

# LEGISLATIVE ASSEMBLY

Tuesday 7 March 2006

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

## DISTINGUISHED VISITORS

**Mr SPEAKER:** I welcome to the Speaker's Gallery a Lebanese delegation from the village of Alminia: Mr Mustafa Akal, Mayor of Alminia, Mr Abbas Kouweider, a councillor from Alminia and Mr Khaled Ghoneim, Manager of Alminia council, and their Australian hosts, Mr Mustafa Hamed, President of the Bhanin Association, and Mr Mustafa Mahfoud, President of the Alminia Association in Australia. They are guests of the honourable member for Auburn and the honourable member for Bankstown.

## VARIATIONS OF PAYMENTS ESTIMATES AND APPROPRIATIONS 2005-06

**Mr John Watkins**, on behalf of the Treasurer, tabled variations of the payments estimates and appropriations 2005-06 under section 24 of the Public Finance and Audit Act 1983 flowing from the transfer of functions from the Independent Transport Safety and Reliability Regulator to the Office of Transport Safety Investigations.

**Mr John Watkins**, on behalf of the Treasurer, tabled variations of the Consolidated Fund receipts and payments estimates and appropriations for 2005-06 under section 26 of the Public Finance and Audit Act 1983, Advancing Australian Agriculture Exceptional Circumstances.

## POLICE INTEGRITY COMMISSION

### Report

**Mr Speaker** announced the receipt, pursuant to section 103 of the Police Integrity Commission Act 1996, of the report entitled "Report to Parliament—Operation Sandvalley", dated February 2006.

**Ordered to be printed.**

## PETITIONS

### Pensioner Travel Voucher Booking Fee

Petitions requesting the removal of the \$10 booking fee on pensioner travel vouchers, received from **Mrs Shelley Hancock**, **Mr Andrew Stoner** and **Mr John Turner**.

### South Coast Rail Services

Petition opposing any reduction in rail services on the South Coast, received from **Mrs Shelley Hancock**.

### Murwillumbah to Casino Rail Service

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

### CountryLink Rail Services

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

### **Jervis Bay Marine Park Fishing Competitions**

Petition requesting amendment of the zoning policy to preclude fishing competitions, by both spear and line, in the Jervis Bay Marine Park, received from **Mrs Shelley Hancock**.

### **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**.

### **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**.

### **School Students Intellectual Disability Support Unit Classes**

Petition request that support unit classes be maintained for students with intellectual disabilities, received from **Mr Greg Aplin**.

### **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**

Petitions requesting funding for BreastScreen NSW, received from **Mr Andrew Fraser, Mrs Judy Hopwood, Mr Michael Richardson and Mr Andrew Stoner**.

### **Isolated Patients Travel and Accommodation Assistance Scheme**

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

### **Lismore Base Hospital**

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

### **Shoalhaven Mental Health Services**

Petition requesting funding for the establishment of a dedicated mental health service in the Shoalhaven, received from **Mrs Shelley Hancock**.

### **Manyana Residential Land Rezoning**

Petition opposing the proposal by Kylor to rezone residential land in Manyana, received from **Mrs Shelley Hancock**.

### **Newstan-Awaba Mines Extension Project**

Petition opposing Centennial Coal Company Limited's proposal to extend the Newstan-Awaba mines for open-cut mining, received from **Mr Jeff Hunter**.

### **Recreational Fishing**

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

### **Lismore Fire Service**

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

### **Crown Land Leases**

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

### **Dunoon Dam**

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

### **Shoalhaven River Water Extraction**

Petition opposing the extraction of water from the Shoalhaven River to support Sydney's water supply, received from **Mrs Shelley Hancock**.

### **Shoalhaven City Council Rate Structure**

Petition opposing a 27 per cent rate increase proposed by Shoalhaven City Council, received from **Mrs Shelley Hancock**.

### **CSR Quarry, Hornsby**

Petition requesting a public inquiry into Hornsby Shire Council's acquisition of CSR Quarry in Hornsby, received from **Mrs Judy Hopwood**.

### **Grafton Bridge**

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

### **Barton Highway Dual Carriageway Funding**

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

### **Forster-Tuncurry Cycleways**

Petition requesting the building of a cycleway in the Forster-Tuncurry area as shown on plans of the State coastal cycleway, received from **Mr John Turner**.

## **LEGISLATION REVIEW COMMITTEE**

### **Report**

**Mr Allan Shearan**, as Chairman, tabled the report entitled "Legislation Review Digest No. 2 of 2006", dated 7 March 2006, together with minute extracts regarding "Legislation Review Digest No. 15 of 2005" and "Legislation Review Digest No. 1 of 2006".

**Report ordered to be printed.**

## QUESTIONS WITHOUT NOTICE

### CROSS-CITY TUNNEL AND ROAD CLOSURES

**Mr PETER DEBNAM:** My question is directed to the Premier. Despite paying more than \$5 million in legal fees on the cross-city tunnel, why is he continuing to ignore his own legal advice which says that he can immediately reopen another 37 roads without compensation?

**Mr MORRIS IEMMA:** The announcement on Sunday was the commencement of an approach to build a relationship of co-operation to benefit motorists.

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

**Mr MORRIS IEMMA:** What we have is a 50 per cent reduction in the toll and the reopening of a number of roads—or not proceeding with a number of road changes—and a process over the next three months of continuing discussions about further road surface changes. That process will take place in a calm considered atmosphere to achieve an outcome that gives motorists a better deal, in stark contrast—

**Mr Peter Debnam:** Point of order: My point of order relates to relevance.

**Mr SPEAKER:** Order! I fail to understand how the Leader of the Opposition can take a point of order on relevance when the Premier has been speaking for barely a minute.

**Mr Peter Debnam:** I will explain it to you. My question is about the Government's own legal advice.

**Mr SPEAKER:** Order! The Leader of the Opposition has asked a question. He should not waste the time of this House by asking the question a second or a third time. He will resume his seat.

**Mr MORRIS IEMMA:** The advice from Mr Walker is clear: it confirmed that the Roads and Traffic Authority did have the power to enter into the cross-city tunnel contract. It also confirmed that there are a number of avenues available to the cross-city tunnel to seek compensation if certain traffic arrangements contemplated by the deed were altered. That is the legal advice that was given.

**Mr Peter Debnam:** Point of order: He is simply misleading the House. This legal advice is very clear.

**Mr SPEAKER:** Order! The Leader of the Opposition will resume his seat. He has now made two attempts to disrupt the Premier's reply by taking spurious points of order. I warn the Leader of the Opposition and all members of the Opposition that if they adopt the tactic of disrupting answers by taking spurious points of order about relevance I will have no hesitation in calling them to order.

*[Interruption]*

**Mr SPEAKER:** Order! I place the honourable member for The Hills on three calls to order. If need be I will place members on three calls to order. I intend to have question time proceed in an orderly way by ensuring that members comply with the standing orders. The Premier has the call.

**Mr MORRIS IEMMA:** The advice of Professor Blackshield, who has been quoted in a number of areas in relation to this matter, does not appear to consider the application of the Frustrated Contracts Act. I am further advised that this Act sets out a scheme of compensation if the project deed for the tunnel is frustrated. The advice from Mr Walker confirms the Government's position: If it moves to reverse road changes it may expose New South Wales taxpayers to significant compensation payments. However, senior counsel acknowledged that compensation will depend very much on the status of individual roads.

In that regard, from as early as October last year the Government sought further legal advice about options to make various road changes and their likelihood of triggering calls for compensation from the operator. Advice from Clayton Utz dated 8 October 2005, which has been publicly released, confirms that it would be reckless for the Government to leave the State budget exposed by unilaterally reversing road changes relating to this project. As I have said before, if the tunnel operators are prepared to negotiate, the Government is happy to sit down and discuss proposals with them. That is exactly what we will be doing over the course of the next three months.

**Mr Peter Debnam:** Point of order: He goes too far.

**Mr SPEAKER:** Order! The honourable member for Murray-Darling will come to order.

**Mr Peter Debnam:** I seek leave to table that 8 October letter because the Premier is lying his head off.

**Mr SPEAKER:** Order! The Leader of the Opposition knows he cannot seek leave to table papers. He will resume his seat.

*[Interruption]*

**Mr SPEAKER:** Order! The Leader of the Opposition will resume his seat. Once again he is attempting to disrupt the Premier's reply by taking a spurious point of order. The Premier has the call.

**Mr MORRIS IEMMA:** Instead of being happy for motorists that the deal negotiated on Friday gives them a 50 per cent reduction in the toll, and a process of further discussions to achieve a further outcome for motorists—

*[Interruption]*

The Leader of the Opposition is unhappy that the outcome has been a reduction in the toll and changes to roads and that discussions about further changes will be held. That is the fact. We have always said it can happen in co-operation with the company. It put on the table a proposal that made sense to the Government and we concluded the arrangement announced on Sunday. We will use the next three months to progress discussions on further road surface issues. We will do that without the reckless indifference to the cost to the taxpayers displayed by the Leader of the Opposition. From day one, his position has been fold, yield, give them the money—just give them the money.

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

**Mr MORRIS IEMMA:** No wonder, because that is the position of the Leader of the Opposition on everything. Whenever he comes across any interest group, it is always, "Give them the money". However, he will never tell us how he is going to pay for it. Yesterday he confirmed that when he was asked how he would pay for unilaterally stepping in and tearing up the contract—

*[Interruption]*

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

**Mr MORRIS IEMMA:** He said:

I don't have an answer on that and we don't need one for 12 months because we are not going to tell people how we would.

That was his answer yesterday. He has not the foggiest idea of how he would pay for tearing up the contract. By the way, that is about the fourth position he has had on the cross-city tunnel. At first it was "Get in there and renegotiate". However, the Leader of The Nationals said it would be irresponsible to bail out the operator. Then the Leader of the Opposition said it was an issue of reviewing the tolls. Then on ABC radio last week he said, "Oh, no, it is not tolls."

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

**Mr MORRIS IEMMA:** On Sunday we gave the motorists a reduction in tolls—and a good one at that. They deserve a reduction in the toll and at least a dozen road changes.

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

**Mr MORRIS IEMMA:** During the next three months we will enter into further discussions with the company on further road surface issues.

**FEDERAL GOVERNMENT INDUSTRIAL RELATIONS LEGISLATION**

**Mr MICHAEL DALEY:** I direct my question to the Premier. What action is the New South Wales Government taking to protect vital front-line public sector workers such as nurses and ambulance officers from the Federal Government's WorkChoices legislation?

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

**Mr MORRIS IEMMA:** I thank the honourable member for Maroubra for his question.

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

**Mr MORRIS IEMMA:** It is a great question about protecting the working conditions of our front-line workers. The seventh of December was a black day for New South Wales workers, a day that will live in infamy. It was the day John Howard's WorkChoices legislation passed the Senate. It is draconian law designed to slash wages and conditions and to sideline the independent umpire. The New South Wales Government has opposed these laws every step of the way and it will continue to do so.

[*Interruption*]

There is nothing from the Opposition about protecting low-paid workers. When it comes to protecting penalty and overtime rates, there is no support for vulnerable workers. When it comes to carers' leave and parental leave, there is no support from the Opposition to protect those conditions. The Leader of the Opposition made his position perfectly clear on 4 November last year, and it is a consistent position on a range of issues. When asked by the *Sydney Morning Herald* to confirm that his policy was still to hand over the industrial relations system of New South Wales to Canberra, he confirmed it: it is still the State Coalition's policy to cede industrial relations power to the Commonwealth if it is elected. When the Government launched its High Court challenge, did he have a position on supporting workers of this State? When asked whether he would support the Government in its High Court challenge his response was:

The Premier hasn't briefed me on the High Court challenge, so I'll come back to that one.

**Mr SPEAKER:** Order! Members of the Government will come to order. The Premier has the call.

**Mr MORRIS IEMMA:** Sounds familiar, doesn't it? When asked, "How you will pay for tearing up the contract for the cross-city tunnel?" he said, "I'll come back to that one." We had another example yesterday. On reports that the former Leader of the Opposition is seeking to re-enter politics, the current Leader of the Opposition was asked what his position would be. Members should remember that last year he said, "We would welcome John back straight onto the front bench." Last year the welcome mat was out, but yesterday he put up the "Do not disturb" sign. When it comes to protecting the vulnerable workers in this State—the nurses, teachers, ambulance officers and other front-line workers—his position is, "I haven't been briefed; I'll come back to you on that one." As if he needs a briefing to support legislation—

**Mr Andrew Tink:** Point of order: The point of order is relevance. The question was clearly about industrial relations, nothing to do with Mr Brogden. If he wants to raise Mr Brogden—

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

[*Interruption*]

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

[*Interruption*]

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

[*Interruption*]

**Mr SPEAKER:** Order! It is clear that a number of members who dislike question time are seeking a reason to be ejected from the Chamber. I will have no hesitation in accommodating them if they persist.

**Mr Carl Scully:** Point of order: I have been concerned for some time about an obvious tactic from the Opposition to use question time for what are fraudulent points of order. I call on you—

*[Interruption]*

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

**Mr SPEAKER:** Order! The Leader of the House sought the call to take a point of order, and I have asked the Leader of the House to give his point of order.

*[Interruption]*

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

**Mr Carl Scully:** It is that sort of behaviour which shows it is obviously a tactic of the Opposition to abuse question time and I would ask when people like the honourable member for Epping and Eastwood abuse the processes of the House they be called to order and people like the honourable member for Gosford ought to be thrown out.

**Mr Chris Hartcher:** To the point of order: What point of order are you trying to make?

**Mr Carl Scully:** The point of order is that you should start behaving yourself in question time and if you don't you should be thrown out.

**Mr Chris Hartcher:** The Leader of the House should behave himself. He should respect the authority of the Chair. Show some respect.

**Mr SPEAKER:** Order! I call the honourable member for Bega to order. I call the honourable member for Gosford to order for the second time. I acknowledge that it is open to members to raise various issues in points of order. However, I will not tolerate the interjection and calling out that has occurred in the past few minutes. I will have no hesitation in calling to order those members who call out from their seats for no purpose other than to disrupt the proceedings. I repeat that the Chair will not tolerate spurious points of order being taken merely to disrupt the flow of a reply by the Premier or a Minister. The standing orders and a number of precedents set by former Speakers from both sides of the House support that view, and I will deliver a definitive ruling in relation to the matter if the need arises. However, I hope the remainder of question time can continue without the disruption the House has experienced in the past few minutes. The Premier has the call.

**Mr MORRIS IEMMA:** That was the question and the response was:

The Premier hasn't briefed me on the High Court challenge, so I will come back to that one.

The ABC journalist persisted:

As a matter of principle, it's been talked about for a while, they're now launching a High Court challenge ...

The Leader of The Opposition said:

Yes, no, I've got no comment on that.

As if he needs a briefing to stand up for the protection of the vulnerable workers and front-line public servants: nurses, ambulance officers, bus drivers, TAFE teachers. The Opposition will get an opportunity to tell us where it stands with the legislation that we will introduce into this Parliament to provide protection for those workers. It is a simple choice for the Opposition: will it back our nurses, police and teachers with legislation to protect their hard-won rights such as penalty rates and overtime or will the Opposition stand up and support the Commonwealth model that has put 25 highly-qualified Boeing engineers on a picket line for a year, which is exactly what the Commonwealth wants to happen right across the nation.

The State Government will not have a bar of it. We are going to introduce legislation to protect our workers. At the same time we will continue with our High Court challenge to the Commonwealth powers. We are going to use our legislation to provide the protection that the Opposition will not provide for the workers. The Opposition will not stand up for those who provide frontline services such as our nurses, our TAFE

teachers, our bus drivers and 185,000 public sector workers. We will legislate to give them a shield to keep the WorkChoices axe from falling on our essential public servants. Our shield will embrace every area health service and 51 public sector bodies totalling 186,000 frontline staff. We do not want Commonwealth picket lines around our hospitals, ambulance stations or TAFE colleges. We do not want essential services drawn into the Commonwealth's mad plan just because a government agency is considered a corporate entity under Federal law.

Legislation will be introduced to turn our shield into reality, making public sector staff employees of the Crown, and by making them employees of the Crown we will give them that protection. We are talking about some 40,000 nurses, ambulance officers, bus drivers, TAFE teachers, home care workers and many others. We will remove 186,000 public-sector frontline staff from corporatised entities and shield them from the unfair WorkChoices package. Our legislation will extend the powers of the State Industrial Relations Commission to rule on common law agreements. By allowing the commission to hear common law disputes, employers and employees can avoid WorkChoices and stay within the State commission.

The new legislation will convert consent awards to agreements to stop the wage deals they contain from being frozen by the Commonwealth laws. This new legislation will provide that protection and it will also provide the Opposition with an opportunity to stand up with the vulnerable workers and the front-line public sector workers of this State against the Commonwealth's draconian legislation.

### CROSS-CITY TUNNEL

**Mr ANDREW STONER:** My question is directed to the Premier. Given last week the Premier denied a deal had been done to fix the cross-city tunnel mess and on Sunday he announced a short-term political fix, will the Premier now admit he is not trying to fix the traffic problems, he is just trying to fix the political headlines?

**Mr SPEAKER:** Order! I call the honourable member for Murray-Darling to order.

**Mr MORRIS IEMMA:** There will be a 50 per cent reduction in the toll for at least three months and the reversal of a number of road changes—that comes at no cost to the taxpayer. There will be a process over the next three months to have discussions about further road changes. What was advised in this House last week was correct: an offer was put on the table on Friday 3 March for the Government to consider.

### CAR AND BOAT REBIRTHING

**Mr JOHN BARTLETT:** My question without notice is directed to the Minister for Police. What is the latest information on the continuing crackdown by police on organised car and boat theft?

**Mr CARL SCULLY:** Organised car and boat theft is a national problem, especially car and boat rebirthing, which are growing crimes.

**Mr SPEAKER:** Order! The honourable member for Gosford will come to order and stop interjecting.

**Mr CARL SCULLY:** Such crimes remain a concern to the Government and I am sure to the honourable member for Gosford. Rebirthing is a process where stolen motor vehicles or boats are processed to permit them to be registered and sold as legitimate vehicles. This crime is quite different from joyriding offences and opportunistic vehicle or boat theft. It is a crime carried out by organised gangs, and the motive is profit. NSW Police estimate that in 2005 approximately 6,500 motor vehicles were stolen by rebirthing gangs in the State, which cost the New South Wales community approximately \$106 million.

In 2002, an operation was established by NSW Police Marine Area Command to target the boat rebirthing gangs. Since then, approximately \$3 million in vessels has been recovered and a total of 35 offenders have been charged with 150 offences. As in many other crime categories, rebirthing victims are innocent people who suffer in two ways: they end up losing the motor vehicle or vessel they believed they had purchased legitimately and they are also out of pocket for the money they paid. Rebirthing gangs use sophisticated methods that can catch out even the most careful people. Senior police tell me that persons previously involved solely in vehicle rebirthing are also now engaging in boat rebirthing.

Ongoing investigations by NSW Police have shown that traditionally available offences, such as larceny and receiving, are not fully effective in dealing with these criminals. The Government will shortly

introduce legislation that will enact specially formulated offences to target these criminals. These new offences have been developed in close consultation with the police service, the Ministry for Police and the Attorney General's Department. The new offences come under the Crimes Amendment (Organised Car and Boat Theft) Bill applying to both vehicles and vessels. The three main offences are as follows: participation in rebirthing will carry a maximum penalty of 14 years; interference with vehicle or vessel identifiers without lawful excuse, seven years in gaol; possession of vehicle identifiers without lawful excuse, five years in gaol.

The new legislation is designed to target persons who take part in any step in the process, provide or arrange finance for any step, or provide premises for any step. The police have advised me that some of these criminals and gang members deliberately engage in elements that would otherwise be lawful: repairing a vehicle, spray painting a vehicle, selling a vehicle, even buying vehicles in particular circumstances, doing the paperwork, or endeavouring to register them at the Roads and Traffic Authority—particular participants who are otherwise hard to ensnare in the general law of larceny and theft. This net will cast wide and catch all the players in these stings and render them liable for substantial prison terms. Organised gangs and syndicates who bring misery to countless innocent victims will be targeted more effectively.

**Mr Andrew Tink:** Point of order: This is tedious repetition. I draw your attention to a question asked by the honourable member for Bankstown on 26 May 2005. It was a virtually identical question on car rebirthing. We have heard the answer before. If the Leader of the House cannot do better than this, we will provide a decent question without notice to take its place.

**Mr SPEAKER:** Order! The honourable member for Epping will resume his seat. He knows the standing orders as well as any member. He knows that a claim of tedious repetition relates to an attempted filibuster or the terms of speech or response to a question. The Minister is entitled to respond to a question at any time, irrespective of whether the matter has been raised previously. As the honourable member for Epping well knows, the fact that the matter may have been raised at some earlier time in a different context, or even in the same context, is not to the point. The Minister is perfectly at liberty to answer the question he was asked.

**Mr CARL SCULLY:** If tedious repetition were a crime I would have all those opposite arrested and locked up.

**Mr SPEAKER:** Order! The Minister will address the question.

**Mr CARL SCULLY:** I would like the honourable member for Epping to go up to the Central Coast and tell Joanne and Kevin Muller, who were there with the Premier today, he does not think it is important that we introduce this legislation.

**Mr Andrew Tink:** Point of order—

**Mr SPEAKER:** Order! I will listen to the point of order taken by the honourable member for Epping. However, I repeat that far too many points of order have been taken merely to disrupt the proceedings of the House. What is the point of order?

**Mr Andrew Tink:** If the Minister for Police had done what he promised to do last year, the people he just referred to would not have a problem. They would not have had their car rebirthed.

**Mr SPEAKER:** Order! The honourable member for Epping well knows that he is now flouting the standing orders. He cannot take a point of order merely because he does not like the reply being given by the Minister. I place the honourable member for Epping on three calls to order and warn him that I will not entertain another point of order of that nature from him.

**Mr CARL SCULLY:** I am disappointed that members opposite believe this is an issue they can trifle with. It is an important issue, and we will be introducing legislation. I think the people like the Mullers need to know that the characters on the opposite benches do not regard this as a serious issue. I have contempt for that.

#### CROSS-CITY TUNNEL AND ROAD CLOSURES

**Mr BARRY O'FARRELL:** My question is to the Premier. Given that he is scrapping a bus lane in Bathurst Street and shelving bus lanes on York and George streets and transit lanes on William Street, is this another long-term blow for Sydney's commuters or a short-term policy fix to try to dig him out of the cross-city tunnel mess?

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

**Mr MORRIS IEMMA:** For a number of weeks they have been spouting "Seventy road changes, just do it", without any examination of what the road changes mean. "Just go and do it." That is what they have been saying. When the Government announces on Sunday a process to examine road changes to provide motorists with a better deal, they get up and criticise it.

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

**Mr MORRIS IEMMA:** It is a process for at least three months to sit down and work co-operatively with the company to provide a long-term solution. That is what we are going to do. Part of that was announced on Friday. We will devote ourselves in the next three months to working through the issues to achieve a long-term solution, as opposed to doing what members opposite wanted to do—to fold from day one and just give them the money.

### **PUBLIC TRANSPORT FOR SPECIAL EVENTS**

**Mrs BARBARA PERRY:** My question is addressed to the Minister for Transport. What is the latest information on the success of public transport services to and from major events?

**Mr JOHN WATKINS:** There is no doubt that New South Wales, and in particular Sydney, is the nation's capital for sporting and cultural events. Even with the impending Commonwealth Games in Melbourne, our southern colleagues cannot hold a candle to this city. After all, in the past few days we have staged the very successful Super 14 Waratahs-Sharks clash, the Mardi Gras, a major music festival at Randwick and, on Sunday, that wonderful victory by Sydney FC in the A League soccer final. All those events were in Sydney's central business district. Public transport played a major role in the success of that weekend.

Despite the challenges posed by those clashing events, especially on Saturday, and nearby locations, we moved 80,000 people on Saturday to the Super 14 game and the Mardi Gras. Fans who headed to the rugby on Saturday caught shuttle buses from Central and Circular Quay. From 4.00 p.m. on Saturday to 4.00 a.m. on Sunday, Sydney Buses ran extra services on all major routes in Sydney to get people to Mardi Gras and home again. CityRail services also ran a shuttle on the Eastern Suburbs line from Central to Bondi Junction every 10 minutes. They moved huge crowds without delay. I would like to thank the patrons who used public transport and I would like to pay tribute to the hard-working public transport workers who again worked hard for long hours, without seeing the events themselves, to get fans to and from those important events.

Public transport has been a great success in major events in Sydney over recent years. We all remember the integrated ticketing that was so successful during the 2000 Olympics. After the Olympics it fell away with punters returning to using their private motor vehicles, especially going to the Homebush area. In recent years there has been a resurgence of integrated ticketing and people using public transport to get to major events. In the past year, at Sydney Olympic Park, integrated ticketing has applied to events where crowds of 60,000 or more were expected. Those tickets are valid until 4.00 a.m. on the day after the event, with event ticket holders being able to access CityRail services, Sydney Buses, Sydney Ferries, and Sydney Olympic Park major event bus services.

From 2001 to 2004-05 there has been a major increase in the patronage of those events. It has jumped from 57.5 per cent in 2001 to 68.8 per cent of the crowd in 2005, a considerable increase. That is an average of seven out of 10 patrons using the bus or train to access sporting, cultural, musical and other events. We set a new record at the National Rugby League grand final last year when 76 per cent of the crowd was moved to and fro using public transport: that is 63,000 footy fans moved in and out by public transport. We expect the movement by public transport to be strengthened into the future. Key major events where integrated ticketing is already scheduled this coming year include the Royal Easter Show, major Sydney Swans matches, the State of Origin, the Super 14s final in May, the Wallabies versus England match on 11 June and the Wallabies versus South Africa match in August. We will be working hard on finalising more events for integrated ticketing and I look forward to updating the House about that great success for public transport. Again I say thank you to the hardworking men and women who staff public transport services in this State and do such an outstanding job.

### **FERRY COLLAROY REPAIRS**

**Mr DAVID BARR:** My question without notice is directed to the Deputy Premier, and Minister for Transport. What is happening with repairs of the ferry *Collaroy*? When will it be back in service on the Manly run?

**Mr JOHN WATKINS:** The honourable member for Manly is a great advocate and user of public transport and I thank him for that. In particular, I thank him for welcoming the new articulated or bendy buses into the State Transit Brookvale depot, which already has two new bendy buses, with a further 18 to be rolled out in the coming weeks. Mona Vale depot, in the electorate of the new member, is also receiving a major contingent of new bendy buses and I look forward to those being delivered.

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

**Mr JOHN WATKINS:** The *Collaroy* is one of four Manly ferries. I have previously advised this House that the *Collaroy* was involved in an incident in December last year. Arising out of that incident, I announced a 10-point plan aimed at improving the safety and reliability of the Sydney Ferries fleet. Sydney ferries carry 14 million people per year and safety and reliability are critically important to our passengers. One of those initiatives was to undertake a detailed, independent assessment of the *Collaroy*, which is a technically different vessel from the other three ferries in the Manly ferry fleet.

Sydney Ferries has advised me that a return to service plan for the *Collaroy* has been developed, informed by the independent assessment. This includes a series of engineering trials and vessel-specific crew resource training. However, I need to make it clear to the House that no questions will be left unanswered when it comes to the safety of passengers and crew. The vessel will only be returned to service when these safety improvements are complete, the crews are appropriately trained and Sydney Ferries is satisfied. I will receive an update from the new acting Chief Executive Officer, Rear Admiral Chris Oxenbould, on the progress of the *Collaroy* and its return to service plan later this week. I will keep the honourable member for Manly updated on any progress.

#### PUBLIC HOUSING TENANTS

**Ms KRISTINA KENEALLY:** My question without notice is addressed to the Minister for Housing. What action is the Government taking to encourage public housing tenants to support each other as neighbours?

**Miss CHERIE BURTON:** I thank the honourable member for Heffron for her hard work and support of public housing tenants in her electorate. No-one's life should go unnoticed. We are all saddened by recent stories of elderly people dying alone in their homes, be they public or private. Even today, reports of an elderly woman dying alone in her home have saddened our community, but this tragic event has again highlighted the need for all of us to do better by our elderly neighbours. Today I visited the Northcott building in Surry Hills to launch the Government's campaign to encourage public housing tenants to be better neighbours. Public housing tenants should take responsibility for the future of their communities, and that includes being a good neighbour. Building a stronger community can start with simple things such as inviting neighbours over for a cup of tea, helping elderly neighbours by carrying their groceries or even just taking the time to say hello.

Our lives are becoming increasingly busy but as a community we all need to take more time out to socialise and get to know our neighbours, particularly if they are elderly. We want to arm public housing tenants with more information about how they can become better neighbours. As part of this I will be writing to all public housing tenants asking them to take simple steps to watch out for each other. It can be as easy as noticing whether your neighbour's letter box is overflowing, or asking yourself whether you have seen their lights on at night, or heard their television. If the answer to these questions is no, then call the authorities.

I have asked the department to contact all tenants over the age of 60 who have not had contact with the department during the past six months. In addition, I have ordered a review of the inspection procedures of the Department of Housing. As a result, the department will now visit each tenant at least once a year, and many will be visited twice. We are also tightening our ability to get access to tenants' homes. Now tenants will be given written notice only once before the department seeks to gain access through the Consumer, Trader and Tenancy Tribunal. The Government is doing its bit. We will be visiting tenants more often, making contact with elderly tenants and encouraging tenants to get to know their neighbours. But no amount of government checking can replace a sense of community. Our campaign is about encouraging tenants to get to know each other. It is up to the tenants to take responsibility for their communities and become better neighbours.

The Northcott building is a good example of where the Government is working hard to build a strong community. During my visit to Northcott today I announced that we would extend the successful Community Development Program for another two years. This means a \$200,000 investment in building a stronger community at Northcott. We have already had great success at Northcott. The Sticky Bricks production during

the Sydney Festival, which was a sell-out show, was written, produced and performed by tenants of the Northcott building, with the support of Big Hart, and is a great example of public housing tenants taking responsibility for the future of their community. This production got tenants out of their flats and working together.

On top of this, we are investing in better public housing infrastructure at Northcott, with \$9.6 million to upgrade all 429 apartments in the building. This means new kitchens, new bathrooms and better plumbing and drainage for all our tenants. We all need to take more responsibility for our community. Our campaign is about encouraging public housing tenants to become better neighbours. But the message to the community in general is that we all need to do more to take care of each other, particularly the elderly.

### GAMING MACHINE TAX

**Mr GEORGE SOURIS:** My question without notice is directed to the Premier. On the eve of the National Rugby League competition will the Premier tell the House why, with his destructive clubs tax regime, he is so determined to disadvantage and alienate the millions of people in New South Wales who support rugby league and who are members of licensed clubs?

**Mr SPEAKER:** Order! Before I call the Premier to respond to that question, I draw the attention of the House to the need for questions to be framed in language which is not defamatory or uncharacteristic of the language that should be used in the Chamber. The Premier has the call.

**Mr MORRIS IEMMA:** The honourable member for Upper Hunter might want to tell the people of New South Wales and the clubs how the Opposition is going to pay for what it has signed up to, because it will cost, at last count, \$22 billion. The Opposition has no idea how it is going to pay for that. Is the Opposition's promise going to become one of the non-core promises?

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

**Mr MORRIS IEMMA:** The Government has listened to the clubs, done its best and put a proposal on the table, which the clubs have seen fit to knock back. The fact is that if those opposite ever got on this side of the Chamber, with their \$22 billion promise, I doubt they would be delivering anything for the clubs, and they are starting to realise that as well.

**Mr SPEAKER:** Order! I call the honourable member for Upper Hunter to order.

### NATURAL DISASTER ASSISTANCE

**Ms MARIE ANDREWS:** My question without notice is addressed to the Minister for Community Services. Will the Minister inform the House about how the New South Wales Government assists victims of natural disasters, including the recent bushfire season, and families affected by the ongoing drought?

**Ms REBA MEAGHER:** There are two things we can count on in an Australian summer: first, nature will hurl a relentless array of bushfires, storms, drought and floods at us; and, second, our emergency and recovery services will be there with a response that cannot be bettered anywhere in the world. This summer was no exception. Major bushfires destroyed homes and property around Junee, Wagga Wagga and the Central Coast. Severe storms and floods hit the towns of Wellington, Molong and Eugowra, causing widespread property damage. We have also seen further flood activity this past week on the mid North Coast. And the worst drought since Federation still grips one-third of the State. In all of these disasters the response from our volunteers has been fast, efficient and compassionate. In particular, as the bushfire season draws to a close it is clear that once again we owe an enormous debt of gratitude to the men and women of the Rural Fire Service. I know honourable members join me in paying tribute to them today. When the flames have been extinguished and the fire trucks have returned to their depots, that is not the end of the story.

**Mr SPEAKER:** Order! The Minister was asked a serious question and she is giving a serious response. It ill behoves members on both sides of the House to maintain the present level of conversation and disruption. The Minister should be heard in silence.

**Ms REBA MEAGHER:** When the immediate crisis is over another group of unsung heroes step into the picture: the men and women of the Department of Community Services [DOCS] and their valued

community partners such as the Red Cross, the St Vincent de Paul Society, the Adventist Development and Relief Agency [ADRA] and Anglicare. I am pleased to acknowledge the presence in the gallery today of representatives of these organisations: Mr Jason Collins from the Red Cross, Mr Peter Kell from Anglicare, Mr Alan Rogers from the St Vincent de Paul Society and Mr Gary Christian from ADRA. I thank them for coming. These are the people who families turn to when their homes have been destroyed—a helping hand there to offer food, accommodation, clothing, financial support and trauma counselling.

A complex organisation lies behind this relief effort. DOCS establishes and manages evacuation and recovery centres with the support of its community partners, with each agency assigned specific tasks. DOCS is responsible for managing the centres and for providing immediate financial assistance; the Seventh Day Adventist Development and Relief Agency arranges emergency accommodation; the Red Cross provides care and comfort to victims and assistance to those needing information; the Salvation Army co-ordinates meals for victims and workers; the St Vincent de Paul Society provides essential personal items such as clothing, bedding and toiletries; and Anglicare provides general support to the other community partners with their services to victims.

These arrangements worked brilliantly over the recent summer. We were immediately into action responding to the Junee and Central Coast bushfires. On the Central Coast more than 400 people were assisted in the three evacuation centres, with a further 200 accommodated in an evacuation centre at Thornleigh when the Newcastle freeway and the train line were shut down. In Junee more than 50 people needed to call on the assistance of DOCS and the partners in the evacuation centre. To date, financial assistance has been made available to more than 90 victims on the Central Coast and in Junee. In response to the floods in Molong, Eugowra and Wellington, more than 40 families have received immediate and long-term financial assistance from the department.

DOCS has also been playing a vital role in supporting our farmers and their families as they continue to battle drought. The department, through the State Disaster Recovery Centre, administers the drought household payment scheme, which helps families and individuals to meet urgent household expenses. Since August 2002 DOCS has provided more than \$9 million in drought relief payments to more than 3,700 individuals and families. But, sadly, some areas of the State are still doing it tough. So I can advise the House that an additional \$800,000 has been made available for drought assistance payments this year. Our disaster response capacity has been patiently and carefully built up over the past decade, with Rural Fire Service funding nearly tripled from \$51 million in 1995 to \$140 million today.

Our record stands in stark contest to that of the Opposition. The Opposition has a secret plan to slash the Rural Fire Service budget. The Opposition's spokesperson has publicly claimed that New South Wales taxpayers should not be funding the volunteers in support roles such as communications, caterers—those who take food and water to the firefighters on the front line—and those involved in education. He has labelled them "phantom fighters". This lack of support for the 70,000 Rural Fire Service volunteers and support services is astounding. It is astounding that the Opposition would declare war on the spirit of volunteering in New South Wales.

This spirit was publicly celebrated during the Olympics, and it has continued quietly to grow in New South Wales. The Opposition stands for slashing the funding to all those support volunteers who support the Rural Fire Service, and it is in line with the Opposition's general policy. Members opposite want to slash 29,000 public servants in New South Wales, the so-called back line, which will affect the service provided by nurses, teachers and community service workers. Now they want to cut the back line to our volunteer firefighting service. It is a ruthless attack and one which will compromise the ability of the Rural Fire Service to respond as necessary when called upon to fight fires across the State. I implore the Opposition to stand with us and thank our volunteers.

**Mr Brad Hazzard:** Point of order: My point of order is truth; these are juvenile lies.

**Mr SPEAKER:** Order! The honourable member for Wakehurst knows better than that. He will resume his seat.

*[Interruption]*

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

**Ms REBA MEAGHER:** The honourable member for Wakehurst is not the shadow spokesperson for emergency services. He is not the one who labelled them "phantom fighters", and he is not the one who promised to slash half the budget. I say to our community partners who are in the gallery today: On behalf of the people of New South Wales, thank you for the work you have done in responding to people in need. Thank you for your compassion and your dedication.

**Questions without notice concluded.**

## BUSINESS OF THE HOUSE

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

**Mr CARL SCULLY** (Smithfield—Minister for Police) [3.18 p.m.]: I move:

That standing and sessional orders be suspended to permit:

- (1) the following speaking times to apply for the motion for urgent consideration to be considered this day:
 

Mover	5 minutes
Five members supporting the Government	5 minutes
Five members not supporting the Government	5 minutes
Mover in reply	5 minutes
  
- (2) at the conclusion of the giving of General Business Notices of Motions (General Notices), the introduction, without notice, and passage through all stages of the following bills:
 

Industrial Relations Amendment Bill
Public Sector Employment Legislation Amendment Bill
  
- (3) the postponement of private members' statements until later at this sitting.

**Mr ANDREW TINK** (Epping) [3.19 p.m.]: The Coalition opposes the motion. It would be a gross breach of the standing orders and a suspension of every rule of the House to permit the ramming through of a bill that has not even been seen yet. It is interesting that the Premier put out a news release today stating: "New laws to protect NSW front-line services from WorkChoices. Legislation will be introduced this week to—." The Premier should be rewording that press release to say that legislation will be rammed through all stages of the House tonight. That is what the Government is trying to do. This is significant legislation. It is legislation that requires the proper consideration of the House. It is legislation that requires us to be able to look at its detail and reach a proper and considered view, which is why we have the rule that these bills are stood over until the following week to allow us to properly and fully consider them and come to a proper view. That is not happening in this case.

We are only in the second week of Parliament for the year. Already the Government is ramming legislation through. This normally occurs in October or November, not at the beginning of the year. Obviously there is some reason the Government does not want this legislation open to serious scrutiny—and that is precisely why it should be open to serious scrutiny. The person responsible for the cross-city tunnel fiasco, the person responsible for the rapidly looming Lane Cove tunnel fiasco, the person who does not understand due process in signing contracts and coming to multimillion-dollar deals like that, says in effect, "Trust me and trust the Government to put this legislation through," without us having a proper look at it. We know what happened when the Government rammed things through on the cross-city tunnel without letting us have a proper look at it. We know what was around the corner when the Government rammed through things relating to the Lane Cove tunnel without letting us have a proper look at them. We know what will happen when the Government rams this through without letting us have a proper look at it. The Leader of the House says, "Trust me, I know what I am doing." His own side did not trust him.

**Mr SPEAKER:** Order! The honourable member for Epping will come to order. He well knows the standing orders in relation to the use of props in the Chamber.

**Mr ANDREW TINK:** If Government members will not trust the Leader of the House to run the State, if they will not trust him to be their Premier, if one of the most senior Ministers, the honourable member for Fairfield, stabs him in the back because he does not believe he is capable of running the State, why should we trust him when he says, "Trust us to introduce this bill and ram it through all stages." If Government members do not trust him to run the State, we do not trust him to run this Chamber. We most assuredly do not trust him

when he says, in effect, "We are competent and we are capable of ramming this through the House tonight. You do not need to see it. We know what we are doing." The Leader of the House does not know what he is doing. His side does not think he knows what he is doing and we do not believe he knows what he is doing.

If we needed reminding of that, we witnessed his extraordinary performance this afternoon when he talked about rebirthing. Last year he promised to introduce legislation to deal with rebirthing. We still have not seen the legislation, and it was a year ago he said that. He mentioned some unfortunate victims on the Central Coast. If he had done what he said he would do and put the rebirthing legislation through last year, these poor people on the Central Coast would not have a problem. When it suits the honourable member he will talk about introducing a bill and do absolutely nothing about it for a year and then rebirth an announcement about rebirthing to get another headline. The honourable member deserves a belt between the eyes, figuratively speaking, in the papers tomorrow for that appalling mess with rebirthing. If he cannot get that right today, how can he talk about something he failed to do anything about for a year and then say, with a straight face, that he wants to ram through major industrial legislation in one day flat? He cannot get rebirthing right; he sure as hell cannot get industrial relations right. We demand our proper time to look at the bill.

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

**The House divided.**

**Ayes, 52**

Ms Allan	Mr Gibson	Mrs Paluzzano
Mr Amery	Mr Greene	Mr Pearce
Ms Andrews	Ms Hay	Mrs Perry
Mr Bartlett	Mr Hickey	Ms Saliba
Ms Beamer	Mr Hunter	Mr Sartor
Mr Black	Mr Iemma	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 Corrigan	Ms Meagher	Mr West
Mr Crittenden	Ms Megarrity	Mr Whan
Ms D'Amore	Mr Mills	Mr Yeadon
Mr Daley	Mr Morris	
Mr Debus	Mr Newell	<i>Tellers,</i>
Ms Gadiel	Ms Nori	Mr Ashton
Mr Gaudry	Mr Orkopoulos	Mr Martin

**Noes, 37**

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

**Question resolved in the affirmative.**

**Motion agreed to.**

**BUSINESS OF THE HOUSE****Suspension of Standing and Sessional Orders**

**Mr ANDREW STONER:** I seek leave to move a motion to suspend standing and sessional orders to allow both motions for urgent consideration to be debated.

**Leave not granted.**

**PRIVATE MEMBERS' STATEMENTS****Privilege**

**Mr IAN ARMSTRONG** (Lachlan) [3.32 p.m.]: At the beginning of this session of Parliament sessional orders were adopted to allow members from either side of the House to make statements on matters affecting their electorates. Sessional orders have been changed this afternoon and that privilege has been taken out of the sessional orders for today.

**Mr Carl Scully:** No, they will be taken later today.

**Mr IAN ARMSTRONG:** Later in this session.

**Mr SPEAKER:** Order! The wording of the resolution as I understand it was that private members' statements would be taken later today.

**Mr IAN ARMSTRONG:** Later in the session.

**Mr Carl Scully:** To make clear to members what is intended, I understand that Mr McTaggart will make his inaugural speech at 7.30 p.m. We may have Government Business after that. It is intended at a later hour today to take private members' statements.

**Mr SPEAKER:** Order! There is no point of privilege.

**CONSIDERATION OF URGENT MOTIONS****Gallipoli Anzac Day Dawn Service**

**Mr GERARD MARTIN** (Bathurst) [3.33 p.m.]: My motion is urgent and it is important that we debate it today as we look towards the ninety-first anniversary of the landing at Gallipoli. Following unfavourable publicity last year concerning the ninetieth anniversary celebrations in Gallipoli there were suggestions about how the ceremony ought to be changed to make it much more appropriate and dignified, in accordance with the significance of Anzac Day. I know that the Federal Government is talking with the Turkish Government on this matter but there are certain things that we need to do. We need to drive the issue from New South Wales and remind the Federal Government that the measures have to be in place before this important date, 25 April. That is why we need to debate the motion today, to send a message to the people in Canberra to make sure that they understand how important and urgent this is. I commend my motion to the House.

**Snowy Hydro Limited Sale**

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [3.33 p.m.]: The rushed fire sale of the Snowy Hydro scheme due to a Labor budget crisis in this State is a matter of great concern and it is therefore an urgent matter requiring debate in this House today. There has been confusion and uncertainty surrounding the proposed sale right from the start. There are issues of massive importance to country communities and indeed all the citizens of New South Wales surrounding what is a rushed and ill-thought-out privatisation of this iconic project.

**Mr Alan Ashton:** Point of order: I raise the point of order reluctantly. After 40 seconds the Leader of The Nationals has not mentioned the word "urgency" once. He has to speak to urgency.

**Mr SPEAKER:** Order! I am reluctant to uphold a point of order after the Leader of The Nationals has spoken for only 40 seconds. The Chair will hear further before ruling on the point of order.

**Mr ANDREW STONER:** My first words were that it was an urgent matter to the people of this State. There has been a lack of consultation from this arrogant Government. That is why the matter is urgent. The many and varied communities that this sale will impact upon expect debate about something that is going to affect their future and their communities. This was announced—

**Mr Alan Ashton:** Point of order: I ask the Leader of The Nationals: What was the National Party's policy on Telstra?

**Mr SPEAKER:** Order! The honourable member for East Hills will resume his seat. I call him to order.

**Mr ANDREW STONER:** The matter is urgent because the announcement was timed in the middle of the worst law and order crisis that this State has ever seen. The Government slipped it out under the cover of a major crisis. There has been no rural community impact statement whatsoever on the privatisation of the Snowy Hydro scheme. That is why it is urgent. Even some Labor caucus members have been confused and uncertain about this very issue. I refer to the *Sydney Morning Herald* of 1 March, which refers to the member of Parliament for the marginal seat of Monaro—

**Mr Grant McBride:** Point of order: His own colleagues in the Federal Government—

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

**Mr Grant McBride:** —have indicated their commitment to this program.

**Mr SPEAKER:** Order! The Minister for Gaming and Racing will resume his seat. He knows that is not a point of order.

**Mr ANDREW STONER:** I was referring to the honourable member for Monaro, who was described by Jon Stanhope recently as being marginal in every sense of the word. The honourable member for Monaro said that he was having trouble explaining the sale to his electorate. He mentioned the opening of the scheme by former Labor Prime Minister Ben Chifley. Even Government members have not been consulted about the sale, and they are confused and uncertain about a rushed fire sale of this iconic asset. That is why this matter is urgent and it must be debated today. We are rushing into a privatisation for all the wrong reasons. This is just a hasty fire sale to fill a budget black hole caused by Labor's financial mismanagement.

**Mr Alan Ashton:** Point of order: How come the Federal Government has already signed up on the sale?

**Mr SPEAKER:** Order! The honourable member for East Hills will resume his seat. I expect better than that from him.

**Mr Alan Ashton:** I apologise, Mr Speaker.

**Mr ANDREW STONER:** It is clear that the Government does not want to debate this issue; it wants to rush through this fire sale. However, The Nationals and the Liberals will represent the many community concerns expressed about this sale. The community is concerned about jobs, water security, public—

[*Interruption*]

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

**Mr ANDREW STONER:** They are concerned that this is the thin end of the wedge when it comes to the privatisation of electricity generation throughout this State. It is urgent that we have this debate in this place. In fact, today the Labor caucus meeting went until two o'clock because the so-called Country Labor members are nervous about this issue. I am sure that they would like to see this matter debated today; in fact, I am looking forward to their support for this motion. We must debate the issue properly in this place so that we give some surety to the citizens of country New South Wales and, indeed, the entire State. I understand that the Country Labor members rolled over and there was no vote in caucus. I want them to have the opportunity to vote in support of debating this issue today. [*Time expired.*]

**Question—That the motion for urgent consideration of the honourable member for Bathurst be proceeded with—agreed to.**

**GALLIPOLI ANZAC DAY DAWN SERVICE****Urgent Motion**

**Mr GERARD MARTIN** (Bathurst) [3.43 p.m.]: I move:

That this House:

- (1) recognises the ongoing importance of Gallipoli to the people of New South Wales;
- (2) supports the improvements in place for the Anzac Day dawn service, including:
  - (a) replacing the Bee Gees with appropriate music;
  - (b) enforcing the alcohol ban;
  - (c) improved arrangements for visitors, including more seating for the elderly, first aid and toilet facilities; and
  - (d) Australian volunteers to clean up rubbish after the ceremony; and
- (3) calls on the Federal Government to ensure remediation works to the badly damaged Anzac site are complete before this year's dawn service.

This is an important matter, and it is important that we debate it today. Anzac Day is a time for reflection and reminds us of the horror of war. Given that, our commemorations must reflect the grief that our community feels on this day for the lives lost and the minds and bodies destroyed by the carnage of war. That is as relevant today as it was 91 years ago. In commemorating that day in 1915 we feel sorrow for the price paid in blood and tears by our new nation. We must never lose sight of the fact that for many of the survivors of Gallipoli leaving Anzac Cove was a tragedy. Evacuation meant leaving their fallen comrades, which compounded their feelings of guilt and failure. What none of them could have foreseen was that 91 years later more and more visitors would be drawn to the site of their suffering and sacrifice.

Today I commend to the House the measures that have been announced to ensure we do not see a repeat of the scenes that disappointed so many of us last year. I refer to the hopeless inadequacy of arrangements for elderly visitors, in particular, many of whom were left to walk great distances to the site of the dawn service, despite the much-vaunted road improvements. Visitors had come to pay homage to the dead only to be left distressed by inappropriate behaviour, pop music blaring out over loudspeakers and tonnes of rubbish left behind to desecrate graves. The Gallipoli Dawn Service makes this part of our national history and identity come to life. We must remember and honour those who have served, especially those left behind on Gallipoli's battlefields—more than 8,000 Australians and New Zealanders. In a war that resulted in the loss of 61,000 Australians, Gallipoli was the most tangible example of that horrific loss of life for a very young nation.

On behalf of the New South Wales Government, I welcome the initiatives that will be taken this year to rectify last year's debacle, which was overseen by the Federal Minister De-Anne Kelly. Her mismanagement will not be missed this year. On behalf of the New South Wales Government, we wish the new Minister, Bruce Billson, every success in repairing the damage done. The Iemma Government welcomes news that appropriate music, rather than pop music and videos, will convey the solemnity of the occasion. Visitors will have the opportunity to learn more of the Gallipoli story through the documentaries screened in the lead up to the dawn service. Of course, many members of this Chamber will be attending dawn services throughout their electorates on that day.

Although the focus will be on Gallipoli—it will certainly attract media attention—I will be attending a very small dawn service at Lowther, which has been my family's home since 1847. The Anzac memorial on the side of Caves Road is lovingly kept by the community. Services will be held at places such as Burruga, Rockley and other larger areas in my electorate. The Returned and Services League sub-branch at Oberon has just celebrated its seventieth anniversary. I was happy when a couple of years ago the Premier gave \$10,000 to finally erect a fitting memorial there. Along with those thousands of communities around Australia, we will be marking Anzac Day with great dignity and solemnity and we will be able to honour our war dead.

It is important that the international significance of Anzac and Gallipoli is a positive reflection of this nation. It represents Australia's coming of age on the world stage, even though it was a military disaster. The blood spilt at Gallipoli underwrites what we have become as a nation. It reinforces the truism that we will make sacrifices for our fellow Australians, but hopefully there will be some point to it at the end of the day. We might

be missing that message. Let us hope that this ninety-first anniversary has more dignity than last year's commemoration.

**Mr ANTHONY ROBERTS** (Lane Cove) [3.48 p.m.]: I move:

That the motion be amended by the addition of the following further paragraph:

- (4) congratulates the Federal Government for its decision to upgrade the facilities at Gallipoli and for its support for the thousands of Australians and New Zealanders who annually make the pilgrimage to Gallipoli for the dawn service on Anzac Day.

I am concerned that we seem to be politicising a national icon. I thank the honourable member for Bathurst for moving this motion because it gives me an opportunity to thank and pay tribute to the Federal Government for the fine work it has done, particularly the Hon. Bruce Billson, De-Anne Kelly—both superb Ministers—and John Howard, who has been a strong supporter. We know about the shortcomings of last year's ninetieth anniversary commemoration. However, we must realise that this is not a short-term issue for our Government or for the Turkish Government. The Federal Government, the New Zealand Government and the many people who share a commitment to the Anzac spirit and who want to protect and commemorate what happened on the Gallipoli peninsula have applied energy to put in place sound plans for this year's commemoration as well as for future commemorations. They should be commended for that. Australia has sent specialist engineers to assist in planning and addressing the longer-term requirements to cater for the large number of visitors to the Gallipoli area without impacting on the historical significance of the site.

The Federal Government has recognised that considerable demand and pressure will be placed on the peninsula, particularly as we as a nation approach the centenary of those events, which are part of not only our nation's history but also of the history of New Zealand and Turkey. The Australian, New Zealand and Turkish governments share a strong commitment to the ongoing protection and preservation of the peninsula. We must remember that although Gallipoli is important to Australia—indeed, many regard it as the birthplace of our national identity—it is of greater significance to the Turkish. As the Hon. Bruce Billson stated, it was their sovereign land and they defended it at great cost in 1915. As the honourable member for Bathurst said, some 87,000 Turks lost their lives compared to 8,700 Anzacs lost.

It is important to consider the preparations being made for 2006 commemorations. Unlike this State Government, the Federal Government has learnt from the mistakes made last year, particularly in dealing with the record crowds that attended the ninetieth anniversary ceremony. This has resulted in a number of improvements. As the Hon. Bruce Billson stated, to its credit the Turkish Government has developed a plan that will address the transport concerns that arose last year, including providing a closer drop off for visitors, particularly the elderly.

Food vending arrangements will be improved, alcohol will be banned, toilet facilities will be substantially increased and there will be an improvement in their location, first aid facilities will be increased, there will be more seating for the elderly and the infirm, the wooden seats from last year will be replaced with metal seats, and Conservation Volunteers Australia will work hand-in-hand with the governments in regard to garbage. The Department of Veterans Affairs will provide some assistance in that regard. These improvements will address many of last year's concerns.

The Federal Government has given a commitment that it will continue to give consideration to how best to cater for the larger crowds as we approach 2015. The historical context of the day will be addressed by programs that will run throughout the night on large video screens. A number of documentaries produced in conjunction with the ABC will be shown. Sadly, our last Anzac died some years ago. However, Australians continue to feel great emotional ties to Gallipoli and are drawn to it. The Federal Government has acted well and intelligently. For example, in the coming years a visitor to Lone Pine will be able to look at the service from various other sites within the Gallipoli Peninsula. I commend the Federal Government for the fine work it has done, particularly the Hon. De-Anne Kelly and the Hon. Bruce Billson. [*Time expired.*]

**Mrs BARBARA PERRY** (Auburn) [3.53 p.m.]: I am proud to support the honourable member for Bathurst in his motion for urgent consideration. It is often said that a collective national consciousness is borne out of either of two events: some sort of crucial victory or a decisive and terrible defeat. The Gallipoli campaign clearly falls into the latter group. To put our young nation's loss into context, 8,709 Australians perished at Anzac Cove. That is the equivalent of the present forces of the United States of America losing 520,000 men and women in a single campaign. However, it was not only Australians who lost their lives: British, New

Zealand and Turkish servicemen also came to finally rest in Gallipoli during the bloody campaign. That is why Gallipoli is of universal value, and why we have a duty to protect it for all time.

I welcome the moves taken to better protect the cultural and historical significance of Anzac Cove on our national day of mourning—25 April. Stopping the blaring noise of pop music and replacing it with more appropriate music performed by the Royal Australian Air Force [RAAF] band and the Royal New Zealand Navy band is one of these welcome steps. However, as the honourable member for Bathurst has rightly pointed out, these steps are mere window dressing when compared with the urgent need for the Commonwealth Government to work together with the Turkish Government on repairing the physical aspects of Anzac Cove. If the Australian Government sits on its hands, we are diminishing all those things that have their roots in the sand and soil of Anzac Cove. It is about the tragedy, sacrifice and heartache, but it is also about mateship, lessons learnt and reconciliation with former enemies. It cuts to a deeper significance that continues to echo around the cliffs of Anzac Cove to this day.

Chief among these issues is the unique relationship that was borne out of the terrible conflict that occurred between Turkish and Allied forces. As a result of what happened on the Gallipoli Peninsula, the Turkish community and the Australian community now feel a close affinity with one another. The great Turkish leader Ataturk welcomed Australians who visited Turkey to remember their lost soldiers. He stated:

Those heroes that shed their blood  
and lost their lives ...  
You are now lying in the soil of a friendly country ...  
You, the mothers,  
Who sent their sons from far away countries  
Wipe away your tears;  
Your sons are now lying in our bosom  
and are in peace,  
After having lost their lives on this land they have  
become our sons as well.

The Turkish Government initiated the move to have Anzac Cove declared a World Heritage site. The Turkish Government declared the area a national park in 1985 and, breaking from all convention and orthodoxy, allowed a foreign power to rename the area Anzac Cove. It is in recognition of this special relationship that I implore the Australian Government to take a more proactive stance on the desperate need to fix the roads and other infrastructure. I am pleased to have the opportunity to speak about the Turkish community and the many ways in which its members have involved themselves in my electorate and in the wider community. Unfortunately, I do not have enough time to do them justice. One example is the Gallipoli mosque in Auburn, whose name punctuates the community's commitment to remembering the lives that were lost in the campaign. The mosque's Harmony Day encourages people from all backgrounds, religions and nationalities to come together, celebrate and learn more about the things we all share in common.

The Turkish community has also taken steps to foster strong links with the RSL. The Turkish Youth Association has established an initiative that seeks to place plaques in RSL clubs to honour all those who lost their lives, including Australian and Turkish troops. After all, this is about our combined history, about the friendship we share and about our shared culture. The significance of the Gallipoli campaign transcends international borders. It serves as a powerful reminder, and as a site of such moral significance this Parliament should fight as one to ensure that proper respect is paid to both the cultural and physical sensitivities of the site. I commend the efforts of the local Turkish community in fostering strong links with their adopted homeland. I commend the honourable member for Bathurst for raising this important issue. I thank him not only for remembering the lives that were lost in the Gallipoli campaign but also for remembering the people of this State in whose hearts and minds the memories of the Anzacs continue to live.

**Mr WAYNE MERTON** (Baulkham Hills) [3.58 p.m.]: I am pleased to speak to the motion moved by the honourable member for Bathurst. I support the amendment moved by the honourable member for Lane Cove. Anzac Day is a day of great meaning for the Australian people. It is a day on which we truly believe we came of age as a nation. It is a day that brings back many memories to families of loved ones and people who died for the sake of freedom. On Anzac Day we think specifically of Gallipoli but we also think of later conflicts and further tragedies of war where Australians and their Allies paid the greatest price and made the ultimate sacrifice for the cause of freedom.

The Opposition agrees with the thrust of the motion. It believes that the amendment is worthy recognition of the role that the Howard Government has played in making its decision to upgrade the facilities at

Gallipoli and to support the thousands of Australians and New Zealanders who make the annual pilgrimage to Gallipoli for the dawn service on Anzac Day. To the people who go, many young people, now 91 years since the Gallipoli landing, it is an event that is completely removed from recent generations of Australians. However, the significance of it and what it means lives on and will live forever in the hearts of the Australian people. For this reason, many thousands of people make a pilgrimage to Gallipoli every year, to the site where the valiant Australian heroes and their New Zealand counterparts made that momentous landing.

The occasion should be treated with respect, with dignity and with the esteemed recognition it deserves. It is not a pop concert and it is not a time of celebration—it is a time of contemplation. There are no celebrations in recognition of war—and there never can be. However, there are grateful thanks and recognitions of people's achievements and sacrifices. For this reason people go to Gallipoli to pay their respects. It is not appropriate for the Gallipoli service or the recognition of that landing 91 years ago to become a pop concert. The dignity and the meaning of the event should not go unnoticed. That day 91 years ago should be held as a sacred memory. We have only to look at the words of the Turkish leader:

Those heroes that shed their blood  
and lost their lives ...  
You are now lying in the soil of a friendly country  
Therefore rest in peace.  
There is no difference between the Johnnies  
and the Mehmetts to us where they lie side by side  
Here in this country of ours ...  
You, the mothers,  
Who sent their sons from far away countries  
Wipe away your tears;  
Your sons are now lying in our bosom  
and are in peace,  
After having lost their lives on this land they have  
become our sons as well.

General Sir John Monash said in his Anzac Day address in 1927:

On us who have survived the stress of war and who have been safely restored to our homeland is laid the duty of helping to restore to Australia the mighty loss of that legion of men by devoting our lives and energies to that class of national building in which they would have shared had they been spared.

**Mr RICHARD AMERY** (Mount Druitt) [4.03 p.m.]: I join the honourable member for Bathurst and other honourable members in supporting the urgency motion relating to the commemoration of Gallipoli and the works being carried out to facilitate the very large number of people who flock there each year to commemorate an important part of Australian, Allied and Turkish history. It is an interesting aside to the Anzac debate that the further we get away from 1915, and as the number of veterans of war diminishes year by year, our focus on Gallipoli, our military history and our role at that time gets greater prominence in the Australian community. We see that inasmuch as the subject of this debate is the facilities being upgraded at Gallipoli. We are starting to focus on the large number of people going there each year to remember, to commemorate and to learn about the Allied involvement in that invasion of the Turkish mainland.

I join with other honourable members in recognising the courage of not only Australian and other Allied soldiers but also Turkish soldiers who, after all, were fighting for their lives and their country. They put up what was obviously not only a sterling and courageous effort but a very successful fight in defeating the Allies, including Australia on that occasion. We should also recognise that the hero of World War II, Sir Winston Churchill, was probably the ogre of World War I as one of his ill-fated plans to start another front in Europe led to the battle that cost the lives of tens of thousands of Australian, New Zealand, British and other Allied forces. As young people growing up in Sydney many of us watched the Anzac Day marches and were able to see many veterans of the First World War, something we do not see now.

While we are giving credit to the Federal Government I do not want to get into a bidding war about which government did the most. However, it is interesting to note that during the Hawke years we first started to see coverage on a regular basis of Australians and others going to Gallipoli. In the 1970s and 1980s it became part of the news coverage of the Gallipoli campaign. Bob Hawke went over there when he was Prime Minister. However, this debate is not about Bob Hawke or John Howard, or about Labor or Liberal governments. The thing that sticks in my mind from that coverage in the 1980s was a few seconds news grab that said it all about Gallipoli. A very old Turkish soldier staggered up to a group of Australians, met a very old Australian soldier—90 years of age or thereabouts—and embraced him warmly in front of a large crowd. All the speeches by Prime

Ministers then and since will not eclipse that picture and the message that that embrace sent around the world and to all the people who participated at Gallipoli.

I will probably never get the chance to go to Gallipoli to see the commemoration service. I do not even get to Martin Place to take part in the dawn service. That is because, as the member for Mount Druitt, every year for the past 22 years I have been able to go to the dawn service so professionally organised by the Rooty Hill RSL Club. As I said earlier, the thing that strikes me, other members and community leaders is that as there are fewer and fewer veterans of all wars turning out to these functions because of the passing of the years and their failing health, more and more members of the community turn out to remember those courageous men and women who in many cases gave their lives or, as the ode says, who served and still live. I think the motion is a very good one. I will not get involved in the dispute about which government has done the most. Australia is making a great effort to work with the Turkish community and all Allied peoples in commemorating those who participated in what was a military disaster for Australia but certainly a great success in the coming of age of a very young nation. I commend the honourable member for Bathurst for moving his motion.

**Mrs JUDY HOPWOOD** (Hornsby) [4.08 p.m.]: I speak about the Anzac tradition and support the amendment to the motion that congratulates the Federal Government on its decision to upgrade the facilities at Gallipoli and on its support for the thousands of Australians and New Zealanders who make the pilgrimage annually for the dawn service on Anzac Day. It is important to us, whether we make the pilgrimage to Gallipoli or remain behind, that we recognise the sacrifice that was made in that dawn landing and the tradition that has arisen from it. It is also of the greatest significance to the Turks because it occurred on their land. Some 87,000 Turks lost their lives, compared to the loss of 8,700 Anzac lives.

I have to speak about the wonderful commemoration every year on 25 April because my husband's grandfather, Thomas Charles Smith, was an Anzac. He went to war as a teenager, under age, and saw service for his country as a supreme way of giving back what he might have had in his life. He was injured on that beach at Gallipoli and was transferred to hospital. His injuries resulted in blindness. He had shrapnel and other injuries to his face that meant he was never able to see his wife and children or grandchildren. He died at a relatively early age in 1954. He left behind a legacy not only in relation to his activities on the beach that day, but also to his family. His son, Eric Smith, went on to have a fine career in the army and retired as a colonel a number of years ago. His grandchildren live with the proud memory of his contribution to Australia at Gallipoli and of his subsequent life when he returned to Australia's shores. In our house we have an Anzac medal, which has pride of place on a wall, and we have his medals, which my husband wears every Anzac Day.

It is most important that I note the contribution of the Hornsby, Berowra and Brooklyn RSLs every year in recognising Anzac Day. I go to the dawn service every year, which is very ably organised by the Hornsby RSL sub-branch. Many thousands of people line the streets to watch that amazing service. While there are decreasing numbers of veterans of all theatres of war, I have noticed since I was elected that many more people each year gather for the service. Berowra RSL sub-branch has a wonderful march—it is usually held the week before Anzac Day—and Brooklyn RSL sub-branch holds a march and service two weeks before. I attend both of these functions. The Brooklyn service is held on the oval during the afternoon and is followed by a dinner at the Mooney Mooney Workers Club, where oysters and beer were traditionally served. Unfortunately, as the Hawkesbury River no longer has oysters, from last year oysters were not served. That is sad because it was a standout feature of the celebration following the march.

In relation to nursing, the proud Nightingale tradition was seen on the beaches and in the war zones throughout Europe. Members of the Royal Australian Army Nursing Corps played a critical role in all theatres of war where Australian troops served. More than 2,100 members of the corps served during the First World War, including at Gallipoli, in shocking conditions under the threat of death and disease. During 1914 to 1918 war, 2,139 nurses served overseas and 123 nurses served in Australia; 25 died and 388 were injured. Seven military medals were awarded to nurses for acts of courage. In closing I quote from an inscription on a Turkish memorial to Anzacs at Gallipoli:

Your sons are now lying in our bosom  
and are in peace,  
After having lost their lives on this land they have  
become our sons as well.

**Ms MARIE ANDREWS** (Peats) [4.14 p.m.]: It gives me great pleasure to speak in support of the urgent motion moved by the honourable member for Bathurst. Without a shadow of doubt every member of this House would agree with the sentiments of the motion. First and foremost, the Anzac Day service calls for great

reverence. Australians of all ages, both past and present, are proud of the Anzac spirit, and that spirit will live on. Former Premier Bob Carr made sure of that when he made it compulsory for the story of the Anzacs to be taught in New South Wales schools. That is a great legacy left for generations of Australians to come by the longest serving Premier in this State. Bob Carr has a great sense of history; he recognised the significance of Anzac Day to Australians, both young and old, and I am sure Premier Iemma feels the same way.

Anzac Day services, whether held in Gallipoli or anywhere in Australia, are now very well attended. A number of veterans from the Second World War, the Korean war, the Vietnam war and other conflicts in which Australians were involved still attend, together with a large representation of war widows. But the most pleasing aspect is the growing number of young people who attend dawn services. That is certainly the case whenever I attend the dawn service on 25 April at Woy Woy in the memorial park located alongside the waterfront. The Labor Government has preserved the esteem in which the war veterans are held. Some time ago the Woy Woy-Ettalong-Hardy's Bay RSL sub-branch required funding to extend its memorial wall at Woy Woy. I am proud to say that the State Government came to the party with a contribution of \$6,500 towards the extension of that wall.

As the honourable member for Mount Druiitt stated, many Australians make the pilgrimage to Gallipoli, particularly our young people. I am proud to say that my sister Clare and a nephew of mine, Grant Andrews, who is now a schoolteacher in the New South Wales schools system at Dalgety, have made that pilgrimage. Unfortunately, I have been unable to do so to date, but for many young Australians going to Gallipoli is now part of a ritual. That is a good thing and something that should be encouraged. However, we still want Gallipoli to be a place of reverence. I do not believe that pop music, although certainly it has an important role to play in our society, is appropriate to be played at the Anzac Day service in Gallipoli. Neither is it appropriate for alcohol to be consumed before or after the dawn service.

I agree that facilities should be improved so that people visiting Gallipoli can be made as comfortable as possible. I agree also that a lot of rubbish should not be left behind after the ceremony, as, unfortunately, has been the case in the past. It is pleasing that the motion calls for volunteers to clean up after the dawn service. I hope the Federal Government, which certainly has adequate funding at its disposal and a lot of GST funds from this State at its fingertips, is able to ensure that remediation works to the badly damaged Anzac site is completed before this year's dawn service. It is important that this House recognises the ongoing importance of Gallipoli to the people of New South Wales and, indeed, to all people throughout Australia. I take great pleasure in commending this motion to the House.

**Mr MALCOLM KERR** (Cronulla) [4.18 p.m.]: I support this important motion. I congratulate the honourable member for Bathurst on moving it and I congratulate the honourable member for Lane Cove on his amendment. This is a matter of great concern to all members of the House as representatives of the people of New South Wales. I, too, have attended dawn services since I became a member of this House. In recent years I have seen large increases in the number of people who attend the services, particularly young people. I attend the service at Caringbah and then the service at Munro Park in Cronulla, where it has been heartening to see a large number of young people in attendance. At the same time as the Anzac Day services have been drawing greater crowds within Australia, so too the service at Gallipoli has become a ritual for many Australians, with increasing numbers attending the service. All honourable members will remember the front page of the *Daily Telegraph* last year depicting the rubbish left behind after the service at Gallipoli. That gave us no joy. It is important that the situation is rectified and that proper respect is shown for this important occasion.

I believe that the reasons behind the increases in attendance are the qualities we celebrate on the Anzac Day, which transcend any differences we may have as Australians. We pay homage to those inspiring qualities all of us admire: courage, sacrifice and comradeship. We take great pride in the fact that those qualities were shown by Australians at Gallipoli and, indeed, in all areas of conflict. More literature is now available to show exactly what happened at Gallipoli and in wartime theatres such as the Kokoda Trail, where, once again, the qualities exhibited at Gallipoli were evident and when the danger to Australia was even closer.

The motion calls for the playing of appropriate music to be played at the dawn service at Gallipoli, the enforcement of the alcohol ban, improved arrangements for visitors, including more seating for the elderly, first-aid and toilet facilities and for Australian volunteers to clean up rubbish. It is very much a commonsense motion that displays that we, in 2006, care deeply about the sacrifices that were made at Gallipoli. It highlights what we owe those men, who were prepared to lay down their lives for the protection of the way of life and the liberties that all of us enjoy today.

**Mr ALAN ASHTON** (East Hills) [4.23 p.m.]: I move:

That the amendment be amended by leaving out the word "congratulates" with a view to inserting instead "recognises".

I understand that the Opposition spokesman is happy with that. We are all proud to attend Anzac Day services in our electorates. The services involve marches and dawn services at 4.00 a.m. so that people can get to the service in the city. Gallipoli is sacrificial and celebrated earth in Turkey, but it has long been recognised as a sacred site for Australian and New Zealand soldiers—and probably British soldiers as well. As nations we celebrate not the tragedy of what happened at Gallipoli but the sacrifice that all soldiers made in such terrible conditions. Indeed, we owe a debt of gratitude to the Turkish leader, Kemal Atatürk, who recognised the valour and honour of the Anzac forces who launched an attack, with British troops, on his own country at dawn on 25 April 1915. That shows real leadership because, instead of harbouring bitterness forever, he quickly recognised the tragedy on both sides. To this day we honour the Turks for the recognition they have given Australians and New Zealanders.

The honourable member for Baulkham Hills rightly spoke about the distance of time since the ill-fated military venture. Today thousands of young people attend the Anzac Cove memorial service—many more than ever before—and I predict that more and more young people will attend the service in Gallipoli as time goes on. For many years I had the privilege of teaching the history of Australia's involvement in World War I in high schools. Some 15 or 20 years ago the kids seemed to go through the motions of listening; by the time I ended my teaching career the students were fully focused on and aware of the commitment of men and women to Australia's war efforts throughout the twentieth century, beginning with Anzac Day in 1915 in particular. As we have heard, 25 April 1915 was our baptism of fire. It was the day that Australia stood up and was counted among the great nations involved in World War I—the war to end all wars. Anzac Day celebrations became rather unpopular in the 1960s because Anzac Day was tied up with other wars that had been fought and we did not celebrate Anzac Day as much as perhaps we should have.

It is always the soldiers who seem to become the victims of what might later become politicised wars. However, I saw the popularity of these ceremonies grow, as more and more young people got involved. I saw the ceremonies grow from a simple flag raising and a few words said by me as the head history teacher to ones at which the Catafalque party was present, the flag was raised, the proper music was played—*Reveille*, the *Last Post*—and people wore rosemary. Last year I attended ceremonies in schools in my electorate, where young people recognise Anzac Day as more than simply a celebration of something that happened 91 years ago. Last year's service at Anzac Cove was a little distressing for many of us as we saw it turned into something akin to a 1970s music festival, and I can understand that. It went a little beyond a deep reverence for what was happening to an overt celebration. As the honourable member for Baulkham Hills said, we need to put it in the right context. We are still celebrating what was basically a tragic event for both sides.

I do not blame young people at all because they go to Gallipoli to celebrate being Australian, together with their Turkish brothers in arms and members of Turkish families who were affected as well. But the celebration must remain a tribute, a recognition of sacrifice and great sadness on both sides of the campaign that was the Dardanelles. By abandoning alcohol and inappropriate music, and adding seating for the elderly, it is most appropriate that we cater for the ever-increasing number of Australians, especially the young, who visit Anzac Cove on Anzac Day. My secretary's son have visited Anzac Cove, and they found it an amazing emotional, cathartic experience. As I said, it is almost a rite of passage. I congratulate the honourable member for Bathurst on moving this motion and honourable members who have spoken during this tribute.

**Mr ANDREW CONSTANCE** (Bega) [4.28 p.m.]: One would hardly describe this as a debate. It is fair to say that it is an opportunity for all members to join in a bipartisan way to pay tribute to veterans and to reflect on the state of Anzac Cove and the Gallipoli Peninsula. All members who have spoken referred to the fact that each year thousands of Australians and New Zealanders of all ages make the pilgrimage to Gallipoli to commemorate Anzac Day. Without doubt, it is an emotional experience for those who are fortunate enough to attend the service. Representing the electorate of Bega, I recognise in the House the fact that there will not be a living World War I veteran on Anzac Day this year. The last surviving Australian who fought in World War I was William Evan Allan, who passed away on 18 October 2005 at the age of 106. Mr Allan was born in Bega and enlisted in the Royal Australian Navy as a boy soldier at the outbreak of World War I at the age of 14. Born in 1899, he was a gentleman who lived an extraordinary life.

A lot of work has been done for the Anzac service at Gallipoli. Much of that work commenced prior to 2003 when, as a result of the need to accommodate ever-growing visitor numbers, the Federal Government worked with the Turkish Government to extend the commemorative period to help address problems associated

with overcrowding and traffic flow on the isolated peninsula. It is pleasing that thousands of people make the pilgrimage to Gallipoli, but the logistics of managing the situation have presented a number of problems. Certainly, it is appropriate that the Federal Government is working with the Turkish Government to try to alleviate some of the problems. Like all Australians, I do not want to see a repeat of the media coverage on the state of affairs as a result of overcrowding, et cetera. People need to take their rubbish with them, and ensure that the service remains in the tradition that it has for many years.

Many people already travelling throughout Europe take the opportunity to go to Gallipoli on Anzac Day. I am sure everyone would agree that those who have the honour and privilege of attending an Anzac Day service at Gallipoli must behave appropriately. I draw the attention of honourable members to the Australian Government's Department of Veteran Affairs web site, which provides information about Anzac Day at Gallipoli, including traffic and crowd management, special needs assistance, security arrangements and emergency contact details. I encourage people to visit the web site, which also has the order of services for Anzac Day on 24 and 25 April 2006. I also acknowledge the fact that from time to time veterans' communities in Australia raise a lot of issues with local members. One recent concern is that the Australian flag has not been flying as prominently as it should on some local government buildings. I think all members of this House would agree that it should and, hopefully, we will see an improvement in that regard.

**Ms LINDA BURNEY** (Canterbury—Parliamentary Secretary) [4.33 p.m.]: The motion moved by the honourable member for Bathurst is a fine motion indeed. The heritage and culture of a country—the way we see ourselves—is based on many matters. Fundamentally it is shaped by events in history, events that define who we are. Those events become part of our collective consciousness. Gallipoli is such an event. It is a significant square in the patchwork quilt that makes up what we call Australian heritage and culture. Why? No matter how small our towns or suburbs there is always a war memorial. There are physical reminders across our nation of world wars, particularly the significance of Anzac.

Who has not been to an Anzac Day ceremony? Who has not heard of the legend of the Anzac? Who among us has not had a lump in our throat and a rise in our heart when we hear the lone bugler play the Last Post or Reveille? None of us, no matter what we think about war. All of us, every family in Australia, has, as part of its oral history or tradition, some connection to the Great War or to other theatres of war in which Australia has been involved. My great-great-grandfather, Walter Burney, was a veteran of the First World War. My stepdad was a veteran of the Second World War. We all have parents, grandparents, great-grandparents and other relatives who have some connection with the Anzac legend. Therefore, it is part of our reality. Gallipoli has become a symbol of the defining parts of our spirit—tough fighters who are there for their comrades and mates. Whether it is right or wrong, whether people believe it or not, that has become part of our collective consciousness.

Honourable members have spoken proudly in this debate of their involvement with their local RSL clubs. In the electorate I represent there is Bardwell Park RSL, Canterbury-Hurlstone Park RSL and Campsie RSL. It is a great honour to participate in their dawn ceremonies. I grew up in a small country town, and as a child I was a member of the Junior Red Cross, as were all the children. Members will remember the Junior Red Cross. The biggest day was Anzac Day, when the whole town came out for the march and then went to the memorial hall for morning tea. No matter who you were and where you were from, that was the day the whole town became one. I have had a long involvement in curriculum development, including the history curriculum. The honourable member for Peats has spoken about that. It is part of how we see ourselves. Last year it was embarrassing to see the way in which the site at Gallipoli was so poorly managed. There were discussions about whether the roads and the car park were ready. It is good to know that will not occur again.

It is not surprising that Anzac Day is an ongoing part of the narrative of Australia. As fathers, grandfathers and great-grandfathers pass on, the children and grandchildren wear the medals proudly on behalf of their families—because it is the story of families—and as a symbol of what Anzac Day has come to mean to the nation. I am pleased that many members who have spoken today have acknowledged the sacrifice of the Turkish people and the sovereignty of the Turkish nation, as the honourable member for Auburn did. The new arrangements are a result of the embarrassment of last year and the incredible interest generated on the occasion in Anzac Day. One of the great pleasures in my personal life is that I was born at dawn on 25 April 1957. As an Australian, I cannot think of any other day on which I would be prouder to have been born.

**Mr GERARD MARTIN** (Bathurst) [4.38 p.m.], in reply: I thank all honourable members who have contributed to this debate, which has been conducted in a bipartisan way. This Chamber is a stark reminder of the horrors of war. Every day the plaques on the wall behind the Opposition benches remind us that Lieutenant-

Colonel Braund and Sergeant Larkin, two members of this House, were the first legislators in this country to volunteer to serve. They both paid the supreme sacrifice in the Dardanelles in 1915. Last year was special, being the ninetieth anniversary of Gallipoli, but we have to be careful to draw the line between celebrating our national day and entertainment. Last year some of the organisers crossed the line. Today we are reminding this House, the Federal Government and Australians in general that in celebrating Anzac Day, particularly at Gallipoli, we have to err on the side of caution and reverence. Even though it is a long way away, it is very much holy ground.

Throughout our electorates we have reminders of the war, both symbolic and personal. The honourable member for Canterbury has mentioned the significance of her birth date. I have lived in Lithgow all my life. The small arms factory there was built just prior to the First World War. It produced all the .303 rifles that sustained Australian troops through both major wars. It then produced the FNs and the SLRs and has been the only manufacturer of rifles for the Australian Army throughout its history. There is a significant Turkish connection with the small arms factory at Lithgow. Some years ago, when I was mayor of Lithgow, it was pointed out to me that the Australian war museum at Gallipoli had no .303 rifle. We organised with Australian Defence Industries at Lithgow to have a special .303 made with a beautifully embossed butt, and it was presented to the Turkish consul to be placed in that museum.

Following negotiations between the RSL sub-branch and the Oberon council, the little town of Oberon in my electorate recently found its first sister city. It is a small village near Gallipoli. After 91 years Australians are still making connections with the Turks and with Gallipoli. That is why we reflect on how we should handle the celebrations. After what happened last year we need to back off a little and urge the Federal Government to keep up the infrastructure works and the negotiations with the Turkish Government. We have to realise there is a limit and one should not turn Anzac Day into a day of entertainment without sufficient reverence.

The comments made on both sides in this House today demonstrate universal agreement with that. I thank the honourable member for Lane Cove for agreeing to a small amendment to his amendment, so there will be a happy result for everyone. This House is making the point to the community and the Federal Government that the infrastructure at Gallipoli needs upgrading. We also need to keep in mind the reverence of the day and tone down some of the activities that have gone a little too far towards entertainment rather than a commemoration of this great and historic day. I commend the motion to the House.

**Amendment of amendment agreed to.**

**Amendment as amended agreed to.**

**Motion as amended agreed to.**

## **NORTH COAST BUSINESSES PAYROLL TAX ASSISTANCE**

### **Matter of Public Importance**

**Mr NEVILLE NEWELL** (Tweed—Parliamentary Secretary) [4.44 p.m.]: I am pleased to be able to raise this matter of public importance in the House this afternoon, payroll tax arrangements for North Coast businesses. Residents and particularly businesses on the North Coast are most interested in the issue. It is a pleasure to introduce to the House some aspects of the Iemma Government's new payroll tax arrangements. Businesses relocating or expanding in the Richmond, Tweed and mid North Coast regions have been specifically targeted for assistance under the package. The program will provide a payroll tax exemption worth up to \$144,000 a year for the first three years for businesses wanting to invest in areas of New South Wales with higher than average unemployment.

The businesses will also receive a payroll tax discount in years four and five—significant assistance for businesses. The initiative targets small to medium-sized businesses looking to establish or expand in New South Wales. The payroll tax incentive will be available for start-up businesses in their first year of operation, businesses relocating from interstate or overseas, and expanding businesses paying payroll tax for the first time. These would be businesses that would be coming into the payroll tax net, if I could put it that way. The clear message to the business community is that New South Wales is open for business and the Government is committed to encouraging investment and employment. As the proud Country Labor member for Tweed I

applaud the Premier's move. As Minister for State Development, Morris Iemma has taken personal responsibility for driving investment and employment. The Premier has listened to the business community and acted to make sure payroll tax is not a disincentive to investment. As I stated, eligible businesses must be located in regions that have persistently above-average unemployment. Unfortunately, that includes the Richmond-Tweed and mid North Coast areas, according to the Australian standard geographical classifications determined by the Australian Bureau of Statistics.

In fact, 10 of the statistical divisions eligible for payroll tax assistance are represented by members opposite. On the North Coast these districts include: Ballina, Clarence Valley, Coffs Harbour, Kempsey, Lismore and Port Macquarie. The Premier's plan also targets assistance to the Illawarra and Wollongong, Fairfield-Liverpool, the Central Coast, outer south-western Sydney, Canterbury-Bankstown, Newcastle and the Hunter. New South Wales continues to enjoy historically low unemployment rates. Importantly, eligibility for the rebate will not be affected by improved employment statistics in the nominated regions. In other words, as things pick up, businesses that have entered the scheme will continue to benefit. I welcome this move, and so have many others, including the Chair of the Northern Rivers Regional Development Board, Margo Sweeney. According to the *Northern Star* of 27 February, Ms Sweeney said that the Premier's announcements would be of great economic benefit to the region. The newspaper stated:

Chamber of Commerce leaders also welcomed the new investment opportunities...

Lismore Unlimited Opportunities manager Amber Hall said:

For businesses who want to relocate to the Northern Rivers it is a great incentive.

Ms Hall continued:

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.

This is a great welcome from the business community, and one I wholeheartedly agree with. Where is the welcome from the members representing those proud country districts? Are they afraid to applaud the help this plan will offer to their communities for fear of upsetting their Liberal masters? All they want to do is talk the region down. While employment in the Richmond-Tweed and the mid North Coast statistical divisions grew in the last year, I share community concerns that unemployment in our regions remains higher than the State average. I am sure that all Nationals members representing North Coast electorates would prefer to see the districts they represent record less than the New South Wales average unemployment rates, and to represent country families, not Sydneysiders. The Premier's payroll tax incentives will encourage Queensland-based businesses and families to relocate to the New South Wales North Coast.

**Mr Thomas George:** Name them.

**Mr NEVILLE NEWELL:** I will soon. I am glad the honourable member interjected on that point. There is more business investment in New South Wales than in any other State, including Queensland, but we need to keep growing. We need new and expanding businesses to offer more rewarding jobs and training opportunities for young people. I want to see cars with Queensland registration plates driving across the border into New South Wales—not the other way around. The Leader of The Nationals has made it clear that he does not care about the North Coast. He makes ill-informed media comments without checking the facts. Indeed, in his usual carping and moaning style he has forgotten one crucial fact: that businesses wishing to grow in the statistical division of Kempsey, an area he represents, will benefit from the Premier's plan, and benefit they will.

But in newspapers and on the radio he bags this much-welcomed tax relief package. I am sure businesspeople in Kempsey and surrounds want to be included in the Premier's plan. But they are let down time and again by the honourable member for Oxley. In response to the honourable member for Lismore I repeat that the payroll tax is available for start-up businesses in their first year of operation, for businesses relocating from interstate or overseas, and for expanding businesses paying payroll tax for the first time.

**Mr Thomas George:** What about the ones that are doing it hard—

**Mr NEVILLE NEWELL:** The honourable member for Lismore should not throw in erroneous comments across the table about payroll tax when his Government left payroll tax at 7 or 8 per cent. We have reduced it. If businesses can operate with payroll tax at 7 or 8 per cent under the Coalition Government—

[Interruption]

**Mr ACTING-SPEAKER (Mr John Mills):** Order! The honourable member for Lismore can seek the call at the appropriate time if he wishes to contribute to the debate.

**Mr NEVILLE NEWELL:** I am sure he will, but I would like him to answer this question: Why was it okay for businesses to operate under a payroll tax regime of 8 per cent? We have it down to 6 per cent and he wants to carp about it.

**Mr Thomas George:** Point of order—

**Mr ACTING-SPEAKER (Mr John Mills):** Order! I hope the point of order is that the direct conversation across the Chamber should cease and all remarks should be directed to the Chair.

**Mr Thomas George:** I appreciate that, Mr Acting-Speaker. However, my point of order relates to relevance. This is the first time the honourable member for Tweed has said anything in this House about payroll tax.

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

**Mr NEVILLE NEWELL:** That was a lousy interruption by the honourable member for Lismore. In the *Armidale Express* on 27 February the Leader of the Nationals accused the Premier of playing favourites and of showing complete disdain for country New South Wales. Does Kempsey not qualify as country New South Wales? What about Lismore, Ballina, Clarence or Coffs Harbour? The Iemma Government has been working closely with communities across the Richmond-Tweed and mid North Coast to encourage investment and jobs. Lowrance Australian moved from Brookvale in Sydney to the Northern Rivers. Allan Taylor and Company established a high-tech manufacturing business at Murwillumbah, and the number of jobs continues to expand.

Ross Brims Bulk Transport set up a truck storage facility at Chinderah. Tower Builders is establishing a commercial, residential and tourism venture in central Tweed Heads. This is part of the spin-off from the Tweed Heads central business district task force plan that was put in place under this Government. All these businesses have worked with the Iemma Government to grow their businesses in northern New South Wales. But we can and must do more. That is why this Labor Government has cut taxes and charges, including workers compensation charges and vendor duty. That is working as we speak. This Government has reduced workers compensation premiums by 5 per cent to help small and medium-sized businesses to create jobs, while increasing the benefits for workers suffering permanent spinal injuries by 5 per cent.

The honourable members opposite who interjected with regard to workers compensation should think about in which State they would prefer their loved ones to be if they were unfortunate enough to have an accident. They would not want them to be in Queensland; they would not want them to be anywhere but New South Wales, because this State provides the best benefits and care for injured workers. If members opposite want to criticise the New South Wales Government for its approach to workers compensation premiums, they should fess up about where they would prefer a loved one to be if he or she were unfortunate enough to have an accident.

The State Government has targeted payroll assistance to the regions that have suffered higher than average unemployment, and approximately 10 per of New South Wales businesses will be eligible for payroll tax reductions. Any business can seek assistance on a case-by-case basis. The only jobs I want to see created in Queensland are jobs for the carpers and whingers who sit opposite and who continue to knock the North Coast. They would make terrific bureaucrats in the Queensland Department of State Development, Trade and Innovation. I commend the work that the New South Wales Department of State Development has done in this State.

**Mr ANDREW STONER (Oxley—Leader of The Nationals) [4.52 p.m.]:** At the outset, I indicate that The Nationals support any payroll tax reduction or exemptions for North Coast businesses. It is about time that they were spared the slugs landed by this Labor Government, which have made doing business in New South Wales so uncompetitive and have magnified the effect on the North Coast of the differential between the States. North Coast businesses are so close to Queensland, where the business environment is so much easier in both a taxation and regulatory sense. We welcome the Government's announcement in respect to the North Coast.

However, in moving this matter of public importance today, sadly the honourable member for Tweed has kicked an own goal. He has drawn attention to the fact that while the North Coast gets a long-overdue

payroll tax break, the only other areas that get anything in that regard are Newcastle, Sydney and Wollongong, which is this Labor Government's interpretation of "NSW". He has drawn attention to the fact that the electorates of the rest of his so-called Country Labor colleagues miss out on any payroll tax break. He has also drawn attention to the fact that this Government is not fair dinkum about regional development in this State other than on the North Coast and in Newcastle, Sydney and Wollongong.

The Nationals believe that all of country New South Wales, along with the North Coast, deserves a payroll tax break. We desperately need some economic stimulation and growth; we need jobs and industries across country New South Wales. As the member for Oxley, which is on the mid North Coast and which has an unacceptably high level of unemployment, I point out that a payroll tax break is vital because that tax is a major cause of social dysfunction, crime and the like in regional communities. That is true not only of the North Coast. If members were to look at the Australian Bureau of Statistics [ABS] data, they would see that many areas are experiencing unemployment levels above the State average of 5.2 per cent.

In the electorate of Murray-Darling, in the Far West of the State, Broken Hill has an unemployment rate of 8.5 per cent, but it will not get a payroll tax break. Just down the road on the border, Wentworth has an unemployment rate of 9.7 per cent but it will not get a payroll tax break. In the electorates of the Northern Tablelands many communities are experiencing unemployment rates well in excess of the State average. The rate in Barraba is 6.5 per cent, in Glen Innes it is 6.7 per cent, in Inverell it is 6.2 per cent, in Guyra it is 7.2 per cent, and in Tenterfield it is 6.2 per cent.

There will be no payroll tax break for those communities. In the electorate of Dubbo, Wellington has an unemployment rate of 7.8 per cent. In the electorate of Tamworth, Gunnedah has an unemployment rate of 6.7 per cent. Nundle's unemployment rate is 6 per cent, and the city of Tamworth has a 6 per cent unemployment rate. That is well and truly above the average but they will get no payroll tax break from this Labor Government. In the electorate of Bathurst, which the so-called Country Labor convenor Gerard Martin represents, greater Lithgow has an unemployment rate of 6.8 per cent, but it will get no payroll tax break whatsoever. The honourable member for Tweed has dobbed in his Country Labor mates. They have not delivered for any of those communities this truly overdue payroll tax break.

**Mr Andrew Fraser:** Where is he?

**Mr ANDREW STONER:** The honourable member for Coffs Harbour asks where is the member for Bathurst. That is a good question. He should be here advocating a payroll tax break for his communities to get regional development going and to get jobs happening in his community, but he is not here. Unlike the Labor Government, which thinks "NSW" stands for Newcastle, Sydney and Wollongong, The Nationals think that it should stand for North Coast, South Coast and west of the divide. The payroll tax break should be granted to all regional areas to stimulate economic development to grow jobs in our communities.

**Mr Andrew Fraser:** What is the Government doing for workers compensation and occupational health and safety?

**Mr ANDREW STONER:** I will come to those very important issues. The Nationals' policy in relation to payroll tax is to raise the tax-free threshold from the current level of \$600,000 a year under this Labor Government to \$850,000, bringing New South Wales into line with Queensland's rate. That would cut payroll tax by up to \$15,000 for more than 22,000 New South Wales businesses and completely exempt more than 4,500 businesses. The Nationals want the payroll tax break shared. Apart from Richmond-Tweed and the mid North Coast, which the member for Tweed wants to highlight today, all the other areas granted the payroll tax break by this Government are in the Newcastle, Sydney and Wollongong category. The break applies to Illawarra, Wollongong, Fairfield-Liverpool—which, of course, is in Sydney—Newcastle, Hunter, Central Coast, outer south-western Sydney and Canterbury-Bankstown. Apart from those on the North Coast, this is another indication to country people of the most Sydney-centric government this State has ever seen.

The honourable member for Coffs Harbour mentioned workers compensation and occupational health and safety. Payroll tax is not the only burden on New South Wales businesses and employers; they also face an unsustainable level of workers compensation premiums and the occupational health and safety jihad being conducted by WorkCover and the unions. That involves a mountain of red tape and costs that many businesses in regional areas cannot afford. Already we have seen businesses such as Multinail Pty Ltd, which was based at Wauchope, announcing they have moved their operations to Queensland. The biggest employer in Wauchope could not cope with those costs.

I was at a timber mill near Gum Scrub the week before last and I was told that the workers compensation premium is—wait for it—34 per cent. That is unbelievable. No business can afford that. Businesses such as Lindsay Brothers, a major transport company on the mid North Coast, has moved its headquarters to Queensland because of the regulatory and taxation burden imposed by this Labor Government. For far too long we have seen businesses, jobs and families fleeing New South Wales for other States. That is true of businesses along the border in the member for Tweed's electorate more than anywhere else. People in the Tweed have fled across the border to a more business friendly environment. Any businessperson would happily tell honourable members that; they certainly tell members of The Nationals. The same is true on the borders with Victoria, the Australian Capital Territory and so on. So it is rather bizarre that the honourable member for Tweed has raised this issue here today.

In relation to taxation, what the honourable member for Tweed did not tell us is that since the new Premier has taken the reins we have seen the introduction of \$700 million worth of new taxes. The honourable member for Tweed says, "We are cutting taxes", but the reality is that other taxes have gone up. The tax-take from land tax has risen by \$188 million this financial year. Again, North Coast families, due to a crook valuation system, are getting caught up in a land tax rip-off. There has been silence from the honourable member for Monaro, who is in the Chamber, about why the payroll tax exemption does not apply to his area. We would like to see businesses in Queanbeyan, Cooma and Jindabyne get a payroll tax break too. That is what The Nationals are about, and we are going to continue to point out that while this Government wants to talk about payroll tax exemptions in the areas that it defines as New South Wales—being Newcastle, Sydney and Wollongong—it is not fair dinkum about growing economies and jobs in the rest of regional and rural New South Wales.

**Mr JOHN BARTLETT** (Port Stephens) [5.00 p.m.]: I support my colleague the honourable member for Tweed on the matter of public importance concerning payroll tax advantages coming to the North Coast. I thought that we had unanimity on this motion because so many members sitting in this Chamber come from the North Coast and we are getting advantages in Port Stephens, through mostly Nationals seats. I will be interested to hear the Independent from Port Macquarie speak about the Premier's \$90 million payroll package.

The Nationals make it sound as though it is a Country Labor conspiracy to just target our own electorates. That is patently not true. As the honourable member for Tweed indicated, the Premier's payroll tax package will be of great benefit to the economy and communities of Richmond, the Tweed, the mid North Coast regions and all the other targeted areas, including Port Stephens and its surrounds. Port Stephens is a part of mid North Coast tourism. I am out there promoting the payroll tax package in my electorate because it is an advantage to businesses that are coming into the area. If other members are not out there selling this as an advantage to the people in their electorates, they are really not informing their electorates of the benefits to be gained for a business in its first year of operations, businesses that are expanding and those that are relocating. That is where people are going to get jobs.

There are over 300 members of Port Stephens Tourism, which creates jobs for the local community. Businesses in the Upper Hunter and Myall Lakes electorates will also benefit from this \$90 million payroll tax advantage. On 28 February Tania McShane, economic development officer for Muswellbrook Shire Council, said:

The announcement last week by NSW Premier and Minister for State Development, Morris Iemma, is welcome news indeed for economic growth prospects of Muswellbrook Shire.

The Premier's Department should be commended on their initiative. The payroll tax exemption is a great incentive for new or expanding businesses to invest in our region and offer further employment opportunities for our community's economic sustainability.

Those are great words from a terrific council officer—someone who recognises the value of this package to her community, which is not in a Country Labor seat. If members opposite are not out there promoting this package in their electorates they are doing a disservice to their constituents; they are doing a disservice to those who are thinking of expanding their business or trying to attract others into their areas. The Leader of The Nationals recently said the only Country Labor person who benefits from this whole process is the honourable member for Tweed. That is patently untrue, as my electorate will benefit from this initiative. It is probably going to be of great advantage to areas such as Tomago where there is a growing industrial base. It will also benefit tourism, in which businesses are getting bigger and stronger.

I have listened to what Opposition members have had to say about occupational health and safety and payroll tax, and all their usual violin-playing laments, but the biggest problem small businesses face right now is

competition from China. Small businesses cannot continue to compete against Chinese importers at the prices at which they can land products on our shore. That is the biggest threat to the whole of the east coast. [*Time expired.*]

**Mr NEVILLE NEWELL** (Tweed—Parliamentary Secretary) [5.05 p.m.], in reply; I thank the honourable member for Port Stephens and the Leader of The Nationals for their contributions to this matter of public importance this afternoon. As I indicated at the outset, this proposal is dear to the hearts of the business community and others across those regions that will benefit from the Iemma Government's payroll tax package. And benefit they will, even if it is to the chagrin of some members opposite. Businesses will be able to take advantage of this benefit. As the honourable member for Port Stephens pointed out, industries in his area, particularly the tourism industry, are ever expanding and will be able to take advantage of the payroll tax breaks that the Iemma Government has offered them.

As the honourable member for Port Stephens also pointed out, business development offices and chambers of commerce around the State recognise that this incentive will work. The honourable mentioned the officer from Muswellbrook Shire Council who thinks the payroll tax package will assist businesses that relocate to that area, just as Amber Hall from the Lismore Chamber of Commerce—

**Mr Thomas George:** This is the first time in 10 years you have spoken about payroll tax.

**Mr NEVILLE NEWELL:** This is not the first time in 10 years. This Government has done a lot to bring down payroll tax and it will continue to do so. As I indicated in my earlier remarks, when we came to government, payroll tax under your lot opposite was something like 8 per cent. We have brought it down. In those days the Coalition did not think that the 8 per cent payroll tax burden that businesses had to deal with was bad, but now, according to the Coalition, 6 per cent is bad. The Coalition certainly likes to change the goalposts when the pressure is on. It was very nice to hear the Leader of The Nationals make some sort of commitment about payroll tax policy, but who can trust the Coalition when last time it was in government payroll tax went up? Who is going to trust the Coalition now when it says it is going to make some changes to payroll tax? No-one is going to believe the Coalition. Coalition members should try to talk to the business community and see how they go.

Members opposite keep harping on about workers compensation. They should tell people why they want to cut benefits to injured workers, because that is what they want to do. The Leader of The Nationals said he wanted to bring in a similar system to that in Queensland. Therefore, The Nationals are going to cut the benefits to workers. Why do they want to cut the benefits to injured workers? What a lousy position to take up. The whole of New South Wales will know about this. The sad thing is, because the proposal has come from The Nationals, the business community will not take any notice because it knows the Liberals take no notice of The Nationals anyway.

We are looking after existing businesses. The honourable member for Lismore kept interjecting and saying that we were not doing anything for them. Businesses that want to grow and are able to grow will be taken out of the payroll tax net for three years with the \$144,000 subsidy and the relief it gives. If they are able to expand, we will keep them out of the net and give them a five-year start. We are able to do all those things, but members opposite will not. All the Opposition wants to do is harp and carp and attack us. When businesses are in the payroll tax net they pay 6 per cent, but we will bring it down when we can. Just remember we have been bringing it down from the levels that the former Coalition Government left in place in 1995. It was a burden to businesses, particularly in country New South Wales. It is good to see Opposition members getting a little excited about this. I am sure in the time remaining for this debate they might make one or two interjections.

The Iemma Government has put on the table a program that has been welcomed by country businesses, development officers and others who recognise the good work that this Government is prepared to do in targeting payroll tax relief for businesses in country New South Wales that are able to grow and achieve greater things for their local community. I commend this matter of public importance and thank members on both sides of the House for their contributions.

**Discussion concluded.**

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

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

## BUSINESS OF THE HOUSE

### Notices of Motions

**Mr ACTING-SPEAKER (Mr John Mills):** 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

**Private members' statements, by leave, taken forthwith.**

#### CANTERBURY ELECTORATE WOMAN OF THE YEAR AWARD

**Ms LINDA BURNEY** (Canterbury—Parliamentary Secretary) [5.22 p.m.]: Honourable members will be aware that this is International Women's Week and tomorrow, 8 March, is International Women's Day. It is as significant today as it was when it first began. Most of the refugees in the world are women, more women are affected by illiteracy, and in many countries women are the poorest paid and the most discriminated against. International Women's Day is an extremely significant event not only in Australia but also across the world. One of the great initiatives of the Government and the Minister for Women, Sandra Nori, is the implementation of the New South Wales Woman of the Year awards.

Cheryl Field was nominated from the Canterbury electorate. Her contribution to the local community and the State is significant. She is a humble woman who is well known in the Canterbury area for her amazing volunteer work. She is a long-time resident of Campsie, a significant suburb in the Canterbury electorate, and has been a tireless volunteer over many years. She has worked for many local groups. I make particular mention of her role as chairperson of the Canterbury-Bankstown drug action team, commonly known as CDAT. Many honourable members would be aware of those teams across New South Wales. The Canterbury-Bankstown drug action team, led by Cheryl Field, is extremely active.

One of the wonderful things about Cheryl is that her role is not one of just theory; she has lived in the area for years and knows many of the people and families affected by drugs. She knows the practitioners and understands the issues at the grassroots level. Cheryl has displayed her commitment to the community by being involved in an enormous list of things, but I will only highlight some. She is a member of the Canterbury City Council women's safety committee in a voluntary capacity. I have the great fortune to be involved with Canterbury City Council, which has many committees that deal with a range of issues, including the women's safety committee.

Cheryl has been a volunteer for the Salvation Army, which has a strong base in Campsie and carries out wonderful work across the electorate and the Canterbury-Bankstown local government area. She provides voluntary assistance when required and donates many handiworks for sale on behalf of the Riverwood Community Centre. In fact, one of those goods made its way into my home. A colleague of Cheryl's makes jackets for dogs to wear in winter and she gave me one for our family dog. Unfortunately, it was a bit big for the dog, but it was a nice gesture. Cheryl has been a participant in the Canterbury City Council disability access committee and a volunteer at the Women's Rest Centre in Campsie. Most honourable members would agree that Cheryl Field is a worthy nominee from the area for the Woman of the Year award. A number of International Women's Day celebrations will take place across New South Wales. I am proud to be associated with Cheryl Field.

### GRAFFITI

**Mrs JILLIAN SKINNER** (North Shore) [5.27 p.m.]: I raise an issue that is a great concern to a large number of people in my electorate, not the least of whom is Mr Rodney Mallinson, a gentleman well into his retirement years. He spent a great deal of time and effort organising a petition relating to graffiti vandalism in Mosman, the North Shore electorate and New South Wales generally. To date I have received a petition with 5,000 signatures on it, with more arriving. This issue has angered a lot of people. They want something done about the problem.

Graffiti vandalism is the most prolific and habitually committed crime in Mosman. It destroys the pride that we have in our clean and neat buildings; it distorts police and road signs, and denigrates their meanings; and it can convey the impression of a slum and lawless community. Earlier this week I stood with Mr Mallinson on a back street not far from my electorate office to have a photograph taken for the local paper. We did not have to

go far to find a quite disgraceful example of graffiti vandalism. Mr Mallinson told me that since he started the campaign he has spoken to many people, including the police. He knows of hundreds of sites of graffiti vandalism and has brought this to the attention of the police.

However, the police have told him that they will accept the report only if the graffiti vandalism is on the property of the person making the complaint. Mr Mallinson pointed out that the community says, "Why report it? Nothing happens. We are faced with the cost of replacement and no arrests are made." He says, as do I and all the other observers, that if every instance of vandalism of a Roads and Traffic Authority shelter, bus seat and road sign, or of Telstra pay phones, distribution boxes, AGL fixtures, EnergyAustralia cabinets, Sydney Ferries wharves, et cetera, were reported to the police, and police responded, we would be deluged with police.

The problem is serious. It reminds me of the broken windows policy introduced in New York, which had a profound impact on crime there. Mr Mallinson is right: if we neglect the way our communities look, if we put up with graffiti, we are saying that we do not care. We should be saying that we will not tolerate this vandalism and will work towards fixing it. I have given Mr Mallinson an undertaking that at the next meeting of my local police accountability community team [PACT], which I attend regularly, I will raise the apparent underreporting of graffiti. I will ask the police how we can change the system so that people can report graffiti on a property owned by someone else and have it counted as a reported crime. Surely the current method is the most ridiculous way of reporting crime. Of course, it means that graffiti is underrepresented in crime statistics.

Mr Mallinson rightly said that if we do not report incidences of graffiti vandalism we are not giving it the effort it deserves. I commend those who are involved in cleaning up graffiti. North Sydney Council and Mosman Municipal Council in my electorate are good at cleaning up graffiti, and shopkeepers and people whose homes are regularly attacked with graffiti are quick to respond. A quick walk around my suburb shows that graffiti is never ending. We have graffiti with textures and spray cans. We also have destructive graffiti using a sharp instrument on shop windows, which means that businesspeople, who are already struggling, are paying literally tens of thousands of dollars to keep their buildings looking neat and tidy. I join Mr Mallinson in calling on the Government to take this form of crime seriously, to ramp up the reporting of vandalism and to reinvestigate the way we treat vandals who commit graffiti vandalism to prevent it from happening again.

### **PENRITH COMMUNITY EVENTS**

**Mrs KARYN PALUZZANO** (Penrith) [5.32 p.m.]: Tonight I shall talk about a number of Penrith community events. Many people were out and about on Sunday 5 March for the annual Clean Up Australia Day. I was a site supervisor at Peppermint Reserve at Kingswood, where I was joined by many community people as well as two groups from the guiding movement—South Penrith junior guides with their leaders Cheetah and Robyn, and the senior guides and their leader, Tara. We also had Cranebrook guides, including the PJs, which is a group of very young girls. One 5-year-old girl was a helper at Peppermint Reserve on Sunday; she spent about an hour collecting rubbish. We have cleaned the Peppermint Reserve site once or twice before, but we were surprised by the amount of PET bottles, cans and general rubbish we collected on the day.

One rogue shopping trolley was collected, as well as some household debris, concrete and a burnt garbage bin. We spent three hours cleaning up Peppermint Reserve. I commend Aisha Poole, who is Penrith City Council's co-ordinator for Clean Up Australia Day. One initiative she had this year was not only clean up day for the community on Sunday but also clean up schools day last Friday and clean up business day last Tuesday. I commend Freshwater Industries, which is a local company that manufactures a weed harvester, for using its business tool to harvest eight tonnes of aquatic weeds from the Nepean River. I commend the company for giving back a service to the community.

In the afternoon we swapped T-shirts. We wore our Clean Up Australia Day T-shirts in the morning. In the afternoon I launched the Red Cross Calling appeal at the Joan Sutherland Performing Arts Centre. There were about 40 Red Cross volunteers headed by Yvonne Cassidy, who is the president of the Australia Day launch committee. Last year they raised more than \$20,000 for the tsunami appeal. They are a small but very active band of women. Carole, Joyce, Jean, Hilda and many others provide services to the community. In Penrith they run the Red Cross blood bank and assist those who give blood. It is interesting to note that 80 per cent of Australians will need blood products but fewer than 3 per cent give blood each year.

The Red Cross volunteers also offer first aid, and they were out and about at the Canoe slalom world championships last year. They sell first aid kits. They were at the working truck show at Penrith last year. If people want a great day and they own a working truck they should come along to the Penrith Museum of Fire

where the truck show will be held this year. Some of the 40 volunteers knit trauma teddies for the Red Cross. They also held a concert with a number of local singers such as Julia Parashko and Nicki Gillis, and dancers from Studio 11, KJD dancers and Penrith Premier Dance studio, and the John Wycliffe jazz band. I commend the committee for organising the concert. I invite people to give generously to the Red Cross Calling appeal in March.

Today I attended the Penrith City networking breakfast for International Women's Day. I commend the committee, including Katarina Tahaja of Penrith City Council, and acknowledge the Minister for Women for her support through the Office of Women. Each local government area was supported by \$900; Penrith used part of its \$900 for the breakfast this morning. Another International Women's Day function will be held tomorrow at the Joan Sutherland Performing Arts Centre. This morning there was a panel of women. I spoke, as did Maree McDermitt from the South Penrith Youth and Community Service, who spoke about the Federal WorkChoices legislation and its potential negative impact on women. Margaret Campbell, an indigenous woman, talked about the perspective of family and how family in Aboriginal communities can affect community relations. Councillor Susan Page spoke about her life experiences as a woman in the work force. The Penrith Woman of the Year is Pat Tucker, who is from Penrith RSL women's auxiliary, which has provided services to wives, widows and partners of service personnel for many years.

### MACLEAN FIRE

**Mr STEVE CANSDELL** (Clarence) [5.37 p.m.]: Tonight I raise two issues. The main issue is the fire that engulfed a beautiful historical building in Maclean last Monday. It is amazing how fate can strike a cruel blow twice in such a short time in a small community. It was only on 2 December last year when a major storm hit Maclean and took roofs off sheds, damaged buildings, destroyed a lot of trees and national parks, and blacked out thousands of residences and businesses across Maclean. Only three months later, on 27 February, a fire destroyed a beautiful business precinct in Maclean. A fire started in the residence above the Blue Wren shop and spread quickly through the Blue Wren and next door to Cafe Boulevard. After 99 years of service to the community of Maclean, it was sad to see the charred skeleton of the grand old lady finally bulldozed down on Wednesday.

There are always human stories in these fires. Chris James and his partner, Christina, lived above Cafe Boulevard and ran the cafe. They built up the business over the past four years and everything they have gone into the business. Chris woke at 9 o'clock to the sound of the alarms—he works very late at night—and opened the doors to see flames. He managed to grab his little bowl of fish and his cat and scampered downstairs. He ran back up to try to get his belongings, but unfortunately he was forced back by the flames. Among those belongings were his bags, packed to go on his first holiday with his partner in four years to Hawaii. Their passports and credit cards were all lost, along with their business.

Most insurance only covers possessions, it does not cover the goodwill that goes with the business, and these people were fairly devastated. The fire also adversely affected the workers—young Danny, the chef, who loved and lived for his job, and young Dale, who worked there as well. Cafe Boulevard was my favourite eating place. I love a good coffee, but unfortunately I will not get one there now. I will probably be a bit dull when I walk without that caffeine boost. That was not the only building affected. The *Daily Examiner* of 1 March carried an article announcing the:

... end of an era for a section of Maclean's River Street trading precinct.

Information supplied by the Maclean Historical Society indicates the Cafe Boulevard building was constructed in 1907 by the then Argyll Hotel owner, Ann Cummins.

One of the first tenants was Garabaldi Tyler, who ran a photographic studio. Mr Tyler was only one of a long list of tenants ...

Restoration of the building by Dale James—

Who is Chris James's father—

was completed in 2001 and included the reconstruction of the two-storey verandah, re-roofing and repair of the original shopfronts.

The Little Blue Wren building next door was owned by Carmell Sanne, who also renovated and improved her building. The article continued:

[Carmell Sanne] said that in the early days, the building at 193 River Street was home to a women's boarding house.

She said the former Little Blue Wren Store had housed a number of businesses over the years including a second-hand shop, a travel agent and drapery store.

The history has gone. We also lost the laundromat, and some people who lived above the Little Blue Wren lost everything. Ann Gibson, her husband and their daughter Kylie walked out with basically nothing at all. The photos show how devastating the fire was. It took 50 firemen to bring it under control. Three of those firemen were injured—but not seriously, thank God. Their bravery and dedication saved the town. The fire was heading towards the main Maclean precinct and it was fortunate that the wind turned the fire back on itself. A firewall between the Little Blue Wren and the travel agency saved the fire from spreading further. Out of disaster always comes hope. Dale James and his family and the people from the Little Blue Wren hope to restore the precinct and bring some hope and joy back to the community of Maclean.

### NEWCASTLE RAIL SERVICES

**Mr BRYCE GAUDRY** (Newcastle—Parliamentary Secretary) [5.42 p.m.]: On behalf of the Newcastle and lower Hunter I thank and congratulate the Premier, Morris Iemma, and the Minister for Transport, John Watkins, on their decision announced on Tuesday 20 February that rail services to Newcastle station will continue. That is a great win for public transport, for the community of Newcastle and the lower Hunter and for common sense. The announcement is the result of an undertaking given by the Premier when he addressed the Hunter Business Chamber at its annual general meeting last October to review the decision that had been taken a year before to cease rail services to Newcastle. He put together a task force headed by Col Gellatly.

I congratulate that task force on its work. It took into account the views of the community and rail experts and recommended that the original decision, made on the basis of flawed information and an approach predicated on taking out the rail line—not looking at improving it, promoting it or building an integrated transport system for the lower Hunter—be overturned. That task force has now put together a program costing \$18.5 million. That will be spent on upgrading level crossings and improving the interaction between road and rail signalling, improving platforms and upgrading the rail corridor for the betterment of the relationship between the Honeysuckle development and the city. An amount of \$500,000 will be spent on the preparation of development applications for the Glendale interchange, \$500,000 on Easy Access to Broadmeadow station and \$500,000 on a detailed examination of the proposal put forward by the Hunter Business Chamber to continue the electrification to Warabrook and to transfer train travellers onto diesel rail cars that are now being built for the Hunter Valley.

An analysis of that proposal is absolutely critical. The proposal is not in the best interests of the public transport future of Newcastle and the lower Hunter. The 4.5 million people in Sydney, the Central Coast and the growth centres west of the lake—Wyee, Cooranbong, Morisset—will want direct access to the city. It is most important that we critically analyse the idea of breaking a public transport journey for commuters who want to come to the city. The Premier has put David Richmond in charge of the infrastructure investigation. He was behind the infrastructure program for the Olympics, particularly the transport infrastructure. We will have a proactive approach to the review and to the implementation of the improvements that will flow from it.

I take this opportunity to thank and congratulate the community for not accepting the decision made in December 2004 as a satisfactory outcome. The community continued to advocate, research and tell the Government through its local members to look at the decision again. I particularly congratulate the Save Our Rail organisation—particularly Joan Dawson, George Paris and Darrell Harris, the research officer—which for some 15 years now has advocated public transport improvements. I congratulate the business group led by Alan Squire, Tony Proust and Dr Bruce McFarlane for the research it has done, as well as Professor Currie and Geoff Dawson from Canberra, both of whom have been involved in looking at the decision in a practical and knowledgeable way. The Australian Labor Party branches continued to advocate the reversal of the decision and throughout the whole process my colleagues the honourable members for Wallsend, the honourable member for Lake Macquarie, the honourable member for Swansea and the honourable member for Charlestown have stood fast for improvements in public transport.

### CRONULLA ELECTORATE HEALTH FACILITIES

**Mr MALCOLM KERR** (Cronulla) [5.47 p.m.]: Tonight I speak about health facilities in my electorate. I refer particularly to public concern over a radical restructuring of the management of Sutherland and St George hospitals. The community should be indebted to an investigative journalist with the *St George*

and *Sutherland Shire Leader* who, in today's paper, has exposed the wide-ranging nature of this restructuring. Merryn Porter's article today states:

Under a new hospital-management plan, to be implemented by the South Eastern Sydney and Illawarra Area Health Service, a new central hospital network will be formed, taking in Sutherland and St George hospitals, as well as Garrawarra Centre for Aged Care at Waterfall.

Under the hospital network's management structure the facilities will no longer be run locally.

That is the important issue. The article continues:

Executive directors and other senior staff will be replaced by network heads, who will manage the hospitals from a central, yet-to-be-disclosed location.

Following inquiries by the *Leader*, an area health spokeswoman confirmed the executive directors of St George and Sutherland hospitals would leave their positions this Friday.

While there has been one meeting that was open to the public to discuss this matter, the restructure is being pushed through despite the fact that community consultation should still take place and a clinical services plan, which is essential, has not been released to the public. The need to have strong local management at Sutherland Hospital and for the report to be released were shown by a copy of a letter I received that had been sent to the Premier. The resident wrote:

On Friday 16th December 2005 at 10.30 pm my husband had an accident at home & burst all the stitches in his back from 2 recent operations on Melanoma one 23.11.05 and the 2nd on 7.12.05.

The ambulance officer placed a dry dressing on it and took him to Sutherland Hospital at 11.15pm.

My husband is nearly 82 and has a lot of difficulty walking since 2 strokes.

We were taken to the Trauma centre and I gave details to the receptionist, he was placed in a wheelchair and I took him to sit down with me, and they said we would be attended to.

They were not attended to. The letter continues:

We were sitting amongst drunks and drug addicts and 2 girls too drunk to stand, one in a wheelchair the other lying on the floor, both putting their fingers down their throats trying to make themselves vomit, they were using the most foul language and no one in charge did or said anything.

By 3.45am he still hadn't been looked at, his shirt was covered in blood and 2 young men said "Gee look he's been stabbed in the back. Cool!"

So I went to the receptionist and asked if they realised how serious his injury was...

She came back with a Doctor and took him straight in...

The Doctor brought in the 1st year Intern and told her to put a stitch in the middle and 1 in the top and 1 in the bottom then pull it together and fill in the other stitches to hold it together. Because it had been 5 hours it had dried out and gone hard it kept bursting open. All this time he was sitting in a wheelchair with his arms spread forward over a bed, she had to use anaesthetic in it to try and keep it deadened. After 1 hour I said "You need another Doctor to assist you to hold this together if you do not I will get someone."

The 1st Doctor we saw came in and held it together till she put a stitch in the middle one in the top and one in the bottom then left her again to fill in the other stitches. She finished at 5.45am and we left at 6am.

He wasn't given any antibiotics and it got infected.

That is not what is expected in our public hospital system. It shows the need for strong local management to make sure that there is full public consultation before changes take place, particularly at our hospital. I pay tribute to the members of the community who have worked tirelessly to ensure that Sutherland Hospital has been given facilities. Lorna Stone is one of those people who are very concerned about what is going on. [*Time expired.*]

#### **BLACKTOWN CITY MAYOR MR LEO KELLY**

**Ms PAM ALLAN** (Wentworthville) [5.52 p.m.]: This evening I want to talk about an outstanding local leader in my community, Councillor Leo Kelly, the Mayor of Blacktown City. On Friday night I expect to attend with Councillor Kelly a first in Blacktown, a Sudanese cultural festival. Over the past year or so the

Federal Government has settled approximately 3,000 Sudanese refugees in the local government area. Unfortunately for those people, there has not been the commensurate level of support and material resources required by those who come from a war-torn country which does not have English as its primary language and whose needs are not met. For some time Blacktown City Council has identified the issues associated with a large number of refugees being settled in the community. But it is not just criticising the Federal Government about this matter; it is taking the initiative and working closely with Sudanese communities and putting together this local cultural festival, which I am really looking forward to participating in.

Recently Councillor Kelly has been much maligned for comments about the Hillsong Church and its activities in the western Sydney region, particularly the Federal electorate of Greenway. I do not intend to detail the allegations; they were more than comprehensively covered by my colleague the Hon. Ian West in the Legislative Council on 8 November and 15 December last year. Many members would be aware of the allegations anyway because they have been widely canvassed in the media in recent months. The campaign that has been waged by my colleague the Hon. Ian West, working with local unions as well as people such as Leo Kelly and others in the community in western Sydney, has resulted in the exposure of Hillsong Emerge, which is the commercial outreach arm of Hillsong. Various grants it received from the Federal Government are being withdrawn.

However, recently Leo Kelly has been almost the meat in the sandwich of the battle. Leo began to raise the issues last year when he was approached by representatives of the Riverstone Aboriginal Community Association who were concerned that they might be being manipulated by the Hillsong Church. Leo, as someone who seeks to represent his community, raised the issues and, as a result, he has been successful in part, because Hillsong has been forced to retract its applications for various grants. But he has also been maligned, which is an appalling state of affairs.

On 16 February the member for Mitchell virulently attacked Leo Kelly in the Federal Parliament and accused the mayor of having a sour-grapes outburst at a meeting and daring to criticise the Hillsong Church. Those of us who know Leo well know that he does not behave in that way. He has been waging a campaign on behalf of his constituents in Riverstone and Mount Druitt to ensure that the Aboriginal members of the community were not being manipulated by anyone. Recently Leo has taken offence at a series of comments in the *Australian*, not by the journalist writing the article but by other sources, alleging that Leo said:

I object to Hillsong's political interference in using some of the people in my party to try to shut me up. I am not leaving this country to those bible bashers.

Leo Kelly has a refreshing turn of phrase, but he demonstrates that he is more in touch with his community than many of the so-called representatives, not only of Hillsong but even within the Federal parliamentary party who seek to comment on these issues. The *Australian* alleged that the Australian Labor Party had been shell-shocked by our loss of Greenway in the last Federal election. On the contrary, we have not been shell-shocked by that. Leo Kelly, as the Mayor of Blacktown City, and the local trade unions have been running consistent campaigns to ensure that attempts by the Howard Government to manipulate the local community cease and that the Howard Government representative in Greenway will be voted out at the next election. [*Time expired.*]

### NORTH COAST INSTITUTE OF TAFE FEES

**Mr ANDREW FRASER** (Coffs Harbour) [5.57 p.m.]: Tonight I speak on a matter of great concern to plumbing and carpentry students on the mid North Coast, not only in the Coffs Harbour electorate but right up and down the coast. I refer to certificate 4 in building studies, which is known as TAFE course 1261. The North Coast TAFE institutes are currently charging young builders and plumbers wishing to get trade licences \$995 per semester to complete the course. That equates to about \$2,000 a year. On 3 March last year I raised the issue in Parliament on behalf of Brad Plummer, a young man from Taree. He moved to Coffs Harbour to get a job and to complete his studies, which he is doing. He has to pay \$2,000 per year out of his pocket on a wage of about \$400 a week.

Mr Plummer is not on his own. As I said, up to 300 young apprentices are doing their trade courses at the North Coast TAFE institutes. These young people are disadvantaged to a huge extent because the basic fee is charged for these courses at the Hunter TAFE and the Tamworth TAFE. However, at the North Coast they are forced to pay \$2,000 a year. One of the teachers told me that as of next year it will cost about \$5,000 to \$6,000 to complete trade certificates in plumbing, carpentry and joinery over two years. I am at an absolute loss to understand why the North Coast Institute of TAFE, which has magnificent facilities, deems it fit to charge these young people such high fees to get a building qualification. These are the young fellows who would normally go

on to get a trade licence. They probably represent about 20 per cent of the tradesmen who need this qualification, because they will be the builders of the future.

We have often heard it said in this House and elsewhere that the average age of teachers is now more than 50. I suggest that the Minister and all honourable members look at the average age of tradesmen—the electricians, plumbers and builders. They are now in the same position as teachers. The North Coast Institute is charging exorbitant fees and these young people elect not to do the course because they cannot afford it or because they would have to go to Newcastle or Tamworth to get it at a cheaper rate. That would involve a similar cost and they would have no guarantee of getting a job in either area. These fees are leaching young people out of regional areas.

I ask the Minister and the Government to reverse this decision. I want the Government to tell young people like Brad Plummer that it is interested in their future and education, that it is interested, in fact, in ensuring that tradespeople will be working in regional New South Wales in the future. The 20 per cent of these young fellows who would go on to get licences and employ the other 80 per cent do not have the opportunity under this regime to do that. It is a simple matter: The Government should provide the funding to the North Coast Institute of TAFE to ensure that it does not have to charge such exorbitant fees. It would be fairly easy for the Minister to look at the Tweed, which is a growing area, Ballina, the coastal area of the electorate of Clarence, Lismore, Coffs Harbour and through to Taree and to determine that the situation is far too important for penny-pinching with regard to young men and women who wish to attend TAFE. I implore the Government to reverse this decision immediately and to come on side with TAFE teachers and these young students and give them the same opportunities that are available to young men and women in major metropolitan centres to get trade certificates and to fill the yawning hole that is beginning to show itself in the trades areas.

#### **LAKE MACQUARIE COUNCILLOR MR ROB O'BRIEN**

**Mr MILTON ORKOPOULOS** (Swansea—Minister for Aboriginal Affairs, and Minister Assisting the Premier on Citizenship) [6.02 p.m.]: I raise an issue of concern to me and to a number of people who live in Lake Macquarie. It relates to conflicts of interest confronting councillors. What would honourable members say if a councillor were an active real estate agent and developer, a member of the council's property services committee, which administers council's property portfolio of some 300 properties that are capable of development, and also had the contract to sell and lease council's property through his real estate agency?

The business papers of the ordinary meetings dated 14 and 28 February 2005 show that Councillor Rob O'Brien's real estate agency, LJ Hooker, has the tender for nearly two-thirds of Lake Macquarie, a city of 190,000 people, from Catherine Hill Bay on the southern border, right around to Cardiff in the north-western part of Lake Macquarie. My concern is that there is significant potential for a conflict of interest, especially when in the *Newcastle Herald* of 25 October 2005, under the headline, "Calls for Lake to develop key sites", quotes Councillor O'Brien as saying that Lake Macquarie City Council should start developing some of its land to boost its income. He further stated that Lake Macquarie should increase its funding through property development and that it has to get commercially savvy or continue to cut services. That was said by a councillor who not only administers council's property portfolio but who also has the tender for disposing of and leasing council's property.

Further concerns arise when one notes that Councillor O'Brien is on council's strategic committee. In mid-2004 council's planning staff identified that No. 60 Caves Beach Road was incorrectly zoned. At a meeting on 6 December 2004 the strategy committee reported the proposed changes to Lake Macquarie local environmental plan. Councillor O'Brien attended that meeting and no councillor declared an interest in the matter. On 12 December 2004 full council adopted the recommendation to commence preparation of a draft plan to change the zoning of No. 60 Caves Beach Road. On 8 September 2005 Caves Beachside Commercial, with Bill Saddington as the sole director and secretary, acquired No. 60 Caves Beach Road, Caves Beach. On 26 October 2005 the Australian Securities and Investments Commission [ASIC] was notified of the changes to a company called Caves Beachside Commercial. On 28 October 2005 ASIC changed the company details to show Mr Rob O'Brien as a director of Caves Beach Commercial and, in part, the acquisition of shares by a company he owns called Lucky Bob Pty Ltd.

On 7 November 2005 Councillor Fraser tabled a letter on behalf of constituents expressing concern about this turn of events at No. 60 Caves Beach Road. In fact, Councillor O'Brien quite properly declared an interest and left the room. However, he then caused Councillor Fraser to appear before the conduct committee of the council to answer charges that she acted improperly, notwithstanding the fact that council had no policy to

cover the tabling of letters relating to other councillors. It appears that on 9 November 2005 Councillor Rob O'Brien, the sole proprietor of Lucky Bob, made a supplementary declaration to council's pecuniary interest register. It was registered by ASIC on 28 October. It was not until after it was notified to council on 9 November that he changed his details on the council's pecuniary interests register to show his 40 per cent ownership of the company named Lucky Bob Pty Ltd. I seek the Minister's response on these issues.

**Mr KERRY HICKEY** (Cessnock—Minister for Local Government) [6.07 p.m.]: I thank the honourable member for raising these issues. I will ensure that the department investigates them. I will take the *Hansard* report of his speech to the director general tomorrow and, hopefully, we can sort out some of these matters. The Government has introduced a model code of conduct that must be adopted by all New South Wales councils. It states that perceptions are as important as actual conflicts. If a councillor has a pecuniary interest, he or she must declare that interest, leave the meeting and be out of sight of the meeting whilst the matter is being dealt with. Any person concerned that a councillor has breached the pecuniary interest provisions of the Local Government Act should make a complaint to the director general.

The Department of Local Government recently released draft tendering guidelines for local government to provide valuable advice for councils. Tendering for goods and services is often a complex process. While it can deliver significant benefits, it can also raise issues involving conflicts of interest, value for money and openness of the tendering process. The draft guidelines will help councils make clear tendering policies and follow consistent procedures. I recently announced compulsory training for all councillors of New South Wales within six months of their election in 2008. It will apply to councillors who have previously served in local government, and will be an opportunity for councillors to deliver better outcomes for ratepayers. I thank the honourable member for bringing Councillor O'Brien's issues to my attention, and I assure him that the department will be looking at these issues to see what it can do to address these problems. There are quite a few councils across New South Wales that have raised many similar issues, but hopefully we can clean up councils in regard to these issues so that the problems do not continue and the public can hold a very strong opinion of our councils.

#### LACHLAN ELECTORATE YOUTH WORKER FUNDING

**Mr IAN ARMSTRONG** (Lachlan) [6.09 p.m.]: Tonight I speak about funding for the position of youth worker in the Young, Harden and Boorowa shires, which has come to a halt, and troubled and disadvantaged kids woke up this week without an official first point of contact for the help they may need. I am sure that there will be total support in this Parliament and right throughout the community for those disadvantaged kids in our society. The media highlights problems that occur in some areas with disadvantaged kids—who often tend to get into a little bit of trouble—but the majority of them, with some assistance, get on with their lives pretty well. In the areas I am speaking of tonight, that assistance is being provided by the Young Shire Council. Some State Government funding from the Attorney General's office has been cut off, leaving the responsibility to the council.

After only four months as a youth worker, Mr Ted Schulz—who was doing a fantastic job—is concerned that he can no longer devote all of his time to being the first source of help and advice for local youth. In the local paper recently Mr Schulz said:

A lot of things are up in the air but we're certainly not going to turn anyone away. It's just that the service will be extremely limited.

The youth worker position in Young was made possible through the council's three-year crime prevention plan, but, sadly, that plan has reached the end of its course. Young Shire Council was encouraged to apply for a 12-month extension of the crime prevention plan, and therefore the funding. The council went ahead with the application, but the funding was cut off by the State Attorney General's office pending a review of council's extension of the plan. This situation is obviously quite serious for the community of Young, particularly for those young people who are involved in this service extended to them by Mr Schulz. A local councillor, who is also the executive officer of the Wiradjuri Group, came down to speak to staff of the Attorney General's office to try to have the decision to cut off the funding reversed. He failed. Council now has to decide whether to actively pursue a funding extension or decide whether it is worthwhile to put in place a new crime prevention plan. As the councillor said:

Either way there is going to be a gap between now and whenever more funding is organised.

During that gap Mr Schulz hopes to keep up his network of contacts, even if he has severely limited time to see the kids himself and refer them on. Mr Schulz said:

I can't really afford to let that networking go because it is so important to the business.

He went on to say:

Whether I'm in the position or someone else I really don't mind but Young needs a youth worker. It is paramount, these kids need help.

There have been many beneficial and exciting projects put in place due to the work of Ted Schulz and previous youth workers Joy Cornish and Kelly Slater, such as the Sisters Coming Out program, department and employment training for troubled young women, the crime prevention television commercial that had local youth involved in acting, filming and production, and the court support program that made sure juvenile offenders were properly represented when facing court. So the loss of Mr Schulz as youth worker will make the organisation of projects such as these more difficult but not necessarily impossible. For example, Young has been constructing a skate park—an issue close to the hearts of many people in the Young area—and that will not be cancelled just because there is no longer a youth worker. Mr Schulz stated:

A couple of parents are getting involved, and we have the support of a couple of councillors. It's really starting to come together.

That community is doing the right thing: it has provided a youth worker and there are obviously volunteers helping. There is no argument that the need for a youth worker is definitely there. In comparison to a State budget it is a small amount of money needed to help young people and maybe in one or two cases stop young people from getting into trouble. It would be far more expensive for the State if one or two of these people who could have been helped under this program got into trouble. To provide the funding would be a better economic proposition, but also we have a social and moral obligation to help those who are disadvantaged in this very affluent society of ours today. I think it is incumbent upon all of us to think sensibly about these sorts of necessities in our community today and to try to keep a quality of life across-the-board, including those kids who are disadvantaged. I appeal to the Government to make that funding available.

### READING RELAY

**Mrs DAWN FARDELL** (Dubbo) [6.14 p.m.]: Tonight I inform the House of some outstanding work being carried out in the Dubbo electorate and in several areas around western New South Wales in efforts to encourage children to read. We are leading the way in many cases, none more so than with a campaign involving schools, parents, community groups and many others. Recently, what is known as the Reading Relay was engaged in an 11-day tour visiting more than 50 communities around the western region, including Parkes, Trangie, Trundle, Yeoval, Wellington, Dubbo and Narromine in the Dubbo electorate.

The Reading Bug and associated helpers covered thousands of kilometres on their journey to spread the message and promote the wonders of books for both parents and children. On foot, by hot air balloon, motorbike, double-decker bus, racing car, Royal Flying Doctor service aircraft and horse, the Bug took advantage of these modes of transport and many more. Indeed, recently I stood on the stage at Buninyong Public School with the honourable member for Canterbury. Before a sea of beaming children's faces strode the Reading Bug, bringing with her not just a curious way to promote reading for children but also living proof that educational programs developed within country communities are cutting-edge.

A few short years ago, department of education early childhood teachers in Parkes created the Reading Relay concept in an effort to introduce more children to the joys of reading. What started out as a small community event soon blossomed into one of the most anticipated weeks in the Parkes district. Soon after, the concert was adapted on a wider scale, the result of which was the biggest Reading Relay to date. Fifty towns spread across western New South Wales saw thousands of children participate in events leading up to the arrival of the Reading Bug. Through a series of associated lessons, primary school-age children developed an understanding of what the relay was about.

Celebrations were held in every town in which the relay stopped. Special guests also turned up along the way: our Governor Marie Bashir, the Minister for Education and Training, and the honourable member for Marrickville. Also attending were teachers, parents, mayors, local dignitaries, and community and service groups, who all lent a hand during official ceremonies. School-aged children were not the only targets of this wonderful campaign. Parents too were urged to consider the proven benefits of introducing their own children to reading at an early age. This also ran on from the spirit of the first relay organisers in Parkes, who keenly worked to highlight the advantages that children gain when they are read to from birth. Noted Australian children's author Mem Fox not only contributed books for each town's library along the way but also happily joined in the relay, with a special appearance at the Parkes radio telescope.

I congratulate everyone involved in the Reading Relay—every teacher, volunteer or parent. Examples set for children when they are young serve them well for their entire lives and development of literacy skills in these important formative years becomes a distinct advantage when it is time for them to start school. An event of this nature can only be successful when the entire community offers support in this way. That is the nature of the western region, but there is more than a little irony in the fact that many of the smaller communities visited already face problems associated with the education of their children. Central schools are battling to retain teachers and attract adequate resources. While I gladly note that drought conditions are easing somewhat, the damage in many of these communities has already been done.

Not only is the flow-on effect felt by local economies, but the social wealth of a community can be severely harmed. The loss of one or two families in a larger community can go unnoticed. Under the present formulas, the loss of one or two students can result in the loss of a teacher—a loss that can be very hard to get back and one that is very difficult to cope with. I gladly note that some concessions have already been granted by the Government in select cases, but there remains a constant concern about present arrangements should more families choose to pack up and leave a drought affected district. When the land dries up, the work also dries up. That is the harsh reality of life for many towns in my electorate and other parts of rural Australia. The resulting implications can be as damaging as the weather.

Despite all these challenges, even smaller communities adopted an enthusiastic approach to the Reading Relay as it passed by and became totally involved in it from start to finish. This is a stunning achievement when one thinks that the original pilot program, which was developed in Parkes, has now touched the lives of thousands of children. Following the event, many hundreds more have had exactly the same experience and growth in awareness. Children were able to participate and discover for themselves the fun and magic that can be contained between the pages of books.

I will never forget when I went to Parkes for the launch of the Reading Bug—"Painting the West Red" was the theme—driving into town and seeing red balloons from the outskirts all the way through the town. Every shop was decorated, everyone was in red, and every schoolchild in Cook Park was in red. It was a wonderful festive occasion for the Parkes area. Once again I congratulate all those involved.

#### **PORT MACQUARIE ELECTORATE MENTAL HEALTH SERVICES**

**Mr ROBERT OAKESHOTT** (Port Macquarie) [6.19 p.m.]: I wish to speak on mental health, an issue of concern not only to the electorate of Port Macquarie but also statewide. I am pleased that the Minister Assisting the Minister for Health (Mental Health) is in the House because she has a history of interest in mental health. Indeed, I think the day she was appointed as a Minister there was a mental health forum in Port Macquarie to discuss the Mental Health Act. For obvious reasons the Minister was unable to attend. Holding the forum shows that this is an issue of particular significance to Port Macquarie and to the electorate, as well as being one of statewide significance.

An important issue in my electorate is the 10-year legacy of the Port Macquarie Base Hospital. One of the significant implications of that has been the lack of investment in mental health services in the Port Macquarie and Hastings area. For example, involuntary mental health patients are not dealt with in the Port Macquarie community. In a morally and ethically bankrupt way, those suffering from mental episodes that require them to be scheduled are taken out of the community. Previously they were taken to Newcastle, and then to Taree, and now I understand they are taken to Coffs Harbour, away from their community and the support network on which they rely. Clinically it is an inappropriate way to deal with those suffering from mental illness. I hope the Government can give priority to that issue.

We are as desperate as everyone else in the State for improvements in mental health services, but Port Macquarie is particularly desperate because it is 10 years behind as a result of a lack of investment in mental health services due to the rights and wrongs of the Port Macquarie Base Hospital issue over the past decade. I know that when the Premier, as Minister for Health, came to Port Macquarie in February last year for the public sector buyback of Port Macquarie Base Hospital from the private sector he made very clear his intention that mental health be a number one priority. My message to him now as Premier is that Port Macquarie is still waiting for changes to happen.

There is growing cynicism in Port Macquarie about whether they will happen. We were promised that a master plan for the overall upgrade of Port Macquarie Base Hospital would be released. A 20-bed involuntary mental health unit is an important part of that. It is generally labelled as Option 5. To date nothing has been

released publicly and the position is unchanged for those suffering mental illness, their carers and the broader community. There is also an impact on public services such as ambulance and the police, which get soaked up in the treatment of the mentally ill when taking people to Newcastle, Taree or Coffs Harbour to be treated.

On the day the Minister took on her role, one of the commitments made at the mental health forum was an increase in the ratio of community mental health workers in the local area. We have seen minimal change in the number of community mental health workers working on preventative mental health issues and not just reacting to hospital emergency situations. That promise is also outstanding. We are in desperate need of government action to address the problem. We hear about this problem not only through community organisations such as Lifeline, but also from the magistrate of the Local Court, who says it is inappropriate that he has to deal with so many people with mental illness. I again ask the Government to pay particular attention to this issue and deal with it as a priority for the Port Macquarie electorate.

**Miss CHERIE BURTON** (Kogarah—Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)) [6.24 p.m.]: I thank the member for his statement. Mental health is a priority for this Government. As the member knows, we have increased funding by 141 per cent and we are focusing attention on community mental health. A pilot program was successfully trialled on the mid North Coast to ensure that people were getting triage and care very early. That pilot program was subsequently rolled out across rural New South Wales. We have the same staffing issues in Port Macquarie that we have in the city, and we are trying desperately to address them. We have had some very aggressive recruitment campaigns.

The Premier has put mental health on the agenda at the Council of Australian Governments. One of the main issues we will be addressing is our work force shortage, because we have the money for the beds and the staffing positions but it is very difficult to fill them. We have the Housing and Support Initiative, which is in my portfolio as Minister for Housing, and we are expanding that and making sure we can get support into the home for people with mental illness and keep them in the community. That support and commitment is still there. We announced an extra \$20 million for community mental health this year and we intend to ensure that all the money for mental health goes to the front line to support the people who need it most. We also want to make sure we have adequate staffing to support them. We look forward to working with the member for Port Macquarie in addressing those issues in his area.

**Private members' statements noted.**

*[Madam Acting-Speaker (Ms Marie Andrews) left the chair at 6.26 p.m. The House resumed at 7.30 p.m.]*

**BUSINESS OF THE HOUSE**

**Inaugural Speech**

**Motion by Ms Alison Megarrity agreed to:**

That the business of the House be interrupted to permit the honourable member for Pittwater to make his inaugural speech forthwith.

**INAUGURAL SPEECHES**

**Mr ALEX McTAGGART** (Pittwater) [7.30 p.m.] (Inaugural speech): I stand before you today as the very humble member for Pittwater. The electorate of Pittwater, situated on the Warringah peninsula, contains 62,780 residents, is approximately 150 square kilometres and has one-third of Sydney's magnificent beaches, stretching from Palm Beach in the north to Narrabeen in the south. Within this stretch there are 11 surf clubs, manned in the main by Pittwater volunteers, protecting metropolitan, regional and international visitors from the dangers of the surf.

In addition, Pittwater has within its boundaries Narrabeen Lagoon and the waterway of Pittwater, an open body of water, navigable and as large as Sydney Harbour east of the Sydney Harbour Bridge. Narrabeen Lagoon, technically called an icol, an intermittently closed or open lagoon or lake, is the largest coastal lagoon in the metropolitan area, with an area of 2 square kilometres, a catchment of 55 square kilometres and containing sensitive seagrass beds. It is a very important ecological and environmentally sensitive waterway and is much loved and protected by the Pittwater community. Within Pittwater is the environmentally sensitive salt marsh and mangrove wetland of Careel Bay, destination of many Northern Hemisphere species of migratory

birds. Our waterways and beaches are there to be enjoyed by all people from New South Wales and all we ask is that you leave behind nothing except your footprints in the sand.

Pittwater has an homogenous population and was reported in the *Sydney Morning Herald* of December 2005 as being one of the most racially tolerant electorates in New South Wales. In 1992 Pittwater Council separated from Warringah, the first new council in 100 years. The reasons for Pittwater seceding from Warringah were very simple: The community rejected the arrogant misuse of power; they were sick of being ignored; and they were sick of not getting their fair share of resources. Sound familiar? Pittwater voted Independent on 26 November 2005 for exactly the same reasons—ignored by the Government, which thought it would never win the seat, and ignored by the Liberals, who thought they could never lose the seat.

I would like to quote from a March 1993 State election pamphlet published by former Pittwater Mayor the late Eric Green, a leader in the council secession movement, who was standing as an Independent. He stood because, "The Libs take us for granted and do nothing. Labor can't win so they do nothing. The Result: 'Nothing for Pittwater'." One of the main issues on which Eric Green campaigned was health. He said he would work hard "to obtain necessary staff and medical resources to enable Mona Vale Hospital to function at its full capacity". As Pittwater's representative in Parliament he said he would work to persuade the Government to scrap its plans "to sell off Collaroy and eight other psychiatric hospitals". His campaign failed, so for the next 12 years, what happened when the Liberals were again returned to power? Nothing. We are still campaigning for Mona Vale Hospital to be brought up to scratch, and Collaroy has been closed for years, despite the appalling state of mental health care in this State.

Another of Eric Green's objectives was to fight for an ambulance station at Avalon. Well, we got one but it did not last long. It has already been sold. So in the 12 year interim between the time that Eric Green stood for election and my candidature, what has happened in Pittwater? Absolutely nothing. I campaigned, and won, on exactly the same basis as Eric Green campaigned unsuccessfully in 1993. Why I won and he lost, I do not know. Maybe it is simply because, finally, the people have woken up. They have woken up to the fact that they have been taken for granted and ignored since 1972, so they have chosen an Independent from the local area—an Independent who has lived in the area all his life; an Independent who knows its concerns and, as mayor and councillor, has been actively involved in the community for seven years; and an Independent determined to fight for its needs. I owe no allegiance to any party and I am beholden to no-one except the Pittwater community which has bestowed on me the incredible honour of representing it in this Chamber.

I am the sixth representative for Pittwater. Formerly part of the seat of Collaroy, the seat was first held by Sir Robert Askin, Premier of New South Wales, until February 1975. And, lastly, it was held by the former Leader of the Opposition, John Brogden. It is interesting to note that since 1975 the last four members have resigned part-way through their terms. The Liberals have been representing the seat of Pittwater since 1972. I have been in this Chamber for only four days. But on my second day, after years of neglect, the Opposition discovered Pittwater and lodged motions for two bills, one on Careel Bay and one on Mona Vale Hospital. The Careel Bay bill, while welcome, does not go far enough. An Act to protect the bay against inappropriate redevelopment of the existing marina ignores the rest of the bay and does not protect the environmentally sensitive mangroves, seagrass beds and salt marshes. The bill also calls on Pittwater Council to be the consent authority for the redevelopment of the marina. And I should point out that this is a vote of confidence, from the Liberals, in the council of which I happen to be mayor.

The Liberal Party, through the shadow Minister for Health, has also given notice to introduce a bill to ensure that the Mona Vale Hospital land remains in public ownership. What a blatant and belated political effort to score a point! Will the bill protect the site from overdevelopment by private health operators? Will the bill prevent the development of buildings on the beachfront? Will the bill protect the golf course encroachments? The community has always regarded this land as community land. They have always, rightly, had a sense of ownership and I will always fight for it to stay in public ownership. Ideally, the land should be used for an upgraded Mona Vale Hospital serving the northern beaches. But we can see what is happening here. The Opposition has just discovered Pittwater. And this is where I come in. Why am I here? Why an Independent after 30 years of safe Liberal representation? The answer is simple. Mona Vale Hospital is the reason for my being here.

Let us look at the history. In October 1999 Dr Stephen Christley, Chief Executive Officer of Northern Sydney Area Health, came to Pittwater Council to outline his new plan to close Mona Vale and Manly hospitals and build a new hospital at Frenchs Forest. When I challenged his statistics on travel times and said, "Our community is well educated, articulate and will challenge this information", he responded, "Then they can

afford private health cover". From that time, I opposed his position and, with the help of some friends, I set up the Save Mona Vale Hospital Action Group to validate all information provided by Northern Sydney Area Health: rallies of 6,000, 3,500, 1,500, strategy papers, forums, document reviews, newsletters, postcard campaigns, letter-writing campaigns, public meetings; three Ministers for Health, six years of commitment and six years of being slowly beaten down by area health.

Almost every Tuesday evening for six years, births, deaths, divorces, it has been a family, a band of brothers and sisters. And it has all come down to the next few weeks when Cabinet makes its decision. Mona Vale versus Warriewood versus Frenchs Forest. The community wants and demands Mona Vale as the level 5 hospital for the northern beaches. If that site is not acceptable to the Labor Government, then the community will reluctantly push for Warriewood as our last chance to keep a level 5 hospital in Pittwater. I would now like to turn my attention to the election campaign. This was an election campaign unlike any ever seen in Pittwater. Usually a blue ribbon seat, the Liberals have always been returned without much effort, and the voters have not been exposed to the antics of marginal seats and the politics of desperation. The community was affronted by the nine glossy mail-outs, the barrage of phone surveys and the endless newspaper articles on every issue known to man, promoted by the Liberal campaign team.

The community was disgusted with the Liberals standing on median strips shaking placards during peak-hour traffic and the erection of posters that flooded the polling booths. During November the Liberals brought in the big guns. Heavyweight Bill Heffernan arrived from the bush on Avalon market day. He tried to muscle in on our stall. Most people thought he was a walking advertisement for Country Road clothing. But, nevertheless, at the end of the day, we had a robust discussion and a couple of beers, which he paid for. Then we had the middleweight Mrs Bishop, who still has not accepted the results, followed by Mr Peter Debnam, who, it is alleged, got lost at Manly on his way from Vacluse. Unfortunately, the Liberals did not address the issues of concern to constituents. Indeed, they held a phone survey to identify the issues. They had to ask the electorate what was important! So, after 30 years of conservative representation, they had lost their way.

So on the nose was the Liberal Party at the local level that it could not adequately man the polling booths. It had to bus people in. Make no mistake: this was a by-election where we faced the full strength of the Liberal Party. It was not a general election with resources spread over the State but a single, focused campaign against a bunch of community people—unprecedented glossy mail-outs, full-page advertisements in the local paper, a compliant press, and bussed-in campaign workers from the Southern Highlands and Emu Plains. So on the nose were the Liberals that not one candidate—Independent, Green, Christian Democrat or Australian Democrat—gave their preferences to the Liberals. The result was a resounding rejection of complacency. From 60 per cent to 34 per cent of the vote, there was a margin of 26 per cent against the Liberals in the third safest Liberal seat in the State. Some say it is the biggest swing in Australian political history. Indeed, it was a wake-up call to both major parties.

There were some funny moments during the election campaign. The former Minister for Roads and I had a meet and greet on Mona Vale Road to discuss Roads and Traffic Authority [RTA] infrastructure issues in Pittwater. We met on the side of the road with plans stretched out over the bonnet of the car. The cameras started to roll and Paul Mullins started an interview while I was pointing to the plans. The Minister reached into his coat pocket and pulled out a press statement bagging the Liberals over a proposed Spit Bridge tunnel. He said to me, "Just read this out for me." There was a lull while the reporter waited for me to utter the words. Needless to say, I refused.

Without wishing to disparage my electoral opponent, I think the photo of Mr. Nicolaou on a horse and being led by the honourable member for Wakehurst summed up a candidate doing anything possible to connect to a section of the electorate. I sympathise, because I do not like horses either. The closing credits on the ABC *Stateline* program showing Mr. Nicolaou sinking below the waves was almost Shakespearean in its tragedy, and the doctored photo of my head on a young surfer's body, which was picked up and published by the *Daily Telegraph*, showed the humour in the election media process. Finally, in response to the Liberals standing at intersections and shaking posters of the candidate, who could forget the clowns labelled as "Liberals" and being given an enema over their hospital position?

I take this opportunity to put on the public record some of the issues that face our community. Over the past two weeks I have heard much ado about nothing, other than cost shifting from Federal to State. It happens in local communities, too—cost shifting from State to local government. Take the example of the provision of patrols on our beaches. Subsidies to surf clubs and the provision of paid lifeguards during the swimming season costs \$1.2 million, or one twenty-fifth of council's rate revenue. The beaches are available for all the people of

New South Wales, but the people of Pittwater subsidise their activities. Further, 25 percent of Pittwater is Kuring-gai National Park, which again is available to all the people of New South Wales. Yet Pittwater residents pay a \$300,000 Rural Fire Service levy, although the fires come to Pittwater mostly through the national park.

Some 1,600 moorings are licensed from waterways, with fees of \$3 million going to government and insignificant grants coming back. So the Pittwater community funds 28 wharves and other public infrastructure for the boating public of New South Wales. Reduced policing means an increase in lighting, private security, graffiti removal and cleaning, the cost of which is again met by the community. There are disgraceful attempts to transfer RTA-controlled roads in Pittwater from regional to local, and to shift the cost of maintenance to the local community.

Rate capping is an issue that needs to be highlighted. Whilst I would agree that rate capping prevents councils from overspending, our rates are capped at 3.5 per cent, costs are going up by 8 per cent plus and the Government has reduced the amount of grants available, which further squeezes a council's ability to deliver services. The Government's recent relaxation under which councils are allowed to raise special levies is nothing more than an attempt to deflect resident criticism from the State Government to the local council. Then there is the threat of the Department of Planning taking away council's planning powers and the uncertainty of the Metropolitan Housing Strategy, leaving the community unsure of the future level of development in Pittwater. The guiding development criterion of Pittwater residents is houses nestling among the trees or, more explicitly, the built form should not dominate. Herein lie the issues for our community.

We want to write the local environment plan [LEP] and the development control plan and we do not want the State Government to dictate to us what sort of development should take place. We do not believe that making all of Sydney the same with template LEPs is good for a community or for a living city. One of the main issues for the separation of Pittwater from Warringah was the high-rise Delmage building in Mona Vale. The new council immediately implemented height limits of 8.5 metres for residential development and 11 metres for commercial development, which are now broken only under the most extenuating circumstances. [*Extension of time agreed to.*]

The advent of State environmental planning policy No. 5, now Seniors Living, has caused considerable anxiety, frustration and anger within our community. It is seen as de facto overdevelopment of a standard residential block and nothing more than a way for developers to circumvent council's rules and regulations. Such is the desire of Pittwater residents to protect the environment that for the past five years they have been paying a 5 per cent environmental levy to purchase the Warriewood Escarpment, a wide green backdrop between Elanora and Bayview.

I shall now address the issues facing Scotland Island and the western foreshores, which are our offshore communities. It is these people who are most disadvantaged by the lack of services. There are a number of issues relevant to offshore communities which should immediately be addressed by this Parliament. Scotland Island needs town water and town sewerage. There should be an immediate promise by Sydney Water to provide these basic services. Also, it is ridiculous that Scotland Island residents cannot get the rainwater tank rebate because they are not connected to town water, yet during times of drought they must buy their water from the mainland half a kilometre away and from a Sydney Water tap. It is nonsense.

Then there is the stupidity of the Crown Lands Act, which prohibits car parking on a Crown reserve other than for the purposes of recreating in that reserve. The Department of Lands has indicated that car parking must be removed from Church Point Reserve by August 2007. There are 350 car spaces there, used by the offshore communities, and we have had no indication of where they are supposed to go or why they should go. Another issue for the offshore communities is the jetty tax, or rather the tax on Crown Land leases which applies to waterfront properties with wharves that are accessible only by water. These people need to have a reasonable acknowledgment that part of their lease should be exempt from the tax, or at least taxed at a lower rate, to acknowledge that they are water access only.

Whilst on the matter of leases, approximately 700 mainland waterfront properties in Pittwater have permissive occupancy leases or licences. Recently, an Independent Pricing and Regulatory Tribunal [IPART] recommendation was handed down which determined that market rent leaseholders should have reasonable rights and assurances. To date, the IPART recommendations have not been implemented by the Government. This is an issue for a significant number of my constituents, and I call on the Government to adopt the IPART recommendations.

It is interesting to note how things sneak up on you. Take for example the new high-speed ferry from Gosford-Ettalong to Palm Beach. The Department of Transport issued a licence, but has not provided any infrastructure for the ferry service. Pittwater residents fund the wharf. Again, here is a Crown land reserve used as a car park for Gosford people clearly in contravention of the Crown Lands Act. And while we acknowledge the contribution of Central Coast residents to our economy and the approximately 80 students who attend Barrenjoey High School, this ferry service places more strain on our scant resources.

I take this opportunity also to highlight the lack of investment in road infrastructure by the State in recent years. The electorate of Pittwater is served by five arterial roads: The Wakehurst Parkway, Barrenjoey Road, Pittwater Road, McCarrs Creek Road and Mona Vale Road. These roads are in a disgraceful condition and require immediate repairs and upgrading, including replacement of bridges, widening of carriageways and safer pedestrian access. Of most concern is Mona Vale Road, the most talked about neglected piece of metropolitan roadway in New South Wales and, regrettably, the scene of many fatalities. The state of our roads is a classic indication of 30 years of neglect. I give notice that I will not relent in pressuring the Government to carry out these essential works. In summary, it is fair to say that the Pittwater electorate, from the light at Barrenjoey to the lagoon at Narrabeen, has not had its fair share of the State's resources.

I now publicly acknowledge the many volunteer organizations in Pittwater. I mentioned previously that we had 11 surf clubs. Whilst council supports these clubs financially, the clubs themselves struggle for funds to maintain a high level of training and at the same time provide facilities for their members. Why should club members have to stand on street corners on Saturday mornings with begging tins when they provide a service not just for the local community but for the people of New South Wales? It is high time the Government acknowledged the debt that society generally owes to our volunteers, and I give notice that, together with the other Independents, I am working on a bill to provide surety for our lifesavers.

Pittwater has 11 volunteer rural fire brigades: Coal and Candle, Coasters Retreat, Cottage Point, Duffys Forest, Ingleside, Mackerel Beach, Scotland Island, Terrey Hills, Tumbledown Dick, Warringah Headquarters and West Pittwater. They are all on the fringe facing the national park. Indeed, last December members of the Warringah and Pittwater brigades worked on Central Coast fires. These hardworking volunteers are the backbone of our community. On behalf of the people of Pittwater, I thank them for their dedication, service and commitment.

In conclusion, I acknowledge the kind and gracious welcome given to me by the Speaker of the House, Mr John Aquilina, by the Clerk of the House, Mr Russell Grove, and by members of their staff. From the moment I was elected, my staff and I have been given every assistance in all our requirements. I acknowledge the support and warm welcome I have received from the Independents—the honourable members representing the electorates of Northern Tablelands, Tamworth, Bligh, Manly, Dubbo and Port Macquarie. I thank the people who have supported me and helped me to arrive at this position of responsibility. I thank my family, who have shown good humour and strength during an extremely hectic time, including my wife of 35 years, Denise, my daughters, Alexandra, Emma and Lucy, my grandson, Tarna, and my son-in-law, Guy Wright.

My group of loyal supporters and friends—especially Dr Ken Hughes, Harvey Rose, Shane Withington, Mrs Shirley Phelps, Mrs Karen Johns, Mrs Eunice Raymond, Mr Peter Jones, Mr Jim Rivett, and Mr and Mrs Owers—constituted my election team. I acknowledge the support of the various community and sporting groups that offered me guidance and good wishes. I thank the Greens, the Christian Democrats and the Australian Democrats, who directed their preferences to me. Although I won on primary votes, their preferences sent a clear message of dissatisfaction to the major parties. I am honoured to be the representative of the people of Pittwater. As an Independent, I will vote on the merits of each issue, not on an ideological basis. I do not represent a party; I represent the people of Pittwater. I will do my utmost to deliver the best possible outcomes for Pittwater.

## **INDUSTRIAL RELATIONS AMENDMENT BILL**

### **PUBLIC SECTOR EMPLOYMENT LEGISLATION AMENDMENT BILL**

**Bills introduced and read a first time.**

#### **Second Reading**

**Mr JOHN WATKINS** (Ryde—Deputy Premier, and Minister for Transport) [7.53 p.m.]: I move:

That these bills be now read a second time.

I bring before the House an issue that starkly distinguishes the values of the Labor Government from those sitting opposite. The Industrial Relations Amendment Bill and the Public Sector Employment Legislation

Amendment Bill are one plank of the New South Wales Government's response to the Commonwealth Government's divisive WorkChoices legislation, which is a direct attack on the working conditions and living standards of ordinary Australians. It is an attack supported by the Opposition in this State. The so-called WorkChoices legislation offers no choice and no protection, and will lead to confusion and complexity for both employers and employees. Under the WorkChoices legislation, all foreign, trading and financial corporations will be forced to operate under WorkChoices—they will have no choice. [*Quorum formed.*]

The Commonwealth Government has sought to base the legislation on its constitutional power to legislate in relation to foreign, trading and financial corporations. The New South Wales Government believes that the WorkChoices legislation goes beyond the scope of this constitutional power. For this reason, the Government has launched a challenge to the legislation in the High Court. The High Court has indicated that this will be heard in May 2006. The WorkChoices legislation represents an unprecedented attack on the working conditions of ordinary Australian workers. It is an attack on family living standards. What will employees get from WorkChoices? They will get a substandard range of statutory protections to replace what were once comprehensive awards and agreements; the potential for a lower real minimum wage, if the Fair Pay Commission drives down pay rises; protracted disputes with employers over wages and working conditions; and a sidelined Australian Industrial Relations Commission without the ability to deal with industrial disputes easily and expeditiously.

By contrast, the New South Wales Labor Government supports an industrial relations system that promotes fairness and equity, and supports employers and employees in making decisions about the workplace. That is why the Government is introducing these bills. The Industrial Relations Amendment Bill makes three important amendments to the Industrial Relations Act 1996 to extend additional options and protections to those who are transferred to the Federal industrial relations system by the WorkChoices legislation. The bill does not add anything new in substance to employee and employer rights and obligations. Unlike our Federal counterparts, we are not trying to interfere with the industrial arrangements that the parties have entered into. We are attempting to maintain the rights and obligations that employees and employers now enjoy, before WorkChoices rolls over the top of them.

So what are we proposing to do? First, the bill will give industrial parties a further option for making and maintaining co-operative industrial arrangements outside the WorkChoices system. A critical part of such arrangements is access to a means of negotiating and settling the disputes that inevitably arise from time to time. WorkChoices guts the role of the Australian Industrial Relations Commission in dispute settling, and specifically prohibits it from being much more than an advisor to the parties. This is so, even if the parties agree to give the Federal commission a stronger role. The bill provides that, if the parties conclude a common law deed of arrangement, and they agree to give the New South Wales Industrial Relations Commission a role in resolving disputes about the application of the deed, the commission will be empowered to do so.

This gives the parties another option for making agreements if the State system is no longer available, and provides them with ready access to an expert tribunal as a means of supporting a co-operative industrial relationship. The bill further provides that those enterprise consent awards that currently apply to constitutional corporations will cease to operate, and will be replaced by enterprise agreements in the same terms as the previous award. Given that enterprise consent awards are made with—and cannot be made without—the consent of the parties, they are in substance no different from an enterprise agreement, and so should be treated as such. As a result, such agreements will be transferred to the Federal industrial relations system in a form that protects the agreed conditions to the maximum extent possible. This is in the interests of both employers and employees because it protects the integrity of the agreement that they have made.

Thirdly, the bill proposes some minor administrative amendments to the Industrial Relations Act 1996 to make it easier for the New South Wales commission to respond to the needs of industrial parties. This will be done by amending section 159 of the Act to clarify that the general power of the president includes a specific power to determine the way in which a matter or a class of matters is listed before the commission, and to determine the allocation of matters or the way in which such matters are to be included. In addition, the bill will amend section 156 (2) of the Act to provide that a full bench of the commission must include at least one presidential member and at least one member who is a commissioner or—if no commissioner is available—one non-judicial presidential member. This will open up the membership of full benches so that non-judicial deputy presidents may be used to fill the non-judicial role on a full bench where no commissioner is available.

In the immediate term, these proposals will allow the president to prioritise matters likely to be affected by the commencement of WorkChoices. In the longer term, the commission's capacity to deal with emerging

industrial relations issues will be improved. The reality is that WorkChoices severely restricts the choices available to employers and employees. It will be vastly more complex to work with and it will be more costly for all parties involved. This bill aims to mitigate some of those effects for those New South Wales employers and employees who will be conscripted shortly into the Federal industrial relations system.

I now turn to the second bill that the Government is introducing into the House. The Public Sector Employment Legislation Amendment Bill will make certain public sector employees the direct employees of the Government rather than individual statutory corporations. The Government believes that about 45 per cent of the New South Wales public sector may be exposed to the WorkChoices legislation. In particular, a range of public sector organisations are statutory corporations that could be characterised as trading or financial corporations for the purpose of the WorkChoices legislation. A number of these organisations employ key front-line staff, such as nurses and allied health workers in the health area, and teachers in TAFE institutions. The Government has a choice in how it employs its staff. And our choice is to take direct action where we can—to protect the working conditions and living standards of our own public sector employees.

WorkChoices does not apply to the direct employees of the Government of New South Wales. Therefore, by transferring public sector workers to direct Government employment, we are ensuring the continued application of the State industrial relations system for key front-line employees, such as nurses, ambulance staff, TAFE teachers and support staff, home care workers, and other employees of statutory corporations. About 45 per cent of the public sector—schoolteachers and support staff, police, firefighters, and other Crown employees—will not be covered by WorkChoices. This is because they are already employed by the Government in the service of the Crown, and not by a corporation. At this stage, the employees of State-owned corporations have not been included in this bill, and the Government is considering all available options for protecting their employees from the deleterious effects of the WorkChoices legislation.

The Public Sector Employment Legislation Amendment Bill amends the Public Sector Employment and Management Act 2002, the Health Administration Act 1982 and the Health Services Act 1997, and makes consequential amendments to the legislation establishing various statutory corporations. Generally, the bill removes the existing employment powers of the public sector corporations listed within it, and provides that the employees of these corporations instead will be employed by the Government of New South Wales in the service of the Crown under a new chapter 1A of the Public Sector Employment and Management Act. The bill makes it clear that the transition from employment by a public sector corporation to employment by the Crown will not change the terms and conditions under which these staff are employed, and will not break the continuity of their service. With the exception of TAFE administrative staff, the bill does not make any public sector employees into public servants.

Schedule 1 to the bill amends the Public Sector Employment and Management Act to create a new "Government Service of NSW", which will consist of people employed by the Government of New South Wales in the service of the Crown. Staff within the Government Service will be assigned to public sector corporations to enable them to exercise their functions. The New South Wales Government will employ staff in divisions of the Government Service. A new schedule to the Act will list the divisions of the Government Service. Part 1 of the schedule lists the public service departments, and part 2 lists the non-public service divisions within the Government Service. In practice, the staff currently employed by each statutory corporation will form part of the division that is assigned to assist that same corporation in exercising its functions. Part 3 of the schedule lists the special employment divisions within the new Government Service. The employment of staff within these divisions is subject to the limitations specified in relation to those staff. This division is intended to preserve the effect of existing powers that statutory corporations have to employ outside the Public Sector Employment and Management Act, such as powers to employ casual staff.

The bill does not include the teaching service, the police service or parliamentary staff, although these will continue to be defined as "public sector services" under the Act. The health service will not be included in the Government Service, but its staff will be transferred to Crown employment through amendments to health-specific legislation. Each division of the Government Service will have a division head who will exercise the Government's employment functions in relation to that group of staff. The person holding the position of division head will be listed in schedule 1 to the Act. In relation to public service departments, the existing director general or chief executive officer will be the division head. In relation to other public sector corporations, the division head generally will be the existing chief executive officer. Schedule 1 also contains a number of transitional provisions to facilitate the smooth transition of staff into the New South Wales Government Service, and ensure that their current employment terms and conditions are transferred to the new employer.

In particular, provision is made to ensure that the accrued annual leave, extended service leave and sick leave are transferred to the new employer. Further, if a Federal award or agreement applies to an employee prior to the changes the terms and conditions of the award will be carried over as a State instrument. The new arrangements also will preserve the current rights of employees to access appeals tribunals. As the Public Employment Office is a statutory corporation, it has been decided to de-corporatise that organisation to be absolutely certain that it will not be covered by WorkChoices. Therefore, the bill abolishes the Public Employment Office and replaces it with the "Director of Public Employment", who will be the Director General of the Premier's Department. The Director of Public Employment will have the same powers and functions as are currently held by the Public Employment Office.

In addition to amending the Public Sector Employment and Management Act, the bill also inserts a new part 1 into chapter 9 of the Health Services Act, dealing with the employment of staff in the New South Wales health service. The bill provides that existing public health sector employees also will be employed under this part by the Government of New South Wales in the service of the Crown. Staff will be employed within the New South Wales health service to enable the following health sector organisations to exercise their functions: Area health services and statutory health corporations, and the public hospitals that they control; prescribed affiliated health corporations, in relation to recognised establishments and recognised services; the Health Administration Corporation; and the Director General of Health, in relation to ambulance services, and the provision of health support services to public health organisations and the public hospitals that they control.

The bill provides that the Director General of NSW Health may exercise the Government's employer functions on its behalf in relation to the staff employed in the NSW Health Service. Again, consequential provisions ensure that all staff who become members of the newly constituted NSW Health Service will continue to be employed in accordance with the terms and conditions that applied to them as members of staff of the statutory corporation concerned. The bill does not change the salary, wages or employment conditions of these employees.

Special issues arise in relation to affiliated health organisations. These are non-government religious and charitable organisations, some or all of whose establishments or services are recognised as part of the public health system. The Health Administrative Corporation is currently the representative employer for these organisations. Given the non-governmental nature of these organisations, the bill provides that organisations may become declared affiliated health organisations by being prescribed as such in a regulation. However, they will not be prescribed if they do not concur. The staff of declared affiliated health organisations also will be employed in the NSW Health Service by the Government of New South Wales in the service of the Crown.

A provision has been included in the bill to ensure that only NSW Health Service staff whom the declared organisation considers will respect their health care philosophy will be able to work in their recognised services or establishments. Whether or not an organisation is declared by regulation for public health sector employment purposes will not affect its status as a public health organisation under the Health Services Act. Non-declared organisations, which are funded as part of the public health system, will be required as far as possible to provide terms and conditions of employment for their staff that mirror those for the NSW Health Service. Regulations will also be developed to facilitate mobility between non-declared organisations and the NSW Health Service.

In relation to the Ambulance Service, additional changes are necessary to preserve the exempt benefits for its employees under Commonwealth fringe benefits tax legislation. These are contingent on the staff being employed by the body charged with providing public ambulance services. Therefore, the Ambulance Service of New South Wales will no longer be a statutory corporation, but will retain its distinct identity as a service. The service will continue to comprise the highly professional group of staff dedicated to providing ambulance services for the people of New South Wales. However, they will be transferred to the NSW Health Service to form a distinct and separate service within it.

The bill repeals the Ambulance Services Act 1990, and inserts a new chapter 5A into the Health Services Act 1997 which will instead establish and regulate the Ambulance Service of New South Wales. In future, the Director General of Health will exercise the functions of employer of Ambulance Service staff and also will be vested with the statutory responsibility for providing ambulance services. Day-to-day operational management responsibility will continue to reside with the chief executive, and in all practical respects the Ambulance Service of New South Wales will continue to operate as it currently does.

Schedule 3 to the bill contains a set of amendments to the Health Administration Act 1982 that are required as a result of the changes to the NSW Health Service. Schedule 4 contains a set of amendments to the

legislation constituting the various statutory corporations covered by the bill. These provisions expressly remove the power of the statutory corporations to employ staff. These corporations will instead draw on the employees of the Government Service of New South Wales to enable them to carry out their functions. The New South Wales Labor Government strongly opposes the Commonwealth's WorkChoices legislation and the impact it will have on the working conditions and living standards of ordinary Australians. These bills represent just one aspect of the Government's response to that legislation. They are strong measures that represent Labor's strong commitment to protecting fairness and equity within our community. I commend these bills to the House.

**Mr CHRIS HARTCHER (Gosford) [8.14 p.m.]:** The people and the public servants of New South Wales have a fundamental right to good government, which is based in our Westminster system upon Parliament having the opportunity to deliberate upon and scrutinise legislation before it passes into law. We have seen in this exercise an abuse of the concept of good government by the Government. At noon today the Premier held a press conference with the Minister for Industrial Relations and issued a press release announcing the Government's intention. At 3.20 p.m., when I asked whether a copy of the bill was available, I was told that it was not. At 4:15 p.m., through the courtesy of the Minister's office, I received a copy of the bill.

Fundamental legislation that will affect 186,000 employees of the State of New South Wales, according to the Government's calculations, is not properly addressed if it is put to Parliament in a rush, with standing orders suspended by the majority of the House against the will of the minority of the House, thus ensuring there is no proper scrutiny or debate. What is the Government afraid of? The House is now in its second week of sittings this year. The House has scheduled about 50 sitting days between now and the end of November. This legislation could be considered appropriately in accordance with the standing orders and the established procedures of the House. Yet the Government, for a reason that it refuses to disclose, believes it should be rushed through the House, and on this very night. This is not emergency legislation; there is not a crisis.

The Government is pursuing its constitutional option of a High Court challenge to the Commonwealth industrial relations legislation. Accordingly, it could allow this legislation to be considered and proper community consultation to be undertaken. I invite the Government and the Minister to tell me what community groups have been consulted about this legislation. Were business groups consulted? Were trade unions consulted? Was the Labor Council consulted? Were a raft of bodies with an interest in industrial legislation consulted? Were the 186,000 public service employees who the Government believes will be affected by this legislation consulted? Are their views to be taken into account? When the Federal Government passed its industrial relations legislation it allowed a period of deliberation and for an inquiry to take place in the Senate. Witnesses were heard and there was a genuine debate in both the House of Representatives and the Senate.

**Mr ACTING-SPEAKER (Mr Paul Lynch):** Order! Government members will come to order.

**Mr CHRIS HARTCHER:** The Australian Labor Party was given opportunities to consult widely about the legislation, which had been before the Parliament on a number of previous occasions. In this case there has been a denial of the appropriate processes of the House and no reason has been given for that denial. Therefore, this legislation is not capable of being scrutinised effectively, nor can effective community consultation take place. The people of New South Wales can have no confidence in a process that is a frustration of ordinary democratic rights. What is given by a denial of the democratic process can just as easily be denied and withdrawn by a denial of the democratic process.

The New South Wales Government under Premiers Carr and Iemma have treated the Public Service of this State with absolute contempt. The doctrine of ministerial responsibility has been abandoned. For every crisis that the Government has faced, it has simply made a senior public servant the scapegoat. The most recent example is Mr Paul Forward, the former Chief Executive Officer of the Roads and Traffic Authority, who was made a scapegoat by then the Minister, Joe Tripodi. No Minister resigns, but public servants are sacked. Public servants are treated as so much disposable baggage. We know that 217 public servants sit with no work to do, one for as long as 14 years. Those people are forgotten and ignored. The Government has no compassion for its public servants. Occupational health and safety requirements are ignored as they relate to police officers. About 27 police stations need to be rebuilt, but the Government has done nothing. Ambulance officers at Toukley ambulance station are forced to work in a facility that has an asbestos problem.

The school maintenance program is \$116 million behind. Schools are poorly maintained, presenting occupational health and safety risks to teachers. Nurses work in overcrowded, difficult, tense conditions and their needs are not being addressed. Police are forced to work in one-person police stations with tragic results. At every level the Government has abandoned its responsibility to the State's public servants and uses public

servants simply as scapegoats for the failure of its own policies. One particular department has had five chief executive officers in a period of five years. It is like a revolving door for senior officers in the Government.

After 10 years of ignoring and mismanaging the public service the Labor Party wants to say it is sorry. There have been 10 years of overworked, underpaid police officers, nurses, teachers and departmental staff, and now the Labor Party wants the people of New South Wales to believe it cares. The New South Wales Labor Party simply does not care about public sector employees; all it cares about is scoring a couple of cheap political points. It thinks that by introducing this legislation it can make its past neglect of public servants simply disappear. The Labor Party continues to force police to work in unsafe conditions and environments; it continues to force nurses to work under increasingly stressful conditions; it continues to force teachers to work without resources or proper budget maintenance. If the Labor Party truly cared about public sector employees it would fund schools properly, it would fix police stations and it would hire more nurses.

The people of New South Wales want better from a Government that already has pledged that it will cut 5,000 public service jobs and which has a Treasurer who is on the record as saying he believes that 20 per cent of public servant positions—that is, 60,000 positions—should be abolished. The Treasurer has made his feelings about the Public Service quite clear again and again, and they are not praiseworthy. In response to the Treasurer's admonitions, warnings and threats about the jobs of thousands of public servants, all the Premier has done is to promote him. The New South Wales Labor Party stands condemned for its contempt for the public sector in this State.

The House should bear in mind that the Government has not consulted public servants about major issues that affect them. WorkCover was relocated from Sussex Street to my electorate of Gosford without any consultation with the Public Service. The first public servants knew about it was when they read the announcement by the Premier in the media. Public servants working for WorkCover suddenly found themselves in a situation where they knew they would have to either travel an extra one and a half hours a day or leave the New South Wales public sector. That is the standard of consultation that the Government offers employees—zero. The Government has a long tradition of duping the Public Service and the people of New South Wales and now it asks the people of New South Wales to continue to trust it, despite the failure of its policies in health, education, police, roads and railways.

The Government is in its terminal stage and is now drawing to its close. It will be an unmourned loss, an unmourned departure, similar to the departure of Barrie Unsworth in 1988. The Labor Party does not allow any opportunity to debate the specifics of this legislation because it is out of touch and it simply believes that it can use what power it still has to force legislation through, which is contemptuous of this House. One of the bills, the Public Sector Employment Legislation Amendment Bill, contains 130 pages. The Opposition was allowed three hours to look at the bill, which affects 186,000 public servants. The Industrial Relations Amendment Bill, which was introduced at the same time, contains approximately 16 pages and has schedules amending a list of Acts and affecting a list of departments, their structure, their chief executive officers and, of course, the structure of the employment of the people in those departments.

The Coalition in New South Wales is pledged to support the public servants of this State. We stand by them, believe in them and have confidence in them. We support the teachers, the police, the nurses, the docks workers, the firemen and every public servant who is looking after the people of this State. Our only intent is to rationalise the structure of the Public Service to ensure that it remains efficient. Nobody will lose their job—not a single person's employment is threatened—every public servant who wishes to remain in the public service will do so with our blessing. The only change is that as people retire from the Public Service, where it is appropriate—and it is not always appropriate—we will look to restructure their position.

We are the friends of the Public Service. We are the friends of the firemen, the police, the health workers and the teachers. We are the friends of every worker in this State because we offer them good, secure government. We offer them a fair go. We do not seek to use public servants as pawns in a political endeavour and as scapegoats for political failure. The Government has downgraded public servants in this State again and again so that they have rightly and genuinely lost confidence in the Government.

There was some expectation that when Mr Iemma became Premier there would be a change in the style of the Government and its attitude towards the workers of this State. We all remember Mr Carr standing on the steps of this Parliament giving a two-fingered salute to the workers of New South Wales who were demonstrating in Macquarie Street. That was his contempt for the workers of this State who had been organised by the trade unions to demonstrate against legislation that they believed was inappropriate. And what did Mr

Carr do? He walked onto the veranda of Parliament and gave them the two-fingered salute. That was the way Labor looked after the workers of New South Wales. We thought that had changed; we thought Premier Iemma would offer a new approach. Premier Iemma promised a new approach, and after 10 years of a tired and tiring Government we were told somehow it had all changed. Hey presto! The cloth was pushed away from the magician's table and out came a new white rabbit, named Morris Iemma, with a new hat on. But things have not changed.

This legislation is typical of the way the Government treats its workers. The professional lives of 186,000 people will be changed. They will have their employment structure changed by the Government without notice and without consultation. Why? Because the Government is desperate and is seeking to create illusory issues to confuse New South Wales workers. But at the end of the day the workers know that their schools are badly maintained, their hospitals are overcrowded, there are no adequate mental health facilities, their traffic is stuck in gridlock, their trains are constantly late, overcrowded and dirty and in many areas their streets are unsafe. Even areas that have been regarded traditionally as strong Labor areas, such as the Aboriginal community at Redfern, are now turning upon the Government because it simply treats them with the same contempt it reserves for all New South Wales workers.

The Coalition will look after the workers of this State. We will make sure that their industrial conditions are protected, that they get proper pay, that they get a fair day's pay for a fair day's work and that their superannuation and working conditions are looked after. Every public servant in New South Wales can look to us and know that as an incoming government we stand with them and by them for the betterment of the people of New South Wales. This legislation is classic Labor politics. It is simply the Labor Party at its traditional worst seeking to create smokescreens to hide its failures and to ensure that it has an illusory issue. We are the friends of the workers of this State. We will stand by the workers of this State, be they public servants or private sector employees. Every worker can look to us with confidence. An incoming Liberal-Nationals Coalition Government will look after their wages and conditions.

**Mr STEVE WHAN** (Monaro) [8.30 p.m.]: It is a great pleasure to speak on this legislation, which protects the rights of New South Wales government workers. I have been most surprised by the speech of the honourable member for Gosford tonight. It was a rather subdued effort compared to what we have become used to hearing from him—the fire and brimstone, H.R. Nicholls Society rhetoric that we often hear in this place. He was very quiet and very subdued. What do we put that down to? Perhaps we can put it down to the fact that once again today, when asked by the media what he thought about the industrial legislation and whether the New South Wales Liberal Party's policy position was still to hand over industrial relations to the Federal Government, the Leader of the Opposition refused to answer. The media asked him the question directly, as I understand it, and he once again refused to answer.

Not surprisingly, the Opposition is embarrassed because it knows its position of going lickety-split after John Howard in his drive to deregulate industrial relations and take away the rights of workers is worrying the people of New South Wales. The Opposition knows people are upset and concerned about the future for industrial relations and working conditions. That is why the contribution of the honourable member for Gosford was so subdued. It contained only a little of his usual rhetoric. He said that the Coalition parties are friends of the workers, but he only says that because he knows it gets a laugh from the Government because it is such a silly proposition.

We are dealing with important legislation. It is all about protecting State workers, who have important jobs, from the impact of John Howard's industrial relations legislation. John Howard wants to override the conditions that workers in New South Wales have built up over many years and ensure that over time—it will not happen instantly—those conditions are eroded so that people are earning less, cost less to employ and are less valued. Those people include teachers, nurses, police, ambulance officers, fire brigade officers, workers in the Department of Community Services, and primary industry workers who do such a good job in regional electorates such as the one I represent. Those people have important jobs in the community that we need and value. That is why the Government has introduced this legislation today. It has done so with some urgency, certainly, because it is urgent that we get it through to make sure the rights of those people are protected.

The Monaro electorate has a large work force of such people. In Queanbeyan and Cooma particularly there are a lot of government employees. There are many teachers who work hard for our kids and many nurses in the Queanbeyan and Cooma hospitals who are very committed. In Bombala there are fewer government employees but there is still quite a number. It is the same at Braidwood, and there are a lot of National Parks workers at Jindabyne. All those people are concerned about John Howard's industrial relations changes and the

effect they will have on them. How do I know? I have seen them wearing their "Your Rights at Work" badges to let people know that despite the fact they are working hard at their jobs they are holding a quiet protest. They do not want their rights to disappear under John Howard's industrial relations legislation.

The workers' conditions are under threat from Howard's ideological drive. It is a drive that we all know John Howard has had since he first entered politics, but which he has been given the opportunity to implement only recently as a result of his Senate majority. We have seen the Opposition's complete failure in this place to stand up for the workers of New South Wales. That is something that people in the Monaro electorate tell me over and over. They do not like the policy of the New South Wales Opposition of handing over the State industrial relations system to the Federal Government lock, stock and barrel. It happened in Victoria. Since the industrial relations system was handed over by the Kennett Government, far from Victoria having a smoother industrial relations system there are now more strikes and working days lost than in the work force in New South Wales. It has not been a successful change in industrial relations, both in the number of working days lost and from the workers' point of view.

The Opposition is coy about its policy because I assume it is hearing the same sort of feedback that I am getting in the community I represent. People do not like what the Howard Government is doing. They are starting to hear examples of how the new industrial relations system works. Just before Christmas I heard about a classic case from a constituent of mine. He had been engaged in negotiations about a new Australian workplace agreement [AWA] with his employer. He and his fellow employees were already on AWAs, the agreements the Howard Government wants everyone to be on, including government employees in New South Wales. This person received a text message from his employer that read, "Sign AWA or no pay rise." That was the simple message to the employees of that organisation. If that is the way industrial relations in Australia is going, I do not want any part of it and I do not think most of the community want any part of it either.

Another worker who contacted my office recently had received something in the mail from the Labor Senator who represents our area talking about the impact of industrial relations. She did what a lot of people would do when she got the mail. She said, "It's from a politician" and threw it in the bin. A week or so later she was sacked without notice by her employer, who was apparently under the misapprehension that John Howard's laws were already in force. She thought about it and phoned a lawyer because she was still covered by the unfair dismissal laws. She will pursue her rights. That was an employer who thought the Howard Government's industrial relations changes meant that he did not have to explain to this employee why he wanted her to go; he did not have to give her warnings or counselling or anything like that. That is all the unfair dismissal law asks for at the moment: it asks an employer to give an employee a fair chance to improve and do what the employer wants. That is the sort of right that will go under as a result of John Howard's industrial relations legislation.

There has been another classic case in Queanbeyan that demonstrates how the Howard Government's ideology is trying to push through industrial relations changes. Before the last Federal election the Howard Government promised—an ironclad guarantee; a core promise, I think—that Queanbeyan would get one of the new Federal technical colleges. That is something the Federal Government wanted to put in place to address the appalling skills shortage in Australia as a result of the Federal Government's failure over a number of years to invest in TAFES, universities and apprenticeships. Two groups got together. There is only one good proposal now for a technical college in Queanbeyan. It is quite sensible. It involves the existing high school and the existing TAFE college working together with the new technical college. One would think that was a logical approach that would make best use of existing resources and personnel who are already working in the education system.

That proposal was rejected by the Federal Government—not because it was not a good working proposal or that it would not provide good technical education to kids and young people, but because the TAFE and high school employees would not go onto AWAs. They wanted to keep their award rights. That technical college for Queanbeyan is now on hold—I would say shelved—because the Howard Government was not willing to bend in its ideological drive to make those people sign AWAs instead of having award payments. The New South Wales Department of Education and Training has been willing to work with those technical colleges to give people choice, but we are not willing to force our existing employees to reduce their award conditions. It is another sign of the way the Howard Government's agenda is being used to push workplace changes onto people who do not want them.

In the Federal electorate of Eden-Monaro, of which my seat of Monaro is part, there has been a big reaction to the Howard Government's workplace package. Many people attended meetings in Queanbeyan—many people would say is to be expected because it is a Labor-dominated area—to express their great concern.

However, the conservative areas such as Cooma and Bombala had a massive roll out of people concerned about their rights, and these people were not all unionists. Many of these people are Liberal voters. Indeed, many were older people who remember the fights involved in getting rights for workers in Australia. Many of the older people are worried about what will happen when their 14-year-old or 15-year-old grandchildren try to get their first job. They know that the changes the Howard Government wants to force on New South Wales and the rest of Australia mean that people with relatively little power and fewer negotiating tools will be worse off.

Several groups in the Eden-Monaro area have received significant support from street stalls and campaigns that are being run. The group EMPOWER, which stands for Eden-Monaro people only want employment rights, which is based at Queanbeyan, ran street stalls every week for two months leading up to Christmas and received a terrific response from people coming through the shopping centres. The Snowy Monaro Your Rights at Work Group has held street stalls at Cooma and has received many petition signatures from people who are traditionally conservative voters. These are small communities and we know these people. The Far South Coast Group has received a similar reaction because people genuinely are concerned that John Howard has gone too far in taking away the rights of workers and they believe he should be kept in check.

For these reasons I know that the people of my electorate will support the bills. The New South Wales Government wants to ensure that this State's government workers do not have their rights stripped away by John Howard's industrial relations legislation. We want those people to remain working for the State, in their hospitals and for their kids, by ensuring that they continue to have decent working conditions. People do not want those conditions to be eroded by some ideological drive to lower working conditions and real wages in Australia. That is not a fair way for Australia to operate and it is why they will support the legislation introduced today. I take great pleasure in supporting these bills on behalf of the people of the Monaro electorate.

**Ms NOREEN HAY** (Wollongong) [8.43 p.m.]: I support the bills and congratulate the Iemma Labor Government on introducing them. I commend, also, the Minister, the Hon. John Della Bosca, for his efforts. The New South Wales Industrial Relations Commission provides an avenue for parties to have industrial disputes resolved in an independent and transparent manner. Co-operative and harmonious workplaces have been the result of decisions by the Industrial Relations Commission, which has been an independent third party when disputes could not be resolved. The same though could not be said for the Federal system, which is plagued by disputes, complexities and confusion. The new system is not even under way and people are already confused. They will become even more confused under WorkChoices.

The changes are typical of both the Federal Coalition and the New South Wales Coalition. They think that workers are complete fools and, under the guise of pretending that workers will have some choice, they seek to establish changes to the unfair dismissal laws so that a young person seeking to negotiate employment, for example, with a major supermarket with an Australian workplace agreement, will have little choice. There is little choice for young people trying to get an apprenticeship or a traineeship with the Coalition's attitude towards their pay and entitlements.

We hear the usual bleating from the Federal Coalition that those workers will be protected, yet when workers find they have no protection, thanks to the Howard Government, John Howard will probably turn around and say that he did not know because no-one told him. It is not as if he has not suggested that before! The people of New South Wales know what the Federal Coalition is about, Labor members in this place know, the Minister and the Premier know, and we intend to make sure that the workers of this State also know.

The current Boeing industrial dispute at Williamtown airbase near Newcastle is just one example of the way that the confrontational and dispute-ridden Federal industrial relations system operates. The dispute at Boeing has dragged on embarrassingly and the lack of support by Opposition members has been disgraceful. Indeed, I should note for the record that no Coalition members are present in the Chamber. Members of the New South Wales Liberal-Nationals Coalition, so-called friends of the workers, are not present in the Chamber, although there are plenty of members on the Government benches because they are the real friends of the workers of New South Wales.

The aircraft mechanical engineers at the airbase, through the Australian Workers Union, are simply seeking to negotiate a collective agreement with their employer, Boeing Australia Ltd—shame on you, Boeing—which steadfastly refuses to engage in anything but individual contracts. Members who have been involved in defending workers' rights know what that is about. Such blatant disregard for a worker's democratic right to choose to bargain collectively and for the principles of conciliation has all the hallmarks of Howard's new industrial relations legislation.

To date, the Federal system has been inadequate to foster a resolution of this long-running dispute. Indeed, the Federal system has been inadequate to resolve virtually any dispute. Since Jeff Kennett handed Victoria's industrial relations over to the Commonwealth it has been a disaster, especially compared to industrial relations in New South Wales. I, for one, am prepared to stand up and speak for the people of New South Wales who elected me to this place, unlike Opposition members, who have a desperate need to keep talking down this State and who fail to support our workers. Of course, if they were present in the Chamber they would hear my comments.

Under John Howard's brave new world of workplace relations, sole workers will need to try to bargain with the company, like those at Boeing, which employs almost 150,000 people worldwide and has annual revenues of nearly \$52 billion—and it wants to make more. With such an unfair contest, Australian workers and their families are right to expect protections from such needless conflict and to have access to an independent umpire to reach a fair outcome. This dispute clearly demonstrates what will happen in New South Wales when Howard inflicts his industrial relations system on the State—that is, if the New South Wales Coalition has its way and hands it over to the Commonwealth. I note that there is now one member of the Coalition present in the Chamber. The Boeing dispute is one example of that. The workers at Boeing deserve better treatment and a lot more support than they have received to date. I used to represent the services industry and there has been a lot of talk today about services workers.

I am concerned about the large component of mature-age women from non-English-speaking backgrounds in my electorate of Wollongong. How do we presume to tell them to negotiate an agreement with their employer? How will they do that? As it stands, without the New South Wales industrial relations system—if anyone cares to check the records—for instance, where would mature-age women from non-English-speaking backgrounds working for contract cleaners, who have numerous disputes before the Industrial Relations Commission, go? Already, some of these women are exploited by unscrupulous employers. I am not suggesting that all employers are unscrupulous—far from it—but some employers do exploit these women.

When I used to check on the working conditions of these women I found that some of them were being helped by their kids because they had five hours of work and were getting paid for three hours. They would take their kids along because they could not get the work done in time. And that was with the protection of the New South Wales industrial relations system. What hope do they have? If they must negotiate their conditions with their employer, I do not hold out much hope for them. Thank goodness they have the union to look after them—and hopefully they will continue to have the union looking after them. The conflict and complexity of the Federal system is characterised by the drawn out nature of the dispute at Boeing and Boeing's decision to deny its work force their fundamental right to bargain collectively. Under the Federal system, all power is put in the hands of employers—I have already given a couple of examples—and workers are left out in the cold, unable to negotiate a fair and reasonable wage, even if they could.

The WorkChoices Act is not the result of careful research, consultation or planning. Instead, it is the result of an extreme ideology from a power drunk government. If for no other reason, this bill is important because it will keep dispute resolution in the New South Wales industrial relations system. Under WorkChoices, the Australian Industrial Relations Commission is sidelined from all but the most serious disputes. History shows that workers will not hand over all power under such terms and conditions. We should recall the disastrous maritime and shearers strikes of the late 1800s—the very reason that conciliation and arbitration through industrial commissions were established in the first place. We are facing skills shortages throughout the country, and employers will not always have the power. One would think that everybody involved would try to improve workers' conditions rather than diminish them continually. On behalf of workers, particularly those in my electorate of Wollongong, I am concerned that the so-called proposed Fair Pay Commissioner has already been reported as saying that workers should not expect pay rises to meet inflation and consumer price index increases. What exactly should they expect? And what exactly is the commissioner supposed to be doing? He has already made these comments, although the commission is not yet under way.

The New South Wales Opposition has failed to support the New South Wales Government in defending the people of New South Wales. Indeed, when asked, members opposite are on record as saying that a Coalition government would hand over industrial relations to the Federal Government, although we have a better record on lost work days due to industrial disputation. We have a better record on almost everything compared to the Victorian example since it has been under the Federal system. Yet the New South Wales Opposition refuses to support the New South Wales Government and the workers of New South Wales. I remind honourable members that while the honourable member for Gosford is horrified that the New South Wales Government relocated jobs to Gosford—shame on us for putting jobs into his electorate—we did not realise at the time that his role did not

appear to be to do the best for the people of Gosford. It is apparent that the only hope for workers and their entitlements is if the New South Wales Government manages to succeed in its attempts to protect workers and to maintain the independent umpire.

**Mr Adrian Piccoli:** You don't even believe that.

**Ms NOREEN HAY:** Indeed, I do believe that. What is more, the longer I have been in this place—I indicate that two Opposition members are now in the Chamber—the more I believe every word I am saying because, unlike members opposite, I am not seeking to hide my position in relation to workers and the people of New South Wales. Indeed, it is quite the reverse. As I said, the honourable member for Gosford complained that jobs were relocated to his electorate. Perhaps the honourable member for Murrumbidgee has a complaint about jobs in his electorate. In Wollongong we have seen the dedication and the hard fight by workers and unions to improve productivity and maintain conditions. We have the luxury of having some excellent employers who have no interest in moving to the Federal system or in removing workers entitlements, unlike the New South Wales Opposition.

Opposition members are hypocritical, claiming to be the friends of teachers, police, et cetera, yet talking them down consistently. Members opposite are on record as wanting to sack 30,000 public servants, and that was before the Federal Government suggested that it might have control of the Senate. Basically, it is like a runaway horse on the other side of the Chamber. Members opposite simply cannot talk down this State and workers entitlements enough. Teachers, police, nurses—none of them is fooled by what members opposite say. They know what will happen if they are subjected to the kind of treatment and conditions that the Federal Government will impose. They know what they are up against.

**Mr Adrian Piccoli:** You are their employer.

**Ms NOREEN HAY:** We will stay their employer, and we will keep them in the New South Wales Industrial Relations Commission. The honourable member for Murrumbidgee should take this opportunity and stand up for New South Wales workers. He should stand up for the people who elected him.

**Madam ACTING-SPEAKER (Ms Marianne Saliba):** Order! The honourable member for Murrumbidgee will cease interjecting.

**Ms NOREEN HAY:** Members opposite should support the New South Wales Government in trying to get back the \$3 billion GST rip off. That would help us to assist the people whom members opposite continually claim to defend. Members opposite think that the \$3 billion is an excuse. That is because they do not want to tell their mates in Canberra that they should give us back the money. No-one else thinks that it is an excuse. No-one else in New South Wales believes that the ripoff of \$3 billion from the New South Wales taxpayers to subsidise the other States is an excuse. Indeed, they think the Opposition should be joining the New South Wales Government and Australian Business Ltd in going to Canberra to request that the Federal Government give us a fairer share of that money; then, by keeping people covered by the New South Wales Industrial Relations Commission, we can look after workers entitlements. Perhaps if we got the money back we could employ a few more teachers. I ask members opposite to recall how many teachers the last Coalition Government sacked. How many public servants did the Coalition Government look after? The last Coalition Government sacked 2,500 teachers. Members opposite are not friends of the workers, the teachers, the police, the nurses, or the health system.

**Mrs KARYN PALUZZANO (Penrith) [8.57 p.m.]:** I support the Industrial Relations Amendment Bill and the Public Sector Employment Legislation Amendment Bill. Why do I do that? I do that because, unlike the New South Wales Opposition, which is willing to blindly hand over the rights and conditions that the workers of this State have fought for over many years to an ideologically driven Federal Government, Government members support the workers and workers' rights. Premier Iemma and the Government—and, indeed, all Government members—will oppose the radical and destructive changes every step of the way. And this is a vital step in keeping public servants under the New South Wales Industrial Relations Commission.

Why do I know this? Unlike the member opposite who said that he did not have time to undertake research, I have done my research over the past year and a half. Why? Because I have been listening to the people of Penrith—listening to the mums, the grandmothers, the uncles and aunts, and the brothers and sisters of Penrith, all of whom have major concerns about the WorkChoices legislation. Penrith locals are not convinced by the Prime Minister's "My guarantee is my record" mantra. We have taken a closer look at his record—the

children overboard, weapons of mass destruction—and the clincher since the election is the WorkChoices legislation, which was tabled and debated within 24 hours. The Federal member for Lindsay supported the legislation, not the workers in her electorate. Shame! One of the first persons to come to my Pollie in the Park meeting when that legislation was proposed was a TAFE teacher's wife concerned about her husband's conditions in the TAFE system. It is good to see that these bills cover the TAFE system as well as ambulance officers and those mentioned by the Deputy Premier.

The WorkChoices legislation has an impact on all workers. Considering that tomorrow is International Women's Day, tonight I stress the impact it will have on women. International Women's Day was founded at the beginning of last century when women were looking at their rights and their conditions in various workplaces. International Women's Day became official with unionists in Germany. Another group that has been overlooked is the group with culturally and linguistically diverse backgrounds. Workers who do not have English as their first language and who traditionally could be in a low-paid area have not been factored in. People in those two groups will have a major impact in our electorates.

Despite changes in the work force and in industrial relations systems, women are still paid comparatively less. There is no pay equity for women in 2006. Women made up 75 per cent of all part-time employees in 1995. Many women in New South Wales are casual employees. Casual and part-time workers may not find the voice they require when they are negotiating individual contracts. I have spoken to many women in the Penrith electorate who have been part-time or casual workers. One was sacked for not signing an individual agreement. She questioned what her contract would provide as compared with what her award would provide and she was shown the door the next day. So, many women will not be in a good bargaining position.

What I am saying is backed up by recent media articles. In November last year, Leon Gettler of the *Age* wrote that with the new Federal WorkChoices legislation there will be winners and losers. Under the right conditions they might earn a motzer, better than they did collectively, but it will be a different story when a competitive and flexible workplace puts pressure on everyone to negotiate working hours and leave. It is even harder when it is based on the legislation that was supposed to be simple. WorkChoices is 691 pages of legislation and reads like it has been designed by a committee of power-drunk people, supported by the Prime Minister, who has the balance of power.

Leon Gettler identified in his article that bosses have been identified as the big winners, but many businesses will struggle to understand a law of unfathomable language and convoluted definitions. He also noted you can take your pick of the losers but women have been identified as one of the likely groups. He agreed with what Melbourne Business School of Management Professor Mara Olekans also wrote in the *Age* last year, that women could be at a disadvantage. Whereas men see power in terms of rank and dominance, women focus on networks and relationships. In other words, power for men is about position, status and independence while for women it seems to be more about influence and interaction. According to Olekans, that means women may be less likely to drive a hard bargain because it might damage the relationship they are in.

Studies in the United States of America have also supported this view. I acknowledge Marian Baird from the Work and Organisational Studies School of Business at the University of Sydney. Her issues paper "Things fall apart" specifically relates to the WorkChoices legislation. Working NSW and Marian Baird held discussions with people from many different communities—local community groups, unions, and also churches—about the proposed changes to the industrial relations legislation. They outlined a number of themes. One was family and work.

The faith communities were represented by leaders of the Anglican, Catholic, Jewish and Uniting communities. Working NSW held a roundtable with the faith communities and I also held a faith community meeting in Penrith. What was shown in Marian Baird's studies was reflected in the statements those faith communities made. Representatives of the Anglican, Catholic, Uniting, and Assemblies of God communities attended the Penrith faith forum. They spoke strongly at these forums about the connection between work and families in Australia. Concerns were voiced about further deregulation of the labour market and how increased control by employers to direct the hours and place of work might negatively impact on family and community norms.

Seven specific issues relating to changes in working conditions were raised. These related to the impact on families' lives and ultimately the effect on the communities in which we live. One of the issues was family time and the need for the day of rest. Someone who has annualised hours of work may not get a day of rest within the working week. A person might work 70 hours one week and none the next. Annualisation will have a

major impact on the day of rest. Time poverty is emerging as a real and pressing issue for workers and their families. The distribution, regularity and predictability of work will have a major impact. The other issue that came through was the right to fair and decent work. There needs to be satisfaction, reward and purpose of work. The WorkChoices legislation will have a major impact on them.

The fourth issue is women and motherhood, production and reproduction. Australia's birth rate now stands at 1.7 per cent, which is among the lowest in the western world. Coupled with the aging of the work force this is a cause for concern. At this rate, without immigration, Australia cannot renew its population or its work force. Consequently, more demands are placed upon women to enter the work force and have more children. This places a double burden on women. Comparative studies have shown that countries that facilitate motherhood-work transition and provide supportive work and family policies have higher birth rates than those that do not. Compared to most other countries, Australia has poor parental leave policies. There is a need for better policy making in this area. The five conditions of the WorkChoices legislation will impact on parental leave conditions in New South Wales.

Attention was drawn to the following issues that directly affect women and which require greater attention to public policy. They are: the ability to combine work and motherhood; factors influencing birth rates; the appropriate recognition and importance of children and childbearing to the community and social wellbeing; and workers with caring responsibilities—this probably refers to people in the work force who have outside caring duties, not just for children but for aging parents, siblings or family members. Childcare expenses need to be outlined as well. They are some of the issues that were raised by Marian Baird that I commend to the House.

Part of the WorkChoices legislation is abolition of protection from unfair dismissal for 400 million workers employed in companies with fewer than 100 staff. Individual contracts will mean reductions in take-home pay and employment conditions. The changes to minimum wages are set to reduce them and to replace the award safety net with just five minimum conditions. Up for grabs could be wage rates based on skill levels, limits on when people can be required to work, overtime pay, weekend or night work rates, work-related allowances, annual leave loadings and redundancy pay. WorkChoices will also keep unions out of workplaces and reduce the capacity of workers to bargain collectively. The Boeing workers at Newcastle have not been allowed to collectively bargain and we have already heard about the impact that has had on their lives.

The taking away of the powers of the independent Federal Industrial Relations Commission is a great worry. It is putting the third umpire under the control of the Federal Minister, politicising the commission. Instead of a third-party advocating on industrial relations there will be a commission that is wholly formed by a Federal Minister at the time. The legislation can also be amended by the Minister without going to Parliament. This is absolutely disgraceful in the view of the State Government. As the honourable member for Wollongong stated, a number of people in the community are not happy, John. They are not happy with the legislation and have formed groups. They are not unionists. They might be members of a union now but they certainly were not members when they started. People are concerned about the effects not just on this generation but future generations.

As I mentioned, in the middle of last year there was a work meeting at Penrith RSL. We had to open another room because of the overflow. The crowd went down the corner and around the street. Many thousands of concerned people were at that first mass meeting. I rode the train to the Last Weekend that started at Penrith and travelled all stops to Homebush. I managed to visit most carriages to speak to the people—many were grandparents—about Federal Government changes to industrial relations legislation. There have been street stalls and stalls at soccer games and netball games. At Penrith Festival last year at the Your Right to Work stand Tim Brunero, the runner-up on *Big Brother*, supported the campaign. He signed autographs and shook hands. It was a great time to raise awareness of the changes. There have been workplace meetings. Bernie Banton addressed nurses and other workers at Nepean Hospital. The firies and the Volunteer Rescue Association have expressed their views and rallies have been held outside the offices of Federal members of Parliament. [*Time expired.*]

**Mr MICHAEL DALEY** (Maroubra) [9.12 p.m.]: I support the Industrial Relations Amendment Bill and the Public Sector Employment Legislation Amendment Bill. The purpose of the bills is generally, firstly, to insulate certain New South Wales public sector employees from the new, so-called, Federal Government WorkChoices legislation and to preserve the conciliatory and arbitral role of the Industrial Relations Commission of New South Wales. Like many speakers before me, I congratulate the Premier and Minister Della Bosca on moving decisively and swiftly to do the right thing, to do the Labor thing, to look after the working people of New South Wales, the people who have delivered and continue to deliver services to the residents of

New South Wales. This is another example—as if we needed one—of this Government's proven ability to make the big decisions that are needed to preserve the living standards of the people that the Government of New South Wales is charged to look after. As I stand here I have to note that there is not a single member of the Opposition in the Chamber. I see the honourable member for Wakehurst and the honourable member for Wagga Wagga racing into the Chamber smiling as if to add to the insult—

**Mr Brad Hazzard:** Point of order: I just point out that the honourable member for Wagga Wagga and I were listening very intently to the honourable member.

**Madam ACTING-SPEAKER (Ms Marianne Saliba):** Order! That is not a point of order.

**Mr MICHAEL DALEY:** The members were not in the Chamber. If any example were needed, that is another example of the disdain the Opposition holds for public servants in New South Wales. I had to laugh at the trifling and lacklustre contribution of the honourable member for Gosford. Apart from his effort of plagiarising the Prime Minister's line about being the workers' best friend, we heard curiously about the doctrine of ministerial responsibility, the Toukley ambulance station and the alleged lack of care by the New South Wales Government for public servants. Most of all we heard from the honourable member for Gosford, and before him the honourable member for Epping, a whole heap of bleating about the lack of time that has been given to the Opposition to scrutinise the bills. The truth is that the Opposition could have been given six months to scrutinise the bills—

**Mr Bryce Gaudry:** Or a year.

**Mr MICHAEL DALEY:** Or a year. The result would have been the same. How do we know that? Because the Opposition's runs are on the board with respect to issues such as these, issues that require Opposition members to depart from the example set by the Howard Government. On the great GST rip-off they were missing in action. On the Iemma Government's launch of a High Court challenge to Howard's industrial relations laws once again they have fallen into line with John Howard. On protection for the State's rice growers the position is the same. Bob Carr and Morris Iemma chased the corporate criminals from James Hardie halfway around the world without any help from the Opposition. The Opposition has been reduced by the Howard Government to the role of a provincial lapdog. It will not depart on any issues from the Howard Government position. This will be to its eternal shame, and ultimately will be its undoing in March 2007.

The ultimate hypocrisy from the honourable member for Gosford was to say, "We are the true friends of the public service." How then does the honourable member for Gosford wish to explain away the announcement by the Leader of the Opposition last week that he would get rid of 29,000 public servants? That cannot be explained away, nor can his further insult which labels the subject matter of these bills as illusory issues. That is what the honourable member for Gosford and the Opposition categorise the workplace rights of New South Wales public servants as—illusory issues. It is another damning indictment of the weakness and lack of fitness to govern of the Leader of the Opposition and the people who sit behind him. The honourable member for Gosford said, "We will look after the public servants of New South Wales." This is a curious statement to say the least. If the Opposition had its way the bills would not have been introduced into the Parliament and the High Court challenge of Morris Iemma and the New South Wales Government, which is the last hope of the workers of this nation, would not have been launched. The result would have been that New South Wales public servants would ultimately have been transferred into the Federal industrial relations system.

I would like the Leader of the Opposition to show some courtesy to the workers of this State, to come into the Chamber and explain away how the following measures would see them better off. I would like him to explain how a change to workplace agreements so that they no longer contain minimum award redundancy standards would help them. Workers who are made redundant and retrenched due to the operational requirements of a business will not be able to claim unfair dismissal no matter what the size of the workplace is. I would like the Leader of the Opposition to show some leadership for the first time, at least since my election to this place, and tell us how getting rid of work rights such as weekend, shift and public holiday overtime, redundancy pay and allowances would help the workers of New South Wales.

I would like the Leader of the Opposition to explain how stopping the independent umpire, the Industrial Relations Commission, from setting minimum wage rates would help the public servants of New South Wales. Opposition members are not present in the Chamber because they cannot explain away any of these issues; they have simply fallen into line with John Howard. How can replacing the award safety net with just five minimum conditions help the workers of New South Wales? How can removing any requirements for

agreements to be consistent with award rights and stripping down agreements to just five minimum conditions—a minimum hourly rate, 10 days sick leave, two weeks annual leave, two weeks of annual leave that can be cashed out, unpaid parental leave and a maximum number of weekly working hours—help the public servants of New South Wales?

How can preserving a 38-hour week in theory but not paying extra for overtime, weekends, shift work or public holidays help the public servants of New South Wales? I am at a loss to explain. How can it help workers if we remove protection of important rights, such as limits on when one can be required to work, overtime pay, weekend or night work rates, work-related allowances and annual leave loading? I am waiting with bated breath to see whether any member of the Opposition has the courage to stand up and try to sell that notion to the people of New South Wales.

The Industrial Relations Amendment Bill is also a very important part of the legislation that has been introduced tonight. Australia's State and Federal industrial relations commissions have acted as the independent umpires in workplaces in this country for more than a century, settling industrial disputes and establishing the decent minimum standards enjoyed by all workers. These commissions have provided an independent forum, an avenue for ordinary working people to take their disputes to if things go wrong with their employer. The industrial relations commission is a unique Australian invention. It is one of the reasons that Australian workplaces are safer and fairer than those in other countries, such as the United States. It is one of the factors that have contributed to our unique Australian way of life. It has protected living standards; it has provided security. It is a truism of life that if one feels insecure at work, that feeling pervades one's day-to-day living.

I do not believe that anyone deserves to live under the spectre of workplace insecurity. It should not happen in a society like ours, and the Labor Government we will ensure that it does not. The Howard Government wants to abolish all State industrial relations commissions and to remove powers from the Australian Industrial Relations Commission. The Federal Government does not want the commission to set minimum wages, to help resolve industrial disputes or to consider any new award conditions. That is why the Industrial Relations Amendment Bill is a crucial piece of legislation. It is classic Labor and it makes me feel proud to be a member of this Government—a Government that will not forsake its public servants. I support this legislation.

**Mr ALAN ASHTON** (East Hills) [9.23 p.m.]: All the speeches made by Government members have been excellent; they have demonstrated real passion. I will excuse my good mate the honourable member for Gosford on this occasion because I have seen him fired up over the past four years, particularly when he enjoyed a larger majority in his electorate. He was good; he would give the old Chainsaw a run for his money. If journalists from the *Sydney Morning Herald* were in the gallery, they would give him a rap because he did not do a bad job. He did not lose his voice as often in those days. He was pretty good. The speeches we have heard tonight, without interruptions from the Opposition, have been good because the Industrial Relations Amendment Bill and the Public Sector Employment Legislation Amendment Bill go to the heart of what Government members believe compared to what Opposition members believe.

These bills provide an excellent demonstration of why this Labor Government is the only government in all the States and Territories of Australia that looks after the workers' interests, not just blue-collar workers, not just unionists, but all workers. John Howard employs the trick of giving legislation euphemistic titles, like WorkChoices. We understand that tactic. "WorkChoices" means workers have no choice at all. "Weapons of mass destruction" means Dick Cheney shooting his mate on a rooster hunt somewhere in Texas. It is a euphemism. The idea is that if he uses a nice title we will believe. There is no work choice under the Howard legislation. WorkChoices means no choice. Polls indicate that virtually no-one believes that he or she will be better off under John Howard's WorkChoices legislation.

John Howard's accidental control of the Senate has delivered his life-long ambition of smashing ordinary workers' rights. He is aiming the legislation not only at the "evil" building workers, seamen and waterside workers—the usual suspects that the Opposition detests—but also teachers, nurses, ambulance officers, police officers, fire brigade personnel, university lecturers, the wider public service and the people who work in this Parliament. The staff sitting in this place tonight and the Hansard reporters will have their rights stripped away if we do not enact this legislation. They are the people John Howard is after—that is, anyone referred to as a public servant or an ordinary worker.

John Howard is doing this so that company share values will increase. When I was a kid we would watch the television news and then the sports report. Now we watch the news and then five minutes of drivel

about the share market. There is no point putting money into the bank because the interest rate is only 1 per cent. On the other hand, buying bank shares could produce a million-dollar profit. It is outrageous. That is the sort of society John Howard is creating. We are a meaner society. We are looking after number one and suffering from the "I'm all right Jack syndrome". That was very well demonstrated in a great 1950s movie starring Peter Sellers. It has never been more true than it is in Australia today. The shame rests with the Federal Parliament for passing the WorkChoices legislation.

Hundreds of thousands of Australian workers will be affected by the Howard Government's legislation. The WorkChoices legislation will eventually lead to a United States-style industrial relations system. There may be more workers and John Howard may be able to say that the Federal Government has created a couple of hundred thousand jobs, but we know how he will have achieved that. Many people will be working part time and for tips and gratuities. They will be working back because the boss has given a wink and a nudge to some young secretary that it is about time she stayed back and did a little extra work. We will see what happens in that situation, because it will not be long before the Howard Government abolishes all the other protections we have established to ensure fair play in the workplace. That will happen. People in my electorate have complained about it already.

As I said, there may be more workers, but their conditions will have been driven down and more people will be working for less. People working in countries that do not have the protections enjoyed by Australian workers until now often depend on tips. They do not get a real wage; they get a couple of dollars an hour and then they over service customers. Waiting staff in restaurants lavish attention on diners and then expect a big tip. That is what John Howard's WorkChoices legislation will mean. It will produce a class of working poor and what Americans derisively refer to as "trailer trash" communities on the outskirts of towns. The inhabitants cannot get jobs because poverty perpetuates itself. The poorer these people become the less capable they are to escape their poverty. They cannot get a job because they cannot afford health care, decent clothes, glasses or dental care. As a result, they are unemployable. That is what will happen.

People in my electorate have already approached me about this issue. Under Howard's way—hopefully it will be Howard's end—people will be continually ripped off. Older workers will see their employment terminated and younger workers will be exploited. If honourable members do not believe that, they are living in cloud-cuckoo-land. While there are many good bosses, they are good because of the industrial relations system that has worked in this country for more than 100 years to modify not only outrageous union and worker behaviour but also outrageous boss behaviour. That system will no longer exist.

The Federal legislation is aimed not only at unions. We know that that is the Federal Government's and John Howard's aim. It is also aimed at getting workers, and it is easier to smash the lowly paid workers. We see many lowly paid workers dragged up in front of some court for doing something terrible. However, the media constantly carries reports of eastern suburbs trendies being dragged into court with their barristers and silks at \$5,000 a day for having ripped off the system. HIH and FAI come to mind, as does Bradley Cooper and the James Hardie group. That group still has not come to the party after a year or two of former Premier Carr and Premier Iemma fighting tooth and nail to look after workers affected by asbestos. I refer honourable members to the Boeing workers in Newcastle. They have been on strike for 265 days and Boeing will not even talk to them. Boeing is one of the biggest multinational companies in the world.

Older workers will have their employment terminated; younger workers will be exploited. I have already referred to cases of young people being ripped off in my electorate. The Howard Government has given many bosses the green light to bad behaviour. I think everyone understands what I mean by "green light"—it is "Wink, wink, nudge, nudge. You get on with what you like." As other Government members have said, John Howard will not hear about it because it never quite gets to him. It does not matter how many pieces of paper cross the Federal Parliament, John Howard has a sign that says, "Don't tell me. Forget the hearing aids. Don't tell me because if I don't know I don't have to get up and tell a lie." Did honourable members see John Howard's body language on television recently? Kerry O'Brien asked, "Are you good at telling lies?", and John Howard said, "No, I'm not really good at telling lies. I don't tell them real well." We saw an outrageous performance from John Howard. One could tell that he had told many lies; every time he tells a lie he has some sort of facial tic and his shoulders move up and down. We know when he is lying, and he is lying about WorkChoices. There is no choice.

Last year an 18-year-old in my electorate, who was studying for the Higher School Certificate [HSC], was working 55 hours a week but was being paid for 40 hours. I asked, "Why are you doing this, son? Get your act together on the HSC." I know his family situation well; they needed that 40 hours of pay. However, he was

working 55 hours a week. I know of a young girl who lives in my electorate and works in Peakhurst. She worked two four-hour shifts at a restaurant in Peakhurst, allegedly on a trial basis, and she was not paid. She was told, "No, we do not need you. Sorry, you were okay but you don't get paid because it was only a trial." I bet she is not the first and she will not be the last that that will happen to. That boss will wheel through the system, not paying at all while WorkChoices is his protection.

**Mr Brad Hazzard:** That is the current system.

**Mr ALAN ASHTON:** I will come to that in a minute. The Federal Government has given bosses the green light. This boss has got the message. Other constituents are concerned that their young daughters, wives and girlfriends will be targeted by unscrupulous bosses. Let us not forget that the Federal Government spent almost \$55 million advertising the WorkChoices legislation before it had been passed by the Federal Parliament. What an outrage! If that money had come to New South Wales via the GST formula—a corrupt formula—we would have better schools, be able to do maintenance on some railway tracks, be able to employ more nurses. We could do a whole raft of things with \$55 million. What does John Howard do with the booming surplus he has created by ripping off New South Wales? He spends it on advertisements. That is outrageous!

The WorkChoices benefits were announced before they were passed. However, when the polls were taken no-one believed them. People are not as silly as some would like to think. The John Howard-stacked High Court found this expenditure to be beyond its brief and could not look at it. Let us hope that the State's challenge to WorkChoices, which is before the High Court, gets a fairer hearing. WorkChoices overturns 100 years of an Australian arbitration system. The Coalition says it is conservative and it brags about being conservative. However, when it comes to workers' rights it is ruthlessly radical. Let us not forget that the Coalition ripped up tradition in 1975 by sacking a Prime Minister and having its leader appointed Prime Minister. Coalition members go on about what radicals those on the Labor side of politics are, but they are the biggest hypocrites.

The Fair Pay Commissioner and the Treasurer have already indicated that wages will be set taking into account other factors, which are very loosely termed. For example, work performed might be looked at, as would skills needed and maybe hours worked. However, the commissioner will also examine other matters. Now what could they be? Perhaps the money a person already has in the bank. Maybe the boss will say, "Your job requires that you earn \$1,000 a week or so. But you are not really poor; you have a bit of super. Maybe we will give you \$500." The boss might say, "I heard you won the lottery, so we are going to dock your wages next week." Maybe a boss will say, "You are likely to inherit some property, mate. Maybe you do not need this amount of money." Maybe a boss will say, "You have some wealthy brothers and sisters. We will not have to worry about paying you quite so much." That is what this new Fair Pay Commissioner and the Treasurer have said they will look at—not just the work a person does, but outside factors pertaining to what income and support that person might get through family, a war widows pension, some legacy support or even support from the Red Cross. They are going to factor all that into the wage an employee gets.

As I said earlier, the honourable member for Gosford usually makes a pretty good effort. However, he was going through the motions tonight. To his credit, he turned up and spoke. I notice that the Opposition Whip is sitting outside the Chamber—that is probably not a bad move. To his credit, the honourable member for Wakehurst is always up for a bit of a struggle. He came in and said a few words to interrupt. I appreciate that he did that. Opposition members have gone absent without leave. Their policy is to sack 29,000 front-line public service employees, but they do not know where those employees will come from. When asked, the Leader of the Opposition said, "I'll get back to you on that." Honourable members should have heard the interview of the Leader of the Opposition by Virginia Trioli on *702 ABC* the other day. It was embarrassing. When Virginia Trioli put questions to the Leader of the Opposition about the cross-city tunnel, he ducked and weaved. He ducked and weaved more than the honourable member for Clarence does when he is punching the bag in the gym—and he is not bad at ducking and weaving. The Leader of the Opposition was absolutely deplorable. I thought, "Hang on. We do not want to overdo this bloke, we want him here for the next 12 months", otherwise we would be going for it even harder.

The Opposition has no answers; it has no policy. The Leader of the Opposition said, "We are not in government, what can I do?" Virginia Trioli kept saying, "But, hang on, you want to be in government. Say something." The Leader of the Opposition said, "No, I will get back to you. We have to open the roads." She asked, "What happens when you open them?" He said, "I will get back to you. I will let you know." That has to be the worst Opposition performance I have ever heard on a public radio. I urge everyone in this Parliament to get a hold of a transcript of that interview, to read the words and to realise why the Opposition has no future, why Opposition members are not in the Chamber tonight.

Our legislation will isolate as many workers as possible from the Federal Government's destructive Act. Under the Public Sector Employment Amendment Bill, the Roads and Traffic Authority, the State Transit Authority and TAFE workers will be employed by the New South Wales Government in the service of the Crown. We hope that will quarantine these workers from the clutches of Howard's evil hands. Health workers also will be protected. All the Government speakers have spoken passionately and persuasively. Opposition members dogged the debate. As I said, the honourable member for Gosford had a bit of a go. Normally he gets quite wound up about this. Perhaps we should have heard the new star in the firmament of the Liberal Party, the honourable member for Epping, who we all love and should bring a lozenge for. I saw *Sydney Morning Herald* journalists in the gallery today cacking themselves because their man is having a go. But where is he tonight? He has dogged it too.

The Industrial Relations Amendment Bill will also provide a further protection for employees. The bottom line is this: only the New South Wales Labor Government and the Labor Opposition in Canberra stand up for workers. We stand up not just for unionists but for all workers. I congratulate the Lemma Government, the Minister for Finance, every Labor member who believes in this passionately, and every Labor member who has spoken tonight—or would have done so, if we had more time to debate this issue.

**Mr BRYCE GAUDRY** (Newcastle—Parliamentary Secretary) [9.38 p.m.]: I support the Public Sector Employment Legislation Amendment Bill and the Industrial Relations Amendment Bill. As my colleagues have pointed out, these bills are about the protection of the rights of public sector workers and the rights of all workers in New South Wales against the Howard industrial relations legislation. I am not surprised that we have not heard from the Opposition, apart from the honourable member for Gosford. His memory would be long enough for him to realise that the Howard Government's legislation reflects very carefully the industrial relations legislation that was introduced into this House by the former Greiner Government in September 1991. I reflected on that when I made my first speech in this House. It is instructive, and I will quote some of it. On 17 September 1991 I said in that speech:

... first, its attack on the democratic rights and working conditions of the people of New South Wales, and its determination to remove the protective influence of the organised trade union movement; and, second, the mistaken belief of the Government that the passage of the bill will create a better industrial climate to make our industries more cost efficient and competitive. This just will not happen. The provisions of the bill will destroy 10 years of co-operative work between government, management and the trade union movement to develop a more flexible multiskilled workforce with present section 11 industrial agreements.

This bill will turn order into chaos. The workers of the State accept the need for the changes in work practices and reskilling necessary to make this country cost competitive. They will not accept a process that drives wages and conditions down to subsistence level. They will not give away their right to organise and the democratic right to withdraw their labour when they are being exploited in the workplace.

I went on to talk about the fact, as the previous speaker said, that this industrial relations approach by the Howard Government, and its craven acceptance by the Opposition, will increase the pressure on disadvantaged workers—women and workers in low paid industries—to take lower wages. It will increase the amount of work they will do beyond what will be expected by the five minimum standards under the Federal industrial relations legislation and allow them to be further exploited. As was mentioned earlier by speakers from this side, the classic example of the implementation of the Howard agenda, which is accepted by the Opposition, is the treatment of the Boeing workers at Williamstown.

Those workers were not originally members of a union. They had accepted the Howard Government's approach of having workplace agreements and then went to individual contracts. They saw that this led to an unfair approach to the work force by the employer, who used the disproportionate power of the human relations department against each individual worker under a proposed WorkChoices approach. The reality is that there is work—that is the worker's side of it—and the employer has the choice. The worker either accepts the choice or he does not have the work. That is a simple arrangement and a disproportionate use of power.

The Boeing workers sought a collective agreement and union coverage. Over a nine-month period, with great strength of character and the enormous support of the Hunter Valley community, the trade union movement generally, the Australian Labor Party and members of the Government, those workers waged a long and difficult struggle. Of course, when they went back to work at the end of that nine-month period they faced the workplace agreement approach of Boeing and the Federal Government: "You come back under exactly the same system as before, you either agree to that or you do not have a job." That is the disadvantage of the proposed Federal system and the downward pressure it creates. Already within the building and construction area of the trade union movement major employers are walking away from existing agreements and cutting workers' wages and conditions.

This is classic Labor legislation, focused on the protection of workers, giving them rights under the industrial relations laws of this State, and insulating public sector employees from the Federal industrial relations system by making them employees of the New South Wales Government in the service of the Crown. The Government is committed to this legislation to ensure the protection of those workers so that their working conditions are not eroded. We do not want them to be placed in a detrimental relationship under WorkChoices at the Federal level. We do not want them subject to five minimum conditions of employment. We do not want them to suffer an impact on their holidays, their hours of work or their capacity to operate as community members and family members.

Surely members of the Opposition must support this legislation. It protects those who teach in their schools, work in their hospitals, provide their emergency services, drive their ambulances, and protect the community that we all enjoy. We say those people demand and deserve the protection of the industrial relations approach that has been crafted by the Labor Government in its decade in power and which overcame—reverting to my original point—the philosophical approach of the Greiner Government, which was trying to put into effect the very industrial relations regime that the Howard Government has now introduced. I urge members opposite to join with us in supporting the Public Sector Employment Legislation Amendment Bill and the Industrial Relations Amendment Bill. I thank the Minister for Industrial Relations and the Premier for bringing forward this legislation. I commend the bills to the House.

**Mr JOHN WATKINS** (Ryde—Deputy Premier, and Minister for Transport) [9.46 p.m.], in reply: I thank all honourable members for their contributions to this debate. The New South Wales Labor Government strongly opposes the Commonwealth's WorkChoices legislation and the impact it will have on the working conditions and living standards of ordinary Australians. The Government supports an industrial relations system that promotes fairness and equity and supports employers and employees in making decisions about the workplace. By introducing this legislation the Iemma Government is protecting its employees from the impact of the Commonwealth's industrial relations reforms.

These bills will ensure the continued application of the State industrial relations system for key front-line public sector employees such as nurses, ambulance staff, TAFE teachers and support staff, home care workers and other employees of statutory corporations. In addition, importantly, it will facilitate good industrial relations practice for our community at large by amending the Industrial Relations Act to provide for the New South Wales Industrial Relations Commissioner to conciliate and arbitrate in circumstances where a common law contractual agreement entered into by the parties allows the conversion of enterprise consent awards to agreements. Some minor administrative changes to the operation of the Industrial Relations Commission will ensure that the commission can be more responsive to the needs of parties.

The industrial relations system in New South Wales works. It works well. We have a co-operative industrial relations environment in this State. We wish to protect and have that extended. There have been some comments in the debate about the need to expedite these bills. That has been caused by the Federal Government. The short time frames have been dictated by the Federal Government. Without any clarity about the commencement of WorkChoices or the content or timing of the WorkChoices regulations, we have been placed in the situation where this might be our last opportunity to provide a legislative response to WorkChoices to the extent that we can. Our preference would have been for a more measured and considered approach after seeing the regulations. Identifying consent awards as agreements for constitutional corporations is particularly time critical. For those provisions to have effect they must be enacted before WorkChoices commences. If they are not, potentially hundreds of agreements for future wage increases that have been reached at the enterprise level will be lost.

Further, the Government is legislating now to ensure that those public sector employees who could be covered by WorkChoices legislation will remain with the State industrial relations system. By seeking to have these bills passed prior to the commencement of WorkChoices the Iemma Government is seeking to avoid any potential confusion or complexities. The passage of this legislation will ensure that these workers are not transferred to the Federal industrial relations system. WorkChoices is bad law. It is bad for our country, our workers and for New South Wales families. New South Wales has a Labor Government—the Iemma Labor Government. One of its prime purposes is to protect the workers and families of this State. The legislation introduced and debated this evening in this House is designed to do that. I thank all members who have taken part in this debate.

**Motion agreed to.**

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

**GOVERNOR-GENERAL'S RESIDENCE (GRANT) AMENDMENT BILL**  
**TRANSPORT ADMINISTRATION AMENDMENT (PUBLIC TRANSPORT TICKETING CORPORATION) BILL**

**Messages received from the Legislative Council returning the bills without amendment.**

**SPECIAL ADJOURNMENT**

**Motion by Mr David Campbell agreed to:**

That the House at its rising this day do adjourn until Wednesday 8 March 2006 at 10.00 a.m.

**The House adjourned at 9.52 p.m. until Wednesday 8 March 2006 at 10.00 a.m.**

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