to take the same point of order after the honourable member for Murray-Darling has spoken only about one and a half sentences, I advise him that I have not heard enough to deliver a ruling.

**Mr George Souris:** It was within one and half sentences that he immediately fell outside the leave of the motion. It is not me who wants to talk about the Central Coast.

**Mr ACTING-SPEAKER (Mr John Mills):** Order! The honourable member for Murray-Darling has the call.

**Mr PETER BLACK:** The fact of the matter is that I reasonably would expect that a former leader of The Nationals—they used to be the great Country Party—to talk about problem gambling in the bush, but he has not done it. It is as simple as that. We have major problems that I reasonably would have expected him to talk about. Some of the services include the Anglican Counselling Service in Tamworth, the Centacare New England/North West service in West Tamworth, the Anglicare Beat the Odds Program in Goulburn and Mission Australia Riverina region in Wagga Wagga. What a great place Wagga Wagga is! At least it has a great member who is not a member of The Nationals.

**Mr GRANT McBRIDE** (The Entrance—Minister for Gaming and Racing, and Minister for the Central Coast) [4.21 p.m.], in reply: The Leader of The Nationals had 10 minutes in which to speak, but he took only two and half minutes to discuss something that debate has been raging about in country and regional New South Wales for the past two weeks. According to the comments he made in the House today, the Leader of The Nationals now supports the Government's policy on problem gambling. Prior to today he had numerous opportunities to state that position. One such opportunity was on 7 February on the John Stanley show when he said that gambling was not a driving issue. He again had the opportunity on 10 February when he repeated on 2BS in Bathurst that gambling was not a driving issue. He was asked specifically to respond further, but he maintained his position.

The following week, at a press conference outside Parliament House, under repeated questioning from journalists the Leader of the Opposition refused to repudiate his position. He stood by his position three times publicly—twice on radio and once in front of the full press contingent from Parliament House. He refused to move from that position. Today we have had the rare privilege of hearing and enjoying a Pauline experience. Today the Leader of the Opposition repudiated his position: he took the opportunity to support the Government's policy, and I congratulate him on that. Not only does the Leader of the Opposition support the Government's policy, the shadow Minister has said that he also supports it. That has been of benefit to the community. I now refer to comments by the honourable member for Upper Hunter, who said that 2 per cent of gamblers are problem gamblers.

**Ms Gladys Berejiklian:** He said 2 per cent of poker machines users.

**Mr GRANT McBRIDE:** That is even better. I thank the honourable member for Willoughby for that clarification. Both statements are wrong. The 1999 report of the Productivity Commission, the Peter Costello organisation, estimated that about 1 per cent of Australian adults have severe problems with their gambling and about 1.15 per cent have moderate problems. Although the specific estimations often vary, the report stated that it is accepted generally that prevalent rates for problem gambling are about 1.5 to 2 per cent of the population. The honourable member for Upper Hunter and the honourable member for Willoughby insisted that he was right. But according to Peter Costello, he is a mug. That is good enough for me. I will take Peter Costello's opinion.

**Mr George Souris:** You just stick with me.

**Mr GRANT McBRIDE:** I did not make the point. I told the honourable member for Upper Hunter that we had the facts, but he insisted that he was right. This debate has been worthwhile for one reason. The Opposition is now on side with the Government. I understand that the Leader of the Opposition now supports the Government's policy of continuing to fund those in regional and country New South Wales who are threatened by problem gambling, as well as services in the city and regional areas. The motion has been an outstanding success. We are now hearing something that the Leader of the Opposition had the opportunity to tell us on repeated occasions. He has repudiated his statement that he did not regard problem gambling as a mainstream problem for our community. He was out of touch, but I give him credit for taking the step of endorsing and supporting our policy. I also thank the honourable member for Upper Hunter, the shadow Minister, for doing the same.

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

**The House divided.**

**Ayes, 53**

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

**Noes, 33**

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

**Pair**

Mr Price

Mr R. W. Turner

**Question resolved in the affirmative.****Motion agreed to.****SYDNEY HARBOUR ENVIRONMENTAL HEALTH****Matter of Public Importance**

**Mr MICHAEL RICHARDSON** (The Hills) [4.36 p.m.]: Today I ask the House to note as a matter of public importance the health of Sydney Harbour—or, should I say, the ill-health of Sydney Harbour. Sydney Harbour is in crisis despite the fact that in March 2003, when Bob Carr was delivering a campaign speech and telling everybody what a wonderful job the Labor Government had done for the people of New South Wales and what a wonderful job the Labor Government would do in the future, he said that Sydney Harbour was the cleanest it had been in living memory. That claim was fairly quickly scotched by Mark Skelsey in the *Daily Telegraph*. Mark Skelsey is now a press officer for the Minister for Planning, Frank Sartor, but at that time he was perhaps acting in a little less biased fashion. He wrote in the *Daily Telegraph*:

A Sydney bay is so contaminated that fishing bans are likely to remain even after a proposed \$75 million plan to rid the area of cancer-causing chemicals.

A report commissioned by the Waterways Authority last year raises concerns about dioxin pollution at Homebush Bay ... Its findings come after Premier Bob Carr spruiked his environmental record last weekend by saying Sydney Harbour was the "cleanest in living memory".

Mark Skelsey certainly scotched Bob Carr's line. He said that the preferred remediation option for the bay would leave exposure levels that are three times higher than Australian standards, or six times higher than World Health Organisation standards. That did not stop the former Premier claiming again in January 2004 that Sydney had the cleanest waterways in more than 100 years. I ask this simple question: if Sydney has the cleanest waterways in more than 100 years, and if Sydney Harbour is the cleanest it has been in more than 100 years, why do we have a total ban on commercial fishing in the harbour? Why have recreational fishers been warned that they can eat no more than 150 grams of fish each month? That quantity is not enough for more than a few mouthfuls. The fact is that Homebush Bay is contaminated by 2, 3, 7, 8-TCDD, which is the most toxic form of dioxin and the most toxic chemical ever made by man.

To show honourable members the utter contempt that the Government has for the people of Sydney and the people of other parts of New South Wales, one only has to refer to an answer to a question relating to the proposed clean-up of Homebush Bay that was given by the honourable member for Smithfield on 19 June 1997 in his capacity as the Minister for Public Works and Services. At the time the Minister said that the Government would remediate Homebush Bay, it would spend \$21 million on the clean-up, which would establish New South Wales as the world leader in dioxin remediation. The clean-up would provide a clean, safe bay in the eyes of the world in the year 2000 and, more importantly, he said it would provide a safe, clean bay for the people of New South Wales—an enduring community legacy. The Minister went on to say that Homebush Bay would once again become a waterway of which we could all be proud, and that it would reclaim its legitimate place as part of the best harbour in the world.

In December 2005 the Government banned prawn fishing in Sydney Harbour and on 24 January 2006 it banned commercial fishing—and effectively banned recreational fishing—in Sydney Harbour. It would be a very brave recreational fisherman who would cast his line into Sydney Harbour and eat his catch. This is a result of the neglect of this Government, a result of the calumny of this Government. The former Minister for Public Works and Services, Carl Scully, said that he expected that remediation would begin by early 1999, which would enable sufficient time for the clean-up to be completed before the Olympics. He was not talking about this year's Winter Olympics, but the Sydney 2000 Olympics.

I am sure that honourable members would be interested to know that, as far as I know, to date not one dollar has been expended on that clean-up. Indeed, worse than that, the Minister for the Environment has been spruiking about this clean-up, but he has conveniently neglected to mention that the Government will clean up only half of Homebush Bay. A significant number of dioxin hot spots will remain beyond the remediated area. Those dioxins will continue to migrate into the Parramatta River.

**Mr Anthony Roberts:** They are cancer causing.

**Mr MICHAEL RICHARDSON:** The Government cannot claim that, even after it has spent the \$21 million promised by Minister Scully back in 1997, Homebush Bay will be cleaned up. The remediation will remove only half the dioxins from the bay; the other half will remain and will continue to migrate into the harbour. Of course, fish will continue to enter Homebush Bay, will feed there, ingest dioxins and migrate into Sydney Harbour. Other fish will eat those fish and the dioxins will bioaccumulate through the food chain. Worse than that, they will biomagnify through the food chain.

We are not talking about the same level of dioxins appearing in fish further up the food chain; we are talking about an increased level of dioxins. The honourable member for Lane Cove reminds me that dioxins are carcinogenic; they accumulate in fatty body tissues and in the liver. They are a precursor to liver cancer and remain in fatty body tissues for up to 50 years. Four years ago the Government knew that there were high levels of dioxin contamination in fish caught in Sydney Harbour outside the area west of Gladesville Bridge, where the Government banned commercial fishing some years ago.

The Government knew that those levels exceeded World Health Organisation standards and it did absolutely nothing. The Government allowed people to continue eating prawns and fish caught in Sydney Harbour. Bob Carr said that the harbour was the cleanest in living memory, and that would have encouraged people to eat fish and prawns caught in the harbour. It is disgraceful that in future people will become sick as a consequence of that neglect. People will not know why they are sick or where their problems have come from. The cause of their problems can be laid fairly and squarely at the feet of this Government.

**Mr Anthony Roberts:** The Opposition was on the ball.

**Mr MICHAEL RICHARDSON:** As the honourable member for Lane Cove said, the Opposition was on the ball. It warned the Government about this problem a couple of years ago. However, once again, the Government did nothing, it did not care that dioxins were migrating into the Parramatta River. The Government did not care that fish were being contaminated by dioxins. That is an absolute disgrace. The Government needs to answer a number of questions. If the Government's remediation plan for Homebush Bay is working, why are dioxin levels increasing? How long has the public been eating fish that potentially cause cancer? What are the health implications? In other words, for how long have dioxins migrated from the bay into the food chain? How long will the dioxins remain in the food chain? When will it be safe to eat fish from Sydney Harbour? Will it be this century or next century? We do not know the answers to those questions.

A further concern is that we are not talking about contaminants in Homebush Bay only; we are talking about a large number of other areas in Sydney Harbour that are contaminated with highly toxic materials. In the Drummoyne electorate there are toxic hydrocarbons that are a by-product of gas production from the AGL gas plant, an area that is now being converted to a range of high-quality housing. Around Kendall Bay there are signs warning that it is a remediation site, but once again the Government is doing absolutely nothing.

Further up the Parramatta River at Camellia there is chromium contamination. We know that vinyl chloride has been detected on the banks of the Parramatta River. Earlier decisive action by the Government might have prevented that, but this Government delights in doing the minimum. There is significant contamination from the Akzo Nobel site, caused largely by this Government's total inaction. In all of those areas the Government has taken minimum action. Far from Sydney Harbour being the cleanest in living memory, it is an international disgrace.

**Mr BOB DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, and Minister for the Arts) [4.46 p.m.]: I will not attempt to respond point by point to the honourable member's propositions, because they are so incoherent. Instead, I will describe the actual situation. First, dioxin is not in the water of Sydney Harbour; it is in the sediment on the bottom of some parts of Sydney Harbour. Crustaceans and other species eat the sediment, absorb the dioxin, and are then eaten by fish. However, the fact remains that whatever the contamination level of some bottom-feeding fish may be, the quality of Sydney Harbour's water, as the former Premier described it, is the consequence of spending \$450 million on the north side storage tunnel, which massively reduced the amount of sewage flowing into the harbour, the \$158 million spent in the Sydney Harbour catchment on overflow abatement works over the past five years and stormwater grants.

For those reasons Sydney Harbour has whales, dolphins and other species that have not been seen there in living memory. The honourable member for The Hills would have us believe that this Government is responsible for the appalling environmental behaviour of heavy industry, dating back a century or more. Contaminated sites, including those beside Sydney Harbour, are a legacy of past industrial activities. They date from a time when our understanding of the potential environmental impact was much less and when community expectations were much lower.

It was only in 1997 that this Government passed new laws to remediate contaminated land—no government had done that previously. Up until that time, it was very hard to do anything to remediate contaminated land. The strong and effective action that we can now take to do so is possible only because of the tough pollution control laws passed by the current Government. Before those laws were enacted, such intervention would not have been possible. Under the former Coalition Government's laws it would not have been possible.

The former Coalition Government knew of this contamination but it passed no effective laws to deal with it. Now, after years of Coalition neglect and inaction, these crocodile tears are being shed. One hundred years of industrial activity on the shores of Sydney Harbour has left a legacy of contaminated sediments in some parts of the harbour. In contrast to the previous Coalition Government, this Government is fixing the problem. To tackle this legacy, the most significant sediment remediation project ever undertaken in the harbour, and probably in Australia, is now under way. The clean-up is focusing on the most affected areas of Homebush Bay, the major source of dioxins now known to have been found in some fish and prawns in Sydney Harbour.

The dioxins were produced at the former Union Carbide plant, which, of course, was located on the shores of Homebush Bay. Union Carbide was the company that brought us Agent Orange. That toxic cocktail of chemicals, often known to be contaminated with dioxin, was manufactured there until only relatively recently. But Union Carbide no longer exists and we cannot make it clean up after itself. Indeed, if I might digress, this is an all too common problem that the honourable member for The Hills would do well to address, perhaps using

his connections with his Federal Liberal colleagues. Some years ago this Government wrote to the Prime Minister pleading with him to amend the Commonwealth Corporations Act to ensure that companies could not restructure themselves to avoid their environmental obligations.

Consistent with the relaxed approach that the Liberal Party generally takes towards questions of corporate responsibility, the Prime Minister sent back a rather trite response stating that, believe it or not, contamination was the responsibility of State governments. That is certainly the case and, as I have indicated, it is a responsibility that we are taking very seriously. But it is hard to get a company to play its part when its assets have been transferred to a small company registered in the Caribbean. To return to Homebush Bay, the Government is paying for the clean-up of the Homebush precinct. This includes \$140 million for the massive remediation that has taken place in the Olympic site and \$21 million to be spent on six hectares of sediments near the former Union Carbide site. I repeat that this is the largest sediment remediation project ever undertaken in Australia, and the New South Wales Government is paying for it.

I recently visited the site and I am sure that the project will be successful. It is important to indicate that this funding is in addition to \$150 million that is being spent by the private sector to clean up land next to the bay for future residential development. The remediation work on the Union Carbide site has already started and the extraction of contaminated sediments is scheduled to start late next year. That clean-up will significantly reduce the major source of dioxins in the harbour. However, the Opposition seems incapable of understanding the complexity of managing these legacies from the past. The honourable member for The Hills said that he thinks all Homebush Bay should be dredged to remove contaminated sediments. This reflects a serious lack of understanding about how best to conduct successful remediation.

We are dealing with a serious industrial hangover and, like all hangovers, the best cure is usually time. For much of Homebush Bay that is exactly the advice our experts have provided. Our experts have stated and we have received international advice to the effect that to dredge the whole bay potentially would make the problem worse by spreading dioxin-contaminated sediments much further. The cost would be enormous. If we were to dredge the entire bay it would cost many hundreds of millions of dollars and potentially make the problem worse. Let us get serious. The main issue for managing sediments is whether and under what circumstances the removal of contaminated sediments is better than leaving them undisturbed. That requires a scientific assessment of the situation; not a half-baked assertion made by way of press release.

Sydney Harbour has been a working port for 200 years. Before today's tough environmental controls were in place it is a sad fact that the harbour was largely used as a waste disposal system by industry and individuals. While the quality of water has improved dramatically in recent years, as I have said, the sediments—and this is the case with any other working harbour in the world—have been found to be contaminated as a result of this industrial hangover. To suggest that this Government is responsible for 100 years of contamination in Homebush Bay is so absurd as to need no further comment.

I understand that testing for dioxins in fish began in the late 1980s when concerns about Union Carbide's pollution were first raised. Testing was prompted by the extent of contamination of the Union Carbide site on Rhodes peninsula and the characteristics of the chemicals involved. As a result of that testing, fishing bans were put in place in Homebush Bay. That is all the Coalition did when it was in government; it did nothing to solve the problem by remediating the sites. As part of the present Government's overall clean-up project for various contaminated lands in this part of Sydney, the Maritime Authority, the Department of Primary Industries, incorporating NSW Fisheries, NSW Health and the Department of Environment and Conservation, were asked to undertake a study of dioxin levels in fish and prawns both before and after the sediment remediation works in Homebush Bay. The recent testing for dioxins also included testing for dioxin-like polychlorinated biphenyls, or PCBs.

This study of potentially affected marine life is being done as part of the remediation project, and the initial results became available only in late 2005 and early 2006. These results, in turn, were assessed by the Australian National Health and Medical Research Council's recommended tolerable monthly intake for dioxin. The standard reflects the most recent standard established by the World Health Organisation. My colleague the Minister for Primary Industries took the responsible action of putting in place those fishing bans as the final sets of testing results came in, first for prawns in December last year and then for fish in January this year. Let us be clear: the bans are the result of the latest standard tests laid down or guided by the World Health Organisation and they involve much stricter standards than have ever been applied before.

The results of these studies became available only in recent months. However, the Government bit the bullet almost 10 years ago when it introduced the toughest contamination laws with the toughest penalties for



polluters in the country and the requirement that they should clean up their legacies from the past. The difficult problems that we speak of will be resolved over time. We have invested a decade in environmental repair and that will be the legacy of this Government—not the sort of waste that we saw during the term of the previous Coalition Government.

**Mr ANTHONY ROBERTS** (Lane Cove) [4.56 p.m.]: This afternoon I pay tribute to my friend the honourable member for The Hills, Michael Richardson, who is a fantastic and hardworking local member. As shadow Minister for the Environment he has done a tremendous job. It would be wise for this Government to listen to what he has to say as he does a terrific job. Honourable members would be aware that the Government recently announced that the whole of Sydney Harbour has been ordered closed to commercial and recreational fishing. This followed the revelations that dioxin levels in fish in the harbour were up to 100 times higher than accepted standards.

This Labor Government has been saying for at least two years that Sydney Harbour has never been cleaner. Opposition members have been warning the Government for two years that dioxins were migrating from Homebush Bay but, once again, this Labor Government ignored our concerns. A parliamentary inquiry into the remediation of the bay in 2002 identified dioxin hot spots further out into the bay. These hot spots have continued to migrate out into the river and have now contaminated the entire food chain. A 2004 environmental impact statement [EIS] by Parsons Brinckerhoff on the remediation of Homebush Bay confirms that there are extremely high levels of dioxin beyond the area of the proposed clean-up.

The EIS clearly shows that the only reason the whole bay is not being cleaned up is because of budgetary constraints. It also predicts that if the source of the problem is not managed the contaminants may continue to disperse into Parramatta River, thus spreading the problem. This is but one of a litany of failures of this tired Labor Government. It has been asleep at the wheel while the Opposition has been asking it to heed the problems facing Sydney Harbour and the potential fatalities that will result from dioxin poisoning. The health of Sydney Harbour is deteriorating and members of the public want to know from this Government what is its remediation plan for Homebush Bay, whether it is working and, if it is working, why dioxin levels are increasing.

How long has the Sydney public been eating fish that potentially could cause cancer? What are the health implications? How long have the dioxins remained in the food chain? As the honourable member for The Hills said, it could be this century or maybe next century. Sydney Harbour will never be safe for fishing and Homebush Bay will never be safe for swimming, boating or even paddling until all the dioxins are removed. The Government must remediate the whole bay, not do half the job. The Government has shown no commitment to cleaning up Sydney Harbour. As a result of its inaction at Homebush Bay, dioxins have spread—and they continue to spread—throughout the harbour. The Government must act.

Homebush Bay is contaminated by 2,3,7,8-TCDD—or tetrachlorodibenzo-para-dioxin—which is the most toxic form of dioxin. In fact, as the Minister said, it is one of the most toxic chemicals ever made by man. The term "dioxins" refers to a group of persistent chlorinated chemical compounds. Considerable risk to human health is associated with the dietary exposure of the Australian population to dioxins. The public health and safety risk to all Australians from exposure to dioxins in foods is generally very low but the fish found in Sydney Harbour, because of the Government's failure to act, contained dioxins 100 times higher than safe levels. As the honourable member for The Hills said, these dioxins accumulate in the body fat of animals and humans and have a tendency to remain unchanged for prolonged intervals. Long-term exposure to high levels of dioxins has the potential to cause a range of toxic effects in animals and humans. These dioxins have been absorbed into the fish, increasing in concentration as they migrate up the food chain.

Dioxins are well known as environmental repeat offenders. According to the World Health Organisation, they have the dubious distinction of belonging to the "dirty dozen club", which is a special group of dangerous chemicals known as persistent organic pollutants. What are the potential effects of dioxins for the Sydney population? Short-term exposure of humans to high levels of dioxins may result in skin lesions, such as chloracne and patchy darkening of the skin, and altered liver function. Long-term exposure is linked to the impairment of the immune system, the developing nervous system, the endocrine system and reproductive functions. According to World Health Organisation studies, the chronic exposure of animals to dioxins has resulted in several types of cancer. Foetuses are most sensitive to dioxin exposure. Pregnant women are told to eat a lot of fish. People were told that Sydney Harbour was clean so they changed their diets to eat more fish that we now know could kill them. I ask the Government to support the honourable member for The Hills in this matter. We must clean up Sydney Harbour once and for all.

**Mr MICHAEL RICHARDSON** (The Hills) [5.01 p.m.], in reply: We heard once again in the speech of the Minister for the Environment about the Government's lack of concern for the ordinary people of Sydney, whom it purports to represent. I was astounded to hear the Minister say that when Bob Carr talked about Sydney Harbour being the "cleanest in living memory", he was referring only to the water, not to the harbour itself. He was talking not about the sediments or creatures in the harbour but only about the water. Yet I know from talking to people that when Bob Carr made that infamous comment, they believed the whole of Sydney Harbour, not just the water, was the cleanest it had ever been. However, on 25 January the *Daily Telegraph* carried the front-page story headlined "Toxic Truth", which revealed that poison in the harbour was 100 times greater than safe levels. That is the reality, not the spin by Bob Carr or the Minister for the Environment. The harbour contains dioxin that is 100 times higher than safe standards—and it is one of the worst types of dioxin. One of the worst chemicals ever produced by man is in our harbour in shocking proportions.

The Minister talked about the tough laws that the Government has introduced. But those tough laws have not helped Homebush Bay, and neither has the Government. Those same laws did not help Kendall Bay at Breakfast Point. That was not a case of a company going offshore, abrogating its environmental responsibilities. AGL is still very much a functioning Australian company, yet around the shores of Kendall Bay there are signs saying that it is a remediation site. Nobody seems to know who will pay for that remediation, or indeed when the clean-up should begin.

The Minister referred also to the Government's clean-up. He seemed to suggest that the clean-up would make Homebush Bay and the whole of the harbour safe in future. That is simply not true. The Parsons Brinckheroff environmental impact statement [EIS] produced in 2004, to which I referred earlier, shows clearly that the issue for the Government is not the clean-up but the amount of money it would cost to do the job properly. Page 5.5 of that report states:

... remediation beyond the area proposed would significantly exceed the NSW Government's budget for the remediation.

So it is not about decontaminating the water and making the fish safe to eat; it is about the budget. Page 4.19 of the report states clearly:

... if the source of the problem is not managed, the contaminants may continue to disperse via tidal movements into the wider Parramatta River environment, thus spreading the problem.

It continues:

To reduce the risks posed by dioxin in sediments to levels that would aid any future removal of the fishing ban in Homebush Bay, it is necessary to reduce the concentration of dioxin present in the bay. Also, the various areas of high contaminant concentrations ... would need to be removed to make the foreshore, and the bay in general, safe for recreational activities. Accordingly, there is a clear need for remediation of the sediment in Homebush Bay.

Yet that is not what the Government is proposing. The Government wants to clean up only half the dioxins in the bay. The other half will remain, including some significant hot spots, which are identified in the EIS. Problems with fishing in the harbour will continue as a consequence. The Government has put this issue in the too-hard basket. Yet again I ask: When will it be safe to eat fish from the harbour again? When will the commercial fishers return to the harbour? When will a father be able to take his kids down to the shores of the harbour, throw in a line, catch a fish and eat it? I suspect that I will not see that in my lifetime—and it certainly will not happen if Labor remains in power. That is an absolute disgrace.

**Discussion concluded.**

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

**Madam ACTING-SPEAKER (Ms Marianne Saliba):** Order! It being almost 5.15 p.m. the House will now deal with General Business Notices of Motions (General Notices).

**General Business Notices of Motions (General Notices) given.**

## PRIVATE MEMBERS' STATEMENTS

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### RETIREMENT OF MR WARREN GRIMSHAW, AM

**Mr ANDREW FRASER** (Coffs Harbour) [5.15 p.m.]: I note the retirement of Warren Grimshaw, AM, Executive Director of the Coffs Harbour Education Campus. On 3 April 1995 Warren took up that appointment at the request of the then Minister for Education, Virginia Chadwick. A brand new idea was put forward by the then Premier, the Hon. John Fahey, and Virginia Chadwick for a joint campus of a university, a TAFE college and a senior high school. As a result, some argy-bargy occurred between the three disciplines in education—the Department of Education, TAFE and the university—about which would be the superior body. At one stage it got so farcical that they talked about who had the largest desk or the best office space, et cetera. As a result, the Hon. Virginia Chadwick asked Warren Grimshaw to manage the facility.

I have said to Warren, and I have said publicly, that I think he went to Coffs Harbour with some trepidation. He thought he would sort out the problems and return to Sydney, where he faithfully and well served a number of governments. When he first arrived at Coffs Harbour he said to me, "I am only going to rent a place. I won't buy here. I'll keep the house in Sydney because once I have sorted out the problems I'll go back." I think he has now sold the place in Sydney and he has a place at Sapphire. Not only has he truly enjoyed the lifestyle of the Coffs Harbour area, but he has become an integral part of our community.

Warren served his position with integrity and dignity the whole time. He is a bureaucrat in the true sense of the word in that he does not play politics in his position and has always looked for what is best for the community and education in the area. In 1994 Warren was made a member of the Order of Australia for his services to education and to public administration in the Queen's birthday honours list. Mr Grimshaw's wife, Pat, has been a loyal supporter of Warren the whole time I have known him. He is going into semi-retirement. Today he rang me and asked that I write a letter of support for a funding application to the Federal Government for a technology park in Coffs Harbour that will generate between 100 and 150 jobs.

I asked Warren how retirement is going and whether his golf handicap was coming down. He said, "I haven't had time for a game of golf yet." I said, "What are you doing?" I will outline to the House Warren Grimshaw's idea of retirement. He is a member of the TAFE Commission board, a member of the Southern Cross University Council, chair of the Australian Qualifications Framework Advisory Board, a member of the National Marine Science Centre board, chair of the North Coast Institute of TAFE Council, chair of the Audit and Risk Management Committee of the North Coast Area Health Service, a member of the Advisory Council of the University of New South Wales School of Rural Health, chair of the Coffs Harbour Technology Park Limited board, a member of the Coffs Harbour Future Development board and president of the Coffs Harbour Bunker Cartoon Gallery.

If that is Warren's idea of retirement, I suggest that Pat will still not see much of him at home! Warren has worked tirelessly not just for education but for the community that he has now adopted as his own. On my behalf and on behalf of all members of this Parliament, I wish Warren a happy "retirement". He will die with his boots on. He cares greatly for education in New South Wales. Between September 1997 and March 1998 Warren was asked by the Government to be President of the New South Wales Board of Studies. He conducted the review of non-government schools on behalf of the then Government. Warren has done a great job, and I am sure he will not retire fully. He will be an active member of our community and of education in New South Wales. I wish him and Pat all the best in their retirement. I hope he gets time to throw in a line, catch a few fish and get down his golf handicap. On behalf of the Coffs Harbour community and the people of New South Wales, I thank him for his great job in education.

### GEORGES RIVER ST GEORGE FOSTER SHIELD UNDER 10 CRICKET TEAM

**Mr KEVIN GREENE** (Georges River) [5.20 p.m.]: I recognise that what I am about to say could easily be construed as extremely self-indulgent, however it would be unfair to the boys to whom I am about to refer if I did not make some comment. As many honourable members are aware, I have been involved in the administration and coaching of junior sport since before I left school. I am proud of my role as President of the Georges River St George Cricket Association as well as my coaching of junior cricket and soccer teams. Currently I am coaching the Illawarra Catholic Club 12Bs, with semifinals about to start on Saturday week, and my under 16 girls soccer team will start training next Monday.

However, today I would like to speak about the Georges River St George Foster Shield team. For the uninitiated, this is the under 10 representative team that participated in the New South Wales Districts competition. I had the pleasure of coaching those boys, and I am proud to advise the House that, after winning four preliminary matches, plus a washout, then the semifinal and the final, the boys claimed the Foster Shield for the association. I would like to record the names of the boys: Aaron Greening, captain; Ryan Jones, vice-captain; Daniel Arahu; Daniel Ascoli; Jarryd Bradley; Curtis Cheney; Matthew Dedes; Michael Greene; Nathan Napier; Riley Orr; Nicholas Stevens and Mark Sweeten.

Success in anything relies on many factors, but most importantly on talent and hard work. When the team was selected from 24 triallists last September I thought they had some potential. However, it was after our first trial match victory over Bankstown that my confidence really increased. This was not so much because of the batting, bowling and fielding, but rather the team spirit that the boys demonstrated. In their first game together the boys were offering each other encouragement, congratulating team mates on success, and generally showing great team spirit—this after one training session from boys who came from seven different club teams.

While there are many reasons why sport is good, most of the best ones are related to the development of life skills. Children who play sport certainly should do so for health and skill development, but they should also grow as people as a result of their sport. Motivation, teamwork, sportsmanship, hard work, discipline—the list goes on—are the benefits of participating in sport. Sport provides good grounding for life, whether in victory or in defeat. As I kept reinforcing with my boys, success comes from working together, doing the little things right and enjoying your team mates' individual success as much as your own. Certainly the good team encourages each other and never gives up.

Of course, you need talent, but talent alone will not suffice. A good example of this was in the final, when the boys struggled on their way to 107 against the good bowling and fielding attack from South Eastern. While the captain held the innings together, it was the small but important contributions of batsmen 9 and 10 that got us over the 100. In fact, we could have been dismissed for less than 90. At the tea adjournment South Eastern were 1/52, but the boys agreed that if they stuck together, did the little things right and built up some pressure they could still win. Sure enough, a wicket straight after tea, a direct hit run-out, some tight bowling and catching, and South Eastern got to 91. Everyone had made a contribution, and victory was achieved.

As we celebrated, South Eastern took defeat on the chin, with their captain speaking generously of our team and the umpires at the presentation. That is what junior sport is all about. They will be back better cricketers next year. For all teams involved, whether in junior representative cricket, rugby league, soccer or a multitude of sports, the most important thing is that they participate, enjoy their experience and learn from that experience. As I have said, it is as much about developing life skills as it is about developing cricket or individual sport skills.

In referring to the team I should also mention the contribution of the team manager, Jeff Evans, and particularly the support given by parents. Obviously, to have the support of parents, particularly when you are travelling all over Sydney, certainly at the under 10 level, is significant. The parents were extremely supportive. Most importantly, they understood that with Kevin Greene as coach there is only person who makes decisions—and Thomas George will not make any comment about that!

I look forward to catching up with the boys and their parents at the New South Wales Districts presentation, which will be held at the Sydney Cricket Ground on Thursday 23 March. This will be an enormous experience for the boys. Unfortunately, they do not get to walk on the hallowed turf, but they do get to participate at one of the world's greatest cricket venues. It is certainly an opportunity for them to celebrate their success. I congratulate them on their efforts and, most importantly, on the manner in which they play the game. I hope they continue to enjoy cricket for many years to come.

#### **KU-RING-GAI ELECTORATE BUILDING DEVELOPMENTS**

**Mr BARRY O'FARRELL** (Ku-ring-gai—Deputy Leader of the Opposition) [5.25 p.m.]: The year has started badly for Ku-ring-gai's planning prospects. We have seen confirmation that Minister Sartor, like his predecessors, has refused Ku-ring-gai an exemption from State Environmental Planning Policy [SEPP] 53. As a result, the area is subject to dual occupancy developments on block sizes opposed by residents and council alike. We have also seen the Minister use his new SEPP on State-significant sites to begin the process of calling in the future development of the University of Technology, Sydney, Ku-ring-gai site at Lindfield. More than 560 units are planned for a site located deep in a residential area, yet residents and council are to be denied any role in the

decision-making process. Last week the State Government foreshadowed additional powers for the planning Minister to increase his capacity to call in developments when, in his term, councils are "underperforming" or, in my view, when they are simply not doing what the State Government wants.

In addition, we have a recurrence of the types of antics on Ku-ring-gai Council that resulted not only in the State Government taking six major sites out of the planning control of the local community in 2003 but that also led to the former Minister's May 2004 rezoning decision. Whether it be Turramurra, Gordon, Roseville or any other of the town centres along the rail-highway corridor, I urge councillors to put the public's interests first—and not politics. The lasting consequences for Ku-ring-gai are far too serious for egos and petty political posturing to be at the fore of the debate. As I have warned—and as is evident from the Minister's recent letter about the newly proposed changes to his powers, and as today's *North Shore Times* confirms—failure by council to produce workable outcomes within the timetables set out will lead to another Labor planning Minister imposing his vision on our area.

Despite the claims of some councillors, the redevelopment of the town centres was a certainty from the time of Minister Beamer's May 2004 decision. There is an enormous imbalance between the power of State government and councils in planning issues. Past decades have seen hundreds of thousands of ratepayers dollars spent on legal actions by councils across Sydney only to confirm the State Government's pre-eminence in this area. No local councillor offering residents the false hope of being able to stop development in the areas rezoned by the Minister has been able to explain how they can deliver on their promises. The imperative for all councillors is to make the best of a bad lot, make the resultant developments as acceptable as possible within the State Government imposed constraints and try to ensure the impact upon surrounding residents and facilities is minimised. I urge them to get on with the job.

I have the same message for the State Government: put the public interest, that of Ku-ring-gai and the wider Sydney community, first. Whilst successive Labor Ministers claim to be doing just this, their decisions, whether in Ku-ring-gai or elsewhere, simply do not match the rhetoric. If it did, the population increases promoted and delivered by Labor's planning policies would be matched by upgrades to infrastructure and services to meet the needs of those new populations. Rail services and roads, water, sewerage and electricity infrastructure, to name just a few of the State's services, would have been upgraded to meet the demands of Sydney's increasing population. But, as residents know from experience, and as countless reports from the Auditor-General and others confirm, Ku-ring-gai and other suburbs across this city are suffering from an under-investment in infrastructure and services—an under-investment that sees existing residents experiencing regular electricity blackouts, problems with mains water pressure and sewerage systems, an overcrowded rail system and a road system that is not only grinding to a halt but is delivering the worst air pollution results on record to Sydney's suburbs.

There can be no better example, of course, of this Government's failure over its decade in office to invest in infrastructure to ensure that services meet the needs of Sydney's existing and growing population than the uncertainty over the future of water supplies. In short, Labor's drive to increase densities has never been matched by any program to improve infrastructure and services in suburbs like those in Ku-ring-gai or in others areas where the State Government's planning powers have imposed higher populations. It is a blank cheque approach to planning that will lead communities to bankruptcy. Higher and higher populations are imposed on areas with existing infrastructure and services problems with no program to offer hope for future improvements.

Let me cite just one local example, the Pacific Highway. It is a road that is at saturation point as traffic volumes, including large truck movements, continue to increase relentlessly. Congestion and delays are experienced seven days a week. Whether at Turramurra or other shopping districts along the highway, the queues of cars grow, as do the efforts of drivers to find rat runs, residential streets that can be used to bypass highway traffic. Traffic on the Pacific Highway through Chatswood is a disgrace, as is the absence of any State Government plans to improve traffic flows in the area or even upgrade rail services to Sydney's north and the Central Coast to encourage people to leave cars at home and ride trains instead.

The delays do not affect just daily commuters on their way to work, they also affect residents and families going about their life whether to get to doctors appointments or social gatherings, or trying to get children to and from sport. I cannot tell you how much I hate travelling to sporting venues in Lane Cove and Willoughby that require me to travel the Pacific Highway, Chatswood, around lunchtime on Saturdays. While this Government dresses up its planning proposals for Ku-ring-gai and elsewhere as part of a claimed co-ordinated response to Sydney's growth, in reality the approach is as inconsistent and shortsighted as it has been in too many areas since 1995. I urge the Minister for Planning to level with the Ku-ring-gai community.

In addition to telling us how our council should lift its game and how our community should bear its fair share of Sydney's population growth, there is an obligation on the Minister for Planning to tell local residents what plans the State Government has to ensure that our suburbs can cope with the increased population densities being expected of us. I note in today's local paper the Minister for Planning is quoted as saying to council about its planning powers, "Use it or lose it." The same can be said of the Minister and his State Government. Use the full resources of government and back your planning policies with genuine, detailed and forward-focused plans for this city's infrastructure and services or be prepared to lose power at the next election. Whether Ku-ring-gai, Sutherland, Strathfield, Penrith or other places across this city, residents are tired of a top down approach to planning that fails to solve existing problems with services and infrastructure, let alone a plan to improve them to cope with our future growth. After a decade in office, 10 years characterised by a run-down in the critical services required by current and future residents in suburbs like those in Ku-ring-gai to be able to function properly, it is time Labor showed it has learned some lessons and is prepared to do what is right.

### MACEDONIAN CHRISTIAN ROOTS ART EXHIBITION

**Ms NOREEN HAY** (Wollongong) [5.30 p.m.]: I draw the attention of the House to a wonderfully exciting art exhibition that I had the honour of launching recently at the Wollongong City Gallery, the remarkable exhibition of terracotta icons from Vinica—Macedonian Christian Roots. These early Christian icon replicas from the sixth and seventh century AD depicting scenes from the Old and the New Testament were recovered from archaeological excavations in the Republic of Macedonia and were on display for all to marvel. The icons are the earliest of their kind in the Christian religion. Two were discovered purely by chance two decades ago by villagers working in a vineyard near the city of Vinica in the east of Macedonia at the well-known site the Fortress of Vinca. In 1984 in the tract of the fortress, one more icon was found with the motif of St Theodore. All this signalled that there were potentially important findings to be made and in 1985 an archaeological excavation began, which resulted in the discovery of 26 whole terracotta icons, 14 fragmentary icons and more than 100 smaller and larger fragments.

The terracotta icons from Vinica in many features are a phenomenon. Although a large number of early Christian basilicas have been discovered in the Balkans, Europe, Asia and Africa to date, this kind of iconography art quality and technology of production has not been encountered in any of these locations. It was fitting for the Wollongong City Gallery to host this exhibition because Macedonian is Wollongong's second language and its largest ethnic minority. The exhibition celebrates the Macedonian community and identity. However, I know that many non-Macedonian Australians also enjoyed the display. This international class exhibition has toured the Vatican, Moscow, Paris, Lisbon, Munich and Warsaw. As the State member for Wollongong, I was pleased that it was displayed in the Wollongong City Gallery.

In attendance was His Excellency the Ambassador of the Republic of Macedonia, Mr Viktor Gaber, who was instrumental in organising the exhibition to tour Australia; Minister Councillor Mr Konstantin Dorakovski and his wife; Councillor Dragan Petkovski; the Director of the Museum of Macedonia and representative of the Minister for Culture, Mr Gordan Nikolov; archaeologist and senior curator of the exhibition, Cone Krstevski; and Dr Victoria Sokolovska. Macedonian Christian Roots was Wollongong City Gallery's first international visiting exhibition since it was upgraded to international standard. It is one of the largest regional art museums in Australia.

Since 1993 the Wollongong City Gallery has received more than \$1 million in funding through the New South Wales Ministry of Arts. Currently the ministry funds its annual program of activity. Some \$60,000 was provided in 2005 and 2006 through the Visual Arts and Crafts Program. In 2003, in addition to the \$105,000 from the Visual Arts and Crafts Program, the gallery received \$250,000 from the Premier's Regional Capital Fund for the purchase and installation of museum-standard airconditioning. Congratulations go also to the gallery director, Peter O'Neill, and Dr Rob Goodfellow on their continued efforts to bring world-class exhibitions, such as Macedonian Christian Roots, to the Wollongong gallery. I am privileged to have had a very close relationship with the Macedonian community over the last 20 years, one that I hope will continue to grow and ultimately lead to my visiting Macedonia. I would like to acknowledge the hard work and dedication of His Excellency Mr Viktor Gaber with the assistance of the Deputy Lord Mayor of Wollongong, Councillor Kiril Jonovski, in the facilitation of this outstanding exhibition in my electorate and indeed Australia.

The exhibition would not have been such a success without the generosity of local sponsors. As I have indicated previously, when local companies are prepared to put their hands in their pockets and assist these kinds of exhibitions they deserve to be acknowledged. I thank Shellharbour Square Fish Market, Edmen Employment Agency and individual sponsors such as Mr Fred Ferreira and Mr Nick Paiva from the Wideform

Group for their contribution in the promotion of this worthwhile exhibition. As usual, I encourage everyone who possibly can to visit any of the exhibitions at the Wollongong Art Gallery. It is a worthwhile cause. A visit to Wollongong is beneficial to anyone. I am sure my electorate is the envy of every member in this place. Should my colleagues have the chance, I urge them to view these cultural wonders that are displayed in the Macedonian Christian Roots exhibition.

## RURAL AND REGIONAL WATER INFRASTRUCTURE

**Mr IAN ARMSTRONG** (Lachlan) [5.35 p.m.]: The Premier said he has a plan to guarantee the long-term future of Sydney's water needs, but he does not seem to have a plan or vision for water infrastructure in rural and regional New South Wales. Today the Premier told Parliament about his plan to boost Sydney's water resources by mapping groundwater potential and investing serious dollars to ensure that the water is drinkable and reaches storage dams. The contingency plan is for two-thirds of the State's population in Sydney, but there is no such plan to meet the desperate need for new water storage infrastructure for the other 33 per cent of the population living in rural areas. More importantly, the Premier gave no serious thought to boosting the capacity of farmers and irrigators in rural towns to cope with the next inevitable drought. Unfortunately, the drought of the past four years is not over by a long shot, and the Premier should be reminded constantly of that fact.

Unfortunately, in the vast Lachlan Valley the water level in Wyangala Dam is dropping daily. Today it is just 30 per cent. Water in the dam will continue to disappear without worthwhile autumn and winter rains. Some of our towns, such as Condobolin, are being forced to buy water allocations from farmers to maintain their local lake, which is a very important environmental structure in the Lachlan River system. So far they have been forced to pay something over \$50,000. This will place serious pressure on the availability of water for commercial use by irrigators, who have just received their first allocated water in almost four years. But those allocations are only 18 per cent of their quota.

I am not too sure how industry in Sydney would react if, suddenly, its water availability was cut by 82 per cent, but that is what has happened to irrigators in the valley. After 10 months and several changes to ministerial positions they are still waiting for a response from the Government to representations by me calling for the construction of a wall at the Narrows and the Abercrombie River above Wyangala Dam to provide an estimated additional 300,000 litres of water storage. That project would potentially drought proof the Lachlan Valley for the future. There is a serious problem because rural New South Wales seems to have been forgotten in this exercise.

During question time today the Minister for Planning referred to water-saving devices such as washing machines and showers. That is fine, but I remind the Government that in 2002 it announced financial assistance for rainwater tanks in the form of a rebate valued at \$650. The policy was implemented but it turned out that the rebate applied only to Sydney, the Illawarra, Newcastle, Orange, Wyong, Gosford, Goulburn, Lismore and the Richmond Valley. The catch was that the Government was not going to pay for it; the local water utilities had to pay for it. Although it was not Government assistance, the Government claimed credit for the program, but it has not put up the money. That has been left to local water utilities, and most of them are part of local shire councils or regional water suppliers.

On 31 October 2002 the then Minister for Utilities even went so far as to promise that the scheme would be reassessed up to 30 June 2003 with a view to its being introduced in other parts of the State. It was reassessed all right! *Hansard* shows that on 20 October 2004, the honourable member for Strathfield, who is in the Chamber, stated " ... the Government plans to extend the Rainwater Tanks Rebate Scheme at a cost of \$6 million". However, it came as no surprise that there has been no mention of expanding the scheme to include rural and regional towns. In February 2005, the then Premier announced an extension to the State Government Rainwater Tanks in Schools Program until 31 December 2005.

Quite simply, no Government assistance has been provided, except to the towns to which I have referred, for the provision of rainwater tanks in rural New South Wales. If the Government is serious and genuine about saving water, instead of resorting to rhetoric about washing machines it might extend the rainwater tank subsidy across New South Wales into local government areas, and it might put its hand into its own pocket instead of requiring local government to provide the subsidies. If that happens, we might be able to achieve some real savings in water management and be able to use some of the water that runs off roofs when it rains instead of it being wasted on gardens and going down the drains. The Government has been boasting for too long about what it will do. It has not delivered for people who live in the country. I remind the House that one-third of the State's population does not have the benefit of being able to store water. If the Government gives rural people \$1 they will find the rest themselves, so to speak.

## VIETNAM

**Ms VIRGINIA JUDGE** (Strathfield) [5.40 p.m.]: I draw to the attention of the House my recent visit to Hanoi, the capital of Vietnam, as the immensely lucky winner of the first prize in a raffle held at the National Multicultural Marketing Awards ceremony in 2005. I was delighted to visit this beautiful country. It is a nation with a long and distinguished history. While so much has been written and said on the conflict that beset this country some 30 years ago, Vietnam is today emerging as an important partner and ally of Australia. Australia's bilateral relationship with Vietnam is politically, strategically and economically important.

During the 1980s, when Vietnam was internationally isolated, Australia provided aid to it through multilateral organisations such as the United Nations Development Program. Indeed, Australia was also one of the first countries to restore its bilateral aid program following the withdrawal of the Vietnamese presence from Cambodia and the signing of the Paris Peace Accord in October 1991. Tourism is clearly emerging as an important sector in Vietnam, and I believe it offers unique opportunities for both Vietnamese and Australian businesses, as well as the many Australians who now have the opportunity to visit this magnificent country.

Vietnam has a population of 82 million, which is approximately four times the size of Australia's population. Hanoi in the north is a fascinating city. It has an amazing history and culture, the antiquity of which I was not previously aware. There is evidence of human settlement in northern Vietnam as far back as 500,000 BC to 300,000 BC, and perhaps even earlier, and in the third century BC, King An founded Au Viet. China occupied northern Vietnam from 189 to 939 AD and from 939 to 1860 AD local kings ruled the area. The French colonised Indochina from 1860 until the end of World War II in 1945. When the war ended, France attempted to re-establish colonial control, but failed after it was decisively defeated at Dien Bien Phu.

The Geneva Accord subsequently divided the country into North Vietnam and South Vietnam, separated by a demilitarised zone, with the Democratic Republic of Vietnam founded in the north under president Ho Chi Minh and a separate administration established in the south. The succeeding period in Vietnamese history centres upon probably the most infamous conflict of the modern age, and perhaps it is the bloodiest and most tragic chapter of Vietnamese history. It goes without saying that the Vietnamese people place strong significance on the importance of their history and their proud struggle for autonomy. The many museums in and around Hanoi are a testament to that focus. I highly recommend the Museum of the Vietnamese Revolution, which provides a graphic illustration of the contemporary history of Vietnam, as well as the revolutionary history of the Vietnamese nation under the leadership of the Communist Party.

There are over 3,000 exhibits, documents and photographs displayed by the museum. I am told that, in addition, almost 100,000 historical photographs, exhibits and documents from 1858 to the present are kept in the archives. I found the exhibits describing the growth from 1951 to 1976 of the Vietnamese Labor Party, which later evolved into the highly centralised system dominated by the Communist Party of Vietnam [CPV], of particular interest. Their portrayal of working people, both urban and rural, and their efforts in striving for justice and more extensive participation in the political process of their country was of exceptional value. I vividly recall seeing a wooden hand grenade made by the Vietnamese to deceive their opponents: they often lacked actual weapons to defend themselves. The Vietnamese people's resourcefulness in times of extreme hardship has continued to demonstrate itself through the decades.

I also recommend the wonderful Vietnamese History Museum, which is just across the road from the revolutionary museum in Hanoi. Similarly, the Fine Arts Museum is also a real treasure. Some of the exhibits there are breathtaking in their artistic beauty and value. The Buddhist and Hindu relics there were simply amazing. Within a short distance of the Fine Arts Museum is the Temple of Literature, with its emphasis on the spoken and written word and philosophy. A truly remarkable poetry festival is held every year. It certainly would be uplifting if there were something similar here in New South Wales. I also recommend the Vietnam Museum of Ethnology, in which one can enjoy displays and objects relating to spiritual practices, craft making and the arts in a realistic setting which attests to the richness of Vietnamese culture.

In addition to the fabulous cultural centres I have already described, I should mention the Women's Museum, the Army Museum, and Ho Chi Minh's mausoleum, all of which are full of fascinating history. Indeed, there is something there for everyone to savour. Being passionate about painting and the arts, I was quite overwhelmed by the importance of visual art in Vietnam. Apart from the formal cultural institutions, I might mention the many outstanding art studios along the streets that contained paintings of outstanding quality. I was also impressed by a performance I was privileged to see by one of Vietnam's leading performance artists, Lap Tran, who does a free performance once each year. His creative work was quite amazing and explored themes



such as sexuality and instinct, acceptance and resistance, subservience and the self, and the boundaries of culture, with the melding of music, movement and mood. That freedom of thought within the context of a seemingly restrictive political system was enlightening, and a refreshing reminder that, as human beings, we share so much that we have in common. For anyone who loves to try interesting food, Vietnam is a gourmet's delight.

There is much work to be done to rebuild this nation and there are a number of accountable non-government organisations [NGOs] which need support. Hopefully, we can help organisations such as the Highland Education Development not for profit Organisation [HEDO], which has a number of projects in the mountainous and ethnic minority areas. The organisation's methodology is community based and encourages local people to participate in the planning, implementation, evaluation, and follow-up activities of various projects in the key areas of education, health and poverty reduction.

In conclusion I must thank those who were very helpful, such as the hardworking staff of the Australian Embassy in Hanoi, under the guidance of His Excellency the Ambassador, Mr Bill Tweddell, who was most hospitable and helpful. Apart from the embassy's usual areas of immigration, education and the usual operations of the Department of Foreign Affairs and Trade, it has other major areas of co-operation with AusAID and the Australian Centre for Internal Agriculture Resources. I must also mention the Vietnamese Consul, Nguyen The Piet, the deputy Director General of the Department of Foreign Affairs and Trade, Nguyen Thac Dinh and Ms Quan Kieu Anh, an official at the Australia desk attached to the Vietnamese Ministry of Foreign Affairs in Hanoi, for their outstanding knowledge, assistance and support for this visit. Vietnam is an exceptional place in which to spend some time, and I highly commend it to everyone.

### COMMONWEALTH GAMES QUEEN'S BATON RELAY

**Mr GREG APLIN** (Albury) [5.45 p.m.]: There is nothing like a major event to capture the public's imagination, create the excitement of expectation and turn out thousands of people to record their part of history. The XVIII Commonwealth Games will be held in Melbourne from 15 to 26 March, and when the Queen's message is played at the Opening Ceremony, it will mark the end of an incredible journey for the Queen's Baton that began 366 days earlier. The message is contained in a microchip in the baton which also has two cameras, a microphone, a global-positioning system, 71 flashing lights and is 90 centimetres high. It was designed and made in Melbourne and represents the arching form of an athlete, striving for victory.

More than 50,000 people around the world have joined in the Queen's Baton Relay as it has visited all 71 competing Commonwealth nations. In Australia 3,500 relay runners are carrying it 21,500 kilometres around the country, on foot and by other modes of transport. It started its Australian journey in Penrith on 25 January and on the twenty-ninth day of the Australian leg it entered the Albury electorate at Mulwala, crossing the lake from Yarrawonga. Marjorie Shand was one of the proud local runners to hold the baton aloft as she ran along Bayly Street. The baton made its way back to Victoria, and in the afternoon crossed the Murray River back into New South Wales for a visit to Corowa.

Relay fever had gripped the town and council staff, local police and hundreds of people all played their part in ensuring that the convoy of motorbikes, shuttle buses, escort vehicles and the media motorhome all had a clear roadway and a great reception. I noticed the Mayor of Corowa, Councillor Gary Poidevin, waiting in Bow Street for Patricia Brody to carry the baton past the council's chambers. There was anticipation and excitement at every post where a runner awaited the arrival of the Queen's Baton. People looked expectantly along the road, snapped photographs of the runner and cheered as the handover occurred and the lights flashed up and down the baton. Other local community runners included Ken Eales, Taibe Lane, Cassandra Hughes, David Boothman, Greg Dickins and Peter Kelley.

Albury's geographical location on the border means we have much in common with our Victorian neighbours, and we shared in the enthusiastic support of the relay on both sides of the Murray River. Last Thursday night it was Wodonga's turn to party as the city staged a Jamaican carnival in celebration of the baton's arrival and to reflect the culture of the city's adopted Commonwealth Games team. Austin Elliott carried the baton on the final leg to the stage on High Street and he was cheered on by thousands of onlookers. Then the focus switched to Friday 24 February—a day that I, along with all the other runners, will never forget. Being nominated and selected as a community relay runner and ambassador for the Commonwealth is a tremendous thrill but the excitement of the day itself leaves one exhilarated; it truly is a precious moment in history.

Our group gathered for a 7.00 a.m. briefing and it was time to share the excitement with the other runners. I found I was to hand the baton to Albury's 2005 Young Citizen of the Year, Matthew Winnel, and that

we would both be accompanied by an escort runner, Madison, who was from Finley. The shuttle bus dropped off the runners and the convoy soon approached. Danyelle Bownds, a nurse from Wodonga, handed me the baton and the lights flashed to signify the handover. Each leg is some 400 metres but it is over so quickly and the exchange is made, the photos taken, and the crowd cheers on the next runner.

I followed the convoy across the Lincoln Causeway to Albury's reception at the paddle steamer *Cumberoona* on the Murray River, where Graeme Hicks took the baton on an early morning cruise accompanied by many local runners including Barb Nicholls, Les O'Brien, Gordon Miller, Nicole Shipard, Andrew Cottrill and Jenny Prince. Miss World Australia, Denna Brunow, was also on board and was equally in demand for photo opportunities. The community breakfast was a great place to swap stories, but the baton kept moving, to a Wiradjuri welcome from Pastor Darren Whiton, up Monument Hill with Josh Clark and Olympian Pat Scammell, along Dean Street with Councillor Patricia Gould, past James Fallon High School, Albury North Public School, Xavier High School and St Anne's School.

Leaving Albury, the baton visited Gerogery Public School for an unscheduled visit but delighted the school students. It was then carried through Culcairn by Elwyn Kotzur and the shire's Citizen of the Year, Diane McElwaine, and Young Citizen of the Year, Serena Kent. Greater Hume Shire had also encouraged residents to turn out in force and it was truly a special day for Culcairn and for Henty where local runners included Phillip Knobel, Denise Coghlan, Daniel Haines and Leokadia Banaszczyk. It was an incredible moment of history shared by our community and while it celebrates the arrival of the Commonwealth Games in our country, it also recognises shared ideals and the achievements of those who have placed service above self.

### **BANKSTOWN CITY COUNCIL AUSTRALIA DAY CELEBRATIONS**

**Mr ALAN ASHTON** (East Hills) [5.50 p.m.]: On Australia Day 2006 I had the privilege of attending the Australia Day awards and various ceremonies at Paul Keating Park in the centre of Bankstown. In attendance were Federal Government members Daryl Melham and Michael Hatton and State Government members the honourable member for Auburn, the honourable member for Bankstown and myself. The ceremony was well run, as it always is, with councillor Richard McLaughlin as master of ceremonies, and he did an excellent job. Councillor Helen Westwood presided over much of the proceedings. I congratulate her on being awarded a Member of the Order of Australia for her services to the community, a very high honour.

For the second time Col Joye, AM, one of Bankstown's favourite sons, gave the ambassador's address. His family—diehard Labor supporters—has lived in East Hills for all of their lives. Col is an absolute joy—that is not meant to be a pun; his real surname is Jacobson—and he does a great job when he represents Bankstown, whether by telling a few yarns, reminiscing about the old days in East Hills or playing his ukulele. It is wonderful that he is so actively involved in supporting the Bankstown community in so many ways.

I will name some of those who received awards. I do not intend to undervalue any of those who were nominated, but time does not permit me to name them all. The Bankstown Sports Award winner was Joanne Whitehorn, who was recently a student at East Hills Girls High School. In 2003 she received the Pierre de Coubertin Award for her ability in a range of sports. She represented Australia in the under-20 water polo team. She is an academically strong and successful student. The Community Services Award for Organisations had many nominees. The winner was Computer Pals for Seniors, Bankstown Inc., which began its first lessons in 1999. One of its first women students to learn how to use a computer, which is more than I can do, was my mother-in-law. Well done! Congratulations to that organisation.

Nominees for the Community Services Award for an Individual included Albert John Bullen, Jean-Claude Camelin, Patricia Collins, Faten El Dana, Bill Martin, Deirdre Russell-Bowie, Lawrence Simpson, Jennie Smith and George Zeitoune. I know many of those people; they all do a great job in the Bankstown community and have an untiring sense of community through their involvement with volunteer organisations. This year's winner was John Bullen, a volunteer for the Young Earth Community Garden at Chester Hill and the Chester Hill Neighbourhood Centre. John is also a member of the Executive Committee of the Burns Victims Association. I congratulate John on his award. The Young Citizen of the Year was awarded to Ashleigh Hansen, a young person of outstanding character and great determination. She was selected as a Rising Star with the Australian Institute of Sport in preparation for her place in the Olympic softball squad for the 2008 Olympics.

Nominees for the Citizen of the Year—the big award, if you like—were Cathy Don, who has raised a lot of money for Bankstown and St Vincent's hospitals; Ziad El-Daoud; Harold Greenaway; Andrew Molloy, who was one of my students and now writes history books; Norman Perry, who spent a lot of time teaching

young and handicapped kids to play baseball and softball; John Staples; Nancy Stenning; and Thuat Van Nguyen. The winner was Thuat Van Nguyen, a member of the Vietnamese community. He is a volunteer, serving children and young people from various cultural backgrounds. He organises the Children's Festival in Bankstown, which owes its development and success entirely to his vision. He has been involved in countless fundraising efforts for those in crisis and for victims of natural disasters. A wonderful gentleman!

The Silver Jubilee Award in Bankstown has been held for a long time, 25 years. 2005 was the twenty-fifth year since Bankstown was recognised as a city. This year the organisers of the award recognised the efforts of Tess Goodstate of Birrong, Kevin Finch of Bass Hill, Alfred Long of Yagoona and Barbara Hughes of Chester Hill. I congratulate all those who received nominations, those who won awards, and those who continue the fine tradition of Australia Day ceremonies at Bankstown.

### **WINDSOR ROAD UPGRADE**

**Mr MICHAEL RICHARDSON** (The Hills) [5.55 p.m.]: Tonight I raise once again the problems that Mr Thomas Cann, the proprietor of Baulkham Hills Landscape Supplies, at the intersection of Windsor Road and Old Windsor Road, Kellyville, is facing as a result of the upgrade of Windsor Road. I previously spoke about Mr Cann and his business on 12 March 2004. I pointed out that he had been adversely affected by the banning of right turns into and out of his property, which is not only costing him customers but also has significantly increased his costs by forcing any of his trucks making a delivery to the west to detour several kilometres via Samantha Riley Drive. Mr Cann has also had part of his property resumed for the proposed north-west transitway and for the mythical railway to Rouse Hill.

Mr Cann has had what can only be described as a rough trot. When I first raised this issue, the then Minister for Roads was the current Minister for Police. I wrote to the Minister on 3 February 2004 asking whether the Baulkham Hills Landscape Supplies access road could be moved closer to Caddies Creek as part of the road reconstruction, with a right-turn bay to be incorporated to allow right turns into and out of the access road. The then Minister replied through his Parliamentary Secretary, the honourable member for Bankstown, refusing to provide a right turn into the access road to Mr Cann's property.

The Parliamentary Secretary wrote that the median strip was installed after consultation to ensure the safe operation of the intersection of Windsor Road and Old Windsor Road, and that providing a break in it would create a number of unacceptable safety hazards. The Parliamentary Secretary did not believe that moving the service road closer to Caddies Creek would solve the problems. Since then there have been a further three—count them, three—Ministers responsible for the Roads portfolio. No sooner do I start making some progress on this issue than the Minister and his staff change. No wonder the State's road network is in chaos!

In the middle of last year I arranged a meeting between Mr Cann and Peter Letts and Alan Thomas of the Roads and Traffic Authority [RTA] through the then Minister for Roads, the Hon. Michael Costa. That meeting took place at Baulkham Hills Landscape Supplies on 27 June, when the access issue was given a fair hearing. The net outcome was that Mr Cann asked for, and the Roads and Traffic Authority officers agreed to provide, a safety audit of the proposed right turn into the access road within a month. Yet here we are, seven months and two more Ministers later, and that safety audit has still not surfaced. I spoke directly about this to the previous Minister, the current Minister for Energy, as well as his staffers and his Parliamentary Secretary, the honourable member for Kiama, all to no avail.

On 29 November last year the honourable member for Kiama wrote to me confirming that the Roads and Traffic Authority had agreed to undertake a full safety audit on a right-turn access into Baulkham Hills Landscape Supplies. The latest communication I had on this issue was with Josh Landis, a staffer of the honourable member for Kiama, who told me two weeks ago, "We are preparing a letter for you." It should be remembered that this is six months after the RTA promised to give Mr Cann his safety audit within a month.

I might add that Thomas Cann is not the only person affected by the Government's lack of action. Patronage at the White Hart Inn, which is located next door, has dropped by 60 per cent since the right-turn ban was put in place. Recently the restaurant's proprietor, Gerhard Nurscher, rang me to express his concern and anger at what the RTA was doing and to ask for my help in gaining improved access for his business. I understand, as does Mr Cann, that roadworks are necessary and that both the widening of Windsor Road and the provision of a T-way and a railway, if that ever eventuates, will be significant boons to local residents. But these things should not occur at the expense of local businesses.

Mr Cann has been affected more than most. In March 2002 his office burnt down as a direct result of an electrical surge caused by an RTA contractor. On that occasion he did not complain; he just got on with his business. But now the impact on his customers is affecting him even more considerably. Most first-time customers who have to drive past a retail outlet because there is no direct access will keep going. There are plenty of other landscape supply businesses in the area to take up the slack and plenty of other places to get a meal. This is hurting Mr Cann and Mr Nurscher. These businesses have been in existence for many years, have been well run, and have served the local community well. It is not right that their viability should be threatened by decisions made by faceless RTA bureaucrats, nor is it right that the Minister and officers of his department should give a commitment to provide something as fundamental as a safety audit and then fail to do so.

On Monday I travelled down Windsor Road past Baulkham Hills Landscape Supplies. A lot of construction work is going on, but it is still not too late to make the changes needed to improve access to Thomas Cann's business and to the White Hart Inn. Obviously a starting point would be to provide the safety audit. I fought strongly for the upgrade of Windsor Road. It is essential, given the massive amount of development in Kellyville and beyond, but the upgrade should not come at the expense of people's livelihoods. Both Mr Cann and Mr Nurscher operate competitive businesses. There are alternatives and if customers find it too difficult to access Mr Cann's yard or Mr Nurscher's restaurant they will go elsewhere. I ask the new Minister for Roads, the Hon. Eric Roozendaal, to ensure that this safety audit is provided immediately and to instruct the RTA to examine every possible way to resolve this situation.

### CENTENNIAL COAL OPEN-CUT MINE

**Mr JEFF HUNTER** (Lake Macquarie) [6.01 p.m.]: Today I bring to the attention of the House an extremely controversial proposal by Centennial Coal to establish an open-cut coalmine in an environmentally sensitive area between Awaba and Cooranbong on the western side of Lake Macquarie. I make it clear to honourable members that the local community is totally opposed to this proposal and, as the member for Lake Macquarie, so am I. My Federal parliamentary colleague the Hon. Kelly Hoare, the member for Charlton, also opposes the proposal. Kelly took the opportunity to raise the issue in Federal Parliament, as I am doing here. I would like to quote part of Kelly's speech from the *Hansard* of the Federal Parliament. It states:

To provide a picture for members, this mine is proposed for a pristine area located between the foot of the Watagan Mountains and Lake Macquarie. It will be located within 800 metres of the Awaba Public School, with many other schools in the area being affected. There are also concerns about the impact that a hole in the ground of this size will have on our lifestyle and tourism industry. Our community has been experiencing population growth, which will not continue if we do not retain all the lifestyle and environmental facets that our community has to offer. I support my state colleague, Jeff Hunter, the member for Lake Macquarie, in putting the case for opposing this mine to the New South Wales government, in particular the Minister for Planning, Frank Sartor. I attended with Jeff a public meeting at Cooranbong on 29 January, which was also attended by nearly 1,000 community members expressing their angry opposition to this proposal.

As Kelly said, we both attended that meeting and voiced our opposition to the mine. Over the past few months, since Centennial Coal came forward with its proposal in about September last year, I have met with local community groups. Two groups have been formed to fight the mine—No Open Cut Mine for Awaba and Southlake Communities Against the Mine. I am working with them to oppose the mine. They organised a public meeting. It was a fantastic show of support for those community groups and of the opposition to this coalmine. At the public meeting I again voiced my opposition to the mine and made it quite clear to those involved that, as an initial step, I had approached the Premier and a number of Ministers and told them the community was opposed to this proposal and wanted the Government to reject the application by Centennial Coal for this mine to proceed.

I also approached the Minister for Mineral Resources well before the company submitted its mine application to the planning Minister and asked him to establish a liaison committee so that local residents could force the company to the table and question it on the proposal. I thank Minister Ian Macdonald for granting my request and appointing Milton Morris, a former Liberal transport Minister, as chairman of that consultative committee. Milton has already advertised for community members and is forming that committee, and I believe the committee will meet within the next week or so. Minister Macdonald will visit Lake Macquarie on 13 March and has agreed to meet with a deputation from the local community.

Last week the State Cabinet visited the Hunter region. That was an opportunity for me to lead a delegation from the relevant protest groups to meet with planning Minister Frank Sartor. We made it quite clear to him—we put it in no uncertain terms—that the local community on the western side of Lake Macquarie will not accept an open-cut coalmine in their backyard. The anti-mine groups put a strong case to the Minister. Later, when we discussed the meeting they said they thought that the Minister had given them a fair hearing and they

were quite happy with the result. We pointed out to the Minister that over the years the Lake Macquarie community has not opposed coalmining. We have a proud history and tradition of coalmining, but it has been underground coalmining.

However, this proposal goes against what the local community has supported for many years. We are talking about a massive open-cut coalmine in the middle of the electorate nestled, as the Federal member said, between the Watagan Mountains and Lake Macquarie. It is an environmentally sensitive area close to many schools and only 800 metres away from Awaba Public School. In fact there are 28 or 29 schools in a 10-kilometre radius around the proposed coalmine. I have told Centennial Coal that the time has come and gone for open-cut coalmines on the western side of Lake Macquarie. I have called on it to withdraw its proposal, not to take the local community for granted, not to lose the goodwill it has built up in the local area over a number of years of coalmining activity, and to withdraw its open-cut coalmine proposal. I again call on them to do so. Tomorrow I lead a delegation to meet with representatives of the planning department. We will again be pushing the concerns of the local community and asking the Government to reject this proposal.

### **SCHOOL MAGAZINE NINETIETH ANNIVERSARY**

**Mr RICHARD TORBAY** (Northern Tablelands) [6.06 p.m.]: Amongst the notable anniversaries this year is an anniversary on which all honourable members can congratulate themselves. Quite remarkably, a high-minded venture that was started by the State education department in February 1916 continues to this day and has been supported by governments of all political persuasions in intervening years. The *School Magazine* turns 90 this year. It has never departed from its original mission, that is, to present the best writing and illustrations for primary schoolchildren in this State. It contains stories, poems, plays, cartoons, crosswords and letters to the editor. With subscriptions currently running at 120,000 it is still just as eagerly read by children who need little encouragement from their teachers and parents to devour it from cover to cover.

The *School Magazine*, produced monthly by the Department of Education and Training, is the oldest, most successful literary magazine of any in Australia and the oldest, most successful children's literary magazine in the world. It has been essential in making Australian children's literature the international success that it is. Past and present staff members include some of the brightest and best of Australia's literary stars and its list of contributors is unequalled anywhere in the world. The magazine's sense of fun and wonder has persisted throughout the years, along with its commitment to high literary and artistic quality. Its motto has been, "Our kids deserve the best, the very best—because only the very best is good enough for children."

Many things have changed over the past 90 years. The magazine is published in four monthly parts for different age groups, it has gone to full colour, and it is now available by subscription instead of being sent free to every schoolchild in New South Wales. But its basic philosophy remains the same. Reading is not only a functional thing. It should be fun, it should be open to the imagination and it should encourage creative activity, thus making for much better readers and writers. Children love the magazine because it does those things without lecturing and without coercion. Teachers and librarians appreciate it because its format is friendly and its contents are easy and accessible to students. Australian writers and illustrators who have made our country one of the great global centres for children's literature also dearly love it. Many writers and illustrators who have since become world famous got their first break from being published in the *School Magazine*.

Notable writers such as Patricia Wrightson, Liliith Norman, Duncan Ball, Cassandra Golds, Ursula Dubosarsky, Geoffrey McSkimming and Anna Fienberg have been contributors and were involved in the magazine's continuing success. This anniversary was brought to my attention by one of Australia's most successful children's authors, Sophie Masson, who lives with her family outside Armidale in my electorate. Sophie came to Australia as a non-English speaking child and credits the magazine both with opening her up to the world of English language books and stories and with kick-starting her adult career as a writer. Hers is not an uncommon story. Sophie has already written 40 children's books and is attempting to write six more this year. When she started writing, one of her first stories was published in the *School Magazine*.

Writers and illustrators from other countries who have been published in the magazine look with envy at the huge achievement of our State and the Department of Education and Training for funding and resourcing it. The only other equivalents are in private hands—*Comet*, *Challenge* and *Explore* magazines in Victoria, and *Cricket* and *Spider* magazines and *Ladybird Magazine* in the United States of America, all of which are run by private companies. But the *School Magazine* is a major achievement on the part of our often-maligned State school system. In its 90 years it has done more to advance the cause of reading and to promote and encourage children's literature in Australia than any private company or any private school. It is a magnificent achievement to be celebrated loudly and publicly.

Over the years the magazine has faced occasional threats, sometimes as a result of economic pressure and sometimes for ideological or bureaucratic reasons. It has always met these challenges. This great magazine should be protected not only from economic bean counters but also from educational and intellectual fads and attempts at censorship and at tying it in to curriculum imperatives. Writers, illustrators, readers, children and adults of New South Wales owe a great debt of gratitude to the magazine and to the foresight and continuing support of the Department of Education and Training for funding this marvellous resource for 90 years. It is imperative that this support continues. The magazine's artistic integrity and child friendliness must continue to be respected and the *School Magazine* must be recognised for what it is: one of our great national treasures.

#### MANLY HOSPITAL MATERNITY UNIT

**Mr DAVID BARR** (Manly) [6.11 p.m.]: Late last year the birthing unit at Manly Hospital was closed for two months. It did not reopen until 10 January. The closure was caused when the accredited registrar position in the maternity unit was withdrawn and visiting obstetricians could not guarantee support for public patients without a registrar. The unit was reopened on 10 January for three months with a locum, after which another temporary appointment of 15 months will be made. The reopening of the unit on 10 January was indeed good news. However, it was accompanied by very bad news in the form of the release of an area maternity services plan by Northern Sydney Central Coast Health, in which it proposes to rationalise maternity services across the northern beaches. In fact, the plan is to rationalise services via what is called a whole-of-service solution for the five so-called low-volume units.

The Manly unit has 780 births a year, Mona Vale has 600 births, Ryde has 180, Hornsby has 960 and Wyong has 300 births a year. Of those five so-called low-volume units only Manly is to be reduced, and reduced seriously. It is proposed to offer a new type of service called the modified all-risk caseload model, which would allow for between 20 and 30 births per month. As I said, according to the area health service, Manly currently has 780 births a year and Mona Vale has 600. The proposal will allow Mona Vale to increase its number of births to a total of approximately 804—which is an increase to 67 births per month—while the number of births at Manly will decrease to a total of 240 or perhaps 360 a year. As to the basic mathematics, 1,380 births occur each year at those two units. Under this proposal, if there are only 30 births a month at the Manly unit the total number of births will decrease to 1,164. That means that at least 220 mothers will have to give birth somewhere else—and it is not clear where.

As a consequence, I requested a meeting with the Minister for Health at which the mayor of Manly and I expressed our grave concerns about the proposal. The Minister told us to come up with some sort of proposal to present to him. We met with obstetricians and midwives, formulated a response and led a delegation to the Minister a week ago. He said, "All right, we'll present the plan to the senior bureaucrats at Northern Sydney Central Coast Health". That meeting occurred today and we reached what I would call a bureaucratic impasse. I am angered by the experience. At times I could not understand the jargon and the terminology that the bureaucrats used: the meaning was not clear to me. No rational justification was offered as to why Manly should bear the brunt of the change. At one stage the bureaucrats said that Manly had been selected for this type of model because it offers a very good midwifery service. But the proposal, if it goes ahead, will entail the loss of 12 to 14 jobs in the maternity unit. It is illogical to cut a good service.

I regard this proposal as offensive and insulting to the women of Manly and to the Manly community, which has supported the consultation process and the planning associated with the development of the new northern beaches hospital. The site of that hospital is yet to be named. Notwithstanding, Northern Sydney Central Coast Health proposes to rationalise—virtually out of existence—the maternity unit at Manly Hospital. That is pretty appalling, given that the Manly community has remained loyal to the consultation process and believes a new hospital is needed. We must retain existing services until such time as the new hospital opens its doors. Services can then be rationalised into that facility. Everyone understands and appreciates the logic of that approach. Cutting existing services even before the site of the new hospital is announced provokes outrage. It is a total abomination.

#### Private members' statements noted.

[Mr Acting-Speaker (Mr Paul Lynch) left the chair at 6.16 p.m. The House resumed at 7.30 p.m.]

**BUDGET ESTIMATES AND RELATED PAPERS****Financial Year 2005-2006****Debate resumed from an earlier hour.**

**Mr MALCOLM KERR** (Cronulla) [7.30 p.m.]: This is the debate that the Government did not want to have. The budget is ancient history and it is quite extraordinary to have a debate about it today. *Hansard* will show that this is radical departure from the norm by this Government. One would expect the budget to take place while the Budget Speech was still a contemporary document. However, only the Leader of the Opposition, the Leader of The Nationals and two or three other members of the Opposition have spoken in this debate.

**Mr Ian Armstrong:** They spoke very well.

**Mr MALCOLM KERR:** I am reminded by the honourable member for Lachlan that they each gave a very good speech and warned the Government of the economically dangerous waters in which it was sailing at the time, but unfortunately the warnings were not heeded.

**Mr Ian Armstrong:** It has sunk since.

**Mr MALCOLM KERR:** Yes, it has sunk since. In fact, budget revenue could be described as a sinking fund. That is hardly surprising when one considers that the authors of the budget were dictators of the Labor Party—the former Treasurer and former Premier.

**Mr Matt Brown:** I am not giving you any prompts.

**Mr MALCOLM KERR:** I know the honourable member for Kiama is reading Frank Rooney's book, which provides a very good background to what happened in relation to the budget. I understand Tom Cruise has been signed to play the honourable member for Kiama in the movie, which may take a while.

**Mr Matt Brown:** I thought politics was acting for the ugly.

**Mr MALCOLM KERR:** Actually politics in Kiama is show business for ugly people. However, I digress. The Government did not want this debate to take place and it has only been called on because the Government has no business, no vision and no plan.

**Mr Matt Brown:** What about the oil paintings of Cronulla?

**Mr MALCOLM KERR:** The oil paintings of Cronulla are in the art gallery and can be seen at Hazelhurst. I am pleased that the honourable member for Kiama seeks to advertise the shire's tourist attractions. Because this Government has no plan or vision for the State or legislation to introduce, as a last resort it is having the budget debate. For some years I have helped the Government. In 2002 the honourable member for Strathfield took part in debate on the Appropriation Bill and at that time I said that I was impressed by her contribution, particularly her remarks, which had a contemporary ring, about the Commonwealth Grants Commission.

Over the past two days we have been entertained by the Premier, who has run an alibi defence, that is, it is not his fault that the State is in this financial state. Despite the fact that New South Wales has never had more revenue, he says it is all the fault of the wicked people in Canberra, particularly the Commonwealth Grants Commission, which devised a very clever conspiracy to provide funding for Queensland and Western Australia at the expense of New South Wales. The Premier said that behind this evil conspiracy was a desire to obtain votes in Queensland and Western Australia. Many Opposition members were surprised that the Commonwealth Grants Commission was actually running for election because they were not aware that it was an elective body. We thought it was an appointed body that would not have to rely on votes from Queensland and Western Australia for its continued existence. More than two years ago, quite helpfully, I suggested to the honourable member for Strathfield that she could surprise Premier Carr and her colleagues in caucus by saying:

I formally move that this State Government convene a meeting with other State Premiers in order to reform the present structure of the Grants Commission.

Unfortunately that motion was never put before caucus. I invite the honourable member for Kiama to move that motion next Tuesday at the meeting because it may well solve the problems of this Government. We are talking about \$3 billion.

**Mr Matt Brown:** Don't wipe your hands of your responsibility. You are gutless!

**Mr MALCOLM KERR:** I am not trying to wipe my hands of the responsibility. If you arrange an invitation, I will move that motion in caucus. I have no intention of wiping my hands but I will wait for the invitation and move the motion there. I am sure that when the meeting is convened with the other Premiers, the Government will find an outbreak of Labor fraternity who will support New South Wales getting a fairer share of moneys under the Grants Commission. One would think there would be unanimity and they would come to the Government's rescue.

**Mr Matt Brown:** I think there will be pigs flying backwards to Mars.

**Mr MALCOLM KERR:** That is very unkind and not the sort of thing Peter Beattie would want repeated in his upcoming election.

**Mr Matt Brown:** I think there will be pigs flying backwards to Mars.

**Mr MALCOLM KERR:** Getting that sort of response puts my faith in the Labor Party to the test. I am shocked. I will try to continue with the remainder of my speech.

**Mr Matt Brown:** Stick with the Liberal Party.

**Mr MALCOLM KERR:** I will stick with the Liberal Party after that.

**Mr Matt Brown:** It might not be sticking with you though!

**Mr MALCOLM KERR:** I do not know. I would be more worried about Simon Crean. Anybody who has this Premier Iemma's backing has to be worried. I will return to the debate. One well remembers the last budget brought down by Michael Egan. Even though I ejected Michael Egan in the 1984 election, after which he sought redder pastures in this building, he came into this Chamber again to deliver his Budget Speech. I remember him extolling the virtues of the vendor tax, stating that it would make a wonderful contribution to this State and its finances. Most members of this House will recall the honourable member for Wakehurst being ejected at that point in the Budget Speech when Mr Egan was talking about the vendor tax. The interjection of the honourable member for Wakehurst was probably the first protest against the vendor tax, but it certainly was not the last.

Was it not extraordinary that the first act of the current Premier when he came to office was to remove the vendor tax and say what a terrible, mistaken tax it had been for New South Wales. Well, he was part of the Cabinet that formulated this budget. He was a member of the Government that passed the appropriation bills, which contained the vendor tax. He sat here while Michael Egan defended the tax that went on to make a misery of the lives of so many older people in New South Wales. Coalition members could report the reaction to that tax. Many retired public servants, particularly schoolteachers who had purchased investment properties—

**Mr Thomas George:** Who beat Michael Egan?

**Mr MALCOLM KERR:** Well, I mentioned that I removed him from this place earlier. The honourable member asked, "Who beat Michael Egan?"

**Mr Thomas George:** You!

**Mr MALCOLM KERR:** That is true, but nobody could beat him when it comes to increasing taxes.

**Mr Thomas George:** Even you admit defeat on that.

**Mr MALCOLM KERR:** Yes, I did. There was never a tax that Michael Egan did not like and never a tax that Michael Egan did not hike! That was the old story in Cronulla. I think you, Madam Acting-Speaker, know what a disaster the vendor tax was and the misery it created in New South Wales. It was removed by the



current Premier, but he was one of the accomplices in that economic crime that was perpetrated on the people of New South Wales. It is interesting that we can now, looking at this budget, see what an increasing disaster it is. The Premier had to make an economic statement only last Thursday because this budget is discredited, because this budget is no longer relevant to the economic situation in New South Wales. As I go around Cronulla many people ask me, "Where has the money gone? This is the highest-taxing State in Australia. How is it that this Government has so little to show for all the revenue it has collected?" I would certainly recommend that reading to the honourable member for Liverpool.

**Mr Paul Lynch:** There is nothing you could recommend to me that I would care to read.

**Mr MALCOLM KERR:** Maybe a few books without pictures? We will not go into that. I want to talk about the wastage of money that has occurred and answer my constituents' questions about where at least some of the money has gone. In transport, the Chatswood-Epping rail link project is a complete black hole so far as the taxpayers are concerned. Its cost overruns are already more than \$1.2 billion and the project has three years to go. There have been budget overruns in every department. As the economic and audit statement that was prepared at the Government's request has shown, there has been massive capital works blow-outs in critical sectors such as water transport. It is little wonder that we are in the middle of the greatest water crisis we have ever faced in this State.

I will return to that because I think it is extremely important that we look at the wastage that has occurred. At 1 July 2005 the total cost overruns on projects and programs sponsored by the New South Wales Government since the March 2003 election was more than \$6.04 billion. That is an astounding figure, which has snowballed every day. I mentioned the Chatswood-Epping rail link. There are 10 water-related projects on which the Government has managed to squander \$115 million of taxpayers' money in cost overruns in the past two years. In education and justice millions of dollars have been wasted and there has been a budget shortfall. If you want an indictment of the current Government's economic stewardship, look at the audit document that was provided to this Government by people it selected.

I turn to a number of matters dealt with in the appropriation bills that are of particular concern to my electorate and to electorates in the Sutherland shire. At Sutherland hospital a restructure of management is currently taking place. I was present at a meeting that took place a few weeks ago, which was advertised to explain what was going to go on at that management restructure. Some pertinent questions were asked by the mayor of Sutherland shire in relation to the financial resources that will be available to Sutherland Hospital. I invite members of this House to examine the management report that has been provided. They will see a number of references to a clinical services report. That is a crucial document, but it has not been released. It is my understanding that the management restructure is to take place within the next two weeks. It will mean that Sutherland hospital will not have its own general manager. That is a tragedy because this is a community-based hospital. The local community is very proud of its hospital and it has enjoyed a degree of management autonomy. That will no longer exist.

I mentioned the vendor tax and we have also seen the scourge of land tax. Numerous constituents have come to my office, devastated because of land tax assessments. Many are older people who do not have a ready flow of cash available to pay their land tax assessments. This situation is only going to get worse. This is not a matter of soaking the rich—which might enjoy the support of the honourable member for Liverpool—it is a matter of ordinary decent senior citizens being put through a financial hell. This matter is only going to get worse and cause far more distress. [*Extension of time agreed to.*]

Even the honourable member for Kiama wants to hear more about his Government. I turn now to the most fundamental task of any government: the enforcement of law and order. I spoke last night about what happened at Cronulla in December. It was the result of the Government not providing adequate police resources in the past 10 years.

**Mr Matt Brown:** How dare you criticise the police!

**Mr MALCOLM KERR:** No. I gratefully accept the interjection because it was not my intention to, nor did I, criticise the police. The police acted with courage and have been under-resourced by the Government. That is the absolute tragedy of what has occurred. I make it clear that the police do their best with inadequate resources. I have drawn attention to the state of Cronulla police station. This Government and its Minister for Police need to provide a strategic plan for the remainder of the year in respect of police resources at Cronulla.

I would also like to mention what the Government has done through this appropriation bill to the clubs of the Sutherland shire. I would like to hear other Sutherland shire members raising their voices against the impacts of this bill on clubs in the Sutherland shire. Those clubs—the clubs of those members of Parliament and of the people in the shire—have advanced the community and made funds available for many community projects. In relation to school maintenance, Burraneer Bay Public School, I am glad to say, is getting Federal funding to redress some much-needed school maintenance.

The desalination plant proposal has now been abandoned by the Government. However, it will still spend \$120 million of New South Wales taxpayers' money, quite unnecessarily, because even the Government says it hopes it will never have to resort to a desalination plant. As for roads, what money is appropriated under this appropriation bill to provide for the resurfacing of roads in the Sutherland shire? I am aware that the House is particularly anxious to hear from the honourable member for Lachlan, so I will not stand in the way of the House and its enjoyment of his contribution. I am told that honourable members are in their offices, listening intently for the commencement of the honourable member's speech. They have probably brought families and friends into their offices to listen to tonight's speech.

**Mr Matt Brown:** Ask them to come down and we will put that assertion to the test.

**Mr MALCOLM KERR:** No, no. Occupational health and safety considerations would not permit such a large crowd! I conclude by noting that the former Treasurer, who has gone from this place, now gives his occupation as fisherman. I just hope he can afford to buy a licence given the imposts of this present Government. The former Treasurer's budget did not get this Government off the hook. Rather, it ensures that the Government sinks even deeper.

**Mr PAUL LYNCH (Liverpool)** [7.53 p.m.]: The budget that is the subject of this motion provides significant allocations in a range of areas for the electorate of Liverpool. In relation to transport, it provides money for the widening of Cowpasture Road south of its intersection with Hoxton Park Road. That work is currently proceeding. It also provided money for the widening of Joadja Road, which also runs south of Hoxton Park Road. That work has been completed, and it is a significant addition to and improvement of the road network around Liverpool.

One of the other significant investments in Western Sydney made by this budget and previous budgets has been in the development of the Liverpool-Parramatta transitway. The transitway is a very significant addition to public transport facilities in Western Sydney. The fact that it brings government buses to Western Sydney was greeted with considerable joy and celebration right throughout Western Sydney. Not only have patronage figures on the transitway steadily increased, but the transitway is now close to the hearts of many of my constituents. In fact, it inspires quite passionate commitment amongst many of my constituents. One of them, Ms Brigid Kirby, recently wrote to me about the service provided by the Liverpool-Parramatta transitway. Part of her recent letter to me reads as follows:

I rely on public transport for travel between my two jobs (one at Glenfield on weekends and the other at Potts Point on weekdays). My work timetables see me travelling at night on a regular basis, and although I have the luxury of choosing between a private bus company and the T-way for travel, my preferred choice is always the T-way.

The T-way has given me a level of security, comfort and consistency of service that no other private bus company in thirty-three years has ever reached, nor matched since. I know many other locals who appreciate and support this important service too. I would ask you, please don't let anyone compromise another one of the services that Liverpool residents have fought so long to get.

Ms Kirby continues in another part of the letter:

As a consistent public transport commuter I have experienced many different drivers and companies over the years. I am not sure whether it is a credit to the driver training program, or whether T-80 management select all the best people as their drivers at the Bonnyrigg depot (thereby leaving lesser candidates available to the private companies), but I feel that you should be made aware that their staff are outstanding. The T-way was a long time coming to this area and despite the protests of its critics (whom I would venture to assume have never used the T-way anyway, nor would ever be caught dead in Liverpool), it has certainly raised the bar in terms of service, practicality and reliability that has been sadly neglected by other companies.

Her letter continues:

It should also be noted with some pride that it is a great reassurance for commuters to know that a timetabled T-way bus will not only arrive on time (or very close to it), but that it will actually deliver its passengers to their desired destination and not abandon them (after accepting their full and entire fare) somewhere short of the expected stop because the driver doesn't feel like completing the entire bus route (see private local companies for that, particularly the night services, which fail to show up at many of the timetabled stops, because at the driver's discretion and haste to go home he chooses to alter the bus route. This is a very common occurrence I know because I have experienced it more than once).

Her letter concludes:

Please understand and thank the T80 drivers at the Bonnyrigg depot for all that they do in the course of their days and let them know that their efforts are recognised, and do not go unappreciated by my son and I, and my family. Sydney Buses are likewise lucky to employ people at the Bonnyrigg depot who spend all day every day making them look good and this shouldn't go unsaid. I used to think that perhaps the drivers were lucky to enjoy good working conditions, which are what make them such productive, and friendly people, but whatever the secret formula is, please, please don't change it! The current uncertainty surrounding this service is unsettling for commuters because we don't want to lose the service, nor the drivers we have come to rely on so much, or who have become such a big part of our lives and local community. The fundraising efforts of the Bonnyrigg depot acquiring toys for kids each Christmas also clearly shows the commitment this company has made to the area it serves. Again, no other private company makes this effort.

Do not let the best thing that ever happened to us be sold off to interests that will not uphold, sustain or care about meeting the already high standards achieved by the Parramatta-Liverpool bus service.

The prospect of the transitway being privatised has caused considerable angst within the community of Liverpool. Another resident who feels very strongly about this is Jeff Taylor. In the space of two short hours, Mr Taylor recently collected 400 signatures opposing any privatisation of the T-way. Part of his letter—which was sent to the relevant authorities—that enclosed the petition read as follows:

My personal concern is you are going to sell our wonderful bus line, putting us back in the hands of private bus line operations, whose only aim is for profit.

Having lived in this area for 40 years, our Government gives us a service, which encourages people to leave their cars at home, a bus line designed for service and comfort!

And so I took it upon myself to collect names and addresses of people who feel as I do. This petition was collected over a period of two hours one afternoon. One of their complaints was that they had been subsidising government services in other areas, and now it's our turn. They suggested you might sell the bus line to Palm Beach or the bus services to Watsons Bay via Bondi Beach.

I resolutely oppose any privatisation of the T-way. I note that Minister Watkins, who is the relevant Minister, says he also opposes it. It is important, however, to make sure that this message gets out very clearly, and I am delighted to have been able to work with people like Mr Taylor to try to make sure that that result is guaranteed well into the future. Another interesting transport issue that is relevant for the electorate of Liverpool relates to a proposal by the Australian Rail Track Corporation Ltd—known as ARTC. The corporation is proposing a new southern Sydney freight line. This is an access route for freight trains through south-western Sydney from Macarthur to Chullora. One estimate of the cost is something in the vicinity of \$200 million over five years. Australian Rail Track Corporation Ltd is owned by the Commonwealth Government, but it seems clearly to have been set up for privatisation.

The southern Sydney freight line is described as a non-electrified single track next to the main south line between east of Sefton Park junction and south of Macarthur. Technically, it would include speeds of up to 100 kilometres an hour at a 21-tonne axle load and 80 kilometres an hour at a 23-tonne axle load. Residents are presently awaiting the release of an environmental statement on the proposal. There are a number of aspects that are of concern and/or interest to the residents of Liverpool. The Liverpool Hospital is intersected by the main south line. It is already considerably dangerous because it is a level crossing. This position will of course be made potentially significantly more dangerous with the freight line.

It is glaringly obvious that an alternative must be provided to the level crossing. I suspect the easiest, because it is least expensive, option is for the road to go in a tunnel underneath the rail line. A more expensive and possibly more difficult engineering option would be for the road to go over the line. I am extremely cautious about wanting a tunnel under the railway. Nurses and other hospital staff regularly use this thoroughfare. The safety implications of a tunnel, especially at night, do not bear thinking about. A tunnel should be avoided at all costs. Another issue is that it is expected a lift will be installed on the eastern side of the Warwick Farm railway station because of the freight line. This leaves the western side without a lift. I would urge the Government to have a look at installing a lift on the western side.

The other issue that is generating considerable interest in relation to this freight line is the possibility of unacceptable noise emanating from the freight line to nearby houses. In particular, I have received a number of concerns from people who live in what is now known as the Liverpool links estate. One of those residents is Susan Lambert. She has written to me, saying, among other things:

I am exceptionally concerned that the residents including myself and family living along the streets parallel to the railway line have not been considered as far as providing us with noise and privacy barriers by ARTC and Rail Corp in their planning and

construction of a further freight rail line between Sefton and MacArthur passing through to Liverpool. The rail lines are exceptionally close to our backyards.

I have spoken to an ARTC official but he stated that the building of sound and privacy barriers is not an ARTC matter but railcorp one.

I am also extremely concerned, now that I am the owner of my home, that the real estate value as well as its sale prospects has been drastically affected by this freight line construction.

I would feel a lot happier and more at ease if sound and privacy barriers were set up along our backyards.

Another resident who has contacted me is Leah Cain. Part of what she said is as follows:

We are concerned ratepayers who have lived at this address for 32 years. We have been informed that a freight line is being considered within the next few years, and that the noise levels of these trains will increase 100% plus.

Noise walls are already in place along Elizabeth Drive, Cow Pasture Road and other major roadwork so we are requesting the same consideration be given to the residence between Liverpool-Casula.

Residents in streets such as Lakewood Crescent, Birkdale Crescent and St Andrews Boulevard are most concerned about the proposed developments. Mr Keith Hendricks is another resident who is concerned at the proposed impact of the noise. His backyard is directly adjacent to the railway line. He is also concerned about the possible impact of the rail line on his house. He attended a meeting at the Liverpool Catholic Club that was organised by the consultants for the rail line. He was unimpressed by their presentation. As he said, if it is a \$270 million project who on earth would exclude sound walls at Liverpool? I should note that he is also involved in circulating a petition. It seems that the ARTC should be providing noise walls along that stretch of the railway line that backs on to these properties. It seems unreasonable to impose this extra noise burden without also providing noise protection walls with it.

One thing that was funded in last year's budget was a primary connect program that was directed towards Miller Public School. Recently I was told by the school that that funding has been cut, that it will not continue beyond this financial year. I should make clear my view that that is a bad decision which should be reversed, that is, the primary connect funding should continue beyond 1 July this year. The money was first allocated as part of a community solutions funding package for the Miller area. That arose out of a period of time when Miller was being plagued and demonised by the tabloid media. The funding was instituted in a response to very clear objective needs. Those needs have not changed; those needs clearly remain. All that has changed is that the funding has ceased. I have received a number of representations urging that funding for the program be continued. One of those representations states in part:

This valuable project, which has been operating since 2002, has had a positive impact on both the school and the Miller community.

The project runs programs in the school for students, parents and the wider community as well as contributing to programs in the community. The primary connect program liaises with services and assists them to provide groups and activities within the school. Sue Bertozzo, who co-ordinates the primary connect program, is also a valued member of a number of local community networks. The networks give service providers the opportunity to meet and develop strategies to best meet the community's needs as well as providing a forum for information sharing so the provision of services do not overlap.

The aim of the primary connect program is to link the school and the community, encouraging parents to become more involved in the school and therefore in their children's school life. This increases a child's enjoyment of school and the results show an increase in participation and achievement at school. Mrs Bertozzo has been very successful in encouraging parents from a variety of ethnic backgrounds to work together in the school thus helping keep the school almost free of any racial incidents. She has also been instrumental in encouraging fathers to participate more in the lives of their children by coming into the school for social, as well as educational, activities.

The funding for this program has been withdrawn as of the 30 June 2006. Considering the outstanding recommendations that the program received from an independent review committee it is difficult to understand this decision.

If the school were to lose Sue Bertozzo and this additional funding many valuable experiences, programs and resources, not to mention personal support, would be lost to the community. The school and community want this program to continue, as we believe it has been most beneficial to the children of Miller and its community and I would strongly urge you to reconsider the decision to take this program away from this school. The children of this area deserve to keep a program, which provides them with valuable experience, boosts their self-esteem, and contributes to making them aware of appropriate life choices.

There is no doubt at all about the level of community support for the program. The justification for the program is not just that it is popular; it is also valuable. I have seen the very long list of activities that have been carried out as part of the program, and they are of great significance to Miller. In particular, I note the role of this program in maintaining the breakfast club at Miller, which is critical for that school and the local community. Another person who has approached me about this program is Paul Cronk, who is well known in Miller; he is

certainly well known to me. He is also president of the parents and citizens committee at Miller Public School. His recent letter to me stated:

Of all the issues raised since being elected president of the MPS P&C Committee, none have been more urgent and pressing than the recent cancellation of "Primary Connect" funding.

One parent recently relayed his frustration by saying, and I quote "How on earth could anyone decide to pull funding for a program that clearly benefits the children and offers part of the long-term solution to problems facing the area".

I have to agree, since the program's inception in October 2000, the school has been able to actively engage students and parents and has had a positive impact on the behaviour and learning outcomes so important to our children's learning futures.

The original purpose for such funding was brought about by the need to address the high disengagement from learning as well as to proactively engage students who suffer from behavioural and emotional disturbances. The Primary Connect Program has been instrumental in helping to better manage these needs, in my opinion. Many parents are also from non-English-speaking backgrounds which also presents an additional set of challenges.

It is also my opinion, which is also shared by many parents I have spoken to, that the socio-economic issues that brought about the need for funding in the first place really needs long-term and sustained efforts to overcome, and the cancellation of funding only inhibits the efforts of many parents, teachers and students that strive to overcome these problems.

The demographic material about Miller makes it clear why this program should be continued. Two-thirds of the area is Department of Housing accommodation. There is a very high percentage of young children in the area; 30.7 per cent of the residents were born in a non-English-speaking country; fewer than 2 per cent of the residents have a university qualification; and a very high percentage of the community come from a single-parent family. This area has significant social needs, and cutting a program like this only seems to be designed to make those problems worse rather than better.

Another area that received significant funding in this budget was that of health. In particular, many millions of dollars were allocated to the development of the new mental health facility. I have often said that one of the great untold stories of Liverpool is the level of unmet mental health need. The money allocated in the budget has been well spent because several weeks ago the new mental health facility at Liverpool Hospital was opened by the Premier, together with a number of other Ministers. That was a \$32 million project. The new facility is aimed at consolidating all mental health inpatient and outpatient clinical services in what is described as a state-of-the-art facility. It provides a total of 50 inpatient beds located in two wings of 20 beds each and a 10-bed high dependency unit on the ground floor.

Other features of the facility include the mental health ambulatory care service and community mental health, which provides 17,000 home and walk-in visits for adults each year. There is a large single room for patients requiring medical treatment or in circumstances when a family member is required to stay. There is an early psychosis intervention program and a special drug monitoring clinic. Psychiatric education and research is provided at the facility. There is also a therapy and recovery service, and a program for problem gambling. Those sorts of facilities are well and truly needed in Western Sydney generally and in Liverpool in particular.

One issue is that for so long when mental health services at hospitals were developed they were developed where the population then was—in eastern Sydney. Trying to get greater health resources to the areas of greatest population includes dealing with mental health issues as well as all other issues. Certainly, the opening of this facility is a significant contribution to dealing with that problem. I was delighted to be present at the opening of the facility. I think it will go a long way to dealing with some of the needs of Liverpool. I commend the motion to the House.

**Mr IAN ARMSTRONG** (Lachlan) [8.13 p.m.]: This is quite an extraordinary night. We are talking about the budget for this year in February, the year after it was presented. This is an historical occasion. I suspect it has never happened in the history of the Parliament. Perhaps we should talk about the next budget, because it is only 3½ months away. This debate is indicative of the level of management expertise of the Government. However, I will make no further comment directly about that, but I will comment on it indirectly. It occurred to me today as I was doing a few figures and thinking about history that for 23 of the last 30 years, since 1976, the Labor Party has been in power. The Government cannot blame someone else because the record would say that for the past 30 years the Labor Party has been in government four times longer than the Opposition.

As anyone in business knows, it does not matter how small or big the business, or whether an individual owes money and is trying to make a living, the moment one starts to blame the bank for the problems one has failed. The Government cannot blame somebody else, another government or some other factor when it

has not been able to perform because it simply has not had the capacity to perform. Cabinet Ministers who sit on the Government frontbench during question time are the directors of the largest board in the State and the Premier is the chairman of that board. It has the biggest budget of any board and it should have more expertise than any other board in the State. The Premier should be the smartest chairman/chief executive officer in the State.

**Mr Matt Brown:** He is.

**Mr IAN ARMSTRONG:** The Parliamentary Secretary at the table says, "He is." If that is so, where is the fundamental infrastructure of water, roads, rail and energy in New South Wales? Why is it that only three weeks ago a train fell off the tracks at Harden? Metal fatigue caused the axle to collapse, and then they closed down the whole passenger service right across New South Wales.

**Mr Matt Brown:** Safety comes first.

**Mr IAN ARMSTRONG:** It does indeed. But why was it allowed to get to the stage where the wheels fell off? Well done. Thank you for making the point. The honourable member makes it very well. It is safety. Yet the Government was asking people to pay their fare and to travel on trains that were so unsafe that the whole lot had to be taken off the line. It has never happened before. It is the result of pure and absolute managerial neglect and a lack of funds to maintain the rail fleet. As anyone would know, the moment you put money into the transport industry you create a sinking fund to make sure that you are able to repair the existing fleet of trucks or trains, whatever it might be. You upgrade them and you have regular safety checks. Water infrastructure is another concern. Hopefully we are now through what we have been told is the worst drought in the past 100 years, but I really cannot see in the budget or in any other pronouncements made in this place in the past 12 months any preparations for the next inevitable drought in this, the driest and hottest continent in the world. I cannot see how the next drought will be any easier on New South Wales—there is no infrastructure for next time around to alleviate the problems caused by drought.

This afternoon in question time the Minister for Water Utilities talked about assistance for the provision of water-saving washing machines, showerheads and various other domestic appliances, but he failed to acknowledge that the Government has had the opportunity to ask householders to install water tanks. Indeed, the Government has introduced a subsidy for some parts of Sydney and cities such as Orange. But the Government did not tell anyone that it is not paying the subsidy, which will be paid by the local water utilities. Again, the Government has fudged the figures and has failed to provide assistance to the majority of people living in New South Wales to put in a water-saving device. I now turn to roads. The inadequacy of road funding is evident in shires such as Young and Forbes. It is not a reflection on the shires but on the State Government, which has not met its responsibilities. In Cowra shire where I live there have been absolutely zero funds for two years for road upgrades. Not an extra square metre of bitumen has been put on those roads to upgrade them. Only maintenance funding has been provided.

Police numbers are interesting. Condobolin is a lovely town in the west, with a population of about 3,000, which can increase to about 3,500. It has a constabulary of seven, including one detective. But at Christmas time, when historically there are problems in the town, only two officers were available for duty. The town now has five officers, which is very comforting. If the officers arrest someone, two of them have to take the person to Parkes, which is one hour away. If there is a court sitting in Condobolin usually they have to go to Bathurst to pick up a prisoner and bring the prisoner back. But five years ago the Government promised that prison transport would be manned by prison guards, not police officers. Yet in five years nothing has changed. Police hours are still being taken up in transporting prisoners around New South Wales.

My electorate has access to two area health services. The administration of the Greater Western Area Health Service is so efficient that last May when a resident of the small town of Ungarie presented them with a \$58,000 cheque to buy a bus to service the town of Cargelligo as a memorial to his late mother, it took them until September to order it. They did not worry about it. Then they said they would get it in the New Year. We offered to help them and I said, "If you cannot do it then I will buy it for you." Eventually they were able to take delivery of the bus on 19 December. The ECG machine at Condobolin Hospital broke down in September. On Melbourne Cup Day, 2 November, the local auxiliary said, "We have the \$5,000." They gave the Greater Western Area Health Service the cheque, but they did not worry about ordering the machine until the end of January. Then they said it would take six weeks to get it because it had to come from overseas. That afternoon in Sydney I found the model and the brand they wanted, but it still took them four weeks to organise purchase patents.

The Premier has just issued an edict that the Greater Southern Area Health Service must pay their creditors within 40 days, which is longer than any other business gets to pay its creditors. The best I can get is 28 days. The best most other people can get is 28 days. However, the Government wants to take it out to 40 days. One of the reasons he had to do that is that often dozens and dozens of creditors of the Greater Southern Area Health Service were not being paid within 60 days. The same thing is happening in education. Schools in my electorate, which has about 124 places of education, have been waiting years for upgrades and maintenance programs. The problems surrounding the Government after its time in power, particularly during this budget, are totally unacceptable. Wyangala Dam is at just less than 30 per cent of its capacity tonight; in other words, it is 70 per cent empty.

Yet there is no provision at all for additional funding for any additional storage on that river system. For a small amount of money there is a lot of opportunity to put a wall across what is called the Narrows on the Abercrombie River, a major tributary to the Wyangala, that would store another 300,000 megalitres of water to be used as reserve water for the whole river system. About half the towns that use that river system are on water restrictions. Licensed irrigators have only 18 per cent of their quota. In other words, 82 per cent of their water quota is not available; nor was it available last year or the year before. One can only imagine what has happened to the economy of industries dependent on water for the supply of lucerne, maize and similar products. In many instances the racehorse industry in Sydney, the intensive chicken industries and the intensive pig industries have had to find supplies interstate and elsewhere.

Lake Cargelligo is at only 56 per cent of its capacity, which has affected tourism enormously. It is at 56 per cent because the Government decided it had to maintain a flow to the bottom end of the river during the summertime. For 20 years we have been trying to alter the intake and offtake of Lake Brewster, but the Government says that it does not have the funds to do it. During one of the big rains just before Christmas the local council tried to get some water for Condobolin lake, a recreational lake on the edge of the town that was established five years ago by the local council. They asked the Government for some of that allocation of water, but the Government said, "No, you can't. It's for the environment." The local council then had to pay a bit over \$50,000 to buy water from farmers to keep the lake level up. The lake is a seasonal body of water and is home to many breeding birds and so forth, and that is very important for the environment.

Young and Lachlan shires are starved for roads funding. The Zouch Street Bridge, a major bridge in Young, runs over the railway line. The bridge is owned by Rutherford Structure Corporation but the surface is a road. For 15 years, give or take, the Young shire has been trying to have a cement top put on that bridge. Some time ago a new bitumen top had to be put on the bridge every 18 months. It is now every six months, because of the increased traffic. Young is enjoying a business and population boom. I drove through there the other day and saw great bulges in the bitumen nearly a foot high where the vehicular traffic has squeezed the hot bitumen into lumps on the bridge. It is totally unacceptable.

There is no assistance for Forbes Shire Council, which wants to upgrade its swimming pool. Swimming pools are essential in country towns to teach kids how to swim and for relaxation. Temora Town Hall was built in the 1950s and the council wants to do some minor alterations costing about \$250,000, and there is no assistance for that. Grenfell is one of the most historic towns in New South Wales. It has some beautiful buildings, particularly in George Street, the original street, which winds down the side of a ridge. The town library wants to bring itself up to date and maintain its heritage listing. Again, there is no assistance for that.

Young railway station, circa 1921 or 1922, is a classic station with parking for about 150 vehicles. Young Shire Council has the lease for the parking and it wants to lease the station and make it into its tourist centre. However, the white ants have eaten just about all the timber out of it. Indeed, of the three major rooms, two do not have any floors because the white ants have eaten them. It is a beautiful building. Honourable members would be disgusted to see this lovely building just one block back from the main street. It is almost in the town itself. Its condition is an absolute disgrace.

The grandstand at the Cootamundra racecourse is a classic English grandstand, complete with filigree woodwork around the top. The trustees could not secure enough money from the Government to maintain the guttering. The guttering fell off, the water got in and the steps at the front have subsided. The ends of the seats started to rot out. Eventually the trustees garnered enough money to put the guttering back on, but the building is just starting to rot away. Again, it just goes to show that although we have a board, a Cabinet, and a chairman, the Government does not realise that its own property in many places across the State—and particularly in those two cases—is rotting away because it will not repair it, or claims it cannot do so. If you cannot afford to keep the verandah or the guttering on your house you are in big trouble. If we as individuals are expected to maintain our properties, why is the Government, the landlord of public property in this State, not honouring its responsibilities to maintain its own buildings?

Cootamundra, Bradman's birthplace, is a lovely town. The cottage in which Bradman was born is in immaculate condition. It is run by volunteers and it is open every day for tourists. All we want is the birthplace of Sir Donald Bradman, who is probably Australia's most famous sportsman, recognised as a national heritage building. The Government has refused to do so. Junee, a great town down the southern railway line, has built a new medical centre. At the moment it has five general practitioners. They tried to get money from the New South Wales Government to assist them—\$200,000 would have been marvellous, but they could not get a cent. The Government says it cannot afford it.

Bethungra is a little place between Cootamundra and Junee. Three years ago the Department of Public Works decided that the wall of Bethungra Dam holding back the water was potentially unsafe. Engineers engaged by the shire council said it is safe. The debate has been raging. The Department of Public Works and the Government decided to lower the top of the wall to reduce the level of water. That would take some pressure off the wall. The Junee Shire Council engineers said that is a lot of rot. Dropping some rock behind the wall on the water side could reinforce it. Again, it will cost a little money to retain that wall. Why is it necessary to retain it? First, it is good for fishing. Second, it is good for the environment. Third, it is a recreational dam. Most important, on 16 January Junee experienced one of the biggest fires in this State this year. Some 50,000 hectares of country, dozens of farms and 1,530 kilometres of fencing were burnt. Where did the water come from to fight that fire? The helicopters lifted it out of Bethungra Dam. If that wall and dam go, there will be no water there for the next fire. Twice in 16 years the country on the eastern side of Junee has been burnt out by summer fires.

I have talked about the Greater Western Area Health Service and the Southern Area Health Service. Harden wants to build a medical centre. Harden is a progressive shire and the community has the good fortune of having the advantage of the Geoffrey Kruger Trust. A dentist who practised there some years ago left the community with a sizeable legacy that is managed by the trustees he appointed. They are putting up about half a million dollars and the shire council has asked the New South Wales Government for assistance to help it build a modern medical centre in Harden. It will have a state-of-the-art hydrotherapy pool, the most modern in New South Wales. The shire has bought the pool. It has come in from America, but the shire is waiting for the Government to write out a cheque.

At this stage the Government will not give the shire \$5; it will not give it a thing. The Government claims it cannot afford it. Some four years ago there was to be a new hospital at Forbes. It is not even in the budget. Earlier I mentioned the police at Condobolin. Parkes and Forbes are about 20 minutes apart. Both towns have about 9,000 people. The police headquarters are in Parkes. It has now been suggested that Forbes might be made a shopfront with one resident officer and that it will be serviced from Parkes. Why? The Government claims it cannot afford to have staff in the two police stations. I have already mentioned the transport of prisoners.

The next issue—and this arose last week—is the youth welfare officer in Young. Young is one of the fastest-growing towns in New South Wales. The youth welfare officer has been dealing with disadvantaged kids, kids who have problems and young people with mental problems. His name is Schultz and he has done a fantastic job. His services are about to be curtailed because the State claims it cannot afford to pay him. What the devil will happen to those kids and their families if the Government takes away that youth welfare officer?

For years funding for mental health care accommodation in Young has been organised by Mr Smith; he has garnered money from the community. Young has a wonderful mental health service which provides accommodation for about six people and a community centre, all of which was paid for by the community. Do honourable members think we can get assistance out of the Government to provide additional accommodation for those people in Young? No, the Government is not prepared to bite the bullet because it claims it cannot afford it.

In conclusion I make a simple point. We have to borrow for infrastructure. No house or factory has been built in this town in the past 20 years, let alone the past 100 years, without borrowed funds. But the Government talks about having a balanced budget. If we want to open up the west of New South Wales and bring some relief to Western Sydney the Government will have to look at upgrading the Bells Line of Road into a four-lane divided expressway. Money is available from the major merchant banks to do that and it is incumbent upon the Government to ensure that the infrastructure is provided to give relief to small business in Western Sydney and to reduce the horrific accident rate on the Bells Line of Road, which is currently the worst per vehicle kilometre in New South Wales.

**Mr Matt Brown:** You have given this speech before.



**Mr IAN ARMSTRONG:** No, I have not. Unfortunately, all the things I have raised tonight are fresh. That is the sad part about it.

**Mr Matt Brown:** I want to check *Hansard*.

**Mr IAN ARMSTRONG:** The Parliamentary Secretary may certainly do that. If the Government had been managing the budget properly my speech would not have been necessary.

**Ms KATRINA HODGKINSON** (Burrinjuck) [8.33 p.m.]: I join in the debate on the 2005 budget estimates as a representative of a large rural electorate which, although predominantly agriculturally based, also has a large number of regional centres. Rural cities, towns and villages have the same needs as large cities such as metropolitan Sydney, although on a smaller scale. Rural citizens still have the same needs, wants and ideals for their children, as well as a desire for opportunities, as city people. We would like to have our children share in the benefits that are enjoyed by children who live in larger metropolitan cities, but, sadly, that is not the case.

Time and time again the Sydney-centric New South Wales Labor Government breaks the promises made by Labor parliamentary representatives and Labor Ministers at elections. They lead people who live in country communities to have high expectations of what may happen after elections, but, unfortunately, the hope instilled in people living in rural communities is repeatedly dashed by what eventuates. It does not matter whether the issues relate to health, education, the Country Timber Bridges—Restoration/Replacement Program, policing, water supply or sewerage, no portfolio escapes when it comes to ensuring that country people miss out. I point out, in relation to country roads and the country's timber bridges program, that many situations of grave concern have emerged in the Burrinjuck electorate, especially in relation to the closure of bridges and the extensive delays in repairing bridges and bringing them up to a standard that makes them suitable to carry heavy vehicles.

As the honourable member for Walsend would acknowledge, country roads are used by many heavy vehicles, such as B-doubles and large semitrailers, to transport grains and stock from point A to point B. Many country bridges should be maintained to a suitable standard to cope with heavy vehicles. Last year a farcical situation occurred when the Gundaroo Bridge was closed to all but light local traffic. Eventually even light traffic was diverted to the Back Creek and Yass River roads, adding approximately 32 kilometres to the distance to be travelled between Gundaroo and Canberra. The Back Creek and Yass River roads are in poor condition at the best of times. Even as dirt roads, they are not in the best possible condition. Whenever I have travelled along Back Creek Road I have noticed numerous corrugations and that it was poorly graded. Closure of the bridge was an extreme imposition on the people of Gundaroo because all the traffic that usually travels between Gundaroo and Canberra had to be diverted along those roads.

Bridges in Gundagai and Wee Jasper, as well as the McDonald truss in Tumut, have all been subject to extensive delays in carrying out repairs and bringing them up to a standard that makes them suitable for use by heavy transport vehicles. Many public meetings have been held in all of those towns in an attempt to convince the Roads and Traffic Authority [RTA] of the need to understand the impact upon communities of bridges not being up to an appropriate standard. While I recognise that RTA representatives have attended meetings, listened to concerns and appeared to be concerned about closures and the problems associated with bridges, it all comes back to funding—or perhaps inadequate funding—for the provision of basic maintenance for rural infrastructure. I am not even asking for new infrastructure, merely for funding for the maintenance of ordinary crossings and bridges to enable people to travel from point A to point B. In 2006, what could be so difficult about getting to Wee Jasper or Gundaroo, or crossing the bridge at Tumut or at any other location?

It is just amazing that in this day and age people who live in rural areas are still faced with basic infrastructure problems. The Junction Bridge at Tumut is a classic example. It was closed in 2003 because urgent repairs were needed. The Government gave a commitment that the bridge would be repaired by 2005. However, in the April 2004 mini-budget, the Labor Government ripped \$129 million out of the Country Timber Bridges—Restoration/Replacement Program, and now the RTA is saying that the bridge will not be repaired until mid-2007. That is quite incredible. The Labor Government has no idea how important the country timber bridges program is. If Labor members drove around country New South Wales—not in shiny white government cars with someone else doing the driving for them, but in their own cars along country roads, as members of The Nationals do—they would know what corrugations and ruts do to cars.

I know only too well the ramifications of inadequate road maintenance and its impact upon country families. Today in the House during question time I asked a question about a very sad case. I asked the Premier

about yet another mother who has been killed on a country road which should have had funding allocated to its upgrading, Main Road 48. The Crookwell to Boorowa road, Main Road 248, is in absolutely shocking condition. From Boorowa through to Taralga, Main Road 248 is in a parlous state. Many public meetings have been held to discuss the condition of that road. It is a major tourist link between Taralga and Boorowa.

Recently when I was driving along Main Road 248 in my four-wheel-drive, I became caught up in the corrugations, despite not travelling at a fast speed, and ended up going over the verge of the road. The condition of the road creates extremely dangerous hazards. I hope the new Minister for Roads, the Hon. Eric Roozendaal, will take action to repair country roads, particularly in the Crookwell district. It is absolutely absurd that in 2006 there are still gravel corrugations and ruts on major State roads. A recent fatal truck accident on the Snowy Mountains Highway at Adelong would not have occurred if the Labor Government had heeded years of warnings from local residents about a dangerous corner in the middle of Adelong.

The most recent occasion when a truck went into the hotel and demolished a corner of the building was the third time that the hotel had been involved in a dangerous accident at the T-intersection. But taking into account that the Labor Government ripped \$100 million in real terms out of country roads funding in its 2004 mini-budget, it is not surprising that the number of fatalities, injuries and accidents that happen time and time again on country roads has skyrocketed. Most people know about the notorious intersection at Towrang off the Hume Highway. In January 2004 the RTA received an allocation of \$5 million to fix that intersection. This week I travelled along the road on my way to Parliament in Sydney and I noticed that the new intersection still has not been constructed.

One wonders what happens in the RTA after funding has been allocated. Do the funds sit in a bank account, accruing interest, while the RTA waits for the next election to roll around? Does the RTA then bring a bulldozer out onto the highway to give the appearance that work is being undertaken? That is not good enough. The RTA's approach is totally substandard. The new Minister, the Hon. Eric Roozendaal, must give the RTA a good shake-out and let it know who is boss. The RTA walked all over previous Ministers for roads, and none of those Ministers had the guts to give the RTA a good shake-out or tell its officers how to behave. I certainly hope the new Minister for Roads will be able to do something good for country roads.

My electorate of Burrinjuck is also concerned about public education. In the days around 21 September 2005 I lodged many petitions requesting the re-establishment of a public school at Murrumbateman. That request fell on deaf ears. However, I remind the Government that about 500 people now live in Murrumbateman. It is not a tiny village; it is a very busy local community. The local early childhood centre is full to overflowing. When those young children finish their preschool years they are ready to go to primary school. They should not have to travel to another town to do so. I raise that as an issue to be looked at by the Minister for Education and Training.

I also remind the Minister that she gave me a commitment at a meeting I had with her on 22 June 2005 that the Government would jointly fund a higher education regional needs analysis for a university at Goulburn. Several years ago I formed the Goulburn University Working Group with the aim of establishing about 30 places in a campus at Goulburn. At the time we were looking at the Southern Tablelands Education Centre as a campus because the building was established with computers and other facilities. Charles Sturt University kindly offered to provide us with administrative staff to assist in setting up. We now want a higher education regional needs analysis, as was done for Western Riverina.

It is a matter of providing a few places so that students in the area who finish year 12 do not have to drive all the way to Canberra, Wollongong or Sydney in order to continue their education. Goulburn is a major city, the first inland city in New South Wales. If some places were made available at Goulburn it would be of immense benefit not only to the students but also to their parents, who have to fork out extra money for their children's travel expenses. I know that the need for local students to travel to access tertiary education leads to many of them not progressing on to university but going straight into the work force. They miss out on the opportunity of a valuable tertiary education, which should be available to them.

Boorowa Central School needs airconditioned classrooms. In 2004 I raised the concerns of Boorowa Central Parents and Citizens Association about excessively hot conditions in the classrooms. It is not uncommon for classrooms in the electorate of Burrinjuck to reach 40 degrees celsius and above in December and February. The temperature does not cool down until mid-March. The need for airconditioning in public schools in country areas has never been greater. This summer we have seen an average increase of between 3 and 4 degrees in public school classrooms across my electorate. It is time the Government provided adequate funding through its

school air-cooling program to schools across the length and breadth of the electorate of Burrinjuck. The Government has made announcement after announcement about the upgrade of Gundagai police station. At a Police Accountability Community Teams [PACT] meeting last week I was informed that the money has not been realised and the work has not gone ahead. Successive police Ministers have made announcements about the upgrade. I want the money for the police station upgrade allocated and the upgrade done without any more fuss.

As to the village sewerage scheme, an options study by Yass Shire Council identified the feasibility of sewage systems to the villages of Murrumbateman, Binalong and Bowning. The projected populations of those villages is 500 for Murrumbateman, 500 for Binalong and half that number for Bowning. In March 1997 the then Minister for Energy, Utilities and Sustainability announced that assistance of up to 67 per cent would be made available to more than 200 small unsewered towns in New South Wales. It seems that the subsidy level may be reduced to 50 per cent. It is very important that we get these sewerage systems up and running in these dynamic and growing local communities. We are yet to see any progress. I believe that Bowning has failed to make the list, even though it has a projected population of more than 250. I would like to see the Government take action on our sewerage program as well.

On many occasions I have raised in the House the need for a water line between the Australian Capital Territory and Yass. I note that John Stanhope, Chief Minister in the Australian Capital Territory Government, recently gave a tick to this project. The Minister for Planning now sits squarely in the driver's seat. I hope he will approve this project. I know the Government will be waiting for the ideal moment in front of television cameras, probably in the lead-up to the next election, to say how wonderful it is and how it will approve the project. It is political opportunism. The local population is sick of the Government's promises in the lead-up to elections. They can see straight through the Government. At the last three elections successive Ministers have talked about the Bowning deviation. [*Extension of time agreed to.*]

The Bowning deviation, which is an extension of Burley Griffin Way, is a vital through route for transportation between Griffith and Sydney. We need a deviation across the small village of Bowning in order to expedite transportation, particularly B-double trucks, through that line of road. In the lead-up to the last three elections Labor Ministers came to the town and made grand announcements that the Government will fund the Bowning deviation in their next term of Government. We are yet to see the Bowning deviation. Year after year, election after election, the Government says it will fund this deviation, but it still has not done so.

I mentioned some sluggish sewage funding announcements for villages surrounding Yass. The Brungle Sewerage Scheme has been delayed for years by the Government. I believe that that scheme has now been announced twice and has been delayed. The Goulburn Sewerage Scheme upgrade was first announced in December 2003. The Taralga Sewerage Scheme was significantly delayed as part of the fallout of the Carr Labor Government's forced amalgamation of local councils. The Tumut Sewerage Scheme has been in the pipeline for eight years. The Carr Labor Government first promised to fund that five years ago. I have already mentioned the Murrumbateman sewerage scheme, which should be a priority. It is outrageous that we are still waiting for that scheme to be funded. I can remember Virginia Rawlings, a councillor on Yass Shire Council, talking about the need for a Murrumbateman sewerage scheme 15 to 20 years ago. That is how long it has been going on. It is totally unsatisfactory and the locals are sick of it.

Health continues to be a major issue in the electorate of Burrinjuck. We have seen the farcical situation of the amalgamation between the Southern Area Health Service and the Greater Murray Area Health Service. My electorate continues to have a real and genuine problem with hospitals, with particular emphasis on the Batlow Multi Purpose Service [MPS] as well as the need for a new hospital at Tumut. I take this opportunity to publicly congratulate the local community on running the No More Band-aids campaign. Sue Swan is the co-ordinator of the No More Band-aids-New Hospitals Now campaign, run in Tumut, and has done a sterling job. It is very frustrating to go into the local community to get petitions signed, to write letters and to attend community meetings, all in an attempt to get something done, and still nothing happens. I thought I had the ear of officers of the Greater Murray Area Health Service, because they had encouraged me. However, I found out that there would be no funding for the local hospital because the service deemed Wagga Wagga hospital to be more important. After all, it was only one hour away! That is a fair distance for an unwell person to travel. Wagga Wagga hospital is to receive priority funding, not Tumut Hospital.

I will highlight the few problems facing Tumut Hospital and why a new hospital is needed urgently. There is asbestos in different locations throughout the Tumut Hospital building; there are gaping holes in the exterior cladding; water runs down the walls in heavy rainfalls; there are serious space constraints; there is a

lack of adequate office facilities for allied health professionals; there is poor drainage, which causes water to dam in roofing during rain; there are many changes in floor levels, which causes many accidents, particularly among staff; there are inappropriate floor coverings, which potentially harbour disease; there are inadequate computer systems, with potential legal consequences for patients; there are inadequate and unsanitary toilets and shower facilities; there is overcrowding in wards; there is a serious risk of cross-infection; there is no line-of-sight from emergency to the nurses' station; and there is no ongoing staffing of the emergency section—if the bell is not heard patients are left to their own devices.

Further problems include inadequate facilities for emergency resuscitation in accident and emergency; no privacy for grieving relatives and friends, and the reception of mentally ill patients. In maternity the problems are lack of privacy; perceived risk of cross-infection from other wards and visitors; medicalisation of a natural process since the closure of Sheahan House; lack of space; poor lighting; inadequate sound insulation; lack of an anaesthetist; no ultrasound available for emergency use, despite doctors having the necessary training; and difficult access to modern, reliable and affordable ultrasound—patients are being asked to travel to the only private operator in Wagga Wagga and pay full fees up front on the day of the service or face a penalty, without bulk billing for anyone.

Some small business operators have to close their shops and lose a day's takings in order to travel to Wagga Wagga. Cancer patients and others who need multiple ultrasounds face major financial difficulty, with fees of up to \$365. Many residents travel to the Australian Capital Territory or Albury for medical imaging, but those statistics are not, I believe, reflected in any of the plans produced by the Greater Murray Area Health Service. The morgue is ugly and inadequate and is inappropriately located, which causes distress to many. From the problems I have listed, there can be no doubt that it is time for a new hospital at Tumut, and that need has never been more urgent. Tumut is the home of dynamic industries such as Weyerhaeuser and Visy, and nearby is the Batlow apple industry.

Batlow needs a new MPS, and I have been asking for that for many years. In 1998, as chairman of the MPS Committee, Ian Sinclair visited the area. I attended a community meeting along with about 500 people, all of whom supported the need for an MPS for Batlow. We were told that the service would be provided, and were promised that the funding would be available. Yet, time and time again we have had deception and lies from the Department of Health and the Minister. Funding was promised and was then stripped away. Local people, including Janice Vanzella and Margaret Sedgwick, have worked consistently hard for an MPS for Batlow. Many Batlow locals have been left high and dry by this State Government.

There is no decent hospital in that entire area, an area that is famous for its forestry and apple industries—two very dangerous, blue-collar, hands-on industries in which accidents are prone to happen. There are no health facilities to meet the needs of someone who may have a finger severed or who is injured in a serious timber-felling accident. Those workers are in a very dangerous situation. The Government should hang its head in shame that it has not done anything to assist with the development of a new Tumut hospital or a new Batlow Multi Purpose Service, which are much needed by the local community.

Despite being allowed an extension of time, there is much I need to speak about this evening and I will run out of time. However, I raise the very important issue of the Breast Screen Service. I have received a letter from the Moulamein Community Health Centre Committee that outlines what many country women think about the Breast Screen Service. Margaret Morton, the Honorary Secretary of that committee, wrote:

Dear Ms Hodgkinson,

At the recent meeting of the above committee it was resolved to write to all female politicians in regard to the access of older women to the Breast Screen Service.

Women over seventy years in our area have received notification that they will no longer be able to attend the free Breast Screen Service offered by the South West Breast Screen Wagga. They have been told they are not in the target group, even though the incidence of breast cancer is high in this age group. Those who contacted South West Breast Screen were told they would be able to take up appointments towards the end of the time the mobile service was in Deniliquin (110 kilometres east of Moulamein). Not a single appointment was available, the target group took up all the available time.

Those women are aged 70 and over, a very high risk group for breast cancer, yet they are told they cannot obtain a breast screen, not even at Deniliquin, which is 110 kilometres away. That is absolutely outrageous, an abrogation of responsibility by the State Government. Talk about "out of sight, out of mind"! It is absolutely outrageous. The letter continued:

The majority of volunteers in our community fall into the over seventy age group. They live active busy lives and make a great contribution to the town. Areas they give their time to are many and varied, a few listed below.

Volunteer drivers for HACC program  
Daycare volunteers for the elderly  
Hostel visitations  
Resident representative at the hostel  
Delivery meals on wheels  
Reading program at the Moulamein Primary School

Many belong to local committees that function to keep our community strong and vibrant.

Women over seventy now believe they have been forgotten and fobbed off by their Government Health Service. They are angered to be considered **past their use by date!**

I take absolute exception to this Government treating one of our prime groups of women in such a way. Women in the 70 to 80 year age bracket in my local town are some of the most dynamic and fantastic women one could every meet. They are really great women. Of course, women are now living longer than ever before, and for them to be discriminated against in this way is appalling. I hope that the Minister for Health will read this debate and take some action. It is disgusting that an area health service and a Minister for Health can continue to treat some of our most precious possessions—women in the over-70 age group—in this disgraceful way!

We all know that the Greater Southern Area Health Service is out of control; it consistently fails to provide adequate health services or assistance to the many hospitals, health centres, health professionals and hundreds of patients in my electorate. Nurses contact me saying they do not know what to do, because they will lose their jobs if they speak out publicly. Visiting medical officers were unpaid for months on end until I raised their plight in this House. Quite simply, the Government's time has expired. It is a tired, old Government, uncaring about the lot of country people. It is time for some fresh dynamism—and only a Liberal-Nationals Coalition can deliver that. [*Time expired.*]

**Mr DARYL MAGUIRE** (Wagga Wagga) [9.03 p.m.]: I unlocked the filing cabinet, dusted off the cobwebs and retrieved the budget papers. It has been so long since the budget was delivered in this House and we had the opportunity to speak to it that I had to find these papers. I reflected on the halcyon days when the budget was delivered under a different Premier and by a different Treasurer. The budget papers certainly reflect a different vision for this State than the reality of our current situation. Hindsight is a wonderful thing. How times have changed since that budget was delivered. We have a new Premier whose Government is trying to portray itself as new and rejuvenated. Honourable members opposite were very much involved in the formulation of these budget papers and in the imposition of increased taxes and charges that Bob Carr and his Treasurers presided over. This Government is responsible for the predicament in which New South Wales finds itself. Since this budget was delivered New South Wales has spiralled into depths of what some in the community would regard as despair.

This evening I spoke to people involved in the building industry who told me how their industry has declined in New South Wales and how many friends are losing their investments, cars and houses and whatever else because of the freeze in investment and property markets since Bob Carr and his Treasurers implemented the vendor duty and imposed land tax. I can provide many examples of the State reaping billions of dollars in extra income over the past 10 years of Labor Government under Bob Carr and his Treasurers, and now under this Premier and his Treasurers. Yet people are still asking where all the money has gone. Mr Acting Speaker, people in your electorate and in the electorates of other honourable members on that side of the House would be asking where all the money has gone. Where are those rivers of gold? What has happened to the taxes that we have paid to the State Government in the expectation that they will be managed responsibly to deliver important services that are designed to ensure the wellbeing of our community?

I want to raise several issues that are high on the priority list for the electorate of Wagga Wagga. I was very sceptical about several announcements made in last year's budget, and rightly so. Hindsight is a wonderful thing, and so is the passing of time. An announcement was made about a new police station being built in my electorate. We have worked for that for 20 years. Money was made available, but not one shovel of dirt has been dug. Can honourable members believe it? The next budget is about to be delivered and the police station that we have campaigned to have built for 20 years has not happened. I expect that the Minister for Police is being encouraged by the Police Association and police men and women—he is certainly being encouraged by me—to start this job. The development application has been lodged with the Wagga Wagga City Council. The Minister should get on with the job. The next budget is about to be handed down and those police men and women have a list of demands that need to be met and promises that need to be honoured.

Money was also allocated for the planning of the Wagga Wagga Base Hospital. It is an important referral and teaching hospital. As the honourable member for Burrinjuck just indicated, some smaller hospitals around the area need refurbishing and investment. However, Wagga Wagga is the major regional hub at which the smaller towns are serviced. Some \$600,000 was allocated in the budget for planning and design, and that money is being spent. However, the next budget should contain an allocation to allow this five-year to seven-year project to progress. Our community has participated in the debate and taken part in discussions about planning and the process. We have unanimously agreed on the outcome we want achieved using the money we are asking the Government to spend. If I had made this speech nine months ago when the budget was delivered, it would have been crafted a little differently because there would have been a different expectation. However, given the passage of time, our community expects a capital works allocation in the next budget to allow building to begin.

I have mentioned the Alpine Way in this place previously. It is a major highway linking Victoria and New South Wales through the town of Khancoban, which is in the Wagga Wagga electorate. Numerous deaths have occurred on that road, which is used predominantly by motorcyclists. It is in major need of upgrade. I have lodged petitions and spoken about it in this place, and I have predicted that more deaths will occur. Tragically, another cyclist met his death on the Alpine Way on Sunday. How many deaths will it take for this Government to take control of the last 11 kilometres of road from Khancoban to the Bullenbong Bridge and declare it a State highway? The rest of the highway is under the control of the New South Wales Government and is engineered to a suitable and safe standard. This 11-kilometre stretch of road is under the control of the Tumbarumba Shire Council, which does not have the funds to upgrade the road to a national standard. I again appeal to the Minister to finalise discussions with the Tumbarumba Shire Council, to allocate the funds and to finish the road. Every day that this does not happen the clock ticks closer to another death and another needless loss of life on that road.

I have also mentioned The Rock to Boree Creek railway line in this place. Through my membership of the Staysafe committee I have learnt a lot about road safety, and particularly that we must work towards improving safety on our roads. Just yesterday the chairman of that committee spoke in this place about how truck traffic will increase by about 50 per cent over the next 20 years. Some of that increase will happen around The Rock and Boree Creek because rail and branch lines are underfunded and as a result grain is being carted on roads rather than on rail. Those roads were never built for B-doubles; they were never built for semitrailers speeding along at 100 kilometres an hour.

I went to a public meeting at Bullenbong Road, which joins the road from Lockhart to The Rock. It is a major thoroughfare, but it is a dirt road. There are rocks and boulders on the road as large as this lectern. The B-doubles and trucks that traverse the road throw up the rocks and projectiles that often damage cars. In fact, the dust is so bad that it becomes unsafe to drive on the road. The local community called a public meeting, which I attended. They need funding for the upgrading of that road. I understand that local councils must raise funds for infrastructure work through taxes and rates. However, there should be some mechanism by which the Minister can sit down with local engineers—in this case the engineers from the Lockhart and Wagga Wagga shire councils—to work out an arrangement to fund the sealing of this road.

This road lacks funding and the Government does not have the willpower to bring about a suitable solution to the problem. Earlier I referred to Wagga Wagga Base Hospital. I place on record some of the problems that are being experienced at that hospital. As the honourable member for Burrinjuck stated, the amalgamation of the Southern Area Health Service and the Greater Murray Area Health Service resulted in a number of problems. The Government predicted it would save \$100 million as a result of the amalgamation of those area health services, but those savings have not crystallised. I predicted at that time—and I still predict—that those savings will not benefit the community.

Area health services remain hamstrung by a Government that makes decisions from the top. It has removed the ability of local communities to become involved and it has removed the ability of area health services to make decisions in their own right. At the moment anyone living in Wagga Wagga requiring dialysis—Wagga Wagga is a major inland regional city; the largest regional city in New South Wales with about 60,000 people living in the city—would have to travel twice a week some 200 kilometres to Canberra, as did two of my constituents who were referred to in the *Daily Advertiser* last week, to receive dialysis. They would then have to return to Wagga Wagga.

In 2003 the then Minister for Health, Craig Knowles, said that the number of dialysis chairs would be doubled. In 2003 the new Minister for Health, Morris Iemma, said an additional \$2 million would be allocated

for dialysis. Visitors coming to the city—there was one example last week—are sent to Griffith for dialysis because no chairs are available. I referred earlier to an elderly couple. The husband is 74 years old and his wife is 72. Twice a week they drive to Canberra for dialysis. I am told that funding was made available but there is a hold on the employment of appropriate nursing staff in the Wagga Wagga Greater Murray Area Health Service until July. I think the money has been spent; I do not think it has been applied in those areas where it should have been. That area health service is now waiting for the new budget when it will have some cash.

Just last week the Minister for Health said that, under no circumstances, would he tolerate bureaucrats and health officials not paying their bills on time and that bills had to be paid within 45 days. I agree with that because I think it is fair. Why should suppliers and small businessmen not be paid within 45 days or less? They have to put food on their tables and pay their bills. Time and again we have referred in this place to accounts that remain unpaid. The problem is that the money is not in the bank. The Minister said, "I will hold you all responsible if you do not pay your bills within a given time" and he then allocates \$64 million to area health services so that they can pay their bills, which acknowledges that the money was not there in the first place.

We have to look through the spin of messages that have been printed in the papers to find that those area health services are broke and, unfortunately, the amalgamation failed, as we said it would. Importantly, this is an admission that the area health services did not have the cash that they needed available to them. If honourable members want further proof of that, my office and suppliers rang the payment department at Queanbeyan head office and were told categorically, "We cannot pay you now as there is no money in the bank." Mental health has been in the headlines at the State and national level, and rightly so as it is the forgotten child of the health system. I am delighted that recently it received the amount of recognition it deserves and all those involved have indicated they would like to do something about it.

Since the budget was brought down we have completely refurbished—courtesy of Tony Kelly and I give him a big tick for this—the old emergency services headquarters. Squatters were living in the building. Communities rallied together to raise funds to refurbish that derelict building, which cost tens of thousands of dollars and utilised many man-hours. We have been waiting for two long years for the Minister to approve funding to operate that centre. Mental health services in regional areas are few and far between. There are some wonderful services but they are severely underfunded, in particular in regional areas. Sunflower House will provide help to people with mental illnesses—something that the Government and this Premier admitted has been neglected. I urge the Minister to address this issue sooner rather than later. Governments continually are raising taxes and charges. What a failed tax the vendor duty was! It was implemented under Bob Carr even after so-called protests by his backbenchers. I do not know how loudly they protested, as I did not hear their howls of protest on the tenth floor. [*Extension of time agreed to.*]

I read about their protests in the *Daily Telegraph* and in the other mediums to which those unhappy members leaked it, but ultimately nothing happened or changed. I heard howls of protest about the club tax, but I did not hear howls of protest outside the caucus room or the party room and those taxes and charges were implemented. We have seen a reversal of that tax by the Premier and this reincarnated Government. When I read the papers and listen to the Premier delivering answers to questions asked by Opposition members I think to myself, "Goodness me, have I missed the last 12 months? Is this a completely new Government? Have we all changed roles in this place?" The answer is no.

After 10 long years this is the same Government and this is the same group of people who voted for taxes and increases in charges. This same group of people did not stand up to the then Premier. They stood up to this Premier and he backed down, but it is too late because the damage has been done. The property market in New South Wales is frozen; in fact, it has gone into the Ice Age. The person with whom I was having dinner tonight confirmed that in my mind. A random audit of real estate agents this week—three phone calls—established that a mortgagee was in possession of three properties. That tells us that the policies of this failed Government are beginning to bite in this State.

Over time there will be more failures as a result of this Government's policies. Government members did not have the backbone to stand up for what was right at the time. I could talk about many issues in regional and rural New South Wales. However, tonight I place on record my concern about the provision of sewerage infrastructure and water supplies. We have just experienced one of the worst droughts in 100 years, but funding for water supplies in regional and rural New South Wales has been cut back by 11 per cent. Communities trying to drought-proof themselves can obtain from this State Government only a lousy, measly 11 per cent. Traditionally, it was 50 per cent. Again, those organisations have asked, "Where has all the money gone?"

The communities of Tumut, which will be in the electorate of Wagga Wagga after the next election, and Tumbarumba have been concerned about funding, infrastructure and the sale of Snowy Hydro. Numerous community members have written to my office and complained about the way in which this process took place. I know that the honourable member for Monaro has complained also. However, time will tell whether he has the capacity to change the decision. That will be the biggest test for the honourable member for Monaro because he has openly opposed the sale of Snowy Hydro. There will not be a vote in this place, so he will never be put to the test. I read in today's *Daily Telegraph* that there is to be a vote in caucus next week. I will be interested to see whether the honourable member can influence the Premier and others to abandon the sale of Snowy Hydro. On 24 May 2005 the Leader of The Nationals said:

Today's State budget has failed to provide funding to prevent the looming power crisis in NSW, while at the same time massively increasing the Government's grab for dividends from the State's electricity companies.

The Carr Labor Government has once again wasted another year to avert our State's looming power crisis. With NSW electricity demand due to exceed capacity in the next 3-4 years, we need action now. There's no time to waste.

Spending in this Budget is only for routine maintenance and minor upgrades. It's about holding the system together with a bandaid rather than actually rebuilding and improving the State's electricity infrastructure and generation capacity.

What did the Government do? It decided it was all too hard. It said, "We will flog that and plug the black hole"—the deficit. Some \$500 million is forecast—and that is just the beginning. The Government made that decision without putting the matter before caucus. Wrong, wrong, wrong! If there is a revolt in caucus, rightly so. This is the core of the problem in New South Wales: underinvestment, waste and mismanagement. In every one of my files there is ream after ream of projects that have been undertaken by this Government, that have been mismanaged, that have gone over budget and that have been absolutely wasted. There were rivers of gold, rivers of taxation, the property boom, the taxes that were reaped, the Olympics, et cetera—the Government wasted the opportunity. We have had 10 years of Labor Government.

One does not have to be a crystal ball reader to understand that this is a hereditary problem. Labor governments traditionally get in, promise the world, deliver very little and go out with a budget deficit. Honourable members should look at what happened to Victoria under Joan Kirner. Labor gets in power, spends all the money, sells everything off and leaves with the State in a mess. Hospital waiting lists have never been longer in this State. In an attempt to solve the problem the Government introduced the new system. It introduced a new category called "Patients Not Ready". That had a big effect! It reduced the elective surgery waiting list in this State by some 10,000. However, if one looks at the patients not ready for elective surgery, one finds that the numbers are the same. We are just shifting the peas under thimbles; we are not solving the problem.

It has been suggested that we will have low activity days in the Wagga Wagga electorate; we often have them. It means fewer operations and less activity in the local hospital; it means that wards are blacked out; it means that doctors cannot operate and surgery cannot be performed, except for emergency surgery. I say to those hardworking men and women in our health system, to those health professionals, those dedicated people: we understand the pressure, the strain and the stress that you are under as a result of the policies of this Government. Low activity days will never solve the problem; good management will. One cannot get a decision from anyone. The area directors—whatever one chooses to call them—are no longer authorised to sign cheques above a couple of hundred bucks, so it means that petty cash is out the window. The area directors have to get a decision to do that. No-one can make a decision; everyone is appointed in a temporary capacity. How can a system work? The community has lost confidence in the delivery and the management of the area health services. They are the kinds of problems that eat away at the very fabric of our communities.

I refer to CountryLink and the problems that we have had with trains. They need basic maintenance; people's lives are at risk. What on earth is going on in this State? It is no wonder people complain when they come to the city, drive down William Street and try to get from A to B. I get in the lift and some of my Labor colleagues hang their heads in shame and are worried about the future of their seats. I can understand why. The promises that were made in this budget have failed the community and have failed the State. This budget is fiction and the predictions that were made have disappeared into the abyss. Today the predicted surplus of \$21 has disappeared and there is going to be a deficit of some \$500 million. Under a Labor Government, who knows where that deficit will end up.

I do not believe for a minute that this Government has the solutions. For the past 10 years we have had spin in this place—we have had a myriad of spin doctors and a conga line of Ministers who have administered portfolios and played musical chairs. However, when one considers the past 11 years and thinks about how this State has been managed and looks towards the future, one sees that there is not a future under this Labor



Government because it does not have a plan. It will tell you it does; it will tell you that it has a strong and detailed plan, but try to get the detail on the sale of the Snowy Hydro—it is not there; it is not available to the public; it is not on a web site; it is merely information given through the lips of bureaucrats who have been sent out there to sell Snowy Hydro.

It is the same with most projects the Government takes on. The Government says, "Take us on face value. Trust us." The State and the public do not trust the Government any more. As I said earlier, the chickens are coming home to roost. It must seem that with each budget Opposition members stand up and whinge, whine and moan, and suggest that there is not any good in this State. Well, there is—there is a lot of good in this State. There are a lot of good people, particularly in rural and regional New South Wales, who are working hard to make a future for their families and their children. A lot of people have invested in real estate and have been burnt badly. They are about to pay their land taxes—that dreadful land tax that was implemented by Bob Carr so he could dig himself out of trouble.

Those tax bills are coming in. Good, honest Labor voters will never vote Labor again. They have voted Labor all their lives, and Labor has let them down. Members of the Labor Party did not stand up for them; they did not howl down Bob Carr and Michael Egan and demand that they not implement that tax. People have to pay those bills now. Some people have to sell their properties. Good, honest Aussie battlers have to pay Labor's taxes for the waste and mismanagement carried out by the conga line of Ministers in myriad portfolios. I could go on, but the Minister for Gaming and Racing is getting tired; he needs to go home and have a sleep. I can see that he has lost interest, as has the Government.

**Mr ANDREW CONSTANCE** (Bega) [9.31 p.m.]: The eleventh budget handed down by this Labor Government—the Iemma and Carr governments are the same entity—confirmed New South Wales as the highest-taxing State in Australia. The budget failed to cut taxes and did not address the infrastructure crisis facing this State. Growth in New South Wales remains sluggish while States such as Queensland, Victoria and Western Australia continue to benefit from this Labor Government's economic policies. The budget was handed down nine months ago and the fact that we are debating it this evening is a clear demonstration that the Government cannot manage parliamentary business. Indeed, some people may find it strange that members of Parliament are still debating a budget that was delivered so long ago.

However, this debate gives me an opportunity to reflect upon the issues facing communities on the far South Coast in the electorate of Bega and to examine how decisions made in the budget nine months ago are affecting them. This evening I will address specifically subjects such as the Princes Highway, Nardy House, hospitals, the Snowy Hydro scheme, water and sewerage, mental health, and taxation. When the budget was delivered I observed that it lacked solutions, plans and vision, and offered no answers. The New South Wales Government does not have a revenue problem; it has an expenditure problem. This is evidenced by the fact that the public sector wage bill has passed \$20 billion for the first time in the State's history. A policy of no forced redundancies has not served the State or the public sector well and has resulted in a bureaucracy that is bloated beyond comprehension. As a result, the people of New South Wales are not receiving the front-line services that they deserve and expect.

The budgetary allocations for far South Coast communities failed to address several issues. The Princes Highway, in particular, remains a sticking point for the Government. The cost of the Pambula Bridge project has blown out now to \$17 million, despite the assertion in the budget papers that it would cost \$10 million. I have evidence that the honourable member for Monaro, who shares with me responsibility for this bridge, is blaming Bega Valley Shire Council and its engineers for the cost blow-out. I will produce that evidence to the local community. Residents are outraged that five weeks ago the honourable member for Kiama and the honourable member for Monaro were still claiming that the bridge would be built. They said that the Government would get on with the project in the New Year. However, in the last week in January 2006 the State Minister for Roads sent a letter to the Federal Minister for Roads requesting an additional \$3.5 million from the Commonwealth to fund the project. We must ask: How did the State Government get the costings so wrong?

The existing rotten wooden bridge must be replaced. Much confusion surrounds the issue. The Minister claimed in his letter to the Federal roads Minister that the State Government was planning to build a bridge to withstand a one in 20 years flood. Yet the State Parliamentary Secretary Assisting the Minister for Roads declared in a media statement that a bridge would be built to withstand a one in 100 years flood. Which is it to be? The local community is ropable that the Labor Party has doubled the cost of this bridge project, and now the honourable member for Monaro is blaming Bega Valley Shire Council for getting the costings wrong.

The Budget Speech of nine months ago made no mention of Nardy House in my electorate, which was built to accommodate young people with profound disabilities. A community organisation that was established about 10 years ago secured project funding from the State Government. Faye Lo Po', the former State Minister for Disability Services, gave a commitment that the project would be funded recurrently but, lo and behold, John Della Bosca, the current Minister for Ageing, is refusing to provide that funding. This magnificent building stands in a paddock some 30 kilometres north of Bega on the Princes Highway. The facility is ready to go and the communities of the far South Coast want it to be opened to young people who are profoundly disabled. But the building has been empty for 12 months. That is not a record of achievement; that is just sad. It is an indictment on the State Government that it has been unable to solve this problem.

The condition of the Princes Highway is a major issue for far South Coast communities. In December 2004 the then Minister for Roads, the current Minister for Police, announced in the order of \$40 million additional funding for the Princes Highway. Yet not one cent of that money has been spent on the Princes Highway. In 2004 26 people were killed on the highway and, from memory, 16 people were killed last year. But the Government has not spent on the Princes Highway the \$40 million that it allocated for that purpose. I have approached the State Coroner's Office because I believe the state and maintenance of the highway is causing fatalities. The State Government is responsible for looking after that asset. I am yet to receive a response from the State Coroner regarding the conduct of an inquest into the Princes Highway. The State Coroner is waiting on evidence from the NSW Police Traffic Commissioner and, when it arrives, I am sure that the State Coroner will examine this issue further.

The State Government has spent no money on one section of the Princes Highway from south of Batemans Bay to Mogo, yet 65 accidents have been reported on that 100-kilometre stretch of road in the past five years. That is one accident per month in that high-speed zone. Fatal accidents have occurred and awful injuries have been sustained. We would think someone in the Roads and Traffic Authority and the Ministry of Transport would respond to the situation. But this is another example of the Labor Government's inability to manage itself. We have had four State Roads Ministers in the past 18 months. By the time members receive a ministerial response to a roads issue a new Minister is in office. The commitments made by the Minister for Police as Minister for Roads were not met, probably because consecutive roads Ministers did not follow up on the promises made by their predecessors. This is an absolute outrage. It is a disgrace. This Government's behaviour and actions are resulting in fatal accidents on this highway. For the highway to be classified worse than the Pacific Highway in 2004 and for nothing to be done by way of funding is outrageous.

I am sick to death of hearing from people like the Minister for Roads and the Parliamentary Secretary Assisting the Minister for Roads who are happy to say, "We are spending \$300 million on the Princes Highway over 12 years." When you look at the State's total road program budget, which is about \$2.9 billion, and you calculate that the road projects north of Kiama amount to \$317 million, it leaves about \$65 million for the rest of the highway south of Nowra. Over a 12-year period, that amounts to \$5 million annually. It means that 0.18 per cent of the State's \$2.9 billion road program budget is being spent on this section of highway. It is one thing for the State Government to carry on at the Federal Government about roads funding, but for goodness sake, it needs to fix its own funding allocation. If there had been 26 fatal accidents in one year on a road in Western Sydney, you can bet your bottom dollar that former Minister for Roads, Carl Scully, would have been out there with his own shovel fixing the road.

In relation to hospitals, I called on the Government to allocate a significant amount of money to Bega Hospital for the operating theatres. The Government has not done so. The operating theatres in Bega service a region from Batemans Bay to Mallacoota in Victoria and up to the Snowy Mountains. The orthopaedic service at Bega Hospital is run by world-class surgeons. Bega Hospital's problem is not a shortage of doctors, but a shortage of vital infrastructure. The operating theatres do not meet Australian orthopaedic standards for joint replacement surgery. The health service and the Government are not willing to spend the money because the Government realises that at some point in the next 10 to 12 years it must build a new hospital for the Bega local government area and a new hospital for the Eurobodalla Shire. This reluctance to spend money on the operating theatres today will result in the orthopaedic surgeons packing up and leaving town. Then we will have a doctor shortage. We have a fantastic service but it is now being put at risk as a result of the incompetence of this Government.

I was surprised to learn today the overall figure for funding provided to the Australian Capital Territory [ACT] health system from the New South Wales Health budget for patient care for residents in south-east New South Wales. Over the last five years the New South Wales Government has provided about \$250 million to the ACT health system. Based on the Queanbeyan Hospital figures, that could have built five new hospitals,

certainly at least three. In the last five years, almost 2,500 patients have been admitted to Canberra's hospitals from the Bega electorate alone. If ever there were an argument to expedite the building of new facilities on the far South Coast, there is the evidence. Why on earth has New South Wales forked out \$56 million in the last 12 months so that the ACT health system can look after New South Wales patients? In 2003-04, it was \$54 million; in 2002-03, it was \$46 million. That is an extraordinary amount of money against the backdrop of a health service that is debt-ridden to the tune of \$20 million, maybe more. We hope to find out the exact figure very shortly.

Nothing was done in the State Budget to address the financial crisis at the Greater Southern Area Health Service. Thousands of businesses and suppliers across the State are up in arms because they have not been paid. The Greater Southern Area Health Service is a sick system and nothing has been done to address the problem. It was interesting to read the Sunday papers last weekend and see the Minister for Health starting to beat his chest on this issue. It surely is a sign that the Greater Southern Area Health Service has a significant problem, which no-one is fully aware of. There is no doubt that something will come of it in the near future.

In December, WorkCover issued nine notices on Bega Hospital. Doctors and nurses were at risk of electrocution. The airconditioning was not being maintained due to a lack of funding. There are wonderful maintenance staff in the facility but there is no funding to provide new airconditioners and equipment. The Government has a massive problem. My view is that if this were a private facility, WorkCover would have closed it down. It has remained open because it is a Government facility. The local community worked overtime to encourage greater funding for beds to be made available in the Budget. The community achieved this with 10 beds being allocated through the Budget, six at Bega Hospital and four at Batemans Bay Hospital. I think that was final recognition from the Government that something needed to happen in relation to those facilities. *[Extension of time agreed to.]*

There are major problems on the far South Coast in relation to mental health and BreastScreen funding. The Government is refusing to provide the necessary funding to support mental health patients. We know from the facts and figures that the Government announced a significant package but when it came to spending that money over the previous 12 months it failed to do so. I see a situation where patients have to be transported to the Chisholm Ross Centre in Goulburn from the far South Coast. That can be anything up to a five-hour trip and the New South Wales Police have to provide an escort service. Families are distressed by this. What really angers me about this is that the area health service did an assessment on Bega Hospital to determine whether 10 psychiatric beds could be provided.

The outcome was that they could, but the area health service decided to allocate more funding to Chisholm Ross on the basis that a new hospital might be built at some time in the next 10 years. That is a tragic situation. We need those beds. I call on the Government to reconsider its funding allocation to mental health in the State's south-east. We are living in a black hole when it comes to mental health services in this region and the problem must be addressed. It cannot continue, particularly with a large retiree population. There are many issues relating to geriatric care and services for young people. We can no longer allow mental health services to continue in this way.

I will touch briefly on a number of other issues that affect the Bega electorate. The Government has cut the Country Towns Water Supply and Sewerage Scheme. In 2005-06 the Government will spend only \$32.2 million, which is way below the \$85 million a year it promised to deliver for the next 10 years. I note that a member of Country Labor, the honourable member for Tweed, is in the Chamber. Very little is said by him about the fact that local government does not receive the necessary subsidies to get on with projects, such as the Yellow Pinch pipeline or the Eurobodalla Integrated Water Cycle Management Plan and its need to build an off-river storage facility in the southern part of the shire. This Government has got to get its act together in relation to the Eurobodalla supply where there is no security. It has one off-river storage facility and three rivers that have to support not only local residents but also the seasonal impact of tourists.

Local government is raving mad about the lack of subsidies being provided to build the necessary water and sewerage infrastructure around this State. Now that the Government is not spending the billions it planned to immediately commence building a desalination plant, although it has not shelved the plans—and no doubt the Government will proceed to build it—I hope that much of that funding will be returned to country New South Wales to build the necessary water and sewerage infrastructure. The problem of noxious weeds has not been addressed in this year's budget. Recently at Bega 350 farmers attended a meeting. The State Government has not allocated any increase in funding on noxious weeds and that is a disgrace. From memory, the State faces a \$600 or \$700 million loss of income due to noxious weeds yet the Government is spending only \$7 million. We have

many issues around fireweed, African lovegrass and the like that cause much heartache for many farmers in rural communities, particularly on the coast.

There is no doubt that when last year's budget was put together by Cabinet, of which this Premier was a part, a decision was made to privatise the Snowy Hydro scheme. Recently I heard the nonsense of the honourable member for Monaro when on local radio he pretended not to know about it and he made noises about opposing the proposal. I laughed when I read today's *Sydney Morning Herald* when the honourable member for Monaro talked about good Labor ethics when it comes to Snowy Hydro.

**Mr Neville Newell:** Point of order: I am concerned that during the contribution of the honourable member for Bega interjections and laughter have been coming from the seat behind Madam Acting-Speaker. I do not know why but perhaps you could take appropriate action to either remove the persons or ensure that they direct due courtesy to the honourable member for Bega during his address.

**Madam ACTING-SPEAKER (Ms Marie Andrews):** Order! I take the point made by the honourable member for Tweed. I ask the two ladies seated behind me to restrain themselves, if that is possible.

**Mr Neville Newell:** If they have been drinking they should leave the House.

**Mr ANDREW CONSTANCE:** Point of order: That is a disgraceful slur by the honourable member for Tweed. They cannot help laughing at the joke he is. He should not make assertions about people he does not know. If the honourable member for Tweed wants to talk about drunks I could start pointing at his side of the House. He should not make assertions in this Chamber about people he does not know, or about alcohol, particularly when one of the women concerned is pregnant and would not drink anyway. You are an absolute buffoon! I ask the honourable member for Tweed to withdraw his remark. Withdraw that remark!

**Mr Neville Newell:** To the point of order: I am trying to maintain the dignity of the House and to protect the honourable member for Bega by preventing interjections and so forth from people who are not entitled to make such comments. I ask the two ladies who as a courtesy are sitting behind Madam Acting Speaker to observe the usual courtesies to honourable members so we can continue the debate.

**Madam ACTING-SPEAKER (Ms Marie Andrews):** Order! The standing orders do not require the remarks to be withdrawn. The two people seated behind me are present because of the courtesy of the Speaker. I ask them to refrain from making any remarks.

**Mr ANDREW CONSTANCE:** The honourable member for Tweed is an absolute disgrace! Quite frankly, they laughed because the honourable member for Monaro and the honourable member for Tweed are a joke. They did not interject or make comments, they just laughed. They laugh at a Government that stinks and is a joke. They laugh because the Government is going to flog off an asset against every principle that the Labor Party stands for. The Government is a hypocrite when it comes to Telstra privatisation but it is very happy to roll over on the Snowy Hydro scheme privatisation. The honourable member for Tweed and his Country Labor mates, such as the honourable member for Monaro who put on an academy award winning performance when he made out that he looks after regional communities of the State's south-east, were part of this grubby little deal. The honourable member for Monaro knew full well that Cabinet was looking at privatising Snowy Hydro but then pretended. He said, "I don't know what's going on. I have no idea."

It makes him look an even bigger fool when he does not know what is going on inside his own Labor Party. Quite frankly, for him to talk about Labor ethics and make out that it is a magnificent Labor Party that is flogging off the State's assets to pay the wage bills of fat-cat bureaucrats is simply not good enough. The Government should not privatise that asset to pay the wage bills of fat-cat bureaucrats. The honourable member for Monaro is going to kiss his seat goodbye next March on the back of privatisation of the Snowy Hydro scheme because the people of the State's south-east are not going to forgive him. They do not believe him. They know full well that he was in on this grubby little arrangement from day one, and was privy to the information and the meetings that were held.

Six months later he pretended he did not know anything about it when he said, "Please vote for me, I didn't know, I am opposed to it," yet there are issues about environmental flows, access to water, job cuts and the sponsorship of the Snowy Hydro chopper service. The Government wants to sell this asset for \$2 billion, but it could be worth \$7 billion. There will not be any legislation before this Parliament but a debate will be held in caucus. This makes the Government look like a pack of hypocrites in relation to Telstra. It has, in essence, now

forced the Victorian and Commonwealth governments to sell their parts because there is no point in the Commonwealth remaining part of a private organisation when it holds only 13 per cent. This Government is reaping in the order of \$110 million from dividends and it is going to flog off the asset because it wants to be able to pay the wages of public servants. That is because the Government is held captive by the Public Service Association with its policy of no forced redundancies.

The Government has blown out the budget to the tune of half a billion dollars. The wages bill in this State has passed \$20 billion, yet members of the Government talk every day in this Chamber about its revenue problems when it is actually an expenditure problem. The hypocrisy of Country Labor is outstanding. I think that people such as the honourable member for Tweed should not be in this Parliament.

**Debate adjourned on motion by Mr Neville Newell.**

**The House adjourned at 10.01 p.m. until Thursday 2 March 2006 at 10.00 a.m.**

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